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July 17, 2009

CHANCELLORS
INTERIM LABORATORY DIRECTOR ALIVISATOS
SENIOR VICE PRESIDENT DOOLEY

Dear Colleagues:

As all of you are aware, there have been a number of Universitywide online training programs prepared over the last several years. These have been made available throughout the system, and directed to specified groups of employees, either online or in person. These training programs have been implemented either as a matter of policy or because state law mandates that the training be provided, as is the case for sexual harassment training for managers and supervisors. Questions have arisen on some campuses about whether the training programs are mandatory, and, if so, how can the training requirement be enforced. I want to be clear that the training programs identified below are mandatory for the relevant groups of employees. The current mandated trainings, and the employees for whom these trainings are mandatory, are as follows:

1. Sexual harassment training for managers and supervisors. This includes all faculty.
2. Conflict of interest training, one program for "designated officials", under the Political Reform Act, and another program for academic researchers.
3. Ethics training for all UC employees.

There may be additional or different mandated programs in the future.

Campus leadership is responsible for ensuring that all required training is taken and completed by the appropriate groups of campus and medical center employees. The heads of the Lawrence Berkeley National Laboratory, the Division of Agriculture and Natural Resources, and others responsible for managing the Office of the President are similarly responsible for employees under their jurisdiction.

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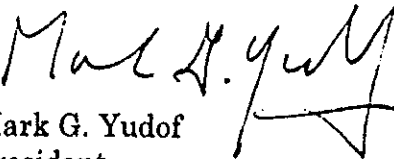
In terms of enforcement, different approaches may be taken in different circumstances. For example, a failure/refusal to take mandated training is a basis for discipline. In lieu of discipline in appropriate cases, administrative actions may be pursued. What is proposed is that after all appropriate notice, warnings, and informal efforts to obtain compliance have been exhausted, you may want to consider the following options:

- Reporting the names of non-compliant employees to Chancellors, Executive Vice Chancellors, and/or the Board of Regents, depending on the position held by the individual deemed to be non-compliant. Non-compliant employees may be asked to explain the reasons for their non-compliance to these officials.
- Delaying implementation of merit increases or promotions, without changing the effective date (i.e., once training is received the merit increase or promotion would be retroactive).
- Removal of supervisory responsibilities. If this option is chosen, care should be taken to minimize, and avoid if possible, any adverse impact on graduate students and post-doctoral fellows.

While different approaches may be adopted, the goal is the same--ensuring that all mandatory training is taken in a timely fashion by the appropriate University employees. I know that you share my commitment to this goal and I appreciate your help in achieving it.

With best wishes, I am,

Sincerely yours,


Mark G. Yudof
President

cc: ✓ Members, President's Cabinet
Academic Council Chair Croughan