

EMPLOYEE RELATIONS
SAN DIEGO STATE UNIVERSITY

Report Number 03-21
March 2, 2004

Members, Committee on Audit

Shailesh J. Mehta, Chair
Roberta Achtenberg, Vice Chair
Debra S. Farar William Hauck
Frederick W. Pierce, IV

Staff

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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
CHR	Center for Human Resources
CSEA	California State Employees' Association
CSU	California State University
EO	Executive Order
FTE	Full-Time Employment
HEERA	Higher Education Employee-Employer Relations Act
IUOE	International Union of Operating Engineers
MPP	Management Personnel Plan
OGC	Office of General Counsel
SAM	State Administrative Manual
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 San Diego State University campus from October 13, 2003, through November 25, 2003, and audited the procedures in effect at that time. In our opinion, the administration and management of the employee relations function needs to be improved in the areas of new employee orientation, staff and manager training, and performance management.

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 [8]

Certain activities that impact the control environment and administration of the employee relations function needed improvement. Campus practice did not require that all new staff attend new employee orientation, which lacked adequate information on the campus sexual harassment policy and procedures for escalating employee complaints; orientation sessions were not provided to new department chairs to ensure awareness of employee relations policies and procedures; and the campus had not developed a sexual harassment training plan to ensure the ongoing training of faculty, management, and non-management personnel. Training efforts for campus managers also needed strengthening since managers were not always aware of certain employee relations policies or whom to contact for whistleblower disclosures and allegations of retaliation. Further, controls were not in place to ensure that employee relations information on the campus website and/or in other resources such as sexual harassment posters and brochures and the faculty handbook was updated and complete. In addition, the campus had not documented procedures for handling reimbursable union leave that was provided to campus employees.

COMPLAINTS AND RECONSIDERATION REQUESTS [11]

Campus policies and procedures addressing sexual harassment did not incorporate the time frames and protocols for complaint resolution required by California State University (CSU) policy.

PERFORMANCE MANAGEMENT [13]

The Center for Human Resources did not always receive performance evaluations for campus employees nor were monitoring processes in place to obtain past-due evaluations. Further, the campus had not developed progressive discipline guidelines.

WHISTLEBLOWER DISCLOSURES [16]

Administrative controls for handling whistleblower disclosures and allegations of retaliation needed strengthening. Campus procedures for handling whistleblower disclosures and allegations of retaliation had not been developed and documented, various campus resources, including the website and the whistleblower hotline notice, did not identify the campus administrator assigned to receive whistleblower disclosures and allegations of retaliation, and campus procedures for handling allegations of retaliation did not incorporate the time frames and protocols required by CSU policy.

INTRODUCTION

BACKGROUND

With the passage of major employment legislation since the 1960's, 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.

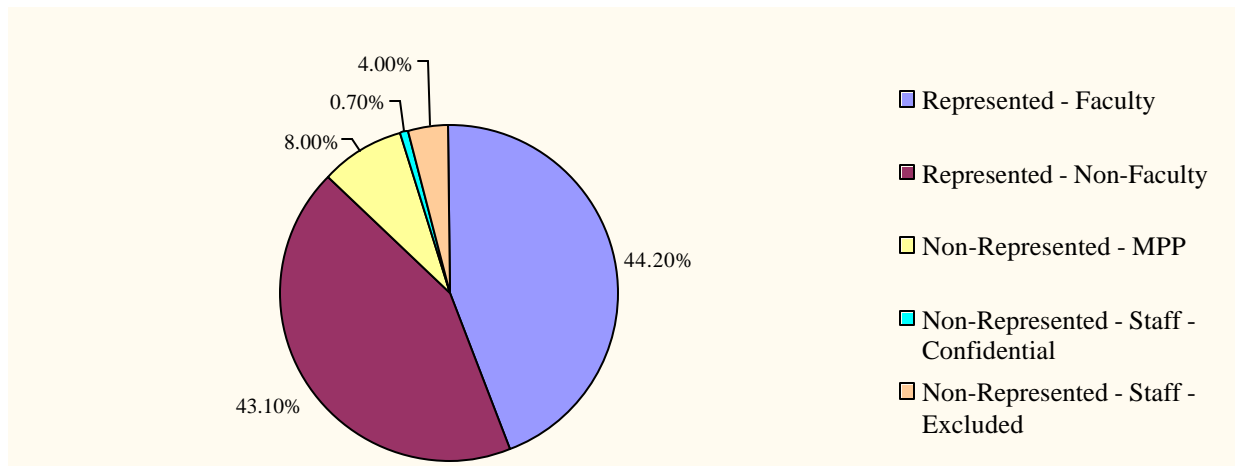
Total full-time employment (FTE) at the CSU has grown from 31,361 to 39,440 active and on-leave employees (excluding hourly employees), which represents a 25.7% increase from October 1995 to October 2002. For administrative and reporting purposes, CSU has further grouped the represented and non-represented 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 3,341 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	3,341

