Section VII. Non-Exempt Employee Unit

A. Non-Exempt Employee Unit Representatives

Official representatives of the College’s non-exempt employee unit, AFSCME, shall be permitted access to the premises of the College at reasonable times and upon prior notification to the appropriate supervisor. College AFSCME representatives shall exercise good judgment to avoid disruption of the work process. It is expected that if the nature of such business will take more than 15 minutes, arrangements will be made to meet during non-working hours. It is expected that AFSCME business/employee representation activities shall take place before or after work hours, during lunch period or on approved rest breaks.

An employee representative (non-attorney representative) will be allowed access to the work site when:

a) an employee reasonably fears disciplinary action (Reference: Common Policy for College Employees - Section V. F.) will result;

b) an employee has requested representation in grievance meetings;

c) and meetings in which proposed changes in working conditions are being discussed or;

d) survey or review meet and confer issues with employees;

e) quarterly meetings with the Chief Human Resources Officer to discuss general employee issues, or other occasions if pre-approved by the Chief Human Resources Officer;

f) monthly meetings (or as needed) with the Chancellor to discuss employee issues.

A College AFSCME Officer shall be afforded the same opportunity for a representative of his/her choosing.

Representation is defined as any activity in which an employee or College AFSCME representative accompanies, advises or helps in preparation of materials or processes for another employee. In the event the AFSCME representative is a non-employee, notification will be submitted to the Chief Human Resources Officer from the AFSCME Chairperson or Chief Steward. Limitations in representation are subject to the desire of the employee or employees represented, and/or by express limitations in College policy.

Time spent in such representation of an employee, or any of the above mentioned work site visits, shall not exceed 15% (fifteen percent) of a College employee AFSCME representative’s work time for each three months in a fiscal year unless additional time is approved for this purpose by the Chief Human Resources Officer. Elected AFSCME officers (5) shall not exceed 25% (twenty-five percent), excluding travel time of a college employee representative’s work time for said purposes.

The employee representative’s time in such representation must be officially recorded on their time records each pay period and designated as service for AFSCME. Time
spent in representation of AFSCME in College-wide committees, staff council and the Meet and Confer process is specifically excluded from this time.

For the Meet and Confer process, each AFSCME representative will be allowed up to three hours per week (excluding the lunch hour and travel time) to participate in formal discussions and/or to conduct research necessary to the process. It will be the responsibility of the Chief Human Resources Officer to communicate the times and dates, as well as any changes to established times and dates, to the supervisor of the employee representing the employee group, administrative supervisor and others in the supervisory chain who need to know.

No harassment will be tolerated against an AFSCME representative because of his/her membership in the employee representative group, or participation in the legitimate business and/or activities of the employee representative group.

B. AFSCME Stewards

The AFSCME representative shall furnish to the Human Resources Office each year by July 1 a written list of Non-Exempt Employee Unit stewards. Upon request and designation by the employee, an AFSCME steward or representative may investigate and process grievances. Supervisors shall not arbitrarily or capriciously deny release time. For additional information, contact AFSCME leadership at http://www.pima.edu/faculty-staff/employee-organizations/afscme.html.

1. Attendance of Stewards at Roll Calls or Other Department Meetings – Campus Police

a. Any AFSCME representative wishing to address members at a roll call or other Department meeting shall obtain approval directly from the concerned division commanding officer. Only an employee at the rank of Chief or above may grant such approval. If the request is not approved, the representative may appeal the decision to the Vice Chancellor for Facilities, whose decision shall be final.

Management is under no obligation to approve any requests by AFSCME representatives to address employees during roll call.

**Exception:** This Article shall not apply to any representative who is attending department-mandated training, during meetings with management to discuss or resolve mutual problems relating to employer-employee relations, or other meetings of a similar nature.

b. The College Police Department will grant AFSCME representatives scheduling priority for on-duty presentations at Department facilities to employees regarding other benefits. Such presentations shall not interfere with normal Department operations.
C. Paid Time for Grievance

An employee who has filed a grievance, and a maximum of three employee witnesses who testify orally or by affidavit, shall receive their regular rate of pay for actual work time spent in the processing of grievances.

D. AFSCME Leaves of Absence

The AFSCME representative shall designate in writing to the Chief Human Resources Officer by July 1 of each year officers, stewards, and elected delegates. These may each be granted, with the approval of their supervisor and the Chief Human Resources Officer, up to ten work days without pay in any fiscal year to attend meetings, conventions, and executive board meetings of the local, city, state, regional and parent organizations. Denial of such requests shall be in writing, but is not subject to the grievance procedure.

Employees elected to any AFSCME office or selected by AFSCME to do work which takes them from their employment with the College may, at the written request of the AFSCME representative and upon prior approval of the College, be granted a leave of absence without pay up to a period of one year.

If the employee does not return to work for the College within one year of the start of the unpaid leave, the position is considered abandoned.

