

 <p>The College at Brockport</p> <p>Category: Office of Human Resources</p> <p>Responsible Office: Human Resources</p>	<p>Policy Title: Employee Organization Leave (EOL)</p>
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Policy:

Employee organization leave (EOL) is governed by provisions of the collective bargaining agreements. An employee granted EOL is permitted time off for a specified time period from the regularly scheduled workday without charge to leave credits to engage in activities of the employee organization. The activities for which EOL is permitted are specified in the collective bargaining agreements. The employees eligible for EOL are designated by the employee organization. Employees are not entitled to overtime compensation or compensatory time off for the time spent on union activity outside of the regularly scheduled workday.

All employees eligible for or granted EOL are required to comply with the same attendance requirements as all other employees. Employees are required to be at their work stations performing their assigned work duties except when granted EOL by their supervisor for a specified purpose at a specified time with advance approval. Supervisors are entitled to know the specific reason for the use of EOL (excluding details of a particular grievance), the amount of EOL which will be required and where the employee may be reached during the EOL.

There are two categories of EOL:

EOL for Internal Union Purposes:

Through the collective negotiations 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 delegate meetings. Absences by 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. The union must provide advance notice to GOER regarding both when the meeting will take place and the specific employees designated by the union to participate in the meeting; and

2. The individual employee must request approval in advance to be absent on the specified day/time. Approval for such time off may be granted to the extent that the resulting absence will not unreasonably interfere with an agency's operations.

EOL for Employee Representation:

Through the collective negotiating process, the State has also 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. EOL for employee representation is subject to the following conditions:

1. The union must provide advance notice to the State regarding the specific employees designated by the union to use EOL; and
2. Employees must request approval to use EOL for the specified time in advance. Such EOL time off may be granted to the extent that the resulting absence will not unreasonably interfere with an agency's operations.

EOL for grievance representation continues to be governed by the interpretations established in OER Memorandum 74-3, which provides as follows:

The operative words in Section 4.7(d) are investigation and processing. With regard to the former term, it is applicable only to the period of time prior to the filing of the grievance and through the second stage of the grievance procedure. After the second stage it would not appear that further investigation of the grievance should be necessary. It would be more appropriate to consider time, other than time spent at such hearings or reviews, as preparation time. Needless to say, employee organization leave is not authorized for "preparation time," although time off properly charged to employee credits should be liberally granted.

With regard to the term processing, this term is limited to such time as is reasonable and necessary for appearances at grievance hearings or reviews.

Additional time spent preparing for grievance hearings or reviews, subsequent to time authorized for grievance investigation as described above, is not an appropriate use of EOL. However, time off charged to leave credits (excluding sick leave) may be granted for this purpose.

Reference(s):

OER Memorandum 74-3
CSEA Agreement-Article 4.8
UUP Agreement- Article 11