Employee and Labor Relations Pitfalls

Missy Matella
ELR: Who we are

Missy Matella, Senior Director (UA): mmatella@uoregon.edu

Chris Meade, Associate Director (SEIU), cmeade@uoregon.edu

Peter Fehrs, Associate Director (GTFF), pfehrs@uoregon.edu
Definitions

- ELR
- CBA
- FMLA
- Grievance
- ULP
- Weingarten
- Others?
What we do

Maintain relationships
Negotiate
Respond to grievances
Investigate
Train
Survey
Advise
Manage performance
We have a contract, why do we need you?

Beyond the CBA, we consider:

- Past practice
- Prior interpretation
- Bargaining notes
- Department policy
- University policy
- Logical outcome
- LOA/MOUs
- Law
- Just cause

Two administrators proceeding without the help of ELR. Courtesy NASA
Negotiations
Quick primer: Unions

- Community of Interest
- Exclusivity
- Wages, hours, working conditions
- Mandatory/Permissive
- Shared governance vs. collective bargaining
- Grievance vs. ULP
- Weingarten meeting
Weingarten Meeting

Employee has a “reasonable belief that discipline could result from what s/he says”

- **Our practice**
  - CBAs have a broader application of right
- **When does the right to a union rep attach?**
  - Does it apply to all our unionized employees?
- **What about daily management?**
- **Roles:**
  - ELR
  - Steward
  - Employee
  - Supervisor
Scenarios

● On the following slides you will be asked to review a fact pattern and analyze it.

● We will give you time to read and analyze the facts.
  ○ Take some time to write some things down and discuss with a partner

● After that we will ask you describe how you’d handle the situation.

● Not all situations are problematic.

● We will remind you, every time, that the proper course of action is always: “Contact the ELR team.”

● Finally, CONTACT THE ELR TEAM
Grad lab (not the dog)

Jesse, a professor, comes to you and says “Good news! I’d noticed that some equipment was missing from the lab and so I confronted one of my graduate employees, Walter, about it. I’m a pretty good questioner so after a few questions he broke down and admitted it and said he’ll be bringing the stuff back next week. I told him I’d have to write him up.”

Are there any issues?
Jesse comes to you and says “I saw one of my graduate employees, Walter, stealing equipment from the lab. I took the equipment back and I told him: ‘If it was unclear in the past, let me be clear: it is my expectation - now and in the future - that you do not take University property as your own. We will talk about this more later.’”
Questions?