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 control, 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 San Diego State University, the associate vice president for academic personnel, the associate vice president for budget and human resources

INTRODUCTION

management; the director of employee relations; the director of staff personnel services; and other responsible individuals administer the employee relations function.

INTRODUCTION

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 information.

OBSERVATIONS, RECOMMENDATIONS, AND CAMPUS RESPONSES

EMPLOYEE RELATIONS ADMINISTRATION

CAMPUS TRAINING

Employee relations training, policy and plan development needed improvement.

- ▶ The campus practice did not require all new staff to attend orientation sessions.
- ▶ Orientation sessions were not provided to new department chairs to ensure awareness of employee relations policies and procedures.
- ▶ Although employees were provided copies of the campus sexual harassment brochure, new employee orientation activities did not include detailed discussions of the campus sexual harassment policy or clear instructions for escalating employee complaints.
- ▶ The campus had not developed and documented a sexual harassment training plan to ensure the ongoing mandatory training of faculty (including part-time instructors), management, and non-management personnel.

In addition, we noted that efforts to train campus managers in certain employee relations areas needed strengthening. Interviews with five campus managers (including two college deans) disclosed that:

- ▶ None were aware of the campus administrator handling whistleblower disclosures and allegations of retaliation or how to handle such complaints. In addition, two were not aware of the whistleblower notice.
- ▶ Four had not received training on preparing performance evaluations, while none had received training on handling disciplinary cases.
- ▶ Two had not received sexual harassment training and were not aware of the campus procedures for discrimination and sexual harassment complaints by employees.
- ▶ Three had not received training in the handling of general employee complaints.

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.

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 the center for human resources (CHR) stated that training shortcomings developed during the previous training manager's tenure.

Failure to provide effective training, policy, and plan development increases the risk of employee complaints and potential lawsuits against the campus and the California State University (CSU).

Recommendation 1

We recommend that the campus:

- a. Improve the system for ensuring that campus employees attend campus orientation sessions.
- b. Develop and implement orientation activities for new department chairs that include, but are not limited to, discussions of employee relations policies and procedures.
- c. Include in new employee orientation activities, information on the campus sexual harassment policy.
- d. Develop, document, and execute a sexual harassment training plan that includes faculty (including part-time instructors), management, and non-management personnel.
- e. Develop a training plan for campus managers to ensure appropriate knowledge of campus policies and procedures for handling sexual harassment complaints, performance evaluations, disciplinary actions, whistleblower disclosures, and allegations of retaliation.

Campus Response

We concur.

- a. Procedures will be established to improve the system for ensuring that campus employees attend campus orientation sessions. This will be completed by August 31, 2004.
- b. Orientation activities for new department chairs will be developed and implemented to include discussions of employee relations' policies and procedures. This will be completed by August 31, 2004.
- c. Information on the campus sexual harassment policy will be included in new employee orientation activities by August 31, 2004.
- d. A sexual harassment training plan that includes faculty (including part-time instructors), management, and non-management personnel will be completed by August 31, 2004.

