

*Welcome to*

# **UPTE-CWA 9119**

# **At LBNL**

**University Professional  
& Technical Employees**  
*representing...*

**Technical Employees (TX)**  
**Research Professionals (RX)**  
**Health Care Professionals (HX)**

**2011-2012**

**Our goal is to build strength through employee involvement and membership in order to negotiate effectively, improve the quality of our work lives, and improve UC as a research and educational institution.**



Visit our website at  
[www.upte.org](http://www.upte.org)

## DECISION-MAKING AT OUR JOBS

Each of us has our own perspective on working at U.C. depending on how long you've been employed, your relationship with your supervisor and co-workers, and other personal experiences. But because each of our departments are part of a larger institution managed by the (much larger) University of California, our workplace is governed by a formal set of policies and procedures, all of which require considerable diligence and judgement to implement fairly and maintain.

### **Negotiating a contract**

Negotiating strong contracts is the only way for employees to have input into the policies that cover our work lives. An active and large membership is what it takes to win and enforce a good contract. Since membership is voluntary, yet all are covered by the benefits of the contract, it is even more important to join. UPTE negotiators are UC employees given paid leave for the time they attend bargaining and report to campuses on developments. Before bargaining begins for a unit, employees are surveyed to find their most important issues.

Sooner or later, we realize that the people we work with – our PIs, our supervisors, our MSOs – are for the most part not the individuals who make the decisions about our salaries, benefits or even our continued employment. These are decisions that are made at the University level, by UC administrators. In fact, without a union, employees have no input into these decisions. Not only is there little hope to be heard without an effective union of our peers, but forming a strong union is the only way to have some degree of control over our working futures at LBNL.

## EMPLOYEE RIGHTS

### **Employee's right to representation in a meeting Weingarten Rights**

You are entitled to have a union rep. present when a supervisor asks for information which could be used as a basis for discipline. But management has no obligation to tell workers their rights, so employees must ask for union representation before or during the interview.

### **Public Employees' Rights to Due Process Skelly Rights**

Employees must be given a written notice of proposed disciplinary action which must include:

- a) Nature of proposed discipline
- b) The effective date of proposed discipline
- c) Reasons for the discipline
- d) Specific rule or policy violated
- e) Statement advising employee of right to respond orally or in writing

### **Filing a Grievance**

When a policy or contract has been violated, you can file a grievance within 30 days of the incident (this is a firm deadline). There is an appeals process if the grievance is denied. Union stewards will assist you in handling your case. Contact the UPTE office (510-704-8783) for assistance.

### **Filing an Unfair Labor Practice (ULP)**

When UC has violated state labor law (i.e. changes conditions without negotiation with the union) there is a 6 month deadline for filing from the time of the violation.

## History of UPTE

UPTE was formed in 1990 by a group of UC employees throughout the state. In 1993 UPTE became affiliated with the Communication Workers of America (CWA) in order to better organize UC employees and win contracts with the University. Today, Technical, Research, and Health Care Professional employees are exclusively represented by UPTE and all have contracts with the University.

## **Do you feel you are performing work beyond the scope of your current job classification?**

Here's a brief overview of what you can do to request reclassification. Contact your UPTE local for more information.

- **Obtain a copy of your original position description.**
- **Write out your current job duties in detail.**
- **Look up the classification descriptions for your current and desired classifications.**
- **Compare your current duties to those given in the classification descriptions for your current and desired classifications. Note any discrepancies.**
- **Make a request with your supervisor for a review of your position classification. If your supervisor fails to respond within 30 days, you may forward the request to the designated University office responsible for classification review.**
- **If your request for reclassification is denied, you have 30 days to request a review of the decision denying reclassification. Be sure to state the basis upon which you are requesting a review.**

LBNL job classification descriptions and salary ranges may be found at:

<http://www.lbl.gov/Workplace/Salary-Admin/>

## Why Is Membership Important?

Membership translates into negotiating and enforcing a strong contract that improves terms and conditions of employment for UC employees. UC assumes that all employees who are not members of the union support their policies and uses low membership to slow bargaining.

Membership in UPTE is voluntary by California law and therefore strongly encouraged by UPTE officers and members for a variety of reasons. Membership shows UC that employees are concerned about maintaining high standards in such issues that UPTE advocates such as:

- Quality of research ,
- Improved job security,
- An end to salary erosion,
- Reform or replacement of new regressive UC policies such as PPSM (formerly know as HRMI),
- Protect our Pension,
- Meaningful nondiscrimination policies,
- Health and safety provision, and
- Fair and effective grievance procedure.

