

EMPLOYEE RELATIONS
CALIFORNIA STATE UNIVERSITY,
FRESNO

Report Number 03-15
September 24, 2003

Members, Committee on Audit

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BOARD OF TRUSTEES
THE CALIFORNIA STATE UNIVERSITY

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ABBREVIATIONS

APC	Academic Professionals of California
CFA	California Faculty Association
CIS	Campus Information Systems
CSEA	California State Employees' Association
CSU	California State University
CSUF	California State University, Fresno
EO	Executive Order
FTE	Full-Time Employment
HEERA	Higher Education Employee-Employer Relations Act
IUOE	International Union of Operating Engineers
MPP	Management Personnel Plan
SAM	State Administrative Manual
Senate	Academic Senate
SETC	State Employees Trades Council
SUPA	State University Police Association
UAPD	California Federation of the Union of American Physicians and Dentists

EXECUTIVE SUMMARY

As a result of a systemwide risk assessment conducted by the Office of the University Auditor during the last quarter of 2002, the Board of Trustees, at its January 2003 meeting, directed that *Employee Relations* be reviewed.

We visited the California State University, Fresno (CSUF) campus from May 19, 2003, through June 20, 2003, and audited the procedures in effect at that time.

In our opinion, the administration and management of the employee relations function provided effective controls such as well documented delegations of authority, comprehensive employee handbooks and websites for sharing important employment information, and use of computerized systems to track pending and/or past-due performance evaluations. However, we found that controls were not always in place to ensure that campus practices considered California State University (CSU) executive order (EO) requirements for handling employee complaints and other disclosures, and that timely and effective training was provided to campus employees in important employee relations areas.

The following summary provides management with an overview of conditions requiring attention. Areas of review not mentioned in this section were found to be satisfactory. Numbers in brackets [] refer to page numbers in the report.

EMPLOYEE RELATIONS ADMINISTRATION [6]

Certain activities that impact the control environment and administration of the employee relations function needed improvement. Although the campus implemented various processes to acclimate and train staff in employee relations, campus practice did not require attendance at certain functions such as new employee orientation; additionally, formalized sexual harassment training, including the handling of employee complaints, was not provided to all faculty and staff. Training efforts for campus managers also needed strengthening since, in certain instances, managers were not always aware of who to contact and/or how to handle whistleblower disclosures and allegations of retaliation from staff employees. Further, controls were not in place to ensure that employee relations information on the campus website and/or in published policies and procedures was updated and/or complete, and that various unions were sufficiently billed for union leave that was provided to campus employees.

COMPLAINTS AND RECONSIDERATION REQUESTS [10]

Campus policies and procedures were not reflective of current campus practice for investigating and handling complaints and did not incorporate the timeframes and protocols for complaint resolution required by EO No. 675.

WHISTLEBLOWER DISCLOSURES [11]

Administrative controls for handling whistleblower disclosures and allegations of retaliation needed strengthening. A disclosure was not reported to and/or handled by the chancellor's office as required by CSU guidelines and policies. Further, campus procedures for processing disclosures had not been documented, and existing procedures for handling allegations of retaliation did not incorporate necessary timeframes and protocols as required by EO No. 821 and EO No. 822, respectively.

INTRODUCTION

BACKGROUND

With the passage of major employment legislation since the 1960s, human resources management practices at the California State University (CSU) have evolved from the traditional role of hiring and record keeping to include administering labor contracts, providing employee assistance, and ensuring civil rights and other regulatory compliance. These activities embody the employee relations function within the human resources area and help ensure mutually satisfying working conditions and a viable employee-employer relationship.

The campus human resources departments that provide support for all respective employees typically administer the employee relations function. At the CSU, there are two main classes of employees that are designated in accordance with the provisions of the Higher Education Employee-Employer Relations Act (HEERA) of 1979. These classes are as follows:

Represented employees are individuals who belong to one of ten bargaining units at the CSU and whose duties do not include managerial activities as defined by HEERA.

Non-represented employees are individuals who are not included in a bargaining unit and are hired as Management Personnel Plan (MPP), confidential, or excluded employees.