- e. A training plan for campus managers will be developed and will include policies and procedures for handling sexual harassment complaints, performance evaluations, disciplinary actions, whistleblower disclosures, and allegations of retaliation. The training plan will be completed by May 31, 2004.

INTER-CAMPUS COMMUNICATION

Employee relations information was not updated timely and/or complete.

Sexual harassment information included in brochures and posters had not been updated to reflect current contact information for escalating complaints.

New employee orientation materials, the faculty handbook, and the campus website did not include references to EO No. 821, *Reporting Procedures for Protected Disclosure of Improper Governmental Activities and/or Significant Threats to Health or Safety*.

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 the CHR said that communication shortcomings developed during the prior training manager's tenure.

Untimely/incomplete updates of employee relations information increase the risk that employees will not be aware of campus policies, employment rights, and the correct channels for escalating complaints and other disclosures.

Recommendation 2

We recommend that the campus review and revise information in brochures, posters, and other resources to ensure complete and accurate information.

Campus Response

We concur. Campus resource materials will be revised by June 30, 2004.

UNION LEAVE

Department procedures for handling reimbursable union leave had not been documented by the CHR and faculty affairs.

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. In addition, the elements of a satisfactory system of internal accounting and administrative controls, shall include, but

are not limited to, a system of authorization and record-keeping procedures adequate to provide effective accounting control over assets, liabilities, revenues, and expenditures.

The associate vice president for faculty affairs stated that she relied on her predecessor to identify any outstanding procedural issues or shortcomings and that her predecessor had not identified any problems with the processing of union leave reimbursements for faculty.

Undocumented procedures for requesting payment for reimbursable union leave increase the risk of non-compliance with union contract provisions and the loss of reimbursed funds.

Recommendation 3

We recommend that faculty affairs and the CHR document procedures for handling reimbursable union leave.

Campus Response

We concur. Procedures for handling reimbursable union leave will be completed by May 31, 2004.

COMPLAINTS AND RECONSIDERATION REQUESTS

Campus policies and procedures addressing sexual harassment did not incorporate the required time frames and protocols for complaint resolution.

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 the office of diversity and equity stated that the campus complaint procedures were drafted to align with the more liberal time frames in state and federal sexual harassment and discrimination laws and regulations.

Providing inaccurate references and information in campus policies and procedures may cause confusion regarding the processing of complaints, greater difficulty in explaining the process to complainants, and may increase the risk of potential loss to the campus and to the CSU.

Recommendation 4

We recommend that the campus update existing campus policies and procedures for addressing allegations of sexual harassment and incorporate the required time frames and protocols required by EO No. 675.

Campus Response

We concur. Existing campus policies and procedures will be updated by June 30, 2004.

PERFORMANCE MANAGEMENT

PERFORMANCE EVALUATIONS

The CHR did not always receive performance evaluations for campus employees.

During a review of official personnel files for 20 represented and 20 non-represented employees, we noted that:

- ▶ The most recent annual evaluation could not be provided for one represented, one confidential, and three MPP employees.
- ▶ Annual evaluations could not be provided for one confidential and two Management Personnel Plan (MPP) employees. In addition, annual evaluations had not been provided for up to three years for two of these employees.
- ▶ A six-month performance evaluation could not be provided for three MPP employees.

In addition, we noted that the CHR did not implement procedures for tracking past due evaluations.

Title 5 §43550 states that it is the policy of the CSU to require periodic performance appraisals for each permanent, probationary, or MPP employee.

Title 5 §42722 states that MPP employees shall be evaluated after six-months and one year of service, and subsequently at one-year intervals.

Article 10.3 of the California State Employees' Association bargaining agreement, for July 1, 2002, through June 30, 2005, states that a probationary employee shall be evaluated by the end of the third, sixth, and eleventh month of the probationary period, unless the employee has earlier been rejected during probation. Article 10.6 states that the evaluator shall submit a draft evaluation for the employee's review, input, and discussion.

