


Subject: PWE ACCESS POLICY	Departmental Policy No. 1-32	
	Effective: Upon Approval	
<p>1. PURPOSE</p> <p>1.1. To provide structure, policy and procedure for the sole and exclusive bargaining agent employee association's access to Department of Public Works and Engineering (PWE) facilities, properties, locations, etc. for the purposes and activities authorized by current Meet and Confer Agreement that maintains the efficient and effective continuation of business and daily operations.</p> <p>2. SCOPE</p> <p>2.1. This Policy is applicable to all employees in Public Works and Engineering.</p> <p>2.2. Human Resources Department employees funded by PWE and E. B. Cape employees funded by PWE will be managed under the policies and procedures of the Human Resources Department.</p> <p>3. DEFINITIONS</p> <p>3.1. <i>Department facility:</i> Includes all department-owned or operated facilities, locations, buildings, plants, parking lots or garages, yards, shops, etc.</p> <p>3.2. <i>Director:</i> The Director of the Department of Public Works and Engineering or his/her designee.</p> <p>3.3. <i>Employee:</i> An individual currently employed by the Public Works and Engineering Department as a full time, part time, temporary, seasonal or worker secured through a contractual arrangement with another firm, agency, company or jurisdiction.</p> <p>3.4. <i>Employee Association:</i> An organization meeting the criteria for employee association under Chapter 146 of the Texas Local Government Code and that has a current, active and approved Meet and Confer Agreement with the City of Houston.</p> <p>3.5. <i>Vendor:</i> a sales representative who is registered as a vendor with the City of Houston.</p> <p>3.6. <i>Volunteer:</i> An individual who serves the department in an officially-recognized non-paid, voluntary capacity.</p> <p>4. RESPONSIBILITIES</p> <p>4.1. Director: The Department Director or designee is responsible for reviewing requests for access to department facilities; approving requests that comport with the Meet and Confer Agreement and this policy; and managing access on an ongoing basis.</p>		
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- 4.2. Employee: Employees are responsible for complying with this and all policies; conducting themselves in a professional and courteous manner during encounters with members of Employee Associations; knowing and understanding what is permissible Employee Association activity under the Meet and Confer Agreements and this policy; reporting any incidents of noncompliance or unauthorized activity; and carrying out their regular job duties and responsibilities.
- 4.3. Employee Association: The Employee Association is responsible for complying with its Meet and Confer Agreement and all City of Houston and Department policies, rules and guidelines for access.

5.0 ACCESS POLICY

- 5.1. The Department Director or designee will entertain and respond to monthly requests for Employee Association access to specific facilities, locations and/or sites. Written requests for access must be sent directly via US postal service or via email to the Director's designee, the Assistant Director of Management Support, not less than 7 days prior to the first of the month in which meetings are being requested.

5.1.1. Meetings with groups of employees:

- 5.1.1.1. Meetings shall be constructive in language, demeanor and tone. Representatives or members of Employee Associations who are allowed access to the department's facilities and employees shall not demean or disparage the city, harass or badger its employees or behave disruptively while on the premises.
- 5.1.1.2. Such access will occur before or after regular working hours or during lunch breaks, as approved by the Director or designee. Meetings for employees assigned to field operations crews will not be scheduled during lunch or break times.
- 5.1.1.3. Specific meeting rooms or locations away from employee work areas will be designated for Employee Association meetings. Employee Association representatives, whether non-employee or city employee, will not be permitted to visit other areas of the facility. Access shall be confined to the place(s) designated and approved by the Director or designee and will be monitored by management personnel at each facility/location/site.
- 5.1.1.4. Each access request submitted for consideration must designate work groups, dates and times in order to maintain business operations, order and security.
- 5.1.1.5. Employee Associations shall not have access to the Department of Public Works and Engineering Department's premises, facilities, locations, work sites or employees without advance written authorization from the Director or designee. The only exception to this policy is access that might be granted by active and approved labor contract agreements with the City of Houston.

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- 5.1.1.6. Meetings may be cancelled by the Director in response to emergencies, peak workload or other situations which, in the judgment of management, continuance of the meeting would create a material interruption or delay in the provision of urgent or emergency services to the public, and for harassment, inappropriate behavior or disruption of the workplace caused by the Employee Association representative(s). Facility access may be suspended, modified or cancelled by the Director if the Employee Association repeatedly fails to appear at a facility as scheduled without advance notice.
- 5.1.1.8. Management Support will work with facilities to determine feasibility of meeting requests and, if the dates and times are approved, will request the facility manager to designate a contact person to meet the Employee Association representative a few minutes before the designated meeting time and to escort the representative(s) to the room/area provided for the meeting.
- 5.1.1.9. Employee Association representatives are responsible for seeking out the location and work group for which the meeting is authorized and for presenting themselves, along with the access authorization, to the facility supervisor or manager assigned to meet and conduct them to the meeting room or area.
- 5.1.2. Meetings with individual employees
 - 5.1.2.1. Employee Association representatives may request, in advance and in writing, authorization for access to a department facility for the purpose of meeting with an individual employee on union business. Meetings on/in office, shop warehouse or other facility environments during regular business hours must be conducted only in the designated location and must occur on the employee's break time, duly requested and approved accrued leave time or other leave time granted by active and approved labor contract agreements. Employees shall not attend meetings with the Employee Association while on duty. All leave requests must be submitted in advance as required by the leave notice policies of the department. The Employee Association shall not use this time to solicit other employees to join the association.
 - 5.1.2.2. Individual meetings with employees on break time in the field will not be authorized
 - 5.1.2.3. Individual meetings shall be constructive in language, demeanor and tone. Representatives or members of Employee Associations who are allowed access to department facilities and employees shall not demean or disparaging the city, harass or badger its employees or behave disruptively while on the premises.

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5.1.2.6. Meetings with individual employees after the employee's regular work schedule are not permitted at department facilities.

5.1.2.7. The Director or designee may cancel or terminate meeting authorization as specified in 5.1.1.7.

5.2. Employee Association representatives and employees will refrain from engaging non-city employees (i.e., vendors, volunteers, customers, etc.) in discussions related to Employee Association matters.

6. COMPLIANCE

6.1. All employees of the Department of Public Works and Engineering shall comply with this policy. Compliance on the part of Employee Association representatives is expected. Violations of this policy may result in disciplinary action up to and including indefinite suspension for city employees. Violation by Employee Association representatives who are not city employees shall be subject to removal or ejections from city or department premises and workplaces for limited or indefinite periods of time and possible termination of access arrangements.

6.2. This policy provides access to the department in accordance with Executive Order 1-51 "Employment Solicitation."

7. EXCEPTIONS

7.1. Exceptions to this policy shall be only at the discretion of the Director.

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