

Grievance Resolved for 22 Medical School Employees

A group grievance filed by OSEA on behalf of 22 food service employees who work at the University of Oregon Medical School in Portland has been resolved.

The grievance, one of the largest ever filed by OSEA, covered some 20 different employee complaints ranging from forced use of vacation leave and compensatory time to last minute changes in work schedules.

It was filed by staff member Harry C. Ward, who works out of OSEA's Portland branch office, against the American Restaurant Association. The ARA is a private company that was awarded a two year contract by the medical school last year to provide food services.

Shortly after Ward had resolved a problem for an employee who complained that he was required to work in three different job classifications at the same rate of pay, he was contacted by a group of employees who complained about their job classifications and pay rates.

"When I investigated their complaints, I found numerous instances in which the ARA was violating the collective bargaining contract between OSEA and the medical school," Ward said.

In addition, he said he found that the ARA was violating Oregon's merit system law and many Personnel Division rules that govern employee benefits.

Ward, along with OSEA staff members C.D. Johansen and Paul R. Ward, held three meetings with the employees. Following those meetings they met with Byron Phillips, director of personnel at the medical school, his assistant, William Kribs, and three ARA officials, one of whom flew from San Francisco to Portland to attend the meeting.

Phillips told Ward that the ARA and the medical school wanted to assure employees that "we have taken, are taking, and in the future will take" the following steps to resolve employee complaints outlined in the group grievance:

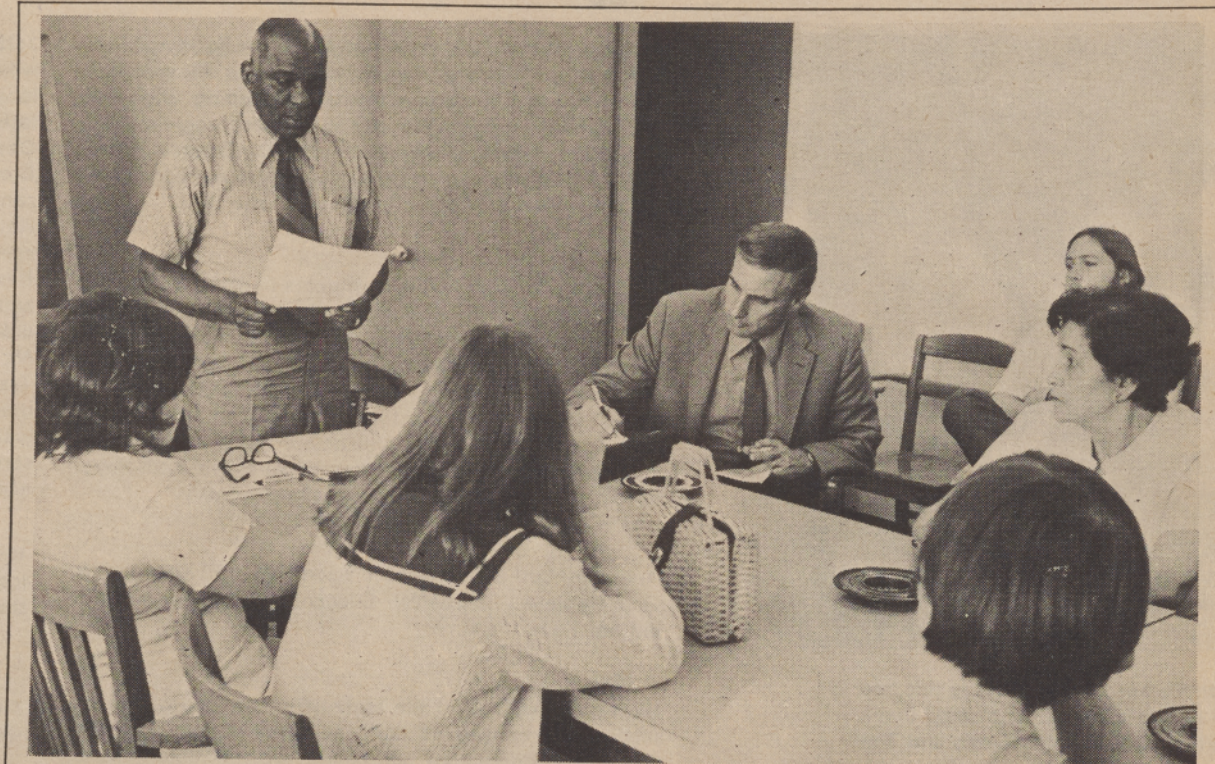
(1) **EMPLOYEES CALLED BACK FROM REST PERIODS BEFORE THE 15 MINUTE PERIOD HAS FULLY ELAPSED:** We wish to insure that dietary food management guarantees, as does our written contract, 15 consecutive minutes in the middle of each four hour work period. If employees are called away during their rest break they not only can, but are expected to return for an uninterrupted 15 minutes as soon as the specific task or duty for which their earlier break was interrupted is completed.

(2) **LIMITING COFFEE BREAKS TO 10 MINUTES:** All position descriptions originally indicated the 15 minute break. However, ARA being a California company and having a stamp collection which speeds up chart making, through an oversight took the break stamp which complies with the California law and not with our current existing contract. You may be assured that all employees as indicated above will in the future be allowed 15 minutes for a rest break.

(3) **USE OF VACATION LEAVE AND COMPENSATORY TIME:** It is possible that employees because of our operating requirements were requested to take either vacation leave or compensatory time during a specific time period. In order to avoid future difficulty and misunderstanding, we will post for all to see calendars upon which entries should be made by employees indicating their vacation preference. Any conflicts will be worked out in accordance with the seniority provisions of the contract.