Article 18.1.A.1. of the Academic Professionals of California bargaining agreement, for July 1, 2000, through June 30, 2003, states that employees shall be evaluated on at least an annual basis. Article 18.1.A.3. states that performance evaluations shall be prepared in draft form, and a copy will be given to the employee who shall have 14 days to submit a rebuttal (if any) to the evaluator before the evaluation is finalized.

Article 12.4 of the State Employees Trades Council bargaining agreement, for July 1, 2002, through June 30, 2005, states that a permanent employee shall be evaluated annually. Article 12.5 states that a probationary employee shall be evaluated periodically but not to exceed four times during his/her probationary period.

The director of the CHR stated that the performance evaluations should have been completed and in the absence of financial performance incentives for employees, the campus elected to undertake activities with a higher priority than monitoring the completion of performance evaluations.

Inadequate control over the performance management process increases the risk of non-compliance with campus and/or CSU policy, poor staff morale, and possible unjustifiable salary increases or disciplinary and termination actions.

Recommendation 5

We recommend that the campus ensure that performance evaluations are performed for all represented and non-represented staff on a timely basis.

Campus Response

We concur. Procedures will be strengthened to ensure that performance evaluations are performed timely for all represented and non-represented staff by July 1, 2004.

PROGRESSIVE DISCIPLINE GUIDELINES

The campus had not developed progressive discipline guidelines.

The Office of General Counsel's (OGC) *Guidelines for Preparing Disciplinary Cases*, dated September 1995, state that to facilitate the initiation of formal disciplinary action, the following internal procedures should be developed by the campus: (a) define policy person(s) responsible for reviewing investigatory report and deciding on appropriate sanction; (b) define a person responsible for preparing investigatory report and coordinating between witnesses, policy personnel, and the OGC; (c) establish an early warning system to identify employees who need to improve their performance or modify their conduct; and (d) establish procedures in conjunction with the OGC to maintain investigator's work product as confidential under the attorney-client privilege.

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 the CHR stated that the OGC had advised the campus against developing explicit progressive discipline guidelines.

A lack of current and complete guidelines increases the risk of misunderstandings related to the performance of duties and functions and inconsistencies in complying with relevant CSU policies and/or directives.

Recommendation 6

We recommend that the campus develop and publish progressive discipline procedures.

Campus Response

We concur. The campus will develop and publish progressive discipline procedures by August 31, 2004.

WHISTLEBLOWER DISCLOSURES

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

The campus had not developed and documented procedures for processing whistleblower disclosures.

Various campus resources, including the website and the whistleblower hotline notice, did not identify the director of the CHR as the campus administrator assigned to receive whistleblower disclosures and allegations of retaliation.

Campus procedures for handling allegations of retaliation for disclosure of improper government activities did not incorporate the time frames and protocols required by EO No. 822.

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. It also states that each campus president shall appoint an appropriate campus administrator to receive protected disclosures.

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. It also requires that each campus president shall appoint an appropriate campus administrator to receive complaints alleging retaliation for making protected disclosures.

The director of the CHR stated her belief that the campus had adequately implemented EO No. 821 and EO No. 822. She further stated that the campus procedure for allegations of retaliation was developed in 1997 and needed updating.

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

Recommendation 7

We recommend that the campus:

- a. Develop and document procedures for handling whistleblower disclosures that reflect current practice and compliance with EO No. 821.
- b. Revise and enhance internal campus communications to identify the director of the CHR as the campus administrator assigned to receive whistleblower disclosures and allegations of retaliation.
- c. Incorporate the time frames and protocols required by EO No. 822 in campus procedures for handling allegations of retaliation.

Campus Response

We concur.

