



**HR/LR General Memo #2015-2**  
**Post-Arbitration Procedures for Addressing Employee**  
**Testimony (Former PERSL #1355)**

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**Authority** Labor Relations

**GENERAL GUIDANCE AND INFORMATION**

This memo provides guidance to agency management and supervisors regarding post-arbitration procedures for addressing employee testimony.

Generally, agencies are discouraged from questioning an employee about testimony the employee provided at an arbitration, hearing or trial. Any non-litigation related questioning of an employee after these proceedings could expose an agency to an unfair labor practice charge.

If an agency deems it necessary to contact an employee to discuss matters raised in or by that employee's testimony in an arbitration, hearing or trial, the agency should:

- Send the employee notice prior to the meeting and inform the employee that the employee has a right to union representation at the meeting;
- Send the employee's union a copy of the notice, and;
- If made, honor the employee's request for union representation.

The above-outlined procedures do not apply when the questioning is for litigation-related purposes or when the employee initiates the discussion. Please note that questioning for litigation-related purposes should only occur in conjunction with the Attorney General's Office.

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