In these regulations, the term **representative** is used to define any person acting in the interest of or on behalf of an employee organization, including both University and Non-University personnel unless otherwise specifically excepted.

The term **employee organization business** is used to define all legal activities of an employee organization, including, but not limited to meetings, dues collection, soliciting, distributing and campaigning.

These regulations do not apply to Employee Organizations or their representatives when they are acting as representatives pursuant to Staff personnel Policies 280 or 290, Section 191 of the Academic Personnel Manual, and Standing Order of the Regents of the University of California Section 103.2. In such cases, the above policy provisions control.

I. **Facilities:**

A) General classrooms and meeting rooms, when not in use for University purposes such as teaching, learning, research, patient care, or meetings, may be scheduled by an employee organization subject to the same time, place, and manner regulations as registered campus organizations using such facilities.

B) Employee organizations and their representative may reasonably use general purpose bulletin boards. A list of general purpose bulletin boards is available,
upon request, from the Manager, Labor Relations. The use of bulletin boards, which are not general purpose bulletin boards, by employee organizations and their representatives is prohibited at all times. In addition, no literature or other materials may be affixed at any time to facilities such as, but no limited to, walls, ceilings, floors, light fixtures, doors, elevators, and stairways.

C) United States mail which is received by the University bearing an employee name and an accurate address, will be distributed to the employee in the normal manner. Employee organizations and their representatives are strictly prohibited from the use of the campus mail system. In locations where employee mail boxes exist, employee organizations and their representatives may reasonably use such boxes provided the boxes are not located in a confidential and/or restricted work area.

D) Employee organizations and their representatives are prohibited from using University facilities and equipment such as, but not limited to automobiles, computers, projectors, telephones, office supplies, photocopying and reproduction equipment, and typewriters. Any exceptions to this regulation require the expressed written consent of the Manager of Labor Relations or his/her designee.

II. Access to Employees:

A) Employee organizations and their representatives are permitted reasonably to conduct employee organization business in non-work areas during the employee’s non-work time. For the purpose of these regulations only, rest periods are not considered work time.
B) Employee organizations and their representatives are strictly prohibited from conducting employee business during an employee’s work time.

C) Employee organizations and their representatives are permitted in employee work areas only when:

1) Employees are not on their work time and

2) The conducting of employee organization business is not disruptive to other employees who are on their work time and

3) The work area is appropriate for such business. Work areas deemed to be inappropriate and thus prohibited from use for such business, include, but are not limited to the following areas:

   a. Patient care, clinical laboratories, and clinical areas;

   b. Academic areas while instruction, learning counseling or research are in progress;

   c. Research areas when the health, safety, or security of individuals or the research could be adversely affected;

   d. Private residential areas of students. (Note: Employee organizations and their representatives may be excluded from an otherwise appropriate work area if the supervisor makes available a facility which is in reasonable proximity to the work area.)

D) Access to confidential and/or secured work areas, such as, but not limited to, Academic and Staff Personnel record areas, student and patient record areas, cashier’s office, radiation areas, computer operations, etc. is limited solely to
employees who are assigned to such areas or others who have specific authorization to be in such areas.

E) Employees are prohibited from participating in and conducting employee organization business during their work time.

Under no circumstances, may these regulations be interpreted or applied so as to impede, disrupt, or interfere with the normal operations of the Campus or the Medical Center.

The University reserves the continued right to add to, delete from or modify the above regulations made pursuant to HEERA Sections 3568 and 3581.7.
RELATIONS WITH EMPLOYEE ORGANIZATIONS

I. REFERENCES AND RELATED POLICIES

A. UCSD Policy and Procedure Manual (PPM)

10-5 Delegations of Authority

200-12.1 Payroll Dues Deductions for Employee Organizations

542-1 Use of University Facilities for Meetings, Conferences, and Purposes Other Than Regularly Scheduled Classrooms and Laboratory Instruction

B. UCSD Policy and Procedure Manual/Staff Personnel Manual (PPM/SPM)

250-100 General Provisions

250-110 Definitions

II. POLICY

A. General Principle

Except as otherwise provided by this policy, University employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of employer-employee relations. University employees also shall have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the University. There shall be no discrimination against University employees exercising their rights pursuant to the terms of this policy.