(4) **COMPLAINT REGARDING LACK OF INFORMATION ON VACATION LEAVE, SICK LEAVE AND COMPENSATORY TIME ACCRUALS:** Each employee in the department will receive a copy of his time and attendance record which will carry cumulative totals of vacation leave, sick leave and compensatory time.

(5) **OVERTIME CALL-BACK PROBLEMS:** Each week a sheet will be posted upon which employees interested in working overtime may write their name. Employees signing on the list will be called back in accordance with the contract provisions for equal distribution provided they are qualified to do the work. It should be understood that employees will not receive stand-by pay since there will be no requirement that they stay at their home or near their phone, but rather indicate only interest in overtime if it should be necessary. If there are no employees interested or



Group Grievance Resolved

OSEA staff members Harry C. Ward (standing) and C.D. Johansen met with a group of food service employees from the University of Oregon Medical School in Portland to explain how their 20-item group grievance was resolved. Seated next to Johansen is Marie Maynard, president of UO Medical School Chapter 41, who helped schedule meetings between employees and OSEA representatives. She said 23 new members joined the chapter shortly after the grievance was resolved.

available, we will proceed to fill positions and accomplish work through temporary help agencies or through other means as necessary.

(6) **MANAGER'S LOG BOOK:** The use of the manager's log book will be discontinued.

(7) **COMMENTS AND CRITICISMS OF MANAGERS AND THEIR DEALINGS WITH EMPLOYEES:** We intend to provide dietary management personnel with a series of meetings on how to counsel and discipline employees with emphasis both on the human relation aspect of discipline and on the procedural aspects as well.

(8) **LAST MINUTE SCHEDULE CHANGES:** We will continue to post work schedules at least five days in advance. Additionally, we will provide as much notice as possible of additional schedule changes; however, operating requirements, as provided in the contract, occasionally will dictate schedule changes with little notice. The management will do all it can to avoid such situations.

(9) **DOUBLING OF REST BREAKS:** In the future employees will be assured the opportunity for a 15 minute rest break during each one-half shift rather than putting both the rest breaks together. It should be noted that such a practice was begun at the request of some employees who did not choose to eat their meal during the prescribed half hour meal period and suggested that the doubling of breaks might permit them to eat their meal at a time more convenient to them.

(10) **DOCTOR CERTIFICATE REQUIRED ON ONE DAY ILLNESSES:** This occurred several months ago and was done only for a very short period of time, perhaps two days. Dietary management was notified that the practice was not consistent with contract provisions nor Personnel Division rules and subsequently changed the policy to bring it into concert with existing rules.

(11) **PERSONNEL ACTIONS:** In the future employees will be provided a copy of personnel actions.

(12) **MERIT RATING DIFFICULTIES, ATTENDANCE AS A RATING FACTOR:** Attendance will be dropped as a specific factor in evaluating performance. With the new emphasis on performance appraisal and work planning adopted as the system we can expect that management will be looking only at results in terms of overall performance appraisal.

(13) **HARASSING EMPLOYEES IN PUBLIC:** Every effort will be made by management to avoid any public embarrassment of employees. Corrective suggestions will be made to employees in private whenever possible. The incident cited happened in July, 1971. At the time

there was no place to talk to the employee in private. The employee subsequently received an apology.

(14) **SPLIT SHIFTS:** We are not aware of occurrences of split shifts. They should not have happened but perhaps they have. There is a possibility that a part-time employee could have been sent home after a three to four hour work stint and then subsequently was called back. If, in fact, that is how the split shift occurred there is some doubt in our mind as to whether or not it would be considered a split shift because of the fact that it was not a scheduled shift. The employee in such an instance would be called back only in order to meet the operating requirements.

(15) **FAILURE TO COUNT SICK LEAVE AND OTHER PAID LEAVES AS TIME WORKED WHEN COMPUTING OVERTIME:** We will correct any situation where this may have occurred. Such incidents, if any, would be a result of a clerical error in the processing of time reports. We need specific information in order to take corrective action.

(16) **NO JANITOR:** The dining room has a janitor assigned during the day time operation. The kitchen is covered from 5:00 p.m. to 8:00 p.m. and the housekeeping department takes care of the floors during the shut-down hours between 8:00 p.m. and 6:00 a.m. In other situations employees are normally responsible for maintaining their own work area during their work shift.

(17) **EMPLOYEES NOT RECEIVING MERIT RATINGS:** We are unaware of employees not receiving merit ratings. If employees did not it is strictly a clerical oversight and such an oversight will be corrected. Here again, we need more specific information to resolve the problem.

(18) **PAYMENT OF VACATION PAY FOR EMPLOYEES IN DUAL CLASSIFICATIONS:** We will consult with the Personnel Division and vacation payments will be made in accordance with its direction.

(19) **REFUSAL TO SEE EMPLOYEE FILE:** All personnel office staff members have been informed of their obligation to permit employees in the bargaining unit to view their entire personnel file exclusive of confidential reports from previous employers.

(20) **DUAL CLASSIFICATION:** We have already taken steps with dietary management to begin the review of existing positions. We will (a) reassess, reassign and reorganize jobs and schedules; (b) the process will involve employees, OSEA staff, the Personnel Division staff and our own staff; (c) the University of Oregon Medical School will follow the Personnel Division's final recommendations on class allocation resulting from this procedure.