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April 24, 2012

DA 605.03

EXECUTIVE VICE CHANCELLOR & PROVOST SCOTT L. WAUGH

Delegation of Authority – Rendering Decisions in Whistleblower Retaliation Complaint Proceedings

- References:** (a) University of California Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Protection Policy), dated October 4, 2002;
(b) UCLA Procedure 620.1, Reporting Whistleblower Complaints.

Supersedes: UCLA DA 605.02 (Rendering a Decision as a Result of a Whistleblower Retaliation Complaint Investigation) to EVC & Provost Waugh, dated 1/6/2012.

Effective as of the date above, I hereby delegate to you the authority delegated to me to render final decisions in connection with whistleblower retaliation complaint investigation matters in accordance with the procedures set out in the University of California Whistleblower Protection Policy (Policy).

The Policy provides a complaint process for any employee or applicant for employment who alleges retaliation for having engaged in certain protected activities. The Policy provides that a fact-finder be named by the Chancellor's Locally Designated Official (LDO). The Policy indicates that a fact-finding report is due within 120 days of the appointment of the fact-finder, but also allows that the LDO may grant time extensions for good cause. The authority I have given to the LDO to appoint a fact-finder and grant time extensions, I hereby delegate to you to exercise when the LDO is to function as the fact-finder on a particular matter or in any other circumstance where warranted.

A complainant may include a claim of retaliation for engaging in protected activity in a grievance filed under an applicable personnel policy or collective bargaining agreement, or a complainant may file a separate retaliation complaint with the LDO. When any such complaint warrants a fact-finding investigation, the LDO will designate the fact-finder to conduct the investigation, coordinating with Human Resources in co-designating the fact-finder in the case of a personnel policy/collective bargaining agreement grievance. The final decision-maker in a personnel policy/collective bargaining agreement grievance is typically an official at an organizational level below that of the Executive Vice Chancellor, and a delegation of authority on the claim of retaliation limited to that particular grievance is required to grant the official decision-

making authority. In the case of a separate retaliation complaint filed with the LDO, the final decision-maker will ordinarily be the Executive Vice Chancellor per this delegation, and no delegation letter specific to the complaint will be required.

The authority delegated herein is not exclusive but is retained by the Chancellor. As provided for in the Policy, the decision made by the Chancellor or the Chancellor's designee on the merits of the complaint or grievance is final.

This delegation is being reissued to clarify that the Executive Vice Chancellor & Provost may designate a fact-finder and/or grant fact-finding time extensions when circumstances warrant.

A handwritten signature in dark ink, appearing to read "Gene D. Block", with a stylized, cursive script.

Gene D. Block
Chancellor

cc: Vice Chancellor, Legal Affairs
Director, Administrative Policies & Compliance (LDO)
Manager, Administrative Policies & Delegations