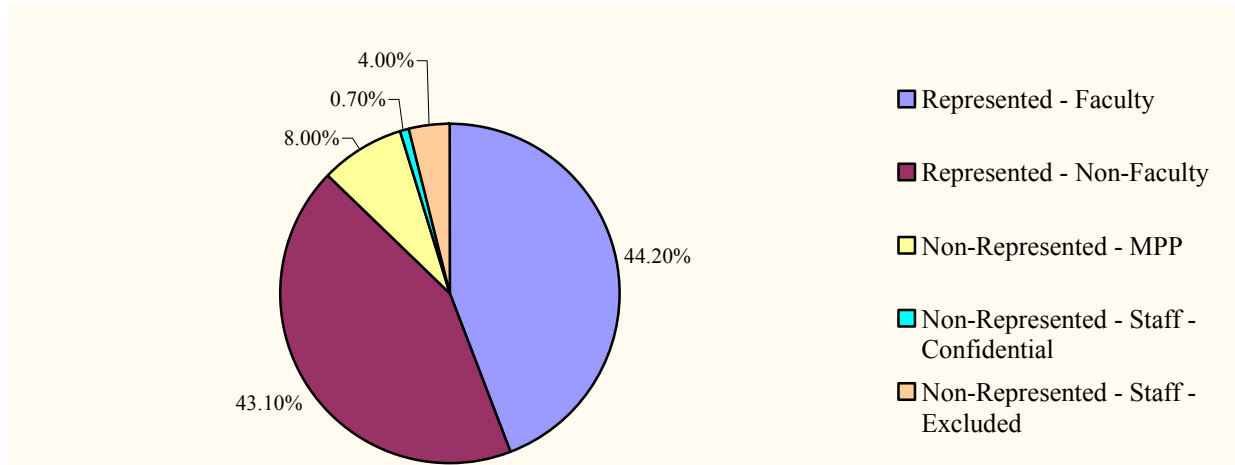
Total full-time employment (FTE) at the CSU has grown from 31,361 to 39,440 active and on-leave employees (excluding hourly employees), which represents a 25.7% increase from October 1995 to October 2002. For administrative and reporting purposes, the CSU has further grouped the represented and non-represented employees into staff, faculty, and MPP categories of which all are provided employee relations support by the campus and designated chancellor's office departments, and reported as follows:

Class	Employee Type	2002	%
Represented	Staff	16,997	43.1
	Faculty	17,422	44.2
Non-Represented	MPP	3,142	8.0
	Staff - Confidential	315	0.7
	Staff – Excluded	1,564	4.0
Total FTE		39,440	100.0

Presently, seven unions represent the 34,419 FTE employees that belong to ten bargaining units. In October 2002, the California Faculty Association (CFA) and the California State Employees' Association (CSEA) included 31,077 total FTE (17,422, and 13,655, respectively), with the remaining 3,342 FTE dispersed between the following unions:

Union	2002 FTE
California Federation of the Union of American Physicians and Dentists (UAPD)	71
Academic Professionals of California (APC)	1,996
State Employees Trades Council (SETC)	973
State University Police Association (SUPA)	288
International Union of Operating Engineers (IUOE)	13
Total	3,342

In the CSU Staffing Trends and Analysis report, dated February 2003, the percentage distribution of total FTEs at the CSU is graphically represented as follows:



PURPOSE

Our overall audit objective was to ascertain the effectiveness of existing policies and procedures related to the administration of the employee relations function and to determine the adequacy of controls over the related processes to ensure compliance with relevant governmental regulations, Trustee policy, Office of the Chancellor directives, and campus procedures.

Within the overall audit, specific goals included making a determination as to whether:

- ▶ Administration and management of the employee relations function provide effective internal controls, clear lines of organizational authority, delegations of authority, and documented policies and procedures.
- ▶ Processes and procedures ensure timely and effective interpretation and communication of CSU policies and other directives impacting the employee-employer relationship, channels for reporting

improprieties and escalating grievances and complaints, and resources for resolving both work and non-work related problems.

- ▶ Campus procedures provide for timely reimbursement of union leave.
- ▶ Managers are appropriately trained and knowledgeable of assigned employee relations responsibilities.
- ▶ Complaints and reconsideration requests are handled in compliance with applicable CSU policy and other directives.
- ▶ Employees are provided timely feedback and guidance for performance development and improvement.
- ▶ Disciplinary action is performed in accordance with collective bargaining agreements, CSU policy, and other directives.
- ▶ Whistleblower disclosures are handled in compliance with CSU policy and shared only with individuals who have a legitimate business reason to know.
- ▶ Confidential hardcopy and system information assets such as information pertaining to complaints, reconsideration requests, and performance management activities are reasonably secure.

