

Q & A

How is Problem-Solving at Harvard Different from Other Places?

This problem-solving process replaces a grievance procedure that is traditionally used in many unionized settings. The grievance model can often center around antagonism, inflexibility, and litigious paperwork to determine if contract violations have occurred. Our process is about people working out differences; creating real progress, mutually crafted solutions, and peace.

Who Initiates Problem-Solving? How Does it Start?

Ordinarily a union member and her union representative ask for help from a Regional Problem Solving Team. A manager or human resources officer can request help, too. When a case comes to an RPST, all relevant parties (union member, supervisor, union representative, HR officer) are notified. It is recommended that RPST involvement be initiated when workplace conflict continues over a two to three month period and any time there is disagreement about a first warning letter in a progressive disciplinary process.

If the Problem is about Work Performance, What Happens to the Disciplinary Process During Problem-Solving?

It depends on the particular case. Sometimes it makes sense for the disciplinary process to be put on pause, by mutual

agreement, during joint problem-solving. This allows for a cooling off period and gives problem-solving a chance to determine if a progressive disciplinary process is appropriate and/or on track.

Would I Get in Trouble With My Supervisor For Requesting Problem-Solving?

No. Problem-solving is embraced by the community as a helpful tool, one that can build and strengthen collaborative relations between management and union members. No one need fear reprisals for requesting problem-solving: the process is negotiated and sanctioned by the University.

Who are the Problem-Solvers?

They are members of the Harvard community appointed, trained, and supported by the University and the Union. They will necessarily maintain confidentiality.

Resources/References

See related text in the HUCTW/HU Agreement, Article I, Individual Problem Resolution and in the Personnel Manual, Disciplinary Process

Your Local Union Representative

Your Local Human Resources Office

HUCTW Office (617) 661-8289

Labor & Employee Relations (617) 495-2786



**Harvard University
and Harvard Union of
Clerical & Technical Workers**

Reasonable People Disagree:

A Guide to Joint Union-Management Problem-Solving at Harvard

Introduction

The University and HUCTW are committed to solving workplace problems. And we do so in a collaborative way. We believe in the saying, “two heads are better than one”; our negotiated joint problem-solving process is designed with this important belief at its core. Our efforts to resolve individual problems in the workplace work best when union members and managers approach difficult situations with openness, creativity, determination, and a willingness to listen to one another.

Disagreements do arise in the workplace. Problem-solving is designed so that the people involved can work jointly through disagreements and solve the problem, all the while maintaining professionalism and respect for each other.

Problems are often solved at the most local and informal level, that is, between individual members and supervisors/managers. A union representative and a local Human Resources officer can often be helpful at this stage. This kind of daily ad-hoc joint problem-solving results in real workable solutions.

However, there will be times when a problem cannot be resolved this way and should be referred to a Regional Problem Solving Team.

Problem Solving Teams, Processes, and Time Frames

There are four Regional Problem Solving Teams (RPST's) at the University and they serve the geographic or administrative areas that their titles suggest: FAS, the Longwood Campus, Central Administration, and Professional Schools (including the Radcliffe Institute). Each team has equal numbers of union members and managers. These teams meet regularly and are poised to help solve problems that arise in their areas.

When an individual problem is forwarded to a team, a union-management pair is selected to work on the case. Together, the pair begins by “fact finding”, or interviewing all relevant parties involved in the problem at hand. They also review any pertinent documents. The pair then works with the parties to forge a resolution that will improve the situation and that is acceptable to all parties. Generally, closure requires some flexibility on both sides. The process should normally take no longer than six weeks to complete.

Ordinarily, the mediative process of joint problem-solving at the Regional level brings about resolution. If a mutually agreeable outcome is not reached, however, the union member may request that the case go to the next step, the University Problem Solving Team (UPST). Normally, this request should be made within ten days from the end of an RPST involvement.

The UPST is composed of equal numbers of union leaders and University administrators or HR officers. The team works in the same fashion as the Regional Teams, but accepts cases from across the University. The same six week time frame applies at this level. The UPST also monitors problem-solving activity campus-wide and offers training and assistance to the broader problem-solving community.

RPST and UPST resolutions to which all parties have agreed are binding; all participants are expected to live up to their end of the bargain. Problem-solving solutions are not legally precedent-setting; although we try to make sure our community learns from its experiences and re-uses good solutions.

If resolution is not reached at the UPST level, the next and last step of the negotiated problem-solving process is Mediation to Conclusion. The HUCTW Executive Board can refer a union member's case to a mediator jointly selected by the union and the University. The mediator will make recommendations for the resolution of the problem and, if a consensus is still not reached, will make a final binding decision about outcome.