

TO: Board of Directors
Beau Goldie, CEO
Jesus Nava, CAO
Grant Lee, DAO
Michael Baratz, LRO

FROM: Liz Bettencourt, Employees
Association President,
AFSCME Local 101

Metra Ulloa, Engineer
Society President/IFPTE
Local 21

SUBJECT: Expectation of Labor Relations at SCVWD

DATE: April 16, 2014

This memorandum is an addendum to the Respect-Trust-One District petition submitted to the CEO and Board of Directors in November 12, 2013. The petition, signed by over 450 classified employees, requested the Board to consider reinstating board governance language that recognizes the importance of positive labor-management relations and to work with the Unions to restore respect, trust and a united labor and management environment by remembering that we (labor and management) are one district.

We had hoped that the petition would have been embraced by the CEO and Board to confirm those values for the benefit of the district and its employees and to request that this Board Policy be immediately placed on your Annual Policy Review list for discussion. Instead it was months before we heard a formal reply from the Board and management has been reluctant to develop or address ways to restore effective labor management relations. The Unions suggested that we bring back the mutual expectations that were practiced from 1998 through 2010 (example attached) but we were not successful. Therefore, this memo lays out the expectations that the Unions have for labor relations here at the District. While these expectations were derived as a result of our current deteriorated labor management relationships, we hope the vision, goals/objective, behaviors and performance indicators encapsulated in this memo provide a bedrock of rationale for improving relations.

Labor Management Mission

The Unions expect Labor Relations to provide leadership and expertise in complex labor and employment-related matters for the Santa Clara Valley Water District (District) by creating and promoting a positive work environment that fosters an effective relationship between the workforce and Management. Labor Relations should always seek to negotiate and administer responsible and cost-effective collective bargaining agreements which provide mutual benefit for both the district and its represented staff.

Labor Management Goal & Objectives

The Unions expect that Labor Relations will demonstrate the highest standards of personal integrity, fair leadership, honesty, and conduct to foster an environment of mutual trust and respect in a way that will promote a healthy and professional peaceful labor environment. Labor Relations will move toward accomplishing this goal by focusing on the following objectives.

- Promote effective dispute resolution through resolving issues at the lowest level possible and seeking out win-win solutions
- Foster positive relationships through open communication between unions and management
- Support adherence to labor-related policies and procedures through continued education of employees and supervisors
- Personal conduct as well as proposals should be in the spirit of the Districts' value statement
- Seek an understanding of the Districts' operations from the perspective of the employee

Behavior Expectations

The Unions have the following professional behavior expectations of Labor Relations staff which are:

1. Provide excellent customer service to promote the growth and development of a sound, stable, and healthy relationship with all of the Districts Unions.
2. Respect and value the workforce at the District and avoid criticizing pay and benefits.
3. Avoid using unproductive or vindictive behavior/actions such as "end-runs".
4. Demonstrate excellent written and verbal communication skills enabling discussions based on examples and business cases.
5. Communicate in an appropriate and timely manner, to promote beneficial communications avenues while avoiding name-calling and fowl or pejorative language.
6. Direct, conduct and/or participate in producing efficient meetings where participants are engaged in the process.
7. Demonstrate professional self-awareness by correcting unhealthy and/or unproductive behaviors such as sleeping during meetings, rolling of eyes, and/or negative body language.
8. Focus on the issue by avoiding personal attacks. Avoid using accusatory and derogatory language when communicating thereby respecting the workforce of the district.
9. Foster the establishment and maintenance of constructive joint processes to improve labor-management relationships, employment security and organizational effectiveness.
10. See the Unions as partners rather than adversaries and assume positive intent when dealing with the Unions.

Performance Indicators

We can measure the improvement and effectiveness of labor relations as a result of achieving the labor management mission, goals & objectives, and demonstrating the behavioral expectations because they incorporate the values of trust, respect, and a one-district (win-win) mentality that will result in:

1. Increased organizational effectiveness and efficiencies
2. Increased employee satisfaction, an empowered workforce, and better service
3. Cost-savings and cost-avoidance
4. Improved labor-management relations climate

Metrics

Success can be measured through the following metrics:

- Reduction in grievances filed per year
- Reduction in arbitration filed per year
- Reduction of discipline issues per year as a result of improved training, by labor relations, of supervisors and managers on how to manage employee performance and how to work with the employee and her/his Union to resolve issues at the lowest possible level
- 90% rating of Excellent & Good on annual Labor-Management Relations Survey (to be developed)
- Contract Negotiations are completed without Impasse and negative media attention
- Number of Labor-Management Improvement efforts accomplished per year

We believe these things can be accomplished by fostering a true and respectful relationship between management and the Unions that represent the district’s most valuable assets—its employees.

Respectfully,



Liz Bettencourt
Employees Association President
AFSCME Local 101



Metra Ulloa
Engineering Society President
IFPTE Local 21



PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO
An Organization of Professional, Technical, and Administrative Employees

MUTUAL EXPECTATIONS AGREEMENT

Between Santa Clara Valley Water District Management
and the Bargaining Units
(Employees Association, Engineers Society, and the Middle Managers Association)

November, 2008

Both the Bargaining Units and Management understand that the "Mutual Expectations Agreement" does not supersede the Memorandums of Understanding (and any supplemental agreements) and District Policies.