SCOPE AND METHODOLOGY

The proposed scope of the audit as presented in Attachment B, Audit Item 2 of the January 28-29, 2003, meeting of the Committee on Audit stated that the review would include negotiating and administering collective bargaining agreements with represented employees, administering the management personnel plan for non-represented employees, and the systems for addressing staff grievances and complaints. Potential impacts include inordinate costs, unfavorable contracts, increased exposure to litigation, and unfair labor practices. The Office of the University Auditor has not previously reviewed *Employee Relations*.

Our study and evaluation were conducted in accordance with the *Standards for the Professional Practice of Internal Auditing* issued by the Institute of Internal Auditors, and included the audit tests we considered necessary in determining that operational and administrative controls are in place and operative. This review emphasized, but was not limited to, compliance with state and federal laws, Board of Trustee policies, and Office of the Chancellor and campus policies, letters, and directives. The audit review focused on procedures in effect during fiscal year 2002-2003. Throughout this report, we will refer to employee relations as the primary audit subject. At California State University, Fresno (CSUF), the director of human resources and the assistant vice president of academic personnel administer the employee relations function.

We focused primarily upon internal, administrative, compliance, and operational controls over the management of the employee relations function. Specifically, we reviewed and tested:

- ▶ Administrative policies, procedures, and processes.
- ▶ Interpretation and communication of CSU policies, union provisions, and other directives.
- ▶ Reimbursements for union leave provided to represented employees in all bargaining units.
- ▶ Training provided to campus managers with employee relations responsibilities.
- ▶ Complaint handling for non-represented and certain represented employees.
- ▶ Reconsideration requests from non-represented employees.
- ▶ Performance management for non-represented and represented employees, excluding the CFA.
- ▶ Disciplinary actions for non-represented and represented employees, excluding the CFA.
- ▶ Processing of involuntary terminations for non-represented employees.
- ▶ Handling of whistleblower disclosures and complaints of alleged retaliation.
- ▶ Maintenance and protection of confidential employee relations information.

OBSERVATIONS, RECOMMENDATIONS, AND CAMPUS RESPONSES

EMPLOYEE RELATIONS ADMINISTRATION

CAMPUS TRAINING

Controls to ensure that staff were appropriately trained and knowledgeable of campus and California State University (CSU) employee relations policies needed improvement.

Human resources and academic personnel implemented various processes to acclimate and train staff in employee relations. New staff (e.g., employees with employment terms of less than one year) and faculty (including part-time instructors) were offered quarterly and annual orientation sessions, respectively, that covered campus policies, benefits, and other employee information; during the Summer Management Institute and upon department management's request, employees were provided training opportunities in the areas of sexual harassment, discrimination, and other workplace issues; and via the Just-In-Time training provided by employee assistance and development, campus administrators could select and schedule professional development training for work units based on specific interests, time constraints, and need. However, our review disclosed that:

- ▶ Campus practice did not require that all new employees and part-time instructors attend the orientation sessions.
- ▶ Formalized sexual harassment training, including the handling of employee complaints, had not been provided to all faculty and staff.

In addition, we noted that efforts to train campus managers in certain employee relations areas needed strengthening. Interviews with eight campus managers disclosed that:

- ▶ Six were not aware of who to contact and/or how to handle whistleblower disclosures and/or allegations of retaliations from staff employees.
- ▶ All had not received formal training on handling sexual harassment complaints, and five had not received formal training on sexual harassment.
- ▶ Three were not aware of the campus progressive discipline guidelines.
- ▶ Six had not received training on handling disciplinary actions.

Executive Order (EO) No. 345, *Prohibition of Sexual Harassment*, dated May 29, 1981, states that to maintain a learning and working environment free from sexual harassment, the campuses are encouraged to educate the campus community, students, and employees regarding sexual harassment.

The California State University, Fresno (CSUF) *Policy and Procedures Addressing Sexual Harassment*, dated March 1988, states that a proactive program will be maintained to educate all university community members as to the definition of sexual harassment, the university's policy concerning it, and what recourse a complainant has to remedy the situation. The policy also states

that annually, all managers and department chairs will be required to attend workshops on sexual harassment or attend a lecture on the subject at a regularly scheduled meeting.

