

Risky Business – Labor Relations

- Managing employees is a risky business; the only way to avoid all risk is to have no employees.
- Risk can be minimized by ensuring that you are knowledgeable about workplace rights, yours and your employees.

Factors contributing to increased risk

- UC is now a predominantly unionized workplace for staff employees
- 8 unions, representing 12 bargaining units
- Terms and conditions of employment for these employees are governed by legally binding contracts
- Fair Share – our unions are wealthy and powerful

Factors contributing to increased risk (cont.)

- More employment laws and governmental oversight agencies involved in our relationships with employees:
- ADA, ADEA, CFRA, FMLA, Title VII, whistleblower protection, lactation accommodation
- More to come?

Factors contributing to increased risk (cont.)

- Increase in litigation and threats of litigation from employees who are disciplined or terminated, including those released from probation.
- Attorneys targeting employees

Proactive Risk Management

- Know which policies or contracts apply to your employees.
- Know who to call on your campus for advice on interpreting contract or policy language
- Know who to call for advice on performance management/corrective action

Proactive Risk Management

- Use the probationary period
- Effective performance management – performance problems are easier to resolve while they're small – they don't get better if you ignore them
- Ensure that corrective actions are proper and reasonable, and in accordance with the relevant policy or contract

Proactive Risk Management

- Document, document, document
- Consult early and often with the appropriate office for assistance (LR/ER)
- Take advantage of regular training and updates

Workers Compensation

- UC is self-insured, which means we pay for the total costs of claims
- Costs have been rising statewide
- Recent increase in state mandated rates
- The average cost of a carpal tunnel injury is \$13,000

Proactive Risk Management

- Prevention of injuries
- Transitional Return to Work Programs
- Hold employees responsible for adherence to safety procedures
- Hold supervisors accountable for ensuring a safe workplace