Summary of Staff Grievances & Complaints at UC Merced Since 2007

Allegation:	Actions Taken to Resolve Complaint
Hostile work environment, sexual harassment, and whistle blower complaints	Employee was placed on administrative leave, a separation agreement was prepared and negotiated, agreement was mailed to employee, employee has twenty-eight (28) days to accept or reject the offer to settle, and after signing has seven (7) additional days to withdraw the acceptance.
Manager-Subordinate Relationship: Work environment characterized by sexual harassment.	Interviews have been conducted with the two principals in the investigation and additional interviews have been scheduled. Human Resources recommends the case be turned over to professional investigators. The nature, scope and potential impact of findings require focused and timely attention and seasoned investigative expertise.
Two employees allege disparate treatment including unfair and hostile treatment from their perspectives due to their union stance and affiliation as well as harassment.	Investigation is in progress, interviews have been conducted with the two principals in the investigation and additional interviews have been scheduled.
Hostile work environment based on an incident involving an employee and a filed police report.	Investigation is in progress, interviews have been conducted with those involved and additional interviews have been scheduled. Human Resources has received a copy of the police report in question.
Skilled Craft Bargaining unit requested a unit modification with PERB to move to employees out of the service bargaining unit.	Classification descriptions have been developed, necessary to any settlement. Labor Relations communicated with both bargaining units and Legal Counsel about a possible implementation strategy and wage structures. Continuance of the PERB Hearing on this matter is scheduled for September 15, 2009.
Students performing bargaining unit work	The Human Resources investigation of this matter has not been started, but the department has completed an internal investigation and the matter will be reviewed with bargaining unit at first opportunity.
Hostile Work Environment	Employee was placed on medical leave for stress and requested a transfer to another supervisor. After review, the employee has elected to return to work and has been cleared to do so without medical restrictions on September 2, 2009. Human Resources plans to monitor the on-going situation.
Whistleblower Complaint	This investigation seeks to clarify if there are or have been improprieties in the administration of the McNair Scholars Program. UC Merced Controller has been involved recently with a review of McNair Scholars Program books and reports progress was made in addressing concerns about bookkeeping and grant administration and that a possible positive result may be possible. Human Resources will formally wrap up investigation and make recommendations by the end of September. Litigation remains a possibility. This investigation is part of a larger investigation into the working conditions for the staff on this project and Labor Relations plans to meet with a principal employee in the matter.
Gender based hostile work environment	All necessary interviews have now been conducted. Labor Relations will be writing and submitting a formal report with management recommendations by the end of September.
American Federation of Teachers (AFT) Grievance alleges a lecturer was not appointed in violation of the collective bargaining agreement	Will be completed in accordance with contract guidelines. A completed request for information has been completed and sent to AFT. Resolution unknown at this point.
Bargaining Unit alleged contract violation in regard to management's ability to subcontract bargaining unit work.	This grievance is scheduled to go to arbitration on February 2, 2009.
Contract violation - Superintendent Performed Bargaining Unit Work	Superintendent worked shift in lieu of calling back a bargaining unit employee to perform the bargaining unit work. This grievance will be going to arbitration, date to be determined.

Allegation:	Actions Taken to Resolve Complaint
Contract violation - HVAC Employees submitted grievance requesting to be put on the call-back/on-call list. Remedy requested: put all HVAC techs back on plant operators call back list.	Grievance is still unresolved and currently at step 2 of the grievance procedures, step 3 of the arbitration procedure is arbitration.
Received grievance from Union to remove Management Services Officer from all union/management related meetings	It was mutually agreed by both parties to put this grievance on hold until the conclusion of a related investigation. Of course, the University has no intention of allowing the bargaining unit to determine our representation at meetings with the union.
Contract violation - Employee Grieving a written warning. Remedy requested: reduce warning to counseling memorandum and have it placed in working file.	Labor Relations to provide written response to employee.
Contract Violation - Superintendent Performed Bargaining Unit Work. Remedy requested: divide all hours worked by superintendent evenly amongst all operators as overtime.	Labor Relations to provide written response to employee and union.
Employees grieving change in work schedule, alleging contract violation. Remedy requested: the August 30, 2009 schedule change be the last and final alteration to operators scheduled for the duration of the current memorandum of understanding.	Labor Relations to provide written response to employee.
Total Grievances & Complaints at UC Merced:	**20**