State Administrative Manual (SAM) §20050 states that the elements of a satisfactory system of internal accounting and administrative controls, shall include, but are not limited to, an established system of practices to be followed in performance of duties and functions, and personnel of a quality commensurate with their responsibilities. Sound business practice mandates that a campus develop processes to ensure persons with managerial and oversight responsibilities are trained in campus and CSU policies and other employee relations areas.

The director of human resources stated that mandatory attendance at new orientation sessions had not been required and, to compensate for a lack of attendance, all new faculty and staff received a copy of the campus sexual harassment and non-discrimination policies from her department and academic personnel on an annual basis. She also stated that formalized training for faculty and staff on sexual harassment was provided on a three-year rotating schedule due to staffing limitations. The associate vice president for academic personnel stated that attendance at orientation sessions was problematic for part-time instructors due to their work schedules. He and the director of human resources also stated that training on performing disciplinary actions or handling reconsideration requests had not been provided to campus managers since these activities were handled by the appropriate human resources departments.

Not providing effective training increases the risk of employee complaints and potential lawsuits against the campus and the CSU.

Recommendation 1

We recommend that the campus:

- a. Require employees (including part-time instructors) to attend campus orientation sessions.
- b. Provide formalized sexual harassment training, including the handling of employee complaints, to all faculty and staff.
- c. Revise the campus policy and procedures addressing sexual harassment to reflect the formalized training requirements.
- d. Develop a training plan for campus managers to ensure appropriate handling of sexual harassment complaints, whistleblower disclosures, allegations of retaliation, and disciplinary actions.
- e. Implement controls to ensure manager attendance at training classes and other educational forums.

Campus Response

We concur. The following actions will be taken:

- a. In addition to the current existing orientation sessions for new faculty, staff and managers, the campus will make required orientation sessions available to new part-time instructors. This will be accomplished by March 31, 2004.
- b. The campus will include “complaint handling” as part of the sexual harassment training currently being scheduled for faculty and staff. In addition, the training will be modified as a result of the response to Recommendation #4. This will be accomplished by March 31, 2004.
- c. The campus will reflect the new training requirements in the revised sexual harassment policy and procedures as a result of the response to Recommendation #4. This will be accomplished by March 31, 2004.
- d. The campus will develop a training plan for campus managers to ensure appropriate handling of sexual harassment complaints, whistleblower disclosures, allegations of retaliation, and disciplinary actions. This will be accomplished by March 31, 2004.
- e. The campus will implement procedures requiring managers to attend training sessions and other educational forums by March 31, 2004.

INTER-CAMPUS COMMUNICATIONS

Controls over campus communications did not ensure that employee relations information was updated and/or complete.

We noted that:

- ▶ The online faculty handbook did not contain updated hyperlinks to certain employee information such as the *Policy and Procedures for Investigation of Sexual Harassment*, affirmative action information, and the employee assistance and development program.
- ▶ Neither the staff handbook nor the faculty handbook contained information regarding whistleblower disclosures and allegations of retaliation.

SAM §20050 states that one symptom of a deficient internal control system is policy and procedural or operational manuals that are either not currently maintained or are non-existent.

The associate vice president of academic personnel stated that staffing issues and other priorities impeded the timely maintenance of the department’s website.

Inadequate control over campus communications increases the risk that employee complaints and whistleblower disclosures will not be timely escalated and/or resolved by the appropriate campus administrator.

Recommendation 2

We recommend that the campus:

- a. Update and/or streamline the hyperlinks from the academic personnel and human resources websites to other campus information.
- b. Update the handbooks for faculty and staff to include information on whistleblower disclosures and allegations of retaliation.

Campus Response

We concur. The following actions will be taken:

- a. The campus will update web pages by March 31, 2004, to streamline links on sexual harassment, equal opportunity, and employee assistance.
- b. The campus will update the hyperlinks in the faculty and staff handbooks for whistleblower disclosure and retaliation allegations by March 31, 2004.

UNION LEAVE

The campus was neither timely nor fully reimbursed for union leave.

We reviewed campus invoices for union leave taken by one State Employees Trades Council (SETC) employee and four California State Employees' Association (CSEA) employees in 2002 and 2003 and noted that:

- ▶ SETC was not billed nor did the campus receive an additional thirty percent (30%) over straight time for the union leave.
- ▶ In all four instances, CSEA was not billed an additional amount over straight time for incidental costs, and CSEA consistently reimbursed the campus up to four months after the campus invoice date.

