

## ARTICLE 15

### EMPLOYEE RIGHTS

- 15.1 An employee may request, in writing to the appropriate administrator, an assignment to a particular set of duties they wish to perform. These duties must be consistent with the employee's classification. The appropriate administrator shall respond in writing to such requests.
- 15.2 An employee's position description shall be consistent with the classification standards for their classification. An employee may request, in writing, a meeting with appropriate administrator to discuss a position description, reassignment, work assignment, or workloads. Such a meeting shall not be unreasonably denied.
- 15.3 Employees shall have the right to use campus telephones in emergency situations. Employees will pay for long-distance calls.
- 15.4 An employee required by management (a) to use computing technology in carrying out their assigned responsibilities and/or (b) to receive and/or provide information electronically shall be provided appropriate computing access during work hours.
- 15.5 An employee shall be entitled to payroll deductions for insurance premiums according to the procedures determined by the CSU and the State Controller.
- 15.6 Bargaining unit employees shall be provided with keys determined necessary by the CSU and with identification badges or cards. If a campus establishes a fee schedule for replacing such property if it has been lost, stolen, or damaged, employees shall be charged such fees if the loss, theft, or damage was due to their gross negligence.

#### Investigatory Interviews (Weingarten Rights)

- 15.7 Upon their request, an employee may be represented at an investigatory interview if they reasonably believe that disciplinary action may result. An "investigatory interview" is

when an employee is asked questions by a University representative with a view to obtaining information that could be used as a basis for disciplinary action, and/or where an employee is asked to defend their conduct and the employee has a reasonable belief that discipline may result from what they say. Prior to the interview, the employee shall be informed of the general nature of the matter being investigated. They may consult with their requested representative, if any. The right to representation does not apply to meetings held exclusively to inform an employee of a previously made disciplinary decision unless the CSU proposes to discuss or modify the disciplinary decision, or if the meeting turns into a discussion of the reasons for the disciplinary action. If the representative an employee requests is unavailable, the employee may request alternate representation. The CSU is not obliged to postpone the interview, nor to suggest or secure the alternate representation; however, the employee shall not be required to answer any questions without a representative present, unless they voluntarily choose to do so. At its discretion, the CSU may decline to hold any interview if the employee requests representation.

#### Due Process Rights (Skelly Review Rights)

- 15.8 A permanent employee shall have the right to a Skelly review, either orally or in writing, consistent with *Skelly v. State Personnel Board* and any subsequent decisions, prior to the imposition of formal disciplinary action under Education Code Section 89535 (suspension without pay, involuntary demotion, or dismissal). The employee may be represented at the hearing by a union representative or one person of the employee's choosing. The Skelly review right does not apply to "corrective action" pursuant to Article 14 or any other type of "informal discipline" unless attached to the notice of disciplinary action, nor does it apply to probationary employees rejected during probation.

#### State Personnel Board Rights (Education Code 89539)

- 15.9 Any employee dismissed, suspended without pay, or demoted for cause may request a hearing by the State Personnel Board by filing a request, in writing, with the board within 30 days of being served with the notice. Thereafter, the rules of the State Personnel Appeals Board (the "SPB") shall apply to any such proceedings.

Confidentiality of Employee Records

15.10 The CSU shall maintain the confidentiality of employee records maintained by the University pursuant to state and federal laws.