

Union ★
Update

OPEIU
Local



For Local 8 Members at Crisis Connections

May 30, 2023

Remote Work, Performance Expectations, and At-Will vs Just Cause

Many Crisis Line Screeners received an email sent by Neil Olson, Senior Director of Clinical Operations, with the subject line “WFH Notification” on May 19th notifying them that, if performance metrics weren’t met for the month of May, they would no longer be eligible for remote work and could be called back into the office.

We want to first address that this email incorrectly states “As a reminder, your employment remains at will, meaning that either you or Crisis Connections can end the employment relationship at any time, with or without notice, for any non-discriminatory reason.” **This is untrue! Union represented employees at Crisis Connections are *not* “at will” employees, meaning you *can’t* be fired for no reason at any time.** Employees who have completed their initial 90-day probation period are protected by Article 5 of the OPEIU/Crisis Connections contract that states a union worker can only be disciplined or terminated for just cause (outlined below). It also requires that Crisis Connections follow a uniform progressive discipline system which includes a documented verbal warning, written warning, final written warning, probation and/or suspensions, and termination.

Second, while we understand that performance expectations must be met, the Union takes issue with Crisis Connections issuing notice more than halfway through the month and stating they plan to start enforcing the WFH eligibility criteria in June. This limits employees to only 12 calendar days to show improvement.

We also have questions about the accuracy of the data being used to evaluate Screener's performance. Screeners were previously instructed to not log calls from the CLE Pro Lines. Only recently last week did management update the Screener flow chart to change this expectation. We are further concerned this was not being taken into account for the "Call Log Creation" calculation. Also, we have heard instances where an employee's "unavailability" rate, which is supposed to remain at 20% or below, has shown at 5% even *before* the employee has gone unavailable or taken any break. The Union will work with HR to get answers to these questions. We will also advocate for a fair 30-day look-back review period.

What are the principles of Just Cause?

- 1. Fair Notice-** *An employer may not discipline an employee for violating a rule or standard whose nature and penalties have not been made known.*
- 2. Prior Enforcement-** *An employee may not be penalized for violating a rule or standard that the employer has failed to enforce for a prolonged period.*
- 3. Due Process-** *An employer must conduct an interview or a hearing before issuing discipline, and must take action promptly. Once assessed, discipline may not be increased.*
- 4. Substantial Evidence-** *Charges must be proven by substantial and credible evidence.*
- 6. Progressive Discipline-** *When responding to misconduct that is short of egregious (very serious), an employer must issue at least one level of discipline that allows the employee an opportunity to improve.*
- 7. Mitigating and Extenuating Circumstances-** *Discipline must be proportional to the gravity of the offense, taking into account any mitigating, extenuating, or aggravating circumstances.*

You can access your Union Contract here: <https://www.opeiu8.org/wp-content/uploads/2023/04/CRISIS-CONNECTIONS-OPEIU8-2023-2025.pdf>

Questions or concerns? Reach Valarie at valarie@opeiu8.org or Phoebe at phoebe@opeiu8.org or by calling 206-441-8880 ext. 103 (Valarie) or ext. 119 (Phoebe).



OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION LOCAL 8

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