

ADMINISTRATIVE ORDER 4:03
(Revised)

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: February 15, 1979

LATEST REVISION: March 17, 2000

SUBJECT: Employee Relations Policies

I. PURPOSE

The purpose of this Administrative Order is to establish the responsibilities for the employee relation's function within the Department of Human Services.

II. SCOPE

This Administrative Order has Department-wide applicability.

III. POLICY

A. Designation of Authority

Recognizing the authority and responsibility of the Governor's Office of Employee Relations, the Director of the Office of Employee Relations, Human Services, reporting to the Assistant Commissioner for Human Resources, shall be the Department's Employee Relations Coordinator, with the responsibility to direct all aspects of the employee relations function.

B. Statements on Matters of Employee Relations

1. All statements concerning matters of employee relations shall be made only with prior knowledge and approval at the Division and Department levels.
2. If a chief executive officer of a facility feels that special circumstances warrant issuance of a statement on a matter of employee relations, it shall be referred to the appropriate Division Director for possible submission to the Assistant Commissioner for Human Resources, through the Director of the Office of Employee Relations.
3. In accordance with the above policies, all employees shall be advised that they, as individuals or part of a group, are not authorized to act for the Department, or a Division or component thereof, in the issuance of statements on matters of employee relations, and do not have the authority to negotiate any oral or written agreements with a union, and are, in fact, prohibited from doing so.

IV. RESPONSIBILITY

A. Director, Office of Employee Relations

The Director of the Office of Employee Relations' responsibilities include, but are not limited to, the following:

1. acting as the Department's chief representative at negotiations between the State and the certified majority representatives of statewide negotiations units;
2. directing the administration of the negotiations unit agreements and contracts;
3. directing the grievance and disciplinary proceedings and to act as the Department's representative and spokesperson at grievance and disciplinary arbitration proceedings;
4. acting as the Department's designee to conduct all grievance and specified disciplinary action appeal proceedings at the Department-head level;
5. acting as the liaison with the Governor's Office of Employee Relations;
6. alerting the Commissioner, Chief of Staff, Deputy Commissioners, Assistant Commissioners and Division Directors of impending statewide negotiations and to schedule meetings, as chairperson, with individuals selected by each Division Director to represent him/her in assisting the Director of Employee Relations in the preparation for those negotiations; and,
7. informing the Commissioner, Chief of Staff, Deputy Commissioners, Assistant Commissioners and Division Directors of any significant determinations concerning existing programs, policy decisions or unresolved issues that may require special review.

B. Division Directors

Division Directors have the following responsibilities:

1. selecting a member of their staff to meet with the Director of the Office of Employee Relations concerning statewide negotiations;
2. directing compliance with Department programs for the administration of statewide negotiations unit agreements and contracts, and grievance and disciplinary action processing; and,

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3. giving support, including but not limited to administrative and/or financial support, as appropriate, to viable employee relations operations in the Department's components.

C. Appointing Authorities

Appointing authorities have the following responsibilities:

1. directing compliance by their component personnel with Department programs for the administration of statewide negotiations unit agreements and contracts, and grievance and disciplinary action processing; and
2. cooperating in developing and maintaining a viable employee relations operation.



Michele K. Guhl
Commissioner