



University at Buffalo

State University of New York

Human Resources

120 Crofts Hall, Buffalo, New York 14260-7022

Document Category:	Policy	Document No. 12-98
Title:	Employee Organization Leave (EOL)	
Synopsis:	Union Activity During Working Hours	
Distribution:	President, Provost, Vice Presidents, Deans, Directors, Chairs, Department Heads	
Origin of Notification:	Governor's Office of Employee Relations (OER)	
Contact Person(s):	Jeffrey E. Reed, Director, Employee Relations, 645-4463 Sarah L. Augustynek, Asst. Director, Employee Relations, 645-4462	
2 nd Distribution	Redistribution <input checked="" type="checkbox"/>	Revision <input type="checkbox"/>
Date: November 3, 2011	Number of Pages: 2	

I. Employee Organization Leave Policy (EOL)

A. EOL for Internal Union Purposes

Through the collective negotiating process, the State has agreed to make available to each union representing State employees, a specified block of time for use by the union's designees to participate in the internal affairs of the union. This time is typically used for such activities as attendance at board meetings, committee meetings, and delegates' meetings. Absences of individual employees to participate in such activities, with the time charged to the union's block of EOL days, are subject to several restrictions:

1. There must be advance notice from the union to the State as to the date of the meeting and the specific employees designated by the union to use EOL.
2. The individual employee must obtain the advance approval of the supervisor to be absent on the specified day(s). Such approval may be withheld where the absence of that specific employee, on that specific day(s), would unduly interfere with the providing of services.

B. EOL for Employee Representation

Also, through the collective negotiating process, the State has agreed to make time available to State-employed union officials to represent employees in a variety of situations, including contract negotiations, labor/management meetings at all levels, and the investigation and processing of grievances. Although there are no specified limits on the amount of such EOL, any absences for these purposes are also subject to the advance approval of the employee's supervisor. Such approval may also be withheld when the absence would unduly interfere with program requirements.

EOL for collective negotiations and for labor/management meetings is also subject to the approval of the management representative with whom the negotiations, meetings, etc. are being held, i.e., Governor's Office of Employee Relations (GOER), agency Employee Relations Office. Facility-level EOL for grievance representation continues to be subject to

the limitations promulgated in OER Memorandum 74-3. Such leave may be granted only to authorized designees of the employee organization and may be used only for the specific purposes of investigation and processing of grievances.

Grievance representatives as well as other designees of employee organizations who may be entitled to use EOL for specific purposes at specified times, are required to comply with the same attendance requirements as all other employees. They are required to be at their work stations performing their assigned work duties except when they are using leave credits or are on EOL for a specified purpose at a specified time with the advance approval of their supervisors.

II. Guidelines for Implementing Employee Organization Leave Policy

It is important for the department to understand that a union representative does have the right to EOL and for the union representative to understand that the department has both the right and the responsibility to expect the employee to fulfill his/her work obligations. Within that context, it should be possible for both parties to work out acceptable boundaries, such as:

1. An arrangement whereby the union representative informs his/her supervisor in a timely fashion of necessary appointments, meetings, etc. and the anticipated time frame. When a union representative meets with one of his/her constituents, he/she shall not be required to give that person's name.
2. Where possible, the union representative will arrange his/her schedule to conform to the needs of the department. The arrangement may include blocks of time either first thing in the morning or late in the afternoon. It may be more flexible. The important thing is to attempt to have a regular schedule that is acceptable to all concerned.
3. "Drop in" visitors should not be encouraged, so that time spent in the work environment is not wasted.
4. Mutually satisfactory arrangements should be made for phone calls and messages, an important and necessary part of the union representative's position.
5. Emergency situations may occur and should be accommodated, but these situations should be infrequent.
6. Time necessary for grievance investigations and hearings must be provided. This activity should occur within the defined time frame (see #2 above), but this will not always be possible, particularly in the case of grievance hearings.

Two additional factors should be kept in mind in attempting to arrive at a mutually satisfactory arrangement:

1. A professional employee, by definition, has more flexibility to his/her schedule than does a classified employee. However, a professional employee is expected to complete assigned tasks, regardless of the time frame.
2. Where there is a high degree of trust and good communication between the parties involved, arrangements can be more informal and flexible. Where there is not, arrangements will probably have to be formalized, but this is certainly less desirable and effective.