UPTE LOCALS
Berkeley
(510) 848-UPTE
Davis:
(530) 759-0803
Los Angeles:
(310) 443-5484
Irvine:
(949) 854-8783
LANL:
(505) 662-4679
LLNL:
(510) 665-7722
SPSE (affiliate):
(925) 449-4846
Riverside:
(951) 781-7922
San Diego:
(619) 296-5090
San Francisco:
(415) 753-UPTE
Santa Barbara:
(805) 685-3661
Santa Cruz:
(831) 429-UPTE

UPTE’s wage proposal includes cost-of-living increases equal to UC’s increase from the state at 0% this year, and projected at 3% in each of the next two years. It also includes full step increases in all three years for every TX and RX employee, as well as step increases for those “topped out” in their job titles for five years or more.

“We know the University has the money for step increases for all continuing employees each year,” said chief bargainer Doug Owen, “because the savings from staff turnover can easily pay for steps.”

You can see the numbers for yourself in UPTE’s wage analysis posted at <www.upte.org/wageanalysis.html>. All research and technical employees are now on a step pay system, eligible for annual 2% to 4.5% increases each year, unless “topped out” in their classification.

UC continues to claim, in the face of clear evidence to the contrary, that it cannot afford the step increases. The University insists that all steps must be paid for out of a reduced across-the-board cost of living increase. This would mean techns and researchers would only get 1.5% of the 3% the state put in this year’s UC budget.

“There is no reason why we shouldn’t get the entire 3% across-the-board cost of living increase for this year, plus step increases for every year including 2004/05,” according to UPTE’s president Jegler Kalmijn.

Revealing UC’s budget
UC has refused to comply with last year’s state budget reporting language to show how much it saves due to employee turnover. The University does not want the Legislature to know that it diverts approximately 1% of our pay every year to other uses.

“UPTE will be contracting with an independent accounting firm to verify our cost analysis, and will post the report on our website,” notes Kalmijn.

University bargainers also proposed some new and alarming contract language at a bargaining session in late January.

UC wants to be able to reassign employees with disabilities unilaterally and without posting the positions. The University will not promise that those reassigned would be at the same or higher rate of pay, or that the employees reassigned would have any say at all in the process.

Make your voice heard
UPTE activists and staff are holding hundreds of worksite meetings across the state to jump-start discussions about how to put pressure on UC to finish our contract negotiations and give us a real raise.

In addition to publicizing the many ways UC can afford a raise, union members are discussing actions to pressure the University, including strikes (see page 2).

Your input is needed. Please contact your local UPTE chapter to find out when a discussion is scheduled in your work area, or come to one of the bargaining conferences in late February (see details in the box below).

UC grinch finally gets holiday cheer
Technical and research employees ended up with two paid days off over the holiday break, after UC tried to deny the leave to workers covered by union contracts while granting it to non-represented groups.

The winning formula included UPTE members flooding UC administrators’ mailboxes with “stop being a grinch” messages. The union also targeted UC’s represented groups.

The union also proposed to give employees ended up with two paid days off over the holiday break, after UC tried to deny the leave to workers covered by union contracts while granting it to non-represented groups.

The winning formula included UPTE members flooding UC administrators’ mailboxes with “stop being a grinch” messages. The union also targeted UC’s represented groups.

Making our voice heard
UPTE activists and staff are holding hundreds of worksite meetings across the state to jump-start discussions about how to put pressure on UC to finish our contract negotiations and give us a real raise.

In addition to publicizing the many ways UC can afford a raise, union members are discussing actions to pressure the University, including strikes (see page 2).

Your input is needed. Please contact your local UPTE chapter to find out when a discussion is scheduled in your work area, or come to one of the bargaining conferences in late February (see details in the box below).

UC grinch finally gets holiday cheer
Technical and research employees ended up with two paid days off over the holiday break, after UC tried to deny the leave to workers covered by union contracts while granting it to non-represented groups.

The winning formula included UPTE members flooding UC administrators’ mailboxes with “stop being a grinch” messages. The union also targeted UC’s represented groups.

The union also proposed to give employees two paid days off over the holiday break, plus step increases for those who worked the holidays.

So far, UC has refused to give the two days off to clerical employees, insisting that they give up demands for decent raises.