- a. Procedures for handling whistleblower disclosures that reflect current practice and compliance with EO No. 821 will be completed by June 30, 2004.
- b. Internal campus communications will be revised to identify the director of the CHR as the campus administrator assigned to receive whistleblower disclosures and allegations of retaliation. This will be completed by June 30, 2004.
- c. Time frames and protocols required by EO No. 822 will be incorporated in campus procedures for handling allegations of retaliation by June 30, 2004.

APPENDIX A: PERSONNEL CONTACTED

<u>Name</u>	<u>Title</u>
Stephen L. Weber	President
Sue Blair	Director, Center for Human Resources
Valerie Carter	Tax and Audit Manager
Sydney Covey	Administrative Analyst, Academic Affairs
Cheryl Fisher	Director, Office of Diversity and Equity
Joyce M. Gattas	Dean, Professional Studies and Fine Arts
Ellene J. Gibbs	Director, Business Information Management
Gretchen Jones	Associate Director, Physical Plant
John Z. Konrad	Administrator, Reprographics
Eva Mack	Confidential Office Support
Cindy Ormsby	Accounting Technician
Jeanelle de la Paz Petreikis	Administrative Support Coordinator, Student Affairs
Sally F. Roush	Vice President for Business and Financial Affairs
Charles Schwoerke	Lieutenant, University Police Department
Thomas R. Scott	Dean, Sciences
Gena Self	Confidential Technical Support
Jill Tavolazzi	Administrative Analyst, Faculty Affairs
Jennifer Venter	Manager, Center for Human Resources
Bonnie Zimmerman	Associate Vice President, Faculty Affairs



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A Century Of Learning 1897 • 1997

THE PRESIDENT

March 30, 2004

Mr. Larry Mandel
University Auditor
The California State University
401 Golden Shore, 4th Floor
Long Beach, CA 90802

RECEIVED
UNIVERSITY AUDITOR

APR - 1 2004

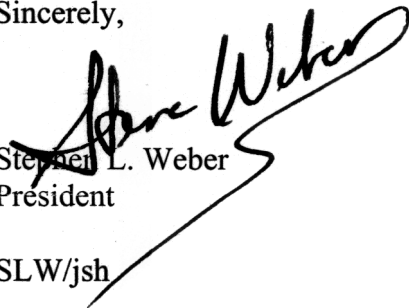
THE CALIFORNIA STATE
UNIVERSITY

Dear Mr. Mandel

Attached is San Diego State University's response to report number 03-21, *Employee Relations*. For ease of reference, the report's recommendations have been included with our responses. Documentation of policy and control changes will follow under separate cover.

Should you have any questions or require additional information, please contact Valerie Carter, Tax and Audit Manager, at 619-594-5901.

Sincerely,


Stephen L. Weber
President

SLW/jsh

Attachment

- c: Sally F. Roush, Vice President for Business and Financial Affairs
- Sue Blair, Director, Center for Human Resources
- Cheryl Fisher, Director, Office of Diversity and Equity
- Bonnie Zimmerman, Associate Vice President, Faculty Affairs
- Valeri J. Carter, Tax and Audit Manager

EMPLOYEE RELATIONS

SAN DIEGO STATE UNIVERSITY

Report Number –3-21

March 2, 2004

EMPLOYEE RELATIONS

Recommendation 1

We recommend that the campus:

- a. Improve the system for ensuring that campus employees attend campus orientation sessions.
- b. Develop and implement orientation activities for new department chairs that include, but are not limited to, discussions of employee relations policies and procedures.
- c. Include in new employee orientation activities, information on the campus sexual harassment policy.
- d. Develop, document, and execute a sexual harassment training plan that includes faculty (including part-time instructors), management, and non-management personnel.
- e. Develop a training plan for campus managers to ensure appropriate knowledge of campus policies and procedures for handling sexual harassment complaints, performance evaluations, disciplinary actions, whistleblower disclosures, and allegations of retaliation.

Campus Response

We concur.

