

Labor Relations

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UAW Local 4121
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DELIVERED BY E-MAIL

Attention: Mr. David Parsons

Subject: Step II Response – Condon Hall and All-Gender Bathroom Facilities

Dear David,

The following is the University of Washington (the "Employer", the "UW" or the "University") response at Step II of the grievance procedure in the matter of the above-captioned grievance.

The Step II meeting was held at Roosevelt Commons West on December 18th, 2015 at 2:00PM. Present at the meeting were you representing the union, the grievant, Cecil Whitney (UAW), Jennifer Mallahan, and the undersigned representing the employer.

The grievance relates to the union's view that the UW has breached the recently negotiated language regarding "Bathroom Equity"¹ by not expressly having an all-gender bathroom(s) at Condon Hall.

Discussion

The latest round of collective bargaining ended in the spring of 2015. Among the many areas discussed during that round was the importance of recognizing that establishing all-gender bathrooms on campus is a vital part of the UW experience. In that vein, current and planned facilities were identified. UW administration and the union agreed to the language cited below with a view of providing an on-going forum for discussion regarding access for the entire UW population. Both sides viewed this innovation as appropriate and both committed to working together to further the agenda to the extent that it was reasonably possible to do so.

The union raised a grievance with respect to the absence of a designated all-gender bathroom at Condon Hall. In bringing up the issue, the union has acted as a good steward of the concerns it so eloquently high-lighted during collective bargaining. From the time of our meeting until now a couple of things have occurred: signage produced by the Q Center has appeared on the main floor of Condon Hall that indicates that the bathrooms are available on the basis of gender identification, and; the UW through its

¹ **Section 8. Bathroom Equity.**

The University shall provide that all ASEs have adequate access to all-gender bathrooms. Adequate access may include a reasonable amount of travel time. The University and Union shall meet two (2) times per year in calendar years 2016 and again in 2017 to discuss University plans and actions regarding the creation of all-gender bathrooms and/or re-designation/re-purposing of single gender bathrooms in buildings across campus as well as various other ways in which the University can better ensure access of ASEs to all gender bathrooms. The University will complete conversion/construction of twenty-four (24) all-gender bathrooms in buildings in the central core of campus by the end of May 2015. The University anticipates the completion of conversion/construction of two (2) additional all-gender bathrooms by the end of summer 2015.

Capital Projects Office has been requested to examine how best to make permanent, changes to this facility to enshrine what the Q Center posters so strongly indicate.

But is there a grievance here?

A grievance stems from an allegation that one side or the other has breached the collective bargaining agreement. Grievances are forms of dispute resolution that allow parties to examine issues on the basis of what they had previously bargained to ascertain if a departure has taken place and, if so, what remedies, if any, may reside within the collective bargaining agreement. For the UW and the UAW grievances have largely been opportunities to examine varying points of view, discuss alternatives and often arrive at creative solutions. In this way the grievance process has often been a positive extension of the collective bargaining experience allowing both sides to take stock and more often than not – come to a better place for both.

In my view this issue is more a question of raising a legitimate concern, establishing a forum to be heard that in turn leads to action (yes, often glacial – but action nonetheless) – but NOT a violation of the collective bargaining agreement. The language agreed upon specifically points out that a reasonable amount travel time is contemplated.

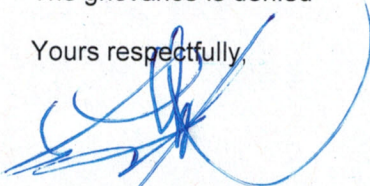
This process is an evolutionary one and one that the UW has shown commitment and leadership in helping make a reality. By pointing out an opportunity to take action, the union has shown its engagement in that evolutionary process and that is good. The UW, in turn, takes the comments seriously and is also engaged in the process. That too is a good thing.

It just is not a grievance.

Decision

The grievance is denied

Yours respectfully,



Peter Denis
Assistant VP of HR