



## Department of Military & Veterans Affairs

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### Policy Statement

<b>Policy Title:</b>	<b>State Employee Organized Labor Representative Access Policy</b>
Source:	The Adjutant General
Effective Date:	July 1, 2008
Approved By:	H. Michael Edwards, The Adjutant General
Replaces:	None
Applies to:	All State Personnel and Supervisors of State Personnel

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#### **A. Introduction**

In accordance with Board Rule 1-18 where employees have the right to associate, self-organize, and designate representatives of their choice.

#### **B. Definition**

An organization of workers who wish to speak with and/or to provide an outreach, provide information, and to inform of benefits to employees within Department of Military & Veterans Affairs property or worksite.

#### **C. Policy**

In order to provide for employee access to benefits and information, the Department of Military and Veterans Affairs has established a systematic manner for the provision of organized labor accessibility at work locations of Military & Veterans Affairs employees.

If an organized labor representative or group requests the opportunity to visit with Military & Veterans Affairs State employees, the following provisions will apply:

#### **Coordination**

Due to the secured sites at the majority of Military & Veterans Affairs employee work locations, careful coordination must be conducted through the Director of Human Resources. The Director of Human Resources will secure a date, a room, and will send out a pre-approved e-mail announcement of event/meeting. As many DMVA locations require a “sponsor” for entry of non-employees onto military sites, the dates and durations of meetings must be attended with the Human Resource Director. Therefore, last-minute requests and specific dates are subject to the availability of the Human Resource Director and may be limited in duration.

### **Employee Attendance**

As with any other non-mandatory Human Resource sponsored training event, employees may elect to participate in organized labor meetings. If an employee elects to participate, the employee may only do so during non-work hours or lunch/meal breaks, must remain confined to the meeting room, or attend such meetings at non-state work property.

### **ADA Accommodation**

If an interested employee, who requires ADA accommodations, wishes to participate in an organized labor activity or meeting, the labor organization must incur the cost of providing the accommodation (i.e. interpreter). However, the Human Resource Director can assist in coordinating the appropriate accommodation.

### **Labor Organization Meeting Protocols**

In order to balance the needs of employee productivity with access to information, the following protocols for labor organizations will apply:

- Phone calls to employees at work phone numbers are not allowed unless it pertains to a specific employment matter that an employee has engaged the organization.
- Labor organization activities may not interfere with normal operations or access. Labor organizations must limit their activities to their pre-designated location.
- Labor organizations may not distribute promotional materials outside of the pre-designated location or target/contact individual employees or their supervisors in person, through e-mail, or by telephone.
- Labor organizations will conduct themselves in a professional manner and shall respect the request of any employee who does not wish to engage in a discussion or accept literature.
- Announcements pertaining to labor organization meetings may be made via e-mail. All announcements will be pre-approved and sent by the Human Resource Director. Two e-mails will be allowed to be sent regarding labor organization meetings per event to discourage e-mail overload.

### **Labor Organization E-Mail Solicitation Protocols**

- E-mails describing organization benefits, employee related news, etc. may be sent to the Human Resource Director for pre-approval at least three business days prior to the anticipated distribution date. Contents of such e-mails may not contain political endorsements or oppositions nor may e-mails contain information about other employees, managers, administration officials, or other employee organizations. Contents must be factual and informative.
- Labor organizations will be responsible for maintaining, gaining updated listings twice a year, and tracking e-mail opt out lists for general information e-mails sent to DMVA employees.

- Due to e-mail overload, such e-mails may only be sent four times a year and between the hours of 6:00 p.m. to 5:00 a.m. Labor organizations understand that due to the secured nature of our organization and the dual e-mail systems within DMVA, that at times, attachments and e-mails are filtered by the system and are not always received by employees.
- Employees may opt out of a labor organization's e-mail list at any time. The labor organization will promptly respect those requests. All e-mails must contain a statement notifying state employees that they may choose not to receive future e-mails from the sender organization along with directions for how state employees may opt out. If an employee elects to opt out from receiving a labor organization's e-mail, this will also apply to any mail solicitation materials sent through the United States Postal Service as well (includes both work and home addresses).
- Failure to comply with these e-mail procedures may result in electronically blocking all future broadcast e-mails of the non-compliant organization as an improper interference with public business.

### **Labor Organization Mail Solicitation**

Labor organizations may elect to send employees promotional brochures at their work address, but only may do so via the United States Postal Service. If an employee opts out of receiving informational e-mails, opt-out will also apply to mail solicitation as well.

### **Complaint Procedure**

DMVA employees or labor organizations may submit complaints or suggestions regarding implementation of this access protocol in writing to the Human Resource Director via e-mail at [tamy.calahan@dmva.state.co.us](mailto:tamy.calahan@dmva.state.co.us) or letter to: Department of Military & Veterans Affairs, Human Resource Director, 6848 South Revere Parkway, Suite 260, Centennial, CO 80112. All complaints received will be promptly investigated and appropriate action will be taken.