



Edwin M. Lee  
Mayor

Micki Callahan  
Human Resources Director

TO: Departmental Personnel Officers  
FROM: Martin Gran, Employee Relations Division Director *MG*  
RE: Union Access in the Workplace

As everyone knows, 2014 successor negotiations are rapidly approaching, and we want to insure that you and your staff understand what the parameters and limits are with regard to "Union Access" in the workplace.

During the 2012 negotiations, the City negotiated new language in the SEIU, Local 1021, Memorandum of Understanding ("MOU"). That language is extensive and consistent with recent Public Employment Relations Board ("PERB") rulings in this area of law.

The new union access language in the SEIU MOU in Article 1, Section H (Bulletin Boards, Interoffice Mail, Union Access and Legal Materials) is as follows:

Union Access

¶ 54. *The Union shall have reasonable access to all work locations to verify that the terms and conditions of this Agreement are being carried out and for the purpose of conferring with employees provided that access shall be subject to such rules and regulations immediately below, as well as to such rules and regulations as may be agreed to by the department and the Union.*

¶ 55. *The parties agree that Union representatives have a reasonable right of access to non-work areas (bulletin boards, employee lounges and break rooms) and to hallways, in order to reach non-work areas to verify that the terms and conditions of this Agreement are being carried out and for the purpose of conferring with employees. The parties agree that union access to work locations will not disrupt or interfere with a department's mission and services or involve any political activities.*

¶ 56. *Union representatives must identify themselves upon arrival at a City department. Union representatives may use Department meeting space with a reasonable amount of notice, subject to availability.*

¶ 57. *In work units where the work is of a confidential nature and in which the department requires it of other non-employees, the department may require that union representatives be escorted by a department representative when in areas where said confidential work is taking place.*

¶ 58. *Nothing herein is intended to disturb existing departmental union access policies. Further, the departments may implement additional rules and regulations after meeting and conferring with the Union.*

Please note that ¶ 58 immediately above makes clear that the MOU does not overrule existing departmental policies.

The City and SEIU also agreed to new MOU language regarding the City's e-mail system. The SEIU 1021 MOU ¶ 53 states that SEIU Local 1021 may make reasonable use of the City's interoffice mail and email systems "to communicate with appointing officers, personnel officers, stewards and officers of the union in order to carry out Union representation of unit employees in administration of the MOU."

As we prepare for negotiations, we will also evaluate other miscellaneous MOUs to determine whether we will propose similar language in some or all of the other MOUs.

Feel free to contact Laurie S. Juengert, Senior Employee Relations Representative, at 415-557-4981 if problems arise that are not specifically addressed in the new SEIU MOU language.