E. AFSCME Use of Premises and Mail

Pending availability of space and in accordance with College rules and regulations, the College AFSCME representative may be permitted access to and use of available meeting facilities for AFSCME activities provided they do not conflict with scheduled or necessary College activities, in which event College activities or College-sanctioned activities take priority.

The College AFSCME representative may use the College mail system to distribute notices of meetings and agendas. Said notice will be provided to the District Mail Services for addressing with the employee's name and campus location. AFSCME shall furnish its own consumable supplies and pay any lease costs for printing and copying. A copy of the notice must be submitted to the Chief Human Resources Officer.

Given adequate institutional resources, the College agrees to provide physical and electronic bulletin board space for the exclusive use of AFSCME for posting official notices pertaining to AFSCME business. AFSCME may use College office equipment and copy machines and audio-visual equipment (e.g., slide and film projectors, opaque and screen) when such equipment is not otherwise in use.
F. Employer Provisions of Information

The College shall provide the AFSCME representatives with the following information:

1. On a quarterly basis, a list of classified non-exempt employees, including:
   a. Name
   b. Position Title/Position Control Number
   c. The College shall remit (electronically) deductions made on behalf of the membership to AFSCME Staff on a bi-weekly basis with a list of employees for whom deductions were made.
   d. List of all terminations, resignations, retirements, leaves of absence, returning from leave of absence and any other separations by the end of each month.
   e. List of all completed transfers, promotions, demotions, recalls by the end of each month.

2. Copies of all Governing Board packets for Regular and Special meetings; and

3. Notification of the existence of and the access to data and information relevant to grievances by the AFSCME representative provided the employee has authorized the release of such information. Information regarding the existence of discrimination complaints covered by the Equal Opportunity/Affirmative Action and Sexual Harassment policies shall be provided to the AFSCME representative upon written authorization from the employee. No information will be provided regarding data, testimony, names or other relevant facts obtained from other persons assisting in the investigation of discrimination grievances.

4. Management and AFSCME agree that they will facilitate Meet and Confer by sharing Meet and Confer information received. AFSCME will provide a brief rationale for the request to the Chief Human Resources Officer. The Chief Human Resources Officer or his/her designee will provide to AFSCME, in a timely manner (typically within 10 working days from receipt of the request) requested information necessary to prepare presentations and to develop proposals and conduct Meet and Confer on behalf of AFSCME, provided the information is readily available or not unduly burdensome to obtain. If the information requested exists in a standard electronic format, this information will be available to AFSCME electronically. If Human Resources is unable to provide the information, an explanation will be given in writing.

G. Payroll Dues Deductions

An employee wishing to cancel his/her dues deduction authorization shall provide written notice to the College’s AFSCME officers. AFSCME shall submit the names of all employees requesting cancellation of his/her dues to the College’s District Payroll Office.

Employees wishing to cancel their membership, or who are facing a financial hardship, or no longer employed in a regular non-exempt position, may withdraw. The employee submits in writing a request to withdraw membership to the College’s AFSCME officers. AFSCME officers will forward the stop payment request to the employee, to Human Resources, and to the District Payroll Office. In the event an employee is separated from employment with Classified Non-Exempt Personnel Policy Statement 2017/2018 Page 44
the College or goes into an unpaid state for any reason, all obligations for deduction of dues shall cease.

AFSCME shall indemnify and save harmless the College from and against any and all claims, damages or other forms of liability which may arise out of or by reason of any action taken by the College or AFSCME for the purpose of complying with the section.

H. AFSCME PEOPLE

A voluntary contribution, which can be paid through payroll deduction when authorized in writing by a union member, to the union’s political action organization, “Public Employees Organized for Political and Legislative Equality (PEOPLE).”

I. AFSCME Representation on College Committees and Work Groups

The following are committees and work groups for which AFSCME and the College have agreed require AFSCME representative participation:
   o Meet and Confer
   o PDF - Professional Development Funds
   o PGP - Professional Goals Progression Plan
   o Safety Committee
   o Benefits Committee
   o Common Language Committee
   o Labor Management Meeting
   o Educational Leave Committee
   o Compensation Studies
   o Job Reviews

It is the responsibility of the College’s AFSCME Division Chairperson to provide the College’s Human Resources Vice Chancellor with the names of AFSCME committee representatives. It is the responsibility of the Chairperson of each committee to notify both AFSCME and Human Resources of the empty AFSCME seats.

J. Outsourcing

AFSCME representatives will be permitted to make recommendations to the College for the purpose of contracting out College work currently performed by the non-exempt employees. AFSCME will also be invited to participate on all discussions as they relate to contracting out of employee duties outside of state contracting guidelines.

AFSCME will be informed of any recommendations for contracting of work presently performed by the non-exempt employees who would be impacted directly by a reduction in the number of regular full-time employee positions.
AFSCME shall also be permitted to make recommendations to the College in the hiring of any consultant for the purposes of studying and/or recommending changes to the current classification and compensation system.