



OFFICE OF
LABOR RELATIONS
BRIDGING THE GAP

A service oriented unit of the
Department of Human Resources
University of Colorado at Boulder

Office of Labor Relations
University of Colorado at Boulder
Administrative Research Center — East Campus
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565 UCB
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www.colorado.edu/humres/support

Mission Statement

The mission of the Department of Human Resources Office of Labor Relations (OLR) is to create and maintain a positive and productive work environment for all employees in the University of Colorado at Boulder community. The OLR provides guidance and information to classified staff and professional exempt employees and supervisors regarding employee relations matters including performance management, progressive discipline, grievance and dispute resolution procedures, and leave issues. The OLR provides trainings and works one-on-one with employees and supervisors to ensure that employees and departments understand their respective rights and responsibilities as governed by university policies and procedures, state rules and regulations, and state and federal law. We counsel employees in a fair and unbiased manner and treat individuals who seek our assistance with respect and dignity.

Office of Labor Relations

The Department of Human Resources Office of Labor Relations (OLR) provides guidance and information to classified and professional exempt employees and supervisors regarding employee relations matters and leave issues. The OLR also oversees performance management for classified staff and facilitates progressive discipline, grievance, appeal, and dispute resolution processes.

While the OLR is a resource for both supervisors and employees, we do not serve in an advocacy role for supervisors or employees in employee relations matters. Furthermore, while the OLR may advise individuals of their rights and options, we do not provide legal advice.

LABOR RELATIONS
FOR

Classified Staff

Employee Relations

Performance Management

The University of Colorado has developed a performance management program, in compliance with the State Personnel Board rules and procedures, that is designed to help employees achieve performance excellence. The program encourages collaboration between supervisors and employees, with an emphasis on continuous feedback. The OLR is available to assist with the administration of the performance management program and provide training on a regular basis. The OLR also administers the dispute resolution process for classified staff who choose to formally dispute their performance plan or evaluation. Classified staff have five working days from the date of the planning or evaluation meeting to file a dispute, as indicated in the dispute resolution process outlined on the last page of the Planning and Evaluation form. Employees must initiate the process by completing the dispute resolution form and submitting copies to their supervisor, appointing authority, and the OLR within the five-day period.

Progressive Discipline

The OLR helps to ensure that the progressive discipline process is fairly and appropriately utilized by supervisors and appointing authorities of classified staff. Certified classified staff are subject to progressive discipline to address performance or behavioral problems before their employment can be terminated. Supervisors and appointing authorities should contact the OLR for guidance on administering progressive discipline. Training is available to departments upon request.

Grievance Process

The OLR administers the formal grievance process for classified staff. The grievance process is used for disputes that do not involve pay, status, or tenure; and for those not related to performance management. All grievances must be initiated within 10 calendar days of the incident(s) being grieved. The grievance process is initiated by submitting the grievance form to the OLR before the 10-day deadline.

Appeal Process

Any action that adversely affects current base pay, status, or tenure of a classified staff member (except annual total compensation survey, discretionary pay differentials, leave sharing, personal services contracts, and job evaluation actions) may be appealed to the State Personnel Board. Other actions may be heard by the board at its discretion. All appeals must be filed within 10 calendar days of the incident(s) being appealed. It is necessary to follow the instructions and use the appeal form provided by the State Department of Personnel.

Leave Benefits

Time Off

The OLR advises classified staff and supervisors on leave issues such as annual leave, sick leave, holiday leave, injury leave, military leave, administrative leave, and other employer-provided leave as governed by the State Personnel Board rules.

Family Medical Leave (FML)

The Family Medical Leave Act of 1993 (FMLA) provides job protection to employees for the following medical reasons: (1) the birth of a child and care of a newborn child; (2) the placement and care of a child for adoption/foster care; (3) a serious health condition of an employee's spouse, child, or parent; and (4) an employee's own serious health condition. Specific forms must be completed by both the employee and the depart-

ment for FML to be granted. Classified staff may take up to 520 hours of FML in a fiscal year if the employee has a minimum of one year of total state service as of the date leave will begin. Contact the OLR for an FML packet and for guidance in applying FML in specific situations. The required forms may also be found at www.colorado.gov/dpa/dhr/pubs/leave_forms.htm.

Leave Sharing Program

The Leave Sharing Program is a pool of donated vacation hours for the benefit of classified staff experiencing a catastrophic and life-threatening medical hardship, either personally or as a primary caregiver. The Leave Sharing Program can also assist classified staff who suffer loss from a natural disaster or who are on active duty in the military. Contact the OLR for a Leave Sharing application.

Disability Insurance

Short-Term Disability

The OLR is available to answer questions regarding disability insurance programs available to classified staff and to provide application packets to eligible employees who suffer an injury or illness that may make them eligible for disability insurance. Classified staff may be eligible for the following disability insurance program benefits:

Standard Insurance Short-Term Disability Insurance Benefit

All classified staff are provided short-term disability insurance (STD) as employees of the state of Colorado through Standard Insurance Company (Standard). There is a minimum 30-day waiting period and employees must exhaust their sick leave before they are eligible for STD. If an employee does not have enough sick leave to cover the 30-day waiting period, annual leave is used. The maximum length of this insurance is 180 days, including the 30-day waiting period. Standard STD benefits pay 60 percent of a classified employee's salary for the duration of the benefit.

