Summary of Staff Grievances & Complaints at UC Merced since August 2009

Date:	Allegation:	Actions Taken to Resolve Complaint
8/10/2009	Complaint: Employee believed he was falsely accused by a co-worker of reckless driving. The accused requested termination of co-worker.	The University conducted an investigation, produced a report, and there was no substantial evidence of any UC policy violation. Or intent by co-worker to falsify a police report accusing a co-worker of reckless driving.
8/20/2009	SETC Grievance - Contract violation. Superintendent performing bargaining unit work. Remedy: Divide all hours worked among plant operators as overtime.	UCM & SETC agreed to place grievance in abeyance until the conclusion of arbitration hearing on Feb. 2, 2010. Grievance settled as part of an arbitration ruling.
9/1/2009	UAW Grievance - Contract violation. Appointment letters did not include supplemental documentation, work location, work shift, and work assignment.	University responded to allegations on 9/17/09. No response was received from the Union.
9/2/2009	SETC Grievance - Contract violation. Superintendent performing bargaining unit work. Remedy: Divide all hours worked among plant operators as overtime.	UCM & SETC agreed to place grievance in abeyance until the conclusion of arbitration hearing on Feb. 2, 2010. Grievance settled as part of an arbitration ruling.
9/4/2009	SETC Grievance - Contract violation. Unsafe working condition and not providing proper protective equipment (PPE). Remedy: Provide NFPA 70E training & proper PPE provided.	University provided a Step III response on November 18, 2009. Union did not appeal the University's response.
9/15/2009	SETC Grievance - Contract violation. Retaliation for Union involvement. Remedy: Seek guidance from Union & Legal council.	No action. Employee responsible for filing an unfair labor practice with PERB to resolve the matter.
10/14/2009	SETC Grievance - Contract violation. SETC members working out of classification. Remedy: Reclassify those in question and provide retro pay effective 10/1/08.	SETC & UCM met to discuss proper placement of the employees in question. SETC provided UCM with certifications, education, and work history to justify a reclassification. Employees in question were reclassified to appropriate classification.
11/4/2009	SETC Grievance - Contract violation. Facilities subcontracting bargaining unit work. Information regarding subcontracting not provided timely to SETC. Remedy: Keep work in house.	Facilities Department to provide the Union with a summary of subcontracted work.
12/21/2009	SETC Grievance - Contract violation. Discrimination in employment and reprisal for union activity. Remedy: Stop discrimination and reprisal, be recognized as a qualified Stationary Engineer.	No action. Employee responsible for filing an unfair labor practice with PERB to resolve the matter.
1/5/2010	SETC Grievance. Superintendent performing bargaining unit work. Remedy: Recognized as a Stationary Engineer and be compensated for the hours worked by the superintendent.	Grievance settled by arbitrator ruling after Feb. 2, 2010 hearing.

Date:	Allegation:	Actions Taken to Resolve Complaint
4/26/2010	Whistleblower Complaint - misuse of University time and funds. Employee spending too much time on Facebook during work time.	University conducted an investigation, produced a report, the report substantiated misuse of University time and funds.
4/8/2010	AFSCME Grievance - Employee discriminated against for union activity and religious believes.	University provided a Step II response denying the grievance. Union filed for arbitration. Employee was released for job abandonment (unrelated to grievance). Union no longer pursued grievance.
5/16/2010	SETC Grievance - Contract violation. University subcontracting bargaining unit work. Remedy: Make all SETC members 100% employees.	University denied the grievance at Step II on 6/18/2010. Union requested Step III response. Both sides met, the University provided information requested, and SETC closed the grievance on 9/30/2010.
5/20/2010	CUE Grievance - Contract violation. Employee was suspended for a period of 5 days. CUE alleged improper investigation by University before imposing discipline.	As a remedy the University agreed to reduce the suspension from 5 days to 3 days. Grievance resolved at Step II of grievance process.
6/24/2010	SETC Grievance - Contract violation. University not providing necessary tools to carry out job tasks. Remedy: Pay for and issue new badge.	University paid for and replaced employee's badge.
7/28/2010	SETC Grievance - Contract violation. Misclassification, lack of recognition, lost wages and overtime. Remedy: Back pay, reclassify to higher classification with retro	The University's Compensation Unit conducted an analysis of the employee's current position and did not warrant a reclassification. The Union and HR have met
7/14/2010	UAW Grievance - Contract violation. University not intended to compensate an employee for time spent in bargaining sessions.	University provided a response to Step II grievance denying the grievance. Employee was compensated for time spent in bargaining.
7/16/2010	SETC Complaint. Non-SETC members performing bargaining unit work.	The University allowed SETC release time to investigation an incident that occurred on 7/16/2010. Union did not pursue the complaint further.
8/13/2010	AFSCME Grievance - Contract violation. University failed to notice AFSCME of a change in work schedule.	University provided a Step II response denying grievance. The University had verification of having noticed the Union of a schedule change.
8/16/2010	CUE Grievance - Contract violation. Employee was reduced in time indefinitely. Employee believed to be discriminated against.	University met with Union and allowed the employee to maintain her position at 50% in lieu of 40% as originally intended to allow the employee to maintain full benefits. This would continue until Jan. 2011 at which point the department would determine the feasibility of continuing the employee at this appointment percentage.
9/19/2010	Whistleblower Complaint - fraud	University conducted an investigation, produced a report, report did not substantiance allegation of fraud.

Date:	Allegation:	Actions Taken to Resolve Complaint
9/27/2010	Complaint: Hostile Work Environment & being threaten.	University facilitated a conversation between the employee and the supervisor to help diffuse the situation.
10/13/2010	Sexual Harassment Complaint & HIPPA Violation	University conducted an investigation, produced a report, there was no violation of HIPPA or UC SH Policy.
11/8/2010	UAW Grievance - Contract violation. Appointment notification letters were untimely. Remedy: ensure through presentation of concrete plans, timely distribution of appointment notification letters.	University provided a Step II response on 12/6/10 denying the grievance. No rebuttal received from Union.
11/10/2009	Complaint: Sexual Harassment. Student alleged she was harassed by a Dining supervisor.	University conducted an investigation, produced a report, the report substantiated a violation of the UC SH Policy.
2/1/2011	Complaint: Sexual Harassment and Hostile Work Environment. Employee felt harassed by her supervisor. Supervisor making inappropriate comments.	HR met with the Supervisor to make him aware that his behavior/actions are creating a perception of a hostile work environment. The conversation was documented.
2/18/2011	UAW Grievance - Contract violation. Appointment notification letters were untimely. Remedy: Issue notification letters in compliance with the contract.	University provided a Step II response on 3/4/11.
Total Grievances & Complaints		**27**