UPTE-represented health care professionals working at medical centers received across-the-board pay increases last year and also will agree to those this year, so they were not eligible for the days off.
Organizing for fairness

Milions given to UC executives

$2.4 million in bonuses went to 65 top executives at UC’s medical centers in 2004. The payments averaged $36,000 but went as high as $82,000, according to a report to the Regents leaked to the San Francisco Chronicle.

UC Davis’ chief executive officer Robert Chason received that $82,000, which is 20% of his annual salary of $410,000. UCSF executive Mark Laret was next on the list, with a $79,495 bonus, or 18.3% of his salary.

The university claims it must pay the bonuses because medical center executives “are paid well below the market.” The bonuses come at a time when most rank-and-file UC workers have gone years without a raise, and face UC stonewalling at the bargaining table over what should be routine step increases.

The report was made public by AFSCME 3299, which had obtained the information through a public records request. That union has been fighting for living wages for its members – mostly food service workers and custodians – many of whom work two jobs or rely on public benefits in a struggle to survive.

UPTE members contemplate strike

Two kinds of strikes are possible. We can select strategic days on particular campuses where we are best prepared for one-day work stoppages. Actions like these send a clear message to UC management, legislators, funding agencies and the public about how serious the situation is. This kind of action does not cause great financial hardship for our members.

A strike of indefinite length would aim to halt work at UC until contract negotiations are settled. This is the most powerful tactic we have to achieve our bargaining goals. It would not be undertaken without exhausting other avenues of pressure.

UC’s own budget committee supports staff salary increases

Staff salaries are too low to ignore. They should be the University’s top priority in 2005-06. That’s the word from Michael Parrish, chair of the University Committee on Planning and Budget, writing last fall to George Blumenthal, chair of UC’s Academic Council.

The committee was asked to develop priorities for this year’s UC budget in light of increased funding under the compact negotiated with the governor last year.

While acknowledging recent “fiscal blows” to faculty and staff salaries, research, financial aid and student support, the panel noted that there is no “magic bullet” to solve such woes, the report recommends that UC’s top priority should be staff salaries and staff recruitment.

“Another 3 percent in the personal pocketbook of an existing or new faculty member will do little to change the academic environment necessary to sustain his or her research and instructional activities,” wrote Parrish, emphasizing the need for “competent and dedicated staff” to support teaching and research.

“Any percentage increase for staff in 2005-06 should be greater than the faculty increase in order to compensate for the year in which staff did not receive an increase, but faculty members did,” the letter continues.

It ranked priorities such as a reduction in the student-faculty ratio, pay increases for untenured faculty, and increases to student financial aid only slightly down the list.

Know your rights!

UPTE clarifies layoff policy, wins back pay

The threat of an arbitration hearing has allowed UPTE to clarify important contract language regarding layoff notices.

Eugene Dunlap, a technical employee and activist at UC Davis, was laid off from his position with insufficient advance notice. He was also given incorrect information regarding his preferential rehire and severance pay rights. The contract requires at least 60 days’ advance notice for layoff. If only 30 days’ notice is given, the employee receives an additional 30 days’ pay.

UPTE’s position was that the meaning of this language in the TX/RX contract – and the HX contract also, for that matter – is: the employee(s) would receive a minimum of 60 days’ pay, either through 60 days’ notice or as a combination of at least 30 days’ notice and up to 30 days’ pay in lieu of notice. UC disagreed and argued that this language needed to be judged on a case by case basis. In Dunlap’s case, UC gave him less than 60 days’ notice but refused to pay Dunlap 16 days’ pay to make up the difference.

Dunlap stated that it wasn’t just the 16 days’ pay that was at stake but the “future protection of other workers regarding their layoff notice.”

“After hours of give and take,” said Cliff Fried, UPTE’s executive vice president and steward for the case, “we were able to reach a settlement that strengthened the union’s contention that ‘60 days means 60 days’ but that also made Dunlap ‘whole’ for losses he suffered.”

UC agreed to investigate Dunlap’s service credit and correct any errors, and to pay him for the 16 days. It also agreed to convert to vacation days in his new department if his old and new departments agreed. Dunlap will also receive a $100 reimbursement for health care costs. As to employee selection of layoff options (that is, whether an employee can choose severance pay or preferential rehire) UC agreed that employees are entitled to accurate information so they can make an informed choice.

