

# PATIENT RESTRICTED

Coalinga State Hospital

OPERATING MANUAL

SECTION – HUMAN RESOURCES  
ADMINISTRATIVE DIRECTIVE NO. 961  
(Replaces A.D. No. 961 dated 2/8/07)

Effective Date: June 14, 2007

## SUBJECT: LABOR RELATIONS POLICY

### I. PURPOSE

- A. To encourage harmonious relations between the Department of Mental Health (DMH) and its employees, and establish procedures for the equitable and peaceful resolution of differences on matters of employee relations.
- B. Increase management and employee understanding of the rights, responsibilities, and obligations of management, employees, and employee organizations.

### II. AUTHORITY

Government Code Title II, Division 5, Part 2, Chapter 7, Articles 1 and 2, Sections 19570 through 19593; Memorandum of Understanding (MOU); The Ralph C. Dills Act, originally enacted as the State Employer-Employee Relations Act (SEERA) on July 1, 1978, Government Code Section 3512 et. al.; State Employer-Employee Relations for Excluded Employees Government Code 3525 through 3539.5.

### III. POLICY

It is the policy of Coalinga State Hospital to follow the laws and rules governing State civil service and personnel administration, by the terms of the negotiated contracts, and by the responsibility to act reasonably in exercising authority over employees.

### IV. METHOD

#### A. Communication:

The development of open lines of communication is the key to increased employee job satisfaction, motivation, efficiency and morale. It also promotes a healthy work environment wherein everyday issues and concerns can be considered from different perspectives. This type of open dialogue with employees and labor representatives promotes a better understanding by all parties and fosters positive employee relations. While there will not always be agreement on all issues, all involved parties should develop the ability to discuss them in a professional manner.

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## B. Employee Relations Responsibilities:

1. **Management Team:** Managers and supervisors are responsible for ensuring that their actions take into account union contracts, laws, regulations and the policies of the DMH as appropriate to the situation.
2. **Labor Relations Coordinator (LRC):** The office of the LRC is responsible for developing, coordinating, and administering employee relations' policies and procedures for the Executive Director. The following duties have been delegated to the LRC:
  - a. Provide advice and assistance on matters relating to wages, hours, and other terms and conditions of employment, and interpretation of the negotiated contracts to assist managers and supervisors in discharging their responsibility in this area.
  - b. Maintain a liaison with the Department of Personnel Administration and employee organizations on representational matters.
  - c. Review grievances/complaints processed at all levels and investigate grievances/complaints at the Executive Director's level of appeal.
  - d. Serve as the facility authority for the administration of the Labor Relations Program.
  - e. Remain aware and knowledgeable of current case law and legislation relative to employee and employer rights and obligations.

## C. Grievance/Complaint Procedure:

**Description:** The grievance/complaint procedure is the problem-solving mechanism between the State and its employees. It is the orderly method by which an employee and/or employee organization raise and process a claim alleging a violation of the contract or policy, as defined in the individual bargaining contracts.

1. **Grievance Procedure – Represented Employees:** A represented employee grievance alleges a violation of the contract.
2. **Complaint Procedure – Represented Employees:** The complaint procedure for represented employees settles disputes over policy or procedures.

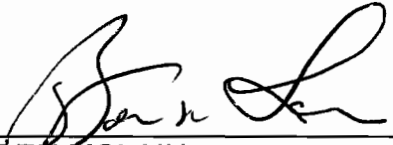
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## 3. Informal Discussion:

The first step to initiate the grievance/complaint procedure is an informal discussion between the employee and his/her immediate supervisor as outlined in the individual bargaining contract. The purpose of this discussion is for the employee to explain the problem to his/her supervisor. It is imperative a supervisor understands when a meeting constitutes an informal discussion.

## 4. Formal Grievance/Complaint:

If the employee does not accept the informal decision as defined by the bargaining contract, he/she may file a formal grievance/complaint. Such issues must be filed directly in the Office of the LRC located in the Personnel Department. In any case where the MOU between the State and the employee organization is in conflict with this directive, the MOU is controlling.



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BEN MCLAIN  
Executive Director (Acting)