This policy is established in order to:

1. Provide fair and equitable treatment to all employees and organizations representing employees;

2. Facilitate the exchange of information and ideas concerning employment relations; and

3. Clarify the relationships of the University, employees, and employee organizations concerning employment relations.
B. Application of Policy

This policy applies to all employee organizations and all officers of employee organizations which have as a primary purpose the representation of University employees in their employment relations with the University. It applies to the activities of all such organizations regardless of the academic or staff composition of their memberships.

There are a number of professional and other associations which do not have as a primary purpose the representation of employees in their employment relations with the University, but which may at times participate in such activities. This policy applies to such organizations and to the representatives of such organizations only in the course of their conduct of representational activities.

The policy does not apply to the activities performed by an employee as a member of the Academic Senate or to the activities of the Academic Senate itself.

C. Definition of Employee Categories

1. Management Employees

Management Employees are defined as those in any one of the groups listed below:

   a. Members of the University Management Program; Academic Deans; Divisional Deans; Provosts; and Chairpersons of Departments of Instruction and Research.

   b. Academic administrators, other than those included in a. above, who are designated as Management Employees for the purposes of this policy by the Chancellor with the concurrence of the President.

   c. Supervisory employees who have as their responsibility the authority to appoint, transfer, suspend, layoff, recall, promote, dismiss, release, assign, reward or discipline employees, to adjust their grievances, or effectively recommend such actions, and who are designated by the Chancellor as Management Employees for the purposes of this policy, with the concurrence of the President.
2. Confidential Employees

Confidential Employees are defined as employees who have major roles in formulating, determining, and administering management policies concerning wages and salaries, benefits, and other terms and conditions of employment, and employees who assist or advise them in a confidential capacity on such matters, including employees in clerical positions who have access to confidential information about personnel and about management policies concerning wages and salaries, benefits, and other terms and conditions of employment. Designation of Confidential Employees, in accordance with the foregoing definitions, is the responsibility of the Chancellor.

3. Members of the Academic Senate

Employees who are members of the Academic Senate are not, merely by such membership, included as Management or Confidential Employees. To be included, they must fall under the provisions of C.1 or C.2 above. Designation of members of the Academic Senate as Management or Confidential Employees under C.1.b., C.1.c., and C.2. above shall be only after consultation with appropriate campus or Systemwide agencies of the Academic Senate.

D. Advice to Employees as to Management or Confidential Status

An employee designated by the Chancellor as a Management or Confidential Employee as defined in C.1, C.2, or C.3. above shall be so advised in writing by the employee's immediate supervisor, and shall be governed by the conditions herein outlined. Changes in status of employees to or from the Management or Confidential Employee category shall be recorded in the "Remarks" section of Form 1601, Change of Employment Status, copy of which shall be presented to the affected employee.

E. Conflict of Interest

1. Management and Confidential Employees

Management and Confidential Employees may be members of, hold office in, represent, and be represented by employee organizations of their choice, subject to the following condition: They may not act as representatives of an employee organization in meeting and conferring with University representatives on matters relating to wages and salaries, benefits, and other terms and conditions of employment if the organization in question includes members other than Management and Confidential Employees.
Further, if Management or Confidential Employees do belong to employee organizations, they are obligated to avoid conflicts of interest in management-employee relations which may arise by reason of participation in employee organization activities.

In case of doubt about existence of such conflict of interest, the employee is obligated to consult the Chancellor before engaging in employee organization activities which could possibly be in conflict with obligations as a Management or Confidential employee or an employee described in E.2. below. Such consultation may be initiated by the appropriate campus administrative officer.

2. Temporary Confidential Employees

Employees not designated as Confidential Employees who assist or advise Management on a temporary basis and in so doing are privy to confidential information (for example, members of Senate committees and ad hoc administrative committees appointed to advise on personnel matters) are thereby obligated to hold such information in confidence and to avoid conflicts of interest which may arise by reason of participation in employee organization activities.

Employees in this category will be so advised in writing by the appointing officer at the time of appointment.

