

CAPS-UAW Local 1115 Representation Policy

May 21, 2025 Version

Purpose:

This policy outlines the local union's processes for matters relating to the representation of members. We are a community of scientists volunteering to help one another as colleagues in service. CAPS-UAW provides nonmember representation in only those areas required by law. This is generally considered contractual representation, such as grievances and arbitration.

Grievances and Contract Enforcement:

- Every District has stewards who are talking with their coworkers about workplace issues and helping CAPS-UAW members to navigate grievance filing and processing at steps 1-3 of the process.
- Filings above Step 3 will be discussed and strategies determined with your Head Steward and relevant District level committees
- For appealing grievances to arbitration, the local union executive board shall make all determinations based information gathered by stewards to aid in decisionmaking.
- The Executive Board will consult with the grievance handlers and UAW representatives about appealing a case to arbitration. The following factors will be considered for appealing a case to arbitration:
 - Effect on the interpretation of the MOU for all represented workers
 - Merits of the Case
 - Strategic Considerations regarding contract language and future MOUs/Statutory Changes
 - Legal and UAW Constitutional duties to the membership
- Upon approving an appeal to arbitration, a designee of the executive board shall work with the grievance handler to file the appeal to arbitration.

Matters before the State Personnel Board, Statutory Appeals Board and other Administrative Bodies:

- The State Personnel Board and other administrative bodies have jurisdiction over certain matters related to personnel matters, adverse actions and merit-related examinations and appointment complaints.
- CAPS-UAW shall help members navigate their individual cases that may be before the state personnel board or other administrative bodies, and may represent members when the member and the union representative both believe that the representation will be in the member's best interest, effective, and earnest.
- Every District's union leaders will help to guide members through the process for adverse action appeals that are appealed to the California State Personnel Board (SPB). CAPS-UAW may represent the

member formally if the member voluntarily selects CAPS-UAW as their representative and CAPS-UAW believes it can effectively and earnestly represent the member.

- In determining whether CAPS-UAW will represent the member before the SPB, the following factors will be considered, all based on the assumption that the member's version of events is accurate:
 - Is the member cooperating and communicating with their CAPS representative?
 - The likely outcomes of the case
 - The merits of the case
 - Are the facts of the case, by preponderance of the evidence (i.e. more likely than not that the allegations occurred), indicative that the matter should be taken to hearing, taken to settlement, or is some other outcome?
- Should CAPS-UAW determine that they can no longer effectively and earnestly represent the union member, they will work to inform the union member of any changes in representation that may be necessary.
- Regarding Merit-related examinations, appointments, and appeals, District union leaders may help guide a member through the process of gathering documentation, submitting, and following up with these processes.

Investigatory Meetings:

- Investigatory meetings are conducted by management for the purpose of investigating an allegation or uncovering facts about a member's job performance, conduct, or behavior, and may lead to the issuance of corrective or adverse discipline to the member's job or working conditions.
- Union leaders will help members to clarify whether any information provided for in an investigation could lead to discipline, if so, to demand union representation.
- CAPS-UAW shall provide representation to members during known investigatory meetings.

Benefits Issues:

- Union members may get in touch with union leaders to help members to navigate their benefits issues
- Union leaders may help members get in touch with appropriate individuals in Human Resources and Benefits offices to address issues that may arise
- Union leaders may help members to file grievances if benefits issues rise to the level of MOU violations

Legal and Statutory Rights (i.e. Reasonable Accommodation, Harassment, Bullying):

- CAPS-UAW is the exclusive representative for matters within the scope of representation under the Dills Act for rank and file members. For BU10 supervisors and managers, CAPS-UAW is a excluded employee representative.

- CAPS-UAW members have a number of rights under the law and various state policies that are separate but related to rights rank and file members have under the MOU
- CAPS-UAW union leaders may help members to navigate these processes that exist, and can be supportive in requests for reasonable accommodations or addressing unacceptable behavior in the workplace