- a. Procedures will be established to improve the system for ensuring that campus employees attend campus orientation sessions. This will be completed by August 31, 2004.
- b. Orientation activities for new department chairs will be developed and implemented to include discussions of employee relations' policies and procedures. This will be completed by August 31, 2004.

- c. Information on the campus sexual harassment policy will be included in new employee orientation activities by August 31, 2004.
- d. A sexual harassment training plan that includes faculty (including part-time instructors), management, and non-management personnel will be completed by August 31, 2004.
- e. A training plan for campus managers will be developed and will include policies and procedures for handling sexual harassment complaints, performance evaluations, disciplinary actions, whistleblower disclosures, and allegations of retaliation. The training plan will be completed by May 31, 2004.

EMPLOYEE INFORMATION

Recommendation 2

We recommend that the campus review and revise information in brochures, posters, and other resources to ensure complete and accurate information.

Campus Response

We concur. Campus resource materials will be revised by June 30, 2004.

UNION LEAVE

Recommendation 3

We recommend that faculty affairs and the center for human resources document procedures for handling reimbursable union leave.

Campus Response

We concur. Procedures for handling reimbursable union leave will be completed by May 31, 2004.

SEXUAL HARASSMENT POLICIES/PROCEDURES

Recommendation 4

We recommend that the campus update existing campus policies and procedures for addressing allegations of sexual harassment and incorporate the required timeframes and protocols required by EO No. 675.

Campus Response

We concur. Existing campus policies and procedures will be updated by June 30, 2004.

PERFORMANCE EVALUATIONS

Recommendation 5

We recommend that the campus ensure that performance evaluations are performed for all represented and non-represented staff on a timely basis.

Campus Response

We concur. Procedures will be strengthened to ensure that performance evaluations are performed timely for all represented and non-represented staff by July 1, 2004.

DISCIPLINE PROCEDURES

Recommendation 6

We recommend that the campus develop and publish progressive discipline procedures.

Campus Response

We concur. The campus will develop and publish progressive discipline procedures by August 31, 2004.

WHISTLEBLOWER DISCLOSURE

Recommendation 7

We recommend that the campus:

- a. Develop and document procedures for handling whistleblower disclosures that reflect current practice and compliance with EO No. 821.
- b. Revise and enhance internal campus communications to identify the director of the CHR as the campus administrator assigned to receive whistleblower disclosures and allegations of retaliation.
- c. Incorporate the timeframes and protocols required by EO No. 822 in campus procedures for handling allegations of retaliation.

Campus Response

We concur.

- a. Procedures for handling whistleblower disclosures that reflect current practice and compliance with EO No. 821 will be completed by June 30, 2004.

- b. Internal campus communications will be revised to identify the director of the CHR as the campus administrator assigned to receive whistleblower disclosures and allegations of retaliation. This will be completed by June 30, 2004.
- c. Timeframes and protocols required by EO No. 822 will be incorporated in campus procedures for handling allegations of retaliation by June 30, 2004.

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR

BAKERSFIELD

CHANNING AND:

May 19, 2004

CHICO

DOMINGUEZ HILL

MEMORANDUM

FRESNO

FULLERTON

TO: Mr. Larry Mandel
University Auditor

HAYWARD

FROM: Charles B. Reed
Chancellor


IMBOLDT

LONG BEACH

SUBJECT: Draft Final Report Number 03-21 on *Employee Relations*,
San Diego State University

ANGELES

MARITIME ACADEMY

MARTINEZ BAY

In response to your memorandum of May 19, 2004, I accept the response as submitted with the draft final report on *Employee Relations*, San Diego State University.

NORTHRIDGE

POMONA

SACRAMENTO

CBR/amd

SAN BERNARDINO

Enclosure

SAN DIEGO

cc: Ms. Ellene J. Gibbs, Director, Business Information Management
Dr. Stephen L. Weber, President

SAN FRANCISCO

SAN JOSE

SAN JOSE OBISPO

SAN MARCOS

SONOMA

STANISLAUS