

## **INDIVIDUAL PROBLEM RESOLUTION**

### *Introduction*

We acknowledge that individual workplace problems will arise at Harvard University and that a fair and constructive approach should be established to address such matters promptly. Problems should be dealt with in an expeditious manner and should be processed through the problem resolution procedure without unnecessary delay. We agree that the following principles will apply:

- Workplace problems are best solved at the local level.
- Consensus building is often the most effective approach to problem-solving.
- Open communication is essential to achieving consensus in problem resolution.
- Individuals serving in the problem resolution process must be skilled and trained to be most effective.
- Participants in the problem resolution process will respect the privacy of the individual involved and will treat the issues in a confidential manner.
- The process of problem resolution is intended to be flexible and should encourage the use of all resources appropriate to the specific issues.
- The structure should encourage employees to seek resolution of individual work-related problems.
- The process outlined in the following problem resolution procedure may be modified by mutual agreement of the members of the local problem-solving group for a specific situation because of extraordinary circumstances.
- When agreement is reached in resolving a workplace problem, any corrective action required will be taken promptly.
- The individual employee whose problem is being reviewed shall be given an opportunity to be heard at each level of the problem resolution procedure. Such opportunity shall also be provided to other persons directly involved in the problem.

### *Employee-Supervisor Discussions*

In the event an employee covered by the collective bargaining agreement experiences a problem in the workplace, every effort should be made to address and resolve the matter through direct and forthright communication between the affected employee and the immediate supervisor and/or other appropriate management personnel.

In the event an employee and supervisor are unable to resolve the problem, they should request assistance from authorized representatives of HUCTW and the local personnel office to work together in developing a fair and reasonable solution to the problem. The

objective of this support is to facilitate the problem-solving process between the employee and the supervisor.

In the event a satisfactory solution to the problem is not reached, the employee, the employer, or the Union may continue the process by requesting a review of the situation with the Regional Problem Solving Team. Individuals should request RPST problem solving within 30 days of the incident/problem.

#### *Regional Problem Solving Team*

The Regional Problem Solving Team (RPST) is an important element in the resolution process. Every effort should be made to reach a satisfactory solution, and it is expected that few problems will remain unresolved at this level.

The RPST will consist of an equal number of qualified representatives selected by the University Problem Solving Team (UPST) from a pool suggested by the Union, schools and departments.

It is recognized that an integral part of consensus building is the identification and objective evaluation of information and facts relevant to an issue being discussed. This joint endeavor will be carried out by two members of the RPST, one representative of the Union and one representative of the University. The RPST should be encouraged to seek additional resources as necessary and appropriate in addressing a specific problem. An appropriate summary of the proceedings should be kept by the RPST.

In the interest of effective communication it may be desirable to have one Union and one University representative serve on both the RPST and the JC of the school or administrative unit. However, this is left to the respective parties to decide in each work community. If the RPST finds a recurrent problem which it believes requires review at the JC level, it will refer the policy aspects of such matter to the JC.

In the event consensus cannot be reached within the RPST, the unresolved individual problem will be referred promptly to the University Problem Solving Team. Normally, a party seeking further review of a problem should notify the UPST within ten days of the completion of the RPST process.

#### *University Problem Solving Team*

In support of the RPST, the Union and the University will provide a University Problem Solving Team (UPST) of experienced persons. The membership of the UPST will consist of an equal number of representatives from the Union and the University whose primary responsibility will be to the UPST.

The function of this group will be to oversee the problem solving process as a whole at the University, to augment the work of the RPST and to support the concept of local problem solving. Designated members of the UPST will confer with the RPST to determine the nature of the unresolved issue. They may conduct appropriate inquiries to assist in the resolution of the issue by consensus. The UPST will prepare a summary of

its activities in each case. Normally, UPST cases should be completed within 45 days of the referral. (Note: Some cases may last longer for specific reasons.)

#### *Mediation to Final Conclusion*

If the problem remains unresolved after all these efforts have been exhausted, the Union or the University may request the assistance of a mediator acceptable to both parties to the Agreement. The objective of the mediator will be to seek a fair and equitable solution which takes into account the needs of the employee and the University.

The mediator may make recommendations for the resolution of the problem and, if a consensus is still not reached, will make a final decision. However, the mediator will have no authority to make a final decision on any matter which does not involve the interpretation or application of the terms of the Agreement including the provisions of the Manual determined to be arbitrable.

The University and the Union will work closely with the mediator in this process, and all reasonable resources will be made available.

### **JOINT GOVERNANCE COORDINATING COMMITTEE**

#### *Introduction/Philosophy*

The University and HUCTW share a commitment to the concept of Union-Management partnership and believe that it is fundamental to the strength of the parties' relationship and Agreement. In order to ensure that these partnership efforts remain strong and in fact continue to grow, the University and HUCTW have agreed in the 2007 negotiations to create the Joint Governance Coordinating Committee (JGCC).

#### *Goals and Responsibilities*

The JGCC is charged with oversight of the parties' joint committees, joint councils and problem solving teams. To this end, the JGCC will be responsible for the following:

- Ensuring that these groups are accountable to the University Joint Council (UJC) by meeting and hearing reports regularly from the joint committees, joint councils and the UPST and RPSTs
- Overseeing the administration of the Joint Activity and Training Fund
- Providing support for these groups by identifying and coordinating appropriate trainings
- Coordinating University-wide gatherings of joint council co-chairs, joint committees and UPST/RPST teams to enhance information sharing and collaboration
- Ensuring that records are maintained on RPST and UPST problem-solving activity and joint council initiatives