Public Employees Retirement Association (PERA) Short-Term Disability and Disability Retirement Insurance Benefit

PERA provides vested classified staff (minimum five years of PERA-covered service) with a two-tier disability program: PERA 22-month short term disability (22-month STD) and PERA disability retirement. Classified staff who are vested may be eligible, based on their medical condition, for either PERA 22-month STD or PERA disability retirement once they exhaust their Standard 180-day STD. PERA 22-month STD pays up to 60 percent of a vested classified employee's PERA-covered earnings for a period not to

Classified Staff, continued

exceed 22 months, and provides for retraining and rehabilitation services for members so they may gain future employment. PERA disability retirement is for vested classified staff who become permanently disabled and are unable to return to the workforce. Standard administers the disability program for PERA 22-month STD and PERA disability retirement. Employees should contact PERA and Standard for more information.

Long-Term Disability

Classified staff who are not yet vested in PERA or who are not yet eligible for full benefits under PERA disability retirement may purchase supplemental long-term disability insurance from Standard. For more information, contact Payroll and Benefit Services at 303-735-6500 to obtain an application and for guidance regarding eligibility.

LABOR RELATIONS FOR

Professional Exempt Employees

Employee Relations

The OLR provides guidance to professional exempt employees and their supervisors on employee relations matters including advice on relevant university policies and procedures.

Leave Benefits

Time Off

The OLR advises professional exempt employees and supervisors on leave issues such as annual leave, sick leave, holiday leave, and other employer-provided leave as governed by University of Colorado Administrative Policy Statements and Regent Law.

Family Medical Leave (FML)

The Family Medical Leave Act of 1993 provides job protection to employees for the following medical reasons: (1) the birth of a child and care of a newborn child; (2) the placement and care of a child for adoption/foster care; (3) a serious health condition of your spouse, child, or parent; and (4) your own serious health condition. Eligible professional exempt employees may take up to 480 hours of FML during a rolling 12-month period, measured backward from the date they use FML. To be eligible for FML, an employee must have been employed by the University of Colorado for

at least 12 months and worked at least 1,250 hours during the most recent 12-month period. Specific forms must also be completed by both the employee and the department for FML to be granted. Contact the OLR for an FML packet.

Disability Insurance

Short-Term Disability

Professional exempt employees who have purchased short-term disability insurance should contact Payroll and Benefit Services at 303-735-6500 to obtain an application and for guidance regarding their eligibility.

Long-Term Disability

The University of Colorado provides a university-paid Long-Term Disability (LTD) benefit to professional exempt employees, effective the first of the month following their one-year anniversary date in a benefits-eligible position. Contact Payroll and Benefit Services at 303-735-6500 to obtain an application and for guidance regarding eligibility.

OTHER SERVICES FOR

Classified and Professional Exempt Employees

Reasonable Employer Process

The goal of the Reasonable Employer Process is to comprehensively and fairly evaluate an employee's ability to perform the essential functions of the job once an employee reaches maximum medical improvement following an on-the-job injury. The Reasonable Employer Process also applies when an employee suffers an injury or illness unrelated to work, and who, as a result, may be disabled under the ADA, or whenever it is determined that a decision needs to be made about an employee's ability to perform his/her job due to a potential disability under the ADA. The OLR oversees the implementation of this process.

Office of Labor Relations Trainings

In addition to regularly scheduled offerings, the OLR offers performance management, progressive discipline, and leave training to departments upon request. For more information on trainings, contact the OLR at 303-492-0956.

On-Campus Resources

Employment Services 303-492-6475, Administrative and Research Center, 3100 Marine St., Third Floor, 565 UCB.

Ombuds Office 303-492-5077, 302 Willard Administrative Center, 112 UCB.

Organizational & Employee Development 303-492-8103, Administrative and Research Center, 3100 Marine St., Third Floor, 565 UCB.

Office of Equal Opportunity and the Americans with Disability Act (ADA) Coordinator 303-492-8855, 217 Willard Administrative Center, 144 UCB.

Faculty and Staff Assistance Program 303-492-3020, 220 Willard Administrative Center, 104 UCB.

Office of Discrimination and Harassment 303-492-2127, Administrative and Research Center, 3100 Marine St. Third Floor, 565 UCB.

Payroll & Benefit Services 303-735-6500, Administrative Research Center, 3100 Marine St., Sixth Floor, 575 SYS.

Off-Campus Resources

Standard Insurance Company 800-252-5577.

Colorado PERA 303-832-9550, www.copera.org

Colorado State Employee's Assistance Program
303-866-4314 or 800-821-8154, www.colorado.gov/dpa/dhr/eap/eap.htm.

Labor Relations for Faculty and Professional Research Assistants

Faculty

Office of Faculty Affairs 303-492-5491, 205 Regent Administrative Center, 049 UCB.

Professional Research Assistants (PRAs)

Vice Chancellor for Research and Dean of the Graduate School
303-492-7099, 1B28 Regent Administrative Center, 026 UCB.

For questions or more information, contact the
Office of Labor Relations at **303-492-0956**.