The most important achievement was to clarify that “the parties expect that in almost all cases the employee(s) will receive 60 days’ notice (or combination of notice and up to 30 days’ pay in lieu of notice to equate to 60 days).” If, for some reason, these 60 days are denied, the university must provide a reason at the request of the union or employee. UC agreed it would be rare that someone would be denied the full 60 days’ notice. In those cases, the union can also have the right to grieve and arbitrate if necessary.

Fried said this victory “demonstrates the power of not giving up and of defending the contract. Join the fight to defend and improve the contract – become active in your union.”
Two big victories in Irvine

Two groups of UC Irvine employees have won major victories with the help of UPTE stewarding.

Physician assistants, who knew they were underpaid, approached UPTE about obtaining an equity raise. The PAs had researched the market by looking at state and national salary figures through internet searches, inquiring about open positions at hospitals in the area and in comparable workplaces such as UCLA, and interviewing by their peers who work at Orange County hospitals.

After compiling their findings, they initiated a meeting with Labor Relations. After a frustrating period that involved a series of stalling tactics and some misinformation, along with some good faith efforts on the part of management, serious negotiations finally began.

Equity raises up to 28%

The end result was equity adjustments ranging from 10% to 28% and a 21% range adjustment to the zone for new incumbents.

“Teamwork led to this success,” according to Janette Carbone. “I am grateful and proud of all of the physician assistants as well as very appreciative of the support of UPTE. We could not have done this had we not believed in each other.”

Physician assistant Renee Barton said UPTE representatives Sue Cross and Wendy Mullen “were spectacular, and we cannot thank them enough for all the late nights and commutes to UCI Medical Center on our behalf. I believe their knowledge and dedication to our endeavor directly impacted the outcome. I believe their knowledge and dedication to our endeavor directly impacted the outcome.”

Teamwork also paid off when a group of child life specialists contacted UPTE because they had been told they were exempt employees but then discovered they were non-exempt. Angie Carrillo said, “At first we were nervous, but the union gave us confidence, support, and education.” They filed a group grievance, which was denied at level one. They went into the level-two hearing armed with evidence from department logs, staff meeting notes, and a recording of the voice-mail message patients heard if they called the department on weekends. Management claimed they were not on-call, but the message clearly stated that, in case of emergency, the patient should contact the child life specialist “on call.”

The appeal was decided in their favor, and they received back pay for on-call status, premium holidays, overtime and shift differential, ranging from $3,469 to $11,726. “Without the union,” said Carrillo, “we never would have seen this money.”

Organizing for safety

February is the starting point for unions to map their strategy to organize for safety. On February 1, employers must post a summary of the previous year’s reported work-related injuries and illnesses “in a conspicuous place.” Employers with multiple worksites must post a separate form for each physical location, which UC does by campus.

Individual workers and union representatives have a right to receive the complete OSHA log of reported injuries and illnesses under the next business day following a request, and to see the actual incident reports within a specified time as well. With these reports we can begin to see where the greatest number and most serious problems are, so we can start organizing to address them.

Why did I write “reported” injuries and illnesses, and “begin” to see where the problems are? Not all illnesses and injuries are reported and, because of changes in OSHA’s record-keeping rules, it’s harder to see what some of them are.

Repetitive injuries common

The basic categories are “injury” skin disorders, respiratory condition, poisoning, hearing loss, and “all other illnesses” — plus specific provisions for recording needle stick injuries, TB, occupational hearing loss, and medical evacuation of injured persons. Musculoskeletal disorders (MSDs, also known as repetitive strain injuries, or RSIs) must be recorded, but the rule doesn’t define them and the OSHA log no longer has a specific place to post them. Will they posted only if they involve a death, days off work, restricted work or job transfer, medical treatment beyond first aid, loss of consciousness, or diagnosis of a significant injury or illness by a physician or licensed health care professional. Other factors include workers’ ignorance about the relationship between their work and their symptoms; fear of what will happen if they report injuries or of being in the Workers’ Compensation system; employers’ denial that the problem is work-related; pressure not to report injuries; language barriers; difficulty proving an occupational disