
Employee and Labor Relations Pitfalls

— Missy Matella —

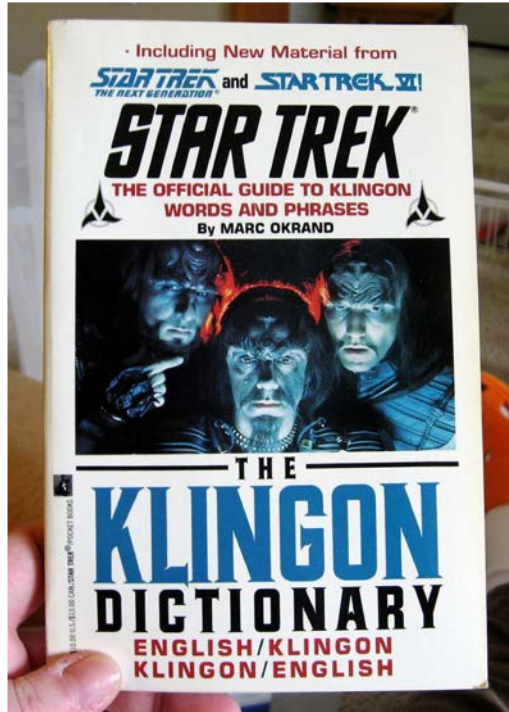
ELR: Who we are

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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?

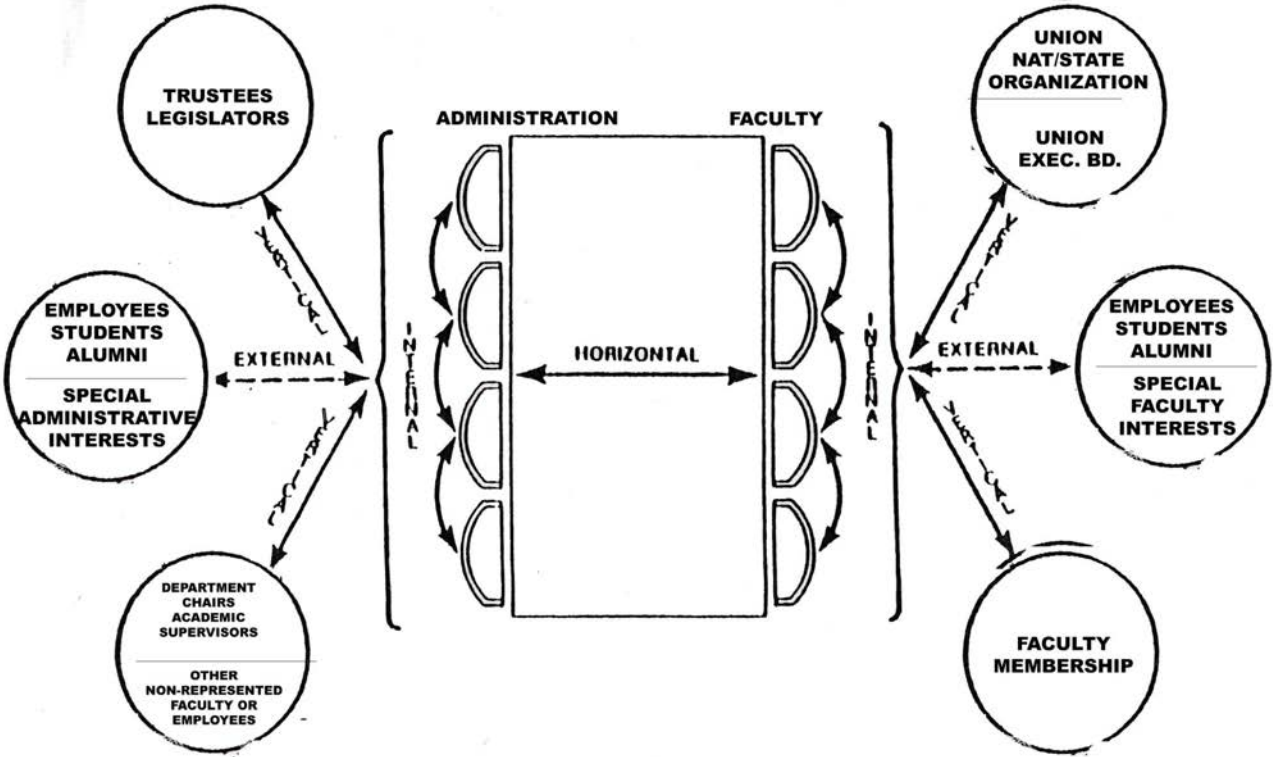
Beyond the CBA, we consider:

- 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?



Grad lab continued

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?