III. PROCEDURE

A. Use of University Facilities and Time

The Chancellor has established with the concurrence of the President the following campus regulations and procedures concerning the use of University facilities by employee organizations:

1. University Rooms and Space

Employee organizations shall be permitted use of University rooms and spaces for meetings attended principally by University employees and held outside the approved working hours of the University employees attending, subject to the availability of space, advance approval of usage by the Personnel Manager, and payment of extra cost incurred by such usage (see PPM 542-1). The term “approved working hours” is defined as including rest periods. The Personnel Manager will deny the use of University facilities if the request is not in concert with the expressed purposes and functions of the organization.
A written request for meetings to be held on University property must be received by the Personnel Manager at least 5 working days before the event. The purpose and agenda of the meeting, date and time must be clearly stated in the request. In addition, the name and association of any non-University employee expected to attend or speak must be listed. The Personnel Manager, after determining that the request complies with University policy, will grant permission to the Registrar and Admissions Officer to release, if available, a room or space for the meeting, and notify the Publications and Public Information manager and the campus Police of the meeting. Permission to use the room or space may be revoked at any time should there be any violation of these rules or misconduct on the part of anyone in attendance. If any on the information contained in the organization’s request for facilities is subsequently changed, the Personnel Manager must be notified and new approval obtained.

Employees shall not conduct activities relating to or attend meetings of employee organizations during approved working hours, except as necessary in the conduct of formal appeals of employees.

2. Bulletin Boards

Employee organizations shall be permitted use of bulletin boards or provided special bulletin boards at cost, only for the purpose of communicating information to employees relative to the purposes and functions of the organizations, subject to the availability of space on University boards and compliance with campus posting regulations. A written request and sample copy of the material must be furnished to the Personnel Manager at least 5 working days before the information is to be posted. Postings on University bulletin boards shall not exceed 11 x 14 inches and limited to one poster per board. Posting must clearly indicate the name of the employee organization. All posting shall be removed after an event. Posters placed in non-designated areas will be removed.

3. Distribution of Material

Employee organizations shall be permitted to distribute materials related to the organizations’ representational purposes where such distribution or activities does not interfere with the work process and for which there is no charge.

4. Copies of Lists and Use of University Mail Service

Employee organizations may be provided, at cost, copies of lists or forms which are public records, which, legally are subject to disclosure, upon written request to and prior written approval by the Personnel
Manager. Employee organizations shall not be permitted the use of University mail service.

5. Membership Solicitation, Dues Collection and Fund Raising

Employee organizations shall be permitted to collect dues, conduct membership solicitation and fund-raising activities outside of approved working hours and in accordance with the regulations herein. In addition, all fund-raising activities must be clearly related to the purpose of the employee organization as described in Paragraph II.B above. All fund-raising material must be removed from the area by the end of the day and any extra cost involving the University will be paid for by the employee organization.

6. Employee Organization Representative Contacts With Employees

The Chancellor has established with the concurrence of the President these campus regulations and procedures which provide representatives of employee organizations reasonable opportunity to contact individual employees. The regulations and procedures assure that contact does not interfere with or disrupt the work of the University or violate safety requirements and provide that:

a. Non-employee representatives of employee organizations shall be permitted to visit University campuses for the purpose of contacting individual employees outside of approved working hours.

b. Non-employee representatives of employee organizations shall be permitted to contact during on-duty hours, individual employees who have selected them as representatives in formal appeals. Arrangements shall be made in advance through the Personnel Manager who will determine with the employee’s supervisor the most appropriate time and meeting place.

c. University employees or representatives of employee organizations who are University employees, shall not conduct activities relating to or attend meetings of employee organizations during their approved working hours. As necessary in the conduct of formal appeals of employees, an appointment shall be made with the Personnel Manager, giving the purpose of the meeting and suggested participants. The Personnel Manager will then make the necessary arrangements and establish the meeting time and place.
7. Time Requirements

All time requirements, as set forth herein, may be waived by the personnel manager in exceptional situations.

B. **Meeting and Conferring**

Campus administrative officers shall be available to meet with representatives of employee organizations at reasonable times to discuss matters relating to the employment of represented members. Arrangements for such meetings shall be made through the Personnel Manager.

Representatives of employee organizations who are University employees shall be permitted to use University time for consultation with University management on employment matters, subject to reasonable limits and controls established by the Personnel Manager.

Employee organizations, including those that represent employees on more than one campus, that seek meetings on issues which transcend the jurisdiction of the Chancellor shall first seek discussion of the issues at the campus level.

Representatives of Systemwide Administration shall be involved initially in meetings with representatives of employee organizations only if the Chancellor, the President, or officer designated by the President to make decisions in such matters finds such involvement appropriate or necessary because of the nature of the issues involved. Meeting in which representatives of Systemwide Administration are involved shall be held at the campus when appropriate.