Article 7.14.b. of the SETC bargaining agreement, for July 1, 2002 through June 30, 2005, states that the CSU shall be reimbursed by the union for all compensation paid the employee on account of such leave and for any incidental costs. The union shall reimburse the university for the employee's compensation plus thirty percent (30%) for incidental costs.

Article 5.13 of the CSEA bargaining agreement, for July 1, 2002 through June 30, 2005, states that the CSU shall be reimbursed by the union for all compensation paid the employee on account of such leave and for any incidental costs. Reimbursement by the union shall be made no later than 30 days after its receipt of the CSU certification of payment of compensation to the employee.

The human resources confidential analyst stated that he was not aware of these contract requirements.

Inadequate control over union leave increases the risk of non-compliance with union contract provisions and the loss of reimbursed funds.

Recommendation 3

We recommend that the campus:

- a. Obtain the appropriate reimbursement from SETC and CSEA for employees that were provided union leave.
- b. Implement monitoring controls to ensure timely reimbursement by the unions.
- c. Implement controls to ensure appropriate understanding by supervisory personnel of contract provisions for the various areas of responsibility.

Campus Response

We concur. The following actions have been or will be taken:

- a. The campus has already changed its billing process to SETC and CSEA to include the additional 30% over straight time for the union leave, as well as the additional incidental costs.
- b. For those costs not reimbursed per the contract requirements, human resources will turn over all delinquent union billings to accounting services for follow-up. This will be accomplished by March 31, 2004.
- c. A new supervisor, who understands contract requirements, has been assigned the responsibilities of union billings.

COMPLAINTS AND RECONSIDERATION REQUESTS

Campus policies and procedures addressing sexual harassment were not reflective of human resources' current practice for investigating and handling complaints and did not incorporate the timeframes and protocols for complaint resolution required by EO No. 675.

EO No. 675, *Systemwide Complaint Procedure for Discrimination Complaints by Employees Not Eligible to File a Discrimination Complaint or Grievance Under a Collective Bargaining Agreement*, dated January 21, 1998, establishes a systemwide procedure for discrimination complaints by employees not eligible to file a discrimination complaint under a collective bargaining agreement.

SAM §20050 states that one symptom of a deficient internal control system is policy and procedural or operational manuals that are either not currently maintained or are non-existent.

The director of human resources stated that the academic senate approved the campus policy and procedures for addressing allegations of sexual harassment a few years ago; however, certain procedures have become obsolete.

Failure to maintain an effective control environment over the processing of sexual harassment and other complaints increases the risk of potential loss to the campus and the CSU.

Recommendation 4

We recommend that the campus update or replace existing campus policies and procedures for addressing allegations of sexual harassment to reflect current practice and compliance with EO No. 675.

Campus Response

We concur. The campus sexual harassment policy requires approval of the Academic Senate (the Senate). A draft of the revised policy will be completed by February 2004 and will be submitted to the Senate for approval by March 2004. If it has not been approved by the Senate by the close of the academic year, the campus will implement the draft as an “interim revised policy.”

WHISTLEBLOWER DISCLOSURES

Administrative controls for handling whistleblower disclosures and allegations of retaliation needed strengthening.

Our review of one whistleblower disclosure and three allegations of retaliation received by the campus since May 2002 disclosed that in one applicable instance, the campus handled the allegation of retaliation rather than the vice chancellor of human resources in the chancellor’s office.

In addition, a review of corresponding campus policies and communications disclosed that:

- ▶ Campus procedures for processing whistleblower disclosures had not been documented by the human resources department as required by EO No. 821.
- ▶ Campus procedures for handling allegations of retaliation for disclosure of improper government activities did not incorporate the timeframes and protocols required by EO No. 822.
- ▶ Via campus e-mail notifications, employees were directed to contact the campus director of human resources for allegations of retaliation rather than the vice chancellor of human resources in the chancellor’s office.

EO No. 821, *Reporting Procedures for Protected Disclosure of Improper Governmental Activities and/or Significant Threats to Health or Safety*, dated May 23, 2002, was established to further the intent of the California Legislature as stated in §8547.1 of the Government Code, a part of the California Whistleblower Protection Act. It established a procedure for employees and applicants for employment at the CSU to make protected disclosures, as defined in the executive order, and it also directs the president of each campus to establish similar procedures.

