

Building Relationships

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Agenda

1. Introduction and Context
2. Fair Labor Standards Act – New Rules
3. Labor Relations Top 10
4. Performance Management Overview
5. Resources/Questions

FLSA

NEW RULES



FLSA – New Rules Effective December 1, 2016

What is the FLSA?

- Determines who is eligible for overtime

What are the new rules?

- Dramatically increases the salary threshold for determining if someone is exempt from overtime (from \$23,660 to \$47,476)

FLSA – New Rules Effective December 1, 2016

How will I know if my department is impacted?

- Most units have already been notified of impacts
- Does not impact instructional faculty

How do the new rules impact departments?

- You may have staff/faculty/GTFs who are no longer exempt from overtime, meaning:
 - Requirement for time reporting
 - Overtime pay for hours worked over 40 in a workweek

Labor Relations

TOP 10



Labor Relations Top 10

10. Don't blame matters on the union.
9. Document, document, document
8. But, be careful what you put in writing

Labor Relations Top 10

7. Understand when a union member has a right to a representative.
6. Read the collective bargaining agreement. When you don't understand it, ask! When you don't think a topic is covered, ask!
5. The union has a duty to fairly represent its member.

Labor Relations Top 10

4. Understand that the CBA is a contract -- the university cannot just waive provisions.
3. Process is just as important as substance.
2. Leverage the good working relationship we have with the union when you find yourself in a pickle. Reach out to HR and Academic Affairs for assistance.

Labor Relations Top 10

Number 1

Don't panic!

Grievances and disagreements happen!

Performance Management

OVERVIEW



Performance Management Cycle



Avoidance → Feedback & Accountability

Why do we tend to avoid difficult conversations?

- Increase rather than solve problems
- *In the long run will save time, energy, relationships, resources*
- Don't have the skills to do it well
- *Consult! Practice! Make notes! This is an important skill.*
- No one ever identified this as a problem before, so maybe I'm being too [careful/sensitive/serious]
- *Ask yourself, "What type of culture do I/we want?"*

Aspects of Performance Management

On-going feedback

- Regular meetings
- Specific informal feedback (positive and negative)

Formal feedback non-disciplinary

- Letter of clarification
- Performance evaluation

Formal feedback disciplinary

- Letter of reprimand

Performance Management -- Universal Truths

Positions descriptions are extremely important for all non-instructional employees

- Keep them up-to-date
- Review and revise your GDRS for GTFs

If performance management is being done well, there should be no surprises in the evaluation

Follow your policies and procedures!

Be objective and honest

Do not use protected activity (e.g. FMLA, union activity) as a performance indicator

Performance Management -- Universal Truths

What do you say to get the review started?

Set the tone

- Dialogue
- Review the year with an eye towards what went well and areas for improvement
- Identify professional goals for the year

Review the process

- Important for the review conversation AND because many grievances are focused on procedural errors

Performance Management by Employee Type

Officers of Administration

- Annual evaluations
- Templates available on HR website
- Can occur anytime during year based on unit's business needs
 - Be mindful of requirements for current evaluation prior to merit increases

Classified Staff

- Annual evaluations
 - Don't forget trial service reviews!
- Normally at time of employee's anniversary with UO
- Templates available on HR website

Performance Management by Employee Type

Faculty

- Local policies in effect (merit, promotion and evaluation)
- Evaluations based on approved criteria in effect

- **NTTF**
 - Contract Renewal:
 - Evaluations at least once per contract period or every three years, whichever is sooner
 - As dictated in local policies, considers scholarship, research, creative activity, teaching
 - Where does collegiality fit?
 - Faculty member may submit personal statement
 - After promotion, Career NTTF cannot non-renew for poor performance unless unsuccessful review

Resources

- Academic Affairs & Office of Research and Innovation
- Supervisor Toolkit: <https://hr.uoregon.edu/employee-labor-relations/supervisor-toolkit>
- Employee & Labor Relations Team: <https://hr.uoregon.edu/employee-labor-relations/contact-employee-and-labor-relations>
- UO Policy Library: <https://policies.uoregon.edu/>
- HR partners (HR representatives in the field)