When representatives of employee organizations wish to meet with an administrative representative to discuss matters which come within the purview of the Academic Senate, the administrative representative and appropriate officers of the Senate shall confer to determine the nature and extent of Senate involvement in consideration of or participation in the discussions.

C. **Recognition of Employee Organizations**

To be recognized as an employee organization within the provisions of these policies, Employee Organizations shall file the following information with the campus Personnel Manager:

1. Name and address of the organization

2. Names and mailing addresses of the organization’s principal officers and representatives including any campus employee representatives.
3. A statement of the organization’s representation in terms of occupational groups, and schools and departments in which employed on campus.

4. A statement that the organization permits membership without regard to race, color, national origin, sex, marital status, religion, physical or mental handicap, or within the limits imposed by law, because of age or citizenship.

Changes in the list of names and mailing addresses of officers and in other data shall be submitted as they occur. Additional information concerning representation of an employee organization may be required where reasonably necessary.

D. Payroll Deduction of Employee Organization Dues

Any regular University employee may authorize a payroll deduction of his/her dues for membership in an employee organization, provided the employee organization meets and maintains the eligibility and other requirement as outlined in PPM 200-12.1, Payroll Dues Deduction for Employee Organizations.
NOTICE
SAN DIEGO: OFFICE OF THE ASSISTANT VICE CHANCELLOR
STAFF PERSONNEL MANAGEMENT

AND

OFFICE OF THE DIRECTOR
HOSPITAL AND CLINICS

April 3, 1980

KEY ADMINISTRATORS/KEY SUPPORT STAFF (021)
POLICY AND PROCEDURE MANUAL HOLDERS (022)

SUBJECT: Regulations Governing the Use of University Hospital Facilities and Clinics
and Access to University Employees by Employee Organizations and their
Representatives

The attached regulations governing the use of University Hospital Facilities and Clinics
and access to University employees by employee organizations and their
representatives are effective immediately. It is the responsibility of all managers and
supervisors at UCSD’s Hospital and Clinics to enforce these regulations.

If you have any questions regarding these regulations, their interpretations or
enforcement, please contact Alexander McIntosh, Director of Management Services
and Employee Relations, X 131-6417, 225 Dickinson or Cynthia Starkovsky, Manager
of Labor/Employee Relations, X 2810, Building 502, Warren Campus.

After review, Manual Holders are requested to file this Notice and the regulations dated
July 1, 1979 behind PPM 200-12, and update the Section 200 Table of Contents to
reflect this addition. Holders of the UCSD "NOTEBOOK FOR A SUPERVISOR," should
file this supplement under the “Employee Relations” tab.

Quelda M. Wilson
Assistant Vice Chancellor

Sheldon S. King
Director, Hospitals and Clinics

Attachment
ASSOCIATE/ASSISTANT DIRECTORS, HOSPITAL AND CLINICS/DEPARTMENT CHAIRPERSONS/DIVISION CHIEFS/SERVICE DIRECTORS/DEPARTMENT HEADS/SUPERVISORS

SUBJECT: Regulations Governing the Use of University Hospital Facilities and Clinics and Access to University Employees by Employee Organizations and their Representatives

In these regulations, the term representative is used to define any person acting in the interest of or on behalf of an employee organization, including both University and non-University personnel unless otherwise specifically accepted.

The term employee organization business is used to define all legal activities of an employee organization, including, but not limited to meetings, dues collection, soliciting, distributing and campaigning.

These regulations do not apply to Employee Organizations or their representatives when they are acting as representatives pursuant to Staff personnel Policies 280 or 290, Section 191 of the Academic Personnel Manual, and Standing Order of the Regents of the University of California Section 103.2. In such cases, the above policy provisions control.

* These regulations are supplements to the regulations previously issued on July 1, 1979 under the title, Regulations Governing the Use of University Facilities and Access to University Employee Organizations and their Representatives. The regulations were issued to Key Administrators/Key Support Staff (021).
Facilities:

