

Campus Access Regulations for Employee Organizations

Some of our employees are organized into fourteen collective bargaining units e.g., clerical, service, technical. Each of these units is represented by an employee organization, e.g., IBT-Teamsters, AFSCME, UPTA. Some of these employee organizations have also expressed an interest in representing groups of non-represented employees. The State law that governs collective bargaining rights for University employees (Higher Education Employer-Employee Relations Act) guarantees employees and employee organizations certain rights to conduct representational business, subject to the reasonable regulations by the University. Such activities include meetings, distribution of literature, and other related communications. These rights are generally called "access" rights, which, in a practical sense, means the law protects the employee organization's access to employees it wishes to represent. Unions are also provided certain limited access rights to non-represented employees.

Employee representatives are knowledgeable and generally cooperative regarding access regulations, but questions and issues may arise. Please feel free to contact one of the Employee & Labor Relations staff for assistance.

- I. Purpose and Scope
 - A. The following campus access regulations provide guidance to allow employee organizations reasonable access to University grounds, facilities, and employees while ensuring no disruption to University activities and programs or interference in restricted areas.
 - B. These regulations do not apply to employee organizations or their representatives when they are representing employees in grievances filed under a collective bargaining agreement (contract) or complaints pursuant to the Personnel Policies for Staff Members (PPSM). In such cases, the appropriate contract or PPSM provisions shall apply. In the event these regulations conflict with a contract or PPSM, the contract or PPSM will control.
 - C. The University reserves the continued right to add to, delete from, or modify these regulations pursuant to its rights under the Higher Education Employer-Employee Relations Act (HEERA) and applicable collective bargaining agreement provisions.
 - D. The University reserves the right to deny, in whole or in part, any request for access, as appropriate, provided that any restrictions on access are consistent with the University's rights under the HEERA and applicable collective bargaining agreement provisions.

II. Definitions

- A. University- As used in these regulations, the term University or campus includes the Santa Barbara campus property as well as all University facilities and properties operated by the campus, including facilities rented by the University or otherwise under University control.
- B. Employee Organizations – Independent organizations which exist for the purpose, in whole or in part, of dealing with University management concerning matters within the scope of representation under HEERA.
- C. Representative – Any person acting in the interest of or on behalf of an employee organization/union, including both University and non-University personnel unless otherwise specifically exempted.
- D. Employee Organization Business – All legal activities of an employee organization/union including, but not limited to, meetings, dues collections, soliciting, distributing, and organizing.
- E. Restricted Areas – Areas designated for Official University Activities only. The activities of employee organizations and their representatives are restricted in these areas. Restricted areas include, but are not limited to:
 - 1. Private residential areas of students, including dining halls and kitchens.
 - 2. Food preparation areas in University facilities.
 - 3. Academic and research areas while instruction, counseling/advising, or research is in progress.
 - 4. Research areas when the health, safety, or security of individuals or the research could be adversely affected.
 - 5. Confidential and/or secured work areas.
 - 6. Patient care and clinical areas in Student Health, including student/patient medical records areas.
- F. Public Areas- For the purpose of these access regulations, public areas of the campus grounds are defined as the outdoor areas of the campus (lawns, patios, plazas) that are adjacent to campus buildings and parking lots.

III. General Rules

- A. Employee organizations and their representatives are generally permitted to conduct employee organization business in non-restricted areas during employees' non-work time. For the purposes of these regulations only, established rest periods are not considered work time. Employee organizations and their representatives are strictly prohibited from conducting employee organization business during an employee's work time. The conducting of employee organization business must not be disruptive to other employees who are on their work time.