OVER-ARCHING PRINCIPLES

We mutually commit to think in terms of District vision, mission and values.

We agree to assume positive intent when dealing with each other.

We agree on the importance of having a process to check that we are adhering to our agreements and agree to jointly establish such a process.

We agree to work together to achieve clarity on the roles, purpose, deliverables, and goals in our relationship.

Both Management and the Bargaining Units agree to individually accept responsibility for our actions and advocate this principle to the rest of the District.

COMMUNICATION

We agree to communicate in a positive manner.

We both agree to be open and honest and to say what we truly feel in a respectful manner.

- We will ask each other for clarification about issues and not assume that we already know. We will not take offense when we are asked for clarification.
- We will inform each other when we feel the other party is not being open and honest.
- We will not retaliate when a person is being open, honest, and respectful and we will work toward a culture free from fear of retaliation.
- We will avoid acting on rumors by checking the facts before acting.
- We will avoid personal attacks.

We agree to honor and respect confidentiality.

We agree that leaders on both sides will share in delivering difficult messages when a joint decision has been made.



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PROBLEM SOLVING

Both the Bargaining Units and Management agree that problems should be solved at the lowest appropriate level. We further agree that:

- The lowest appropriate level will vary depending on the issue.
- We will jointly establish/refine our problem-solving process so that it works smoothly for our mutual benefit.
- We will jointly establish ground rules for our problem-solving process.
- For committee work with Bargaining Unit participation, Management and the Bargaining Units will jointly agree on goals and objectives, timelines, and the process for communication.
- Issues brought forth will include a business case, i.e., a rationale/reason related to District business.
- All parties will be organized in terms of their own internal decision-making.
- The BUs will accept that when management says "no", it doesn't mean the end of the relationship. Management agrees to give the reasons why.
- Impasses on particular issues should not affect the overall relationship.

TIME FRAMES

Both Management and the Bargaining Units understand that time frames will be different for each issue and agree that:

- We will jointly develop an understanding of what "timely" means, understanding that it will vary depending on the situation. We will jointly set targets and time lines.
- If the issue is health and safety related, we agree to make a situation safe first, then make it better (sometimes we will need to make a "quick fix" in the short run); and use common sense, and where necessary, to be patient.

BARGAINING UNIT SUPPORT

Management will respect the BU structure and process.



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UNILATERAL OFFERS

Management further commits to:

- Share, in a timely way, factors that influence management decisions.
- Strive for consistency with the spirit and intent of policies and procedures across the district...for instance, discipline...
- Strive to make decisions at the lowest appropriate level (needs to be defined.)
- Respond honestly and timely to rumors /concerns, questions
- Seek early input from Bargaining Units for cost-saving measures that may impact terms and conditions of employment
- Individually accept responsibility for our actions
- Work to ensure consistency in the application of the disciplinary process.
- Consider the impacts on employees of our decisions.
- Clarify decision-making authority through use of the decision-making matrix.

Bargaining Units further commits to:

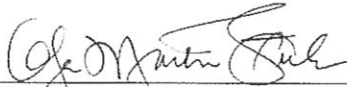
- Assume positive intent.
- Proactively communicate to Bargaining Unit members what is happening
- Focus on the issue rather than attack the person.
- Approach issues with a “win-win”, “WE the District” mentality.
- Give the CEO a “heads-up” before going before the Board.



MUTUAL EXPECTATIONS AGREEMENT

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and the Bargaining Units

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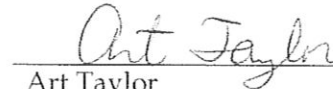
Olga Martin Steele
Chief Executive Officer



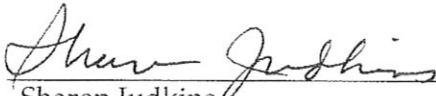
Donna Howe
President, Employees Association
AFSCME, Local 101



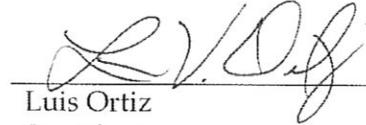
Jim Fiedler
Chief Operating Officer



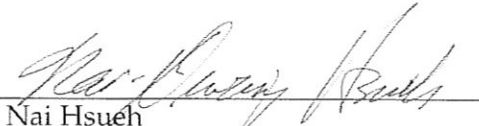
Art Taylor
Vice-President
Mid-Management Association



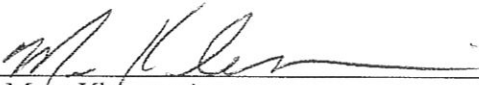
Sharon Judkins
Chief Administrative Officer



Luis Ortiz
President
Engineers Society



Nai Hsueh
Chief Operating Officer



Marc Klemencic
Chief Operating Officer

Dated: 12/23/2008