A. Meeting rooms in non-patient care areas located on the first floor of the hospital, when not in use for University purposes such as teaching, learning, research or meetings, may be scheduled by an employee organization subject to the same time, place and manner regulations as registered campus organizations using such facilities. Hospital facilities available for use by employee organizations and their representatives are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Capacity</th>
<th>Equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auditorium</td>
<td>275</td>
<td>microphone, screen, stage, viewbox</td>
</tr>
<tr>
<td>Conference Room B</td>
<td>20</td>
<td>chairs, chalkboard, screen, viewbox</td>
</tr>
<tr>
<td>Conference Room C</td>
<td>30</td>
<td>chairs, chalkboard, screen, viewbox</td>
</tr>
<tr>
<td>Small Dining Room 1</td>
<td>60</td>
<td>chairs, chalkboard, screen, viewbox</td>
</tr>
<tr>
<td>**Small Dining Room 2</td>
<td>20</td>
<td>chairs, chalkboard, screen, viewbox</td>
</tr>
<tr>
<td>**Small Dining Room 3</td>
<td>20</td>
<td>chairs, chalkboard, screen, viewbox</td>
</tr>
</tbody>
</table>

** Small dining rooms 2 and 3 are separated by a partition and may be scheduled together. Seating capacity of the combined rooms can accommodate 40 individuals.
SCHEDULING

Representatives of Employee organizations may clear the scheduling of the above listed University Hospital facilities by contacting Jim Ohnesorge, Manager, Labor Relations, 294-3731.

B. Employee organizations and their representatives may reasonably use employee organization bulletin boards and general purpose bulletin boards. A list of bulletin boards is available, upon request, from the Manager, Labor and Employee Relations. No literature or other materials may be affixed at any time to facilities such as, but not limited to, walls, ceilings, floors, light fixtures, doors, elevators and stairways.

C. United States mail which is received by the University bearing an employee name and an accurate address, will be distributed to the employee in the normal manner. Employee organizations and their representatives are prohibited from use of the campus mail system.

D. Employee organizations and their representatives are prohibited from using University facilities and equipment such as, but not limited to automobiles, computers, projectors, telephones, paging systems, office supplies, photocopying and reproduction equipment, and typewriters. Any exceptions to this regulation require the express written consent of the Manager, Labor and Employee Relations, or his/her designee.

E. Employee organizations and their representatives, when conducting employee organization business at UCSD, must be able reasonably to identify themselves, when requested to do so by supervisors or campus police.

II. Access to Employees

A. Employee organizations and their representatives are permitted reasonably to conduct employee organization business in non-work areas during the employee's non-work time. For the purpose of these regulations only, rest periods are not considered work time. Employee organizations may have access to the Hospital cafeteria, meeting rooms adjoining the cafeteria listed in 1A above, the patio eating area and the picnic eating area.
April 1, 1980
Page Four

Upon occasion, the cafeteria is scheduled by the Hospital Administration for social or medical meetings. These meetings are publicized in advance. Access will not be granted to employee organizations as described in 'A' above if such access coincides in time with these meetings.

B. Any disruptive activities affecting employees, patients or visitors is strictly prohibited. The use of sound amplifying equipment is strictly prohibited.

C. Employee organizations and their representatives are strictly prohibited from conducting employee organization business during an employee's work time.

D. Employee organizations and their representatives are permitted in employee work areas only when

(1) Employees are not on their work time and

(2) The conducting of employee organization business is not disruptive to other employees who are on their work time and

(3) The work area is appropriate for such business. Work areas deemed to be inappropriate and thus prohibited from use for such business, include, but are not limited to the following areas:

(a) Patient care areas, clinical laboratories, and clinical areas;

(b) Academic areas while instruction, learning, counseling or research are in progress;

(c) Research areas when the health, safety, or security of individuals or the research could be adversely affected:

(d) Private residential areas of students;

(Note: Employee organizations and their representatives may be excluded from an otherwise appropriate work area if a facility which is in reasonable proximity to the work area is provided.)

E. Hallways, stairwells, waiting areas, exits and entrances shall not be obstructed.
F. The main hallway and visitor waiting area including the elevator access area inside the north entrance to the Hospital are not available for solicitation. The east-west hallway south of this area is available subject to the restrictions of 'E' above.

G. Access to confidential and/or secured work areas, such as, but not limited to, academic and staff personnel record areas, student and patient record areas, cashier's office, radiation areas, computer operations, etc., is limited solely to employees who are assigned to such areas or others who have specific authorization to be in such areas.

H. Employees are prohibited from participating in and conducting employee organization business during their work time.

III. Under no circumstances may these regulations be interpreted or applied so as to impede, disrupt, or interfere with the normal operations of the Medical Center.

The University reserves the continued right to add to, delete from or modify the above regulations made pursuant to HEERA Sections 3568 and 3581.7.

Quelda Wilson
Assistant Vice Chancellor

Sheldon s. King
Director, Hospital and Clinics