EO No. 822, *Revised Complaint Procedures for Allegations of Retaliation for Disclosure under the California Whistleblower Protection Act*, dated May 23, 2002, states that all such complaints filed on a campus must promptly be referred to the vice chancellor of human resources in the chancellor's office and that each campus president is responsible for developing and issuing a campus directive implementing this requirement.

The director of human resources stated that due to misinterpretation of the CSU policies, the campus inadvertently collapsed the requirements of EO No. 821 into the campus procedures for handling allegations of retaliation, which caused the noted processing exceptions.

Failure to develop, implement, and comply with policies that address sensitive employee disclosures increases the risk of employee dissatisfaction, increased scrutiny by state regulatory agencies, and potential loss to the campus and the CSU.

Recommendation 5

We recommend that the campus:

- a. Document procedures for handling whistleblower disclosures that reflect current practice and compliance with EO No. 821.
- b. Revise campus procedures for handling allegations of retaliation to ensure compliance with timeframes and protocols in EO No. 822.
- c. Revise internal campus communications to ensure correct reporting of allegations of retaliation to the appropriate CSU administrator.

Campus Response

We concur. Campus procedures have already been revised to comply with EO No. 821 and EO No. 822. The modifications ensure correct reporting of allegations of retaliation to the appropriate CSU administrator.

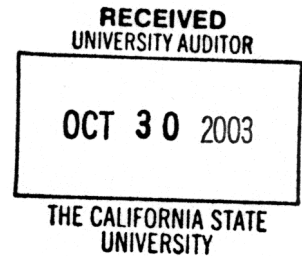
APPENDIX A: PERSONNEL CONTACTED

<u>Name</u>	<u>Title</u>
John D. Welty	President
Irene Allen	Confidential Office Support, Human Resources
Daniel Bartell	Dean, College of Agricultural Sciences and Technology
Robert Boyd	Director, Facilities Management/Plant Operations
John Briar	Interim Director, Campus Information Systems
Thomas Ebert	Associate Vice President for Academic Personnel
Robyn Fares	Administrative Support Assistant
John Franz	Director, Employee Assistance and Development
Curtis Guaglianone	Interim Associate Dean, Kremen School of Education and Human Development
John Hoyt	Manager, Support Services
Barry Humphrey	Associate Vice President, University Advancement
Bruce Hupe	Confidential Analyst, Human Resources
Diane Jenkins	Benefits Manager, Human Resources
Scott Johnson	Athletic Director
Karen Kinney	Associate University Librarian
David Moll	Director, Public Safety
Jeannine Raymond	Acting Vice President of Administration and Director of Human Resources
J. Chris Robinson	Internal Auditor
Heather San Julian	Administrative Support Assistant, Human Resources
Randy Welniak	Associate Athletic Director,
Nora Woods	Assistant Director, Human Resources



CALIFORNIA
STATE
UNIVERSITY,
FRESNO

October 27, 2003



Memorandum

To: Larry Mandel
University Auditor
The California State University

From: John D. Welty
President

A handwritten signature in cursive script, appearing to read "John D. Welty".

Subject: **Campus Response to Audit Report Number 03-15,
*Employee Relations at California State University, Fresno***

My staff and I have reviewed the findings of the above captioned audit report. Enclosed is the Campus Response addressing specific recommendations contained in the report.

Please feel free to contact me if you should have any questions.

JDW:cr

Enclosure

C: Dr. Jeannine Raymond
Mr. Tom Ebert
Mr. Steve Katz
Mr. Chris Robinson

Office of
the President

Thomas Administration
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EMPLOYEE RELATIONS
CALIFORNIA STATE UNIVERSITY,
FRESNO

REPORT NO. 03-15

EMPLOYEE RELATIONS ADMINISTRATION

CAMPUS TRAINING

Recommendation 1

We recommend that the campus:

- a. Require employees (including part-time instructors) to attend campus orientation sessions.
- b. Provide formalized sexual harassment training, including the handling of employee complaints, to all faculty and staff.
- c. Revise the campus policy and procedures addressing sexual harassment to reflect the formalized training requirements.
- d. Develop a training plan for campus managers to ensure appropriate handling of sexual harassment complaints, whistleblower disclosures, allegations of retaliation, and disciplinary actions.
- e. Implement controls to ensure manager attendance at training classes and other educational forums.

