

To: Michigan Employment Relations Commission
Re: ULP Charge Form §3: Statement of Facts
From: The University of Michigan House Officers Association
Date: 08/12/2024

The following facts are provided in support of an Unfair Labor Practice (ULP) filed by the University of Michigan House Officers Association (hereafter “HOA”) against the Regents of the University of Michigan and University of Michigan Health, Michigan Medicine, (hereafter “Employer”).

1. The HOA and the Employer are parties to a collective bargaining agreement covering all physicians and dentists taking part in a training program (“House Officers”). At this time the unit is composed of roughly 1300 employees.
2. MedHub is the Employer’s electronic management system for tracking and documenting house officer work and training. MedHub is the mode by which supervisors document performance evaluations of unit employees.
3. On 2/2/24, HOA Representative Dominic Barbato made a request under PERA for a list of those departments that utilize a MedHub feature that allows supervisors to place hidden comments on evaluations, which are not visible to employees.
4. These comments can obviously impact the employment of bargaining unit members, and the “secret” of which departments may be utilizing them impedes the HOA’s ability to police the administration of its collective bargaining agreement.
5. On 2/16/24, Employer representative Brian Sumner responded that the Employer would not turn over the list of departments utilizing this feature, nor would the Employer permit its discussion during the parties’ quarterly Labor Management Meetings.

6. On 3/13/24, the HOA attempted to raise the issue at the parties' quarterly labor management meeting, and on 3/14/24 the HOA's Barbato made a second PERA request for a list of departments that utilize MedHub's hidden comments feature.
7. On 4/2/24, The University's Sumner again rejected the request. As of the date of this Complaint, the Employer has not complied with the record request.
8. Based on the above, the Employer has violated Section 10(1)(E) of PERA by not bargaining in good faith and providing presumptively relevant information regarding the HOAs bargaining unit to the union.

The HOA respectfully requests that the Commission issue an order that the Employer: 1) cease and desist from refusing to timely provide the HOA with information that is relevant and necessary to its bargaining agent role; 2) produce the requested information: a list of departments that utilize the MedHub hidden comments function; and 3) post a notice regarding this PERA violation.