## What do membership dues pay for?

- \*Contract negotiations
- \*Individual grievances
- \*Literature, mailings
- \*Local & Statewide staff and offices
- \*Stewards training
- \*Legislative action
- \*Member's only benefits

## ALL EMPLOYEES SHOULD...

- \* Pre-designate a physician in case of an injury on the job: add a note to your personnel file stating you want to be seen by your doctor, otherwise, you may be sent to an employer doctor for up to a month after the injury.
- \* Verify your vacation time accrued each pay period.
- \* You have 30 days to grieve any mistakes.

**Who's Covered by UPTE?** UPTE is the bargaining representative for UC employees at each of the UC campuses in the TX, RX and HX units. The California State Public Employee Relations Board (PERB) certified these four units in 1984.

Unit	Job Titles	Size	History	Contract for Unit can be found at ...
<b>TX Technical Employees</b>	Accelerator Operator, Computer Resource Specialists, Electronics Techs, Dev Technicians, Mechanical Engr Techs, Radiation Safety Tech, etc	3887 Statewide  167 at LBNL	Voted for representation in Nov. '94; latest contract was ratified 03/22/10 and will remain in effect until 06/30/13.	UPTE/UC TX Contract  <a href="http://www.upte.org/contract-tx">http://www.upte.org/contract-tx</a>
<b>RX Research Professionals</b>	Research Associates, Research Assistants, Museum Scientists, etc.	5198 Statewide  220 at LBNL	Voted for representation in Sept. '96; latest contract was ratified 03/22/10 and will remain in effect until 06/30/13.	UPTE/UC RX contract  <a href="http://www.upte.org/contract-rx">http://www.upte.org/contract-rx</a>
<b>HX Health Care Professionals</b>	Clinical Lab Techs, Pharmacists, Social workers, etc.	3085 Statewide	Voted for representation in Sept. '97; latest contract is in effective until 12/31/11.	UPTE/UC HX contract  <a href="http://www.upte.org/contract-hx">http://www.upte.org/contract-hx</a>

**UPTE is organizing** a new bargaining unit called Administrative Professionals (AP), comprised of 16,300 Programmer Analysts, Student Affairs Officers, Admin Specialists, etc. Hundreds of non-represented (99) UC employees have become members of UPTE to support better working conditions, pay and benefits for all staff. AP and 99 staff are currently covered by Personnel Policies for Staff Members: [http://atyourservice.ucop.edu/employees/policies/staff\\_policies/index.html](http://atyourservice.ucop.edu/employees/policies/staff_policies/index.html)

## HOW TO GET INVOLVED

The more people that get involved and build our local organization, the more effective we will be representing ourselves and protecting each other. The following are important jobs that we could use your help with:

- Distributing literature at your worksite and talking to co-workers about UPTE
- Signing up new members
- Assisting with mailings (stuffing, collating, mailing)
- Making phone calls to members for events and updates
- Becoming a Steward and helping others with grievances (we hold trainings and assist with cases)
- Helping to bring our employee list up to date (information always changes)
- Becoming a reliable source on a particular issue (doing research)

## HOW DO I GET MORE INFORMATION?

**LBNL UPTE**

**Office No.:** 510-704-8783

**Fax No.:** 510-704-8065

**Address:** PO Box 4247, Berkeley, CA 94704

### **Contact a member of the Executive Board!**

The Executive Board (e-board) is comprised of members from LBNL, who meet monthly to conduct union business (such as plan upcoming trainings, review grievances, and plan expenditures of the local and many more items).

Bill Rowley	President	<a href="mailto:WGRowley@lbl.gov">WGRowley@lbl.gov</a>	w. 510-495-2569
James Smithwick	Vice President	<a href="mailto:jsmithwick@lbl.gov">jsmithwick@lbl.gov</a>	w. 510-708-0554
James Hefley	Treasurer	<a href="mailto:jchefley@lbl.gov">jchefley@lbl.gov</a>	w. 510-486-7259
Anthony Fernandez	Recording Secretary	<a href="mailto:Afernandez@lbl.gov">Afernandez@lbl.gov</a>	w. 510-486-7231
Yvette Piceno	Member At Large	<a href="mailto:YMPiceno@lbl.gov">YMPiceno@lbl.gov</a>	w. 510-486-4498
Jackie Bess	Member At Large	<a href="mailto:jmbess@lbl.gov">jmbess@lbl.gov</a>	w. 510-486-6661

**General membership meeting** – First Wednesday of each month (noon to 1:00 p.m.). Please call 510-704-8783 to confirm meeting location. We also send out a reminder before the meeting.

### **Websites:**

UPTE's website: [www.upte.org](http://www.upte.org)

CWA's website: [www.cwa-union.org](http://www.cwa-union.org)

LBNL's website: [www.lbl.gov](http://www.lbl.gov)

UCOP's website: [www.ucop.edu](http://www.ucop.edu)