Campus Response

We concur. The following actions will be taken:

- a. In addition to the current existing orientation sessions for new faculty, staff and managers, the campus will make required orientation sessions available to new part-time instructors. This will be accomplished by March 31, 2004.
- b. The campus will include "complaint handling" as part of the sexual harassment training currently being scheduled for faculty and staff. In addition, the training will be modified as a result of the response to Recommendation #4. This will be accomplished by March 31, 2004.
- c. The campus will reflect the new training requirements in the revised sexual harassment policy and procedures as a result of the response to Recommendation #4. This will be accomplished by March 31, 2004.

- d. The campus will develop a training plan for campus managers to ensure appropriate handling of sexual harassment complaints, whistleblower disclosures, allegations of retaliation, and disciplinary actions. This will be accomplished by March 31, 2004.
- e. The campus will implement procedures requiring managers to attend training sessions and other educational forums by March 31, 2004.

INTER-CAMPUS COMMUNICATIONS

Recommendation 2

We recommend that the campus:

- a. Update and/or streamline the hyperlinks from the academic personnel and human resources websites to other campus information.
- b. Update the handbooks for faculty and staff to include information on whistleblower disclosures and allegations of retaliation.

Campus Response

We concur. The following actions will be taken:

- a. The campus will update Web pages by March 31, 2004, to streamline links on sexual harassment, equal opportunity, and employee assistance.
- b. The campus will update the hyperlinks in the faculty and staff handbooks for whistleblower disclosure and retaliation allegations by March 31, 2004.

UNION LEAVE

Recommendation 3

We recommend that the campus:

- a. Obtain the appropriate reimbursement from SETC and CSEA for employees that were provided union leave.
- b. Implement monitoring controls to ensure timely reimbursement by the unions.
- c. Implement controls to ensure appropriate understanding by supervisory personnel of contract provisions for the various areas of responsibility.

Campus Response

We concur. The following actions have been or will be taken:

- a. The campus has already changed its billing process to SETC and CSEA to include the additional 30% over straight time for the union leave, as well as the additional incidental costs.
- b. For those costs not reimbursed per the contract requirements, Human Resources will turn over all delinquent union billings to Accounting Services for follow-up. This will be accomplished by March 31, 2004.
- c. A new supervisor, who understands contract requirements, has been assigned the responsibilities of union billings.

COMPLAINTS AND RECONSIDERATION REQUESTS

Recommendation 4

We recommend that the campus update or replace existing campus policies and procedures for addressing allegations of sexual harassment to reflect current practice and compliance with EO No. 675.

Campus Response

We concur. The campus sexual harassment policy requires approval of the Academic Senate (the Senate). A draft of the revised policy will be completed by February 2004 and will be submitted to the Senate for approval by March 2004. If it has not been approved by the Senate by the close of the academic year, the campus will implement the draft as an "interim revised policy".

WHISTLEBLOWER DISCLOSURES

Recommendation 5

We recommend that the campus:

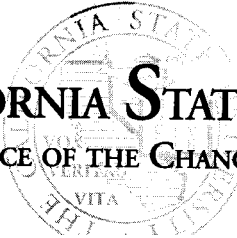
- a. Document procedures for handling whistleblower disclosures that reflect current practice and compliance with EO No. 821.
- b. Revise campus procedures for handling allegations of retaliation to ensure compliance with timeframes and protocols in EO No. 822.

Revise internal campus communications to ensure correct reporting of allegations of retaliation to the appropriate CSU administrator.

Campus Response

We concur. Campus procedures have already been revised to comply with EO 821 and EO 822. The modifications ensure correct reporting of allegations of retaliation to the appropriate CSU Administrator.

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR



BAKERSFIELD

January 20, 2004

CHANNEL ISLANDS

CHICO

MEMORANDUM

DOMINGUEZ HILLS

FRESNO

TO: Mr. Larry Mandel
University Auditor

FULLERTON

HAYWARD

FROM: Charles B. Reed
Chancellor

HUMBOLDT

SUBJECT: Draft Final Report Number 03-15 on *Employee Relations*,
California State University, Fresno

LONG BEACH

LOS ANGELES

MARITIME ACADEMY

In response to your memorandum of January 20, 2004, I accept the response as submitted with the draft final report on *Employee Relations*, California State University, Fresno.

MONTEREY BAY

NORTHRIDGE

POMONA

CBR/ac

SACRAMENTO

Enclosure

SAN BERNARDINO

cc: Mr. J. Chris Robinson, Internal Auditor
Dr. John D. Welty, President

SAN DIEGO

SAN FRANCISCO

SAN JOSE

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS