



COLORADO MESA UNIVERSITY AND COLORADO WINS

Payroll Deductions, Access, Release Time

The purpose of this communication is two-fold:

1. To inform classified employees that the Colorado Department of Personnel and Administration (DPA) has authorized the employee partnership group, Colorado WINS (CWINS) to collect dues by means of a payroll deduction, and
2. To answer other questions concerning partnership activities.

What is CWINS

CWINS is a coalition of three national unions – American Federation of State, County, and Municipal Employees, the Service Employees International Union, and the American Federation of Teachers. During the summer of 2009, CWINS won, through election by the majority of those state classified employees who voted in each occupational group (e.g. Administrative Professionals, Professional Services, Labor Trades, Crafts, Health Care, etc) except state troopers, the right to represent the classified employees on issues of mutual concern. Certain classified employees in managerial, supervisory and confidential positions are excluded from the executive order.

Virtually any issue can be discussed by the parties, but no partnership agreement may diminish the governor's discretion in budget-setting or expand the authority of the governor, the department of Personnel and Administration, or the Department of Labor and Employment beyond that authorized by the Colorado Constitution of the Colorado Revised Statutes. Most attributes of the State personnel System – including such matters as grievances, appeal of personnel decisions, and the statewide salary survey—are set forth in the Colorado Constitution or Statutes. Relative to Colorado Mesa University, a partnership agreement also cannot usurp the University president's or the Board of Trustees' responsibility and accountability for operation and management of the state personnel system for Colorado Mesa University, as provided for by the Colorado Constitution or the Colorado Revised Statutes.

Payroll Deductions

If an employee wants to become a member of CWINS, the employee must complete the DPA-approved payroll deduction form. The form is available from CWINS and also on the Colorado Mesa University Human Resources website <http://coloradomesa.edu/hr/documents/ColoradoWinsPayrollDeduction.pdf>

An employee may choose to join CWINS or not to join CWINS. No one may force an employee to join CWINS. Employees will be affected by the results of a partnership agreement whether he or she is a

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CWINS member or not. If an employee chooses to join CWINS, the employee will be required to pay dues to CWINS. The amount of dues is set by CWINS. The only way to join CWINS is to complete the payroll deduction form. An employee cannot be a member of CWINS and not pay dues.

If an employee signs up for CWINS payroll deduction and later decides not to continue as a CWINS member, the employee may cancel the payroll deduction by contacting the payroll office, 248-1140, and following the payroll office procedures. This is your choice.

CWINS Access to Colorado Mesa University Employees

The President and the Board of Trustees of Colorado Mesa University are responsible and accountable for operation and management of the state personnel system for Colorado Mesa University, as provided by the Colorado Constitution or the Colorado Revised Statutes. The Executive Order issued by Governor Ritter in November 2007 does not require Colorado Mesa University to negotiate agreements with its classified employees, because the Board of Trustees (and other institutions of Higher Education) has autonomy in the supervision of its campus and employees. The Board of Trustees has adopted an access protocol, applicable to all non-student organizations.

<http://www.coloradomesa.edu/hr/documents/AccessProtocol-final-cmu.pdf>. All non-student organizations are required to comply with the access protocol.

A statewide memorandum of understanding (MOU) between the Governor's Designee and CWINS was executed in October 2008 to set forth initial rules for interactions between the parties and with covered classified employees. ***Colorado Mesa University and all other institutions of higher education in Colorado specifically are not covered by the MOU.*** There is no agreement between Colorado Mesa University and CWINS for structured interactions during work time between CMU supervisors or classified employees and CWINS regarding partnership agreements or University business.

Between CWINS and Colorado Mesa University, no partnership agreement is in effect. That means CWINS has no official role on the Colorado Mesa University campus. If you have a work-related problem, your supervisor and the human resources department are your primary resources. You also have an elected staff council on campus. The staff council's members are listed online at <http://www.coloradomesa.edu/classified/members.html>.

To offer you membership in CWINS, its representatives may contact you in person at home, by telephone at home, and by e-mail at home if CWINS has that information. The University has not provided any contact information to CWINS. **CWINS should not contact you during your work time** about joining CWINS. If this happens, please call the human resources office, 248-1266. If CWINS contacts you and you do not want additional contacts, tell CWINS. If contact continues, please ask your human resources office for assistance.

Colorado Mesa University **employees who are members of CWINS may not engage in CWINS recruitment activities during their work time.** Likewise, Colorado Mesa University employees' work

time should not be interrupted for recruitment purposes. If this happens, please call the human resources office, 248-1266.

CWINS Interaction with Supervisors and Other Members of CMU's Administration

Because higher education is specifically excluded from the applicability of the earlier-noted MOU between the Governor's Designee and CWINS, there is no agreement between CMU and CWINS for structured interactions between CMU administrators and CWINS.

Administrators are not obliged to consult with CWINS when contemplating organizational or personnel changes in their organizations.

Supervisors or department heads who are requested by CWINS representatives to engage in interest-based bargaining or related training should refer the CWINS representative to the human resources department.

Supervisors or department heads who are requested by CWINS representatives to discuss department-specific employee issues should refer the CWINS representatives to the human resources department.

Under the State Personnel Board Rules, when a supervisor and employee are scheduled to have a pre-disciplinary or grievance meeting, the employee may choose to have (or to not have) a representative accompany her or him. The representative may be a co-worker, friend, attorney, CWINS member, or any other person, including a representative of another employee organization. The representative is in the meeting to give the employee support and may ask questions to help the employee understand what is being discussed, but the employee is expected to answer questions and participate in the discussion. Employees are not entitled to have a representative present for other types of meetings. Colorado Mesa University has no agreement with CWINS or any other organization to provide that form of representation. A supervisor does not call or request a CWINS representative to be present in the meeting and is not required to ask the employee if representation is desired. It is the employee's choice.

Employee Release Time for Partnership Activities

For horizontal agreements (those involving issues specific to each occupational group, affecting all covered employees in the group, including Colorado Mesa University classified employees), some Colorado Mesa University classified employees may wish to be CWINS delegates to partnership meetings to discuss with the Governor's Designee matters of occupational group or statewide interest. If the meetings are scheduled to occur during work time and if the work disruption is minimal, supervisors may choose to grant the time off as annual leave or leave without pay.

For CWINS internal meetings (those that involve matters purely internal to CWINS, such as organizing, political or CWINS governance activities), it is likely these matters will be scheduled during non-work

time. However, if the meetings are scheduled to occur during work time and if the work disruption is minimal, supervisors may grant time off as annual leave or leave without pay.

If you have any questions about the issues in this communication, you may contact human resources at 248-1266.