

Labor and Employee Relations Support to the Campus April 2014

Human Resources is pleased to provide an update on progress toward improved and streamlined handling of labor and employee relations issues. The goal is to support supervisors in taking appropriate actions in a timely fashion, while balancing consistency across and risk to UCSF.

Objectives:

- Define roles and required approvals, consultations, and notifications for LER actions.
- Develop training and tools to implement processes and appropriate distribution of work.
- Develop turnaround timelines so supervisors/managers know what to expect for HR review and response.

Outcomes:

- ✓ Clarified that the Department Supervisor, Manager and/or Director ultimately decides the action to be taken, except in very limited situations as dictated by law or policy.
 - Human Resources' role is to provide advice to Department Supervisor, Manager and/or Director.
- ✓ Developed comprehensive list (below) of potential employee actions and clarified when support/advice is provided by HR Service Center and when an action is escalated to Labor and Employee Relations.
 - This will help to ensure consistent and clear guidance and is expected to improve response times
- ✓ Developed process for handling complex cases/issues by ensuring the right people are involved in making a plan as early as possible.
 - This will help to ensure that clients get support from subject matter experts quickly and efficiently.

Next steps:

- For the most common employee actions, HR will update or develop local policy guidelines, tools, templates, samples, checklists and other resources. Some HR processes are already available at HR [How to Guides](#) As these tools are updated and additional materials developed, they will be available on the HR website or from Generalists as appropriate.
- HR is developing turnaround timelines so supervisors/managers can better anticipate and plan actions, such as the number of days to review a disciplinary letter, layoff plan, etc. As turnaround times are established they will be published on the HR website with related process materials.
- HR recommends that the HR Advisory Board convene a Labor and Employee Relations subcommittee to advise on reviewing processes, tools and turnaround timelines. The goal is to partner with customers in assessing actions from end-to-end to ensure optimal support and outcomes.
- HR will continue to train all HR staff to develop consulting skills needed to provide effective guidance to supervisors.
- Labor and Employee Relations is in the process of updating and/or developing local implementing guidelines to help communicate campus procedures related to specific UC policies.

Participants:

- Director of Labor and Employee Relations Shelley Nielsen, Director of Shared Services Jenny Schreiber , Director of HR Specialty Center Mike Tyburski, Manager of Labor and Employee Relations Andria Bagwell, HR Director Jason Stout, Staff Managers Mark Gottas, Nanette Grimm, Daniel Dominguez-Moncada, Bob Gilmore, Katy Rau, Labor and Employee Relations Specialist Kelly Sheridan and HR Training Specialist Rebecca Szatkowski
- School and Department Representatives including: Michael Hindery, Richard Secunda, Thomas Cunningham, Lynda Jacobsen, Marie Caffey, Lynn Olinger, Jon Giacomi

Potential Employee Actions

To more quickly and efficiently address labor and employee relations issues, HR has clarified below who needs to be involved for LER processes. Some actions should directly involve LER, and others may be addressed by HR Shared Services Managers and Generalists. Below is a summary and this information which is also available in a [matrix](#).

Issues that involve imminent threat to others (i.e. employees or patients) are appropriate to escalate immediately to Labor and Employee Relations. Examples include:

- Abuse Behavior
- Suspected Impairment
- Threats
- Situations related to safety of staff or patients

HR Shared Services Generalists/Managers will consult with Labor and Employee Relations for the following (which may add time prior to advising department supervisor/manager):

Letter of Warning	Requests for Order of Indefinite Layoff (seniority points calculation)
Notice of Intent - Suspension	Justification Request to Retain Employee Out-of-Seniority Order when Layoff underway
Notice of Intent - Disciplinary Demotion	Work Rule Notifications
Notice of Intent to Reduce Pay	Request for Information (RFI) from a Labor Union
MSP Performance Documentation (Statement of Concern/Letter of Expectation)	Public Records Request (PRA)
Letter of Warning in Lieu of Suspension	Demand to Bargain Notice from a Labor Union
Final Letter of Warning	Request to Meet and Discuss (Union & Non-Exclusive Representatives)
Notice of Intent to Dismiss (PSS)/Terminate (MSP)	Labor-Management Meetings (leading meetings)
Business Plans for Layoff	Background Results Review for newly hired employees
Separation Agreement Review (MSP)	

HR Shared Services Generalists/Managers provide advice for following:

Review of Probationary Evaluation if Less Than Satisfactory Rating	Notice of Suspension following Notice of Intent to Suspend
Extension of Probationary Period (Non-Represented & Represented)	Disciplinary Demotion following Notice of Intent to Demote
Review of Annual Performance Evaluation when Less Than Satisfactory Rating	Reduction in Pay following Notice of Intent demote
Limited Appointment Release	Notice of Dismissal following Notice of Intent to Dismiss (PSS & Represented)
Per Diem Appointment Release (W/O Special Per Diem Rights)	Decision to Place Employee on Investigatory Leave with Pay
Performance Improvement Plans (PIPs)	Conducting Investigatory Meetings
Letter of Counselling	Notice of Termination (MSP)