• Bryce Besser, Senior Litigation Analyst
  o Bryce is part of the litigation team
  o They receive approximately 130-150 subpoenas a year
  o They are responsible for risk consultation (events, travel, etc.) as well as insurance and general liability
  o **Employment Liability Trends**
    - **Statewide numbers**
      • About 17,000 complaints/year to DFEH (in 2014)
      • Disability and retaliation are the biggest categories
      • About 20,000 complaints/year to DFEH (in 2015)
      • Slight changes in reporting, but number of disability claims continue to increase
    - **UC System**
      • Includes litigated and non-litigated cases
      • FY16-17, 27 litigated cases so far (not full year total)
      • Cases are also increasing in the UC system
      • Disability is also the highest complaint category, and there has been a sharp uptick in cases
      • Outside counsel costs the UC system $16 million
      • There are actually three claims under disability discrimination: the actual discrimination plus “failure to accommodate” and “failure to engage in interactive process”
  o **5 Tips for Success with Employment Liability Issues**
    - 1. **Understand the rules and follow them**
      • Make sure departments have regular training and are informed about changes, including the interactive process
    - 2. **Be careful about what you put in writing**
      • Emails are discoverable, anyone can get them in a public records request
    - 3. **Privileges**
      • Communications with litigation team are not privileged
      • Discoverable, etc.
    - 4. **Learn to issue spot**
      • “Think like a lawyer”
      • Issues: discrimination, affirmative action, disability, harassment, dismissal of graduate students
      • Common triggers: leadership changes, accommodating disabilities, perceived retaliation
    - 5. **Develop people management skills**
      • Self focus, organization focus, operational focus, employee focus, workplace focus
      • Communication is key! Be tactful, diplomatic; build trust and rapport
• Employee engagement: connection, contribution, autonomy, career development opportunities, interesting job duties, fun, total compensation
• Employment laws are not a civility code, but golden rule still matters, especially in diffusing a difficult situation

• **Danielle Schulte, Employee Relations Specialist**
  o **Employee Relations – Updates**
    ▪ *Systems Admins 1, 2, 3 are still part of the union*
      • University will be filing an appeal through the courts
      • Don’t make any changes in PPS
    ▪ *Negotiations are in process for SX, TX, and RX*
      • We can’t change anything (wages, hours, etc.) without first notifying Labor Relations, who will contact the union
      • Get in touch with Employee Relations asap
    ▪ **Layoffs**
      • Some contracts allow for asking for volunteers
      • Before you ask for volunteers, you must contact ER/LR
      • PPSM layoff doesn’t allow for solicitation of volunteers
    ▪ **Seniority Points**
      • The type of position will determine whether you look at contract or policy
    ▪ **Comp Time Payouts**
      • People should not be carrying high balances
      • Need to be paid out when they move to another department
      • Max is 240 hours, unless there is a specific agreement
      • Hours are an unfunded liability
    ▪ **Work/Life Wellness**
      • Services Awards will be held on October 30 at the Estancia
      • Maintain Don’t Gain: healthy eating during winter holiday season (11/6 to 12/22). Sign up on Blink.
      • Open Enrollment opens tomorrow, October 26. Closes at 5 PM on 11/21.

• **Linda Thai-Schlossman, EVC Area Updates**
  o Research Administration job card is coming as a PDF today
  o Will not be in job library just yet

• **Joanne Tolbert-Well, Senior Director, HR Organizational Effectiveness**
  o **Staff Appraisal Project – Updates**
    ▪ The information in this presentation has not been finalized by campus counsel yet, so there may be slight modifications
  ▪ **4 Core Values**
    • Customer Service
    • Principles of Community
    • Health and Safety
Leadership, Management, and Supervision

**Rating Scale**
- Outstanding
- Achieved More than Expected
- Achieved Expectations
- Partially Achieved Expectations
- Did Not Achieve Expectations

**Administrative Rules and Processes**
- May 1, 2018 effective date
- VC area chooses cycle dates
- Transitional review period
- Pay increases go into effect July 1 for everyone regardless of their VC area review cycle
- If employee is out on paid or unpaid leave, can’t have performance appraisal and/or merit increase
- Mandatory training requirements are part of appraisal
- Pay attention to “level of importance” for job functions
- Supervisors who submit late appraisals can’t get a merit increase and they can personally only get an “achieved” status on their own appraisal
- Electronic appraisal form will be integrated with JDOnline so job card will automatically populated in appraisal form
- Planning to use e-signature