- B. Employee organizations are required to provide the Manager, Employee & Labor Relations or designee with names and contact information of representatives engaged in representational activities on the Santa Barbara campus or properties. Employee organizations are required to provide accurate and timely updates to Employee & Labor Relations as changes are made in representation.
 - C. Representatives of employee organizations on University property are required to identify themselves upon request by University officials acting in the performance of their duties. Additionally, the University official may request employee organization representatives to state the nature of their visit.
 - D. Employee organizations and their representatives are prohibited from using University resources, facilities and equipment for employee organization business, including, but not limited to, automobiles, computers, projectors, office supplies, telephones, fax machines, and photocopy and reproduction equipment.
- IV. Time, Place and Manner Regulations
- A. Employee organizations are subject to the following access regulations that provide for non-interference with University functions and reasonable protection to persons from practices that would make them involuntary audiences.
 - 1. In the event that the architecture of a building includes entrances with stairs or landings, no distribution may take place on the stairs or landings. (This restriction applies to both landings in front of the main entrance to the Davidson Library.)
 - 2. All activity in public areas must be conducted in such a way that traffic is not impeded and the normal activities in classrooms and offices are not disrupted.
 - 3. Tables or moveable stands may not be placed in areas where passages to any entrance or walkways are blocked, where the free flow of pedestrian traffic is restricted, or where emergency fire lanes are blocked.
 - 4. Sound amplification should not interfere with operations of the campus.
 - 5. Interference with ingress and egress to buildings and University functions or activities; disturbance of offices, laboratories, classrooms, study facilities, and patient care and research areas; and harm to University property are prohibited.
 - 6. Involuntary Audiences- Persons on University property have the right to be protected from becoming part of an audience for an event or activity against their will.
 - B. Handbilling – Employee organizations are permitted to distribute free informational materials relating to the organizations’ representational purpose to consenting employees in public areas of campus. Such distribution shall only take place outside of all works areas and should only occur outside recipients’ scheduled work time.

1. Literature may be handed to interested persons or posted appropriately in designated areas for their information, but it may not simply be left unattended on campus grounds or facilities.
2. No flyers, announcements or literature of any kind may be placed on automobiles (e.g., under the windshield wipers) on University property.

V. Meeting Rooms

- A. Employee organizations and their representatives may request to use general purpose meeting rooms to conduct meetings for gatherings, solicitations, and events when such meeting rooms are not in use for University purposes. Employee organizations should contact Employee & Labor Relations for assistance in scheduling general purpose rooms.
- B. Employee organizations access to meeting rooms may be limited or curtailed based on operational needs. Employee organizations may be excluded from use of a meeting area if an alternate meeting area is provided in reasonable proximity.
- C. When costs are incurred for use of University facilities, employee organizations will bear such costs. Space rental or usage fees will be charged to employee organizations for use of facilities for which all users, other than student organizations, are charged. Labor, equipment, and other event related fees and charges will apply.

VI. Bulletin Boards

- A. Written materials may be posted on general purpose bulletin boards or pre-designated employee organization bulletin boards when the following criteria are met:
 1. Identification – letterhead or signature of responsible party and name of employee organization.
 2. Date – postings must be dated with the current month, day, and year of posting.
- B. Postings are subject to removal 30 calendar days from the date of posting.
- C. No literature or other materials may be affixed to doors, walls, floors, ceilings, elevators, light fixtures, trash cans, or stairways at any time.
- D. The use of bulletin boards which are not general purpose bulletin boards or pre-designated employee organization bulletin boards by employee organizations and their representatives is prohibited at all times.

VII. Mail

- A. Mail sent to University employees through the U.S. Postal Service, where postage has been pre-paid by the employee organization will be delivered to the employee in the normal manner.
- B. In locations where employee mailboxes exist, employee organizations and their representatives may reasonably use such boxes for distribution of mail, provided the boxes are not located in a confidential and/or restricted work area. If employee mailboxes are located in a confidential and/or restricted area, arrangements should be made with the Employee & Labor Relations office to distribute the information.
- C. Use of the campus mail system for employee organization business is strictly prohibited.

VIII. Employee Lounges and Break Areas

Where employee lounges and break areas exist in non-restricted areas, one-to-one solicitation of consenting employee is permitted. Employee lounges and break areas are not generally available to reserve for meetings. Where permitted, employee organizations usage of employee lounges and break areas for meetings must be approved, in advance, by Employee & Labor Relations.

Where the information presented in this document or elsewhere on this site is in conflict with University policies, procedures or applicable collective bargaining agreements, the terms of those University policies, procedures and agreements shall govern.