

**UFF-FGCU Grievance Committee Meeting**  
**September 12, 2018**  
**Whitaker Hall 227**  
**2:00-3:00 p.m.**

In attendance:

Carolynne Gischel, Chair

Wayne Cecil

Nora Demers

Ticia Gingras

Anne Harner

Scott Michael

Nairruti Jani (phone)

Beth Nehamkin

Nora Demers served as recording secretary for this meeting.

The meeting began at 2:00 p.m.

**Approval of the Minutes**

Nora Demers moved to approve the minutes from the last meeting. (4/09/2018)

Scott Michael seconded the motion.

All voted. The motion passed.

**Article 16**

Attendees reviewed the new wording of Article 16

It was agreed that Appendix I will need some edits. There is text at the very beginning and end that is not pertinent to the function of Appendix I.

The former Article 16 began with "Just Cause." A new has been added and "Just Cause" has been moved to Article 16.3.

Article 16.1 a-d has been added. The article discusses "Coaching." It took 3-4 meetings at the bargaining table to get this approved. At first, there was a claim that there was no need for a Coaching Step as this was a "given" and was already a procedure for disciplinary actions.

Coaching provides a step that requires a discussion whereby a supervisor will make a concern about an employee clear. Guidance and support leading to correction will be offered. Each party should document the meeting, but any written record will not be placed in an employee's evaluation or personnel file.

Wayne raised concern about using the term "Coaching" explaining that there are currently some negative connotations surrounding various athletic coaches.

A Letter of Coaching is a new term for the former Letter of Instruction.

16.1a is new. A discussion MUST occur. If an employee does not agree, then careful personal notes about the meeting should be kept.

The onus is on UFF to educate the faculty on this new part of the CBA.

A copy of the Letter of Coaching will be placed in files stored with Academic Affairs.

There was a suggestion that there should be a statute of limitations be added to Article 16.1a. so that coaching meetings are scheduled (if needed) in a timely manner. This will protect employees and the policy is similar to the time statute that protects Administration.

Additionally, UFF may need to articulate who has the authority to conduct the coaching. Article 16 does not state "who" or "when."

Good lesson on moving forward toward better communicating between the bargaining team and the Grievance Committee.

### **Weingarten Rule**

The Weingarten rule needs to be shared with UFF membership. It should be on the UFF webpage.

UCF has a good website with information about grievances that FGCU UFF may want to emulate.

### **Meeting Schedule**

Meetings will be scheduled for every 2 weeks on Wednesday at 2:00 p.m. The next meeting is 9/26 from 2:00-3:30 p.m.

### **Current Grievances**

To assure confidentiality during discussions, Names and departments will not be included in meeting conversations or records.

#### *Grievance #1*

To assure confidentiality in Grievance Committee . . .

Attendees reviewed a chapter grievance filed on behalf of the UFF (8/31/2018) for taking advisors out of unit. Carolynne supplied background information and details in regard to this grievance. At issue is the timeliness of filing the grievance. An announcement of intent was made in early August, but the action leading to the grievance (formal notification) happened on 8/20. The 8/31 grievance was filed within the 30-day required time period.

The grievance has been rejected by Academic Affairs claiming (1) the grievance was filed without engaging in Step 1 (informal resolution) and (2) the grievance was time-barred.

The next step is a request for arbitration to determine if the decision is arbitrable.

The claim is that the university is supported by Article 8.6 - reclassification with 20 days notification.

There was a suggestion for careful deliberation in addressing this situation so no party is backed into a corner resulting in a breakdown of the dialogue and secure relationship.

Administration claims they are willing to take a PERC decision on the matter and to reopen some articles to continue to improve the contract. The next opening of the CBA will occur in October 2018.

#### *Grievance #2*

Grievance #2 is a request for informal resolution over an annual evaluation. It is going into the appeal process.

#### **UFF Stewards**

Grievance Committee members are willing to serve as building stewards?

#### **UFF Website for Grievances**

Information about this is on other university websites. FGCU should follow suit. There should be a link from HR to UFF information.

Carolynne volunteered to look for good examples of website information to emulate.

#### **Good of the Order**

The Grievance Committee should consider hosting brown bag lunches where attendees can talk about particular elements of the CBA.

The meeting was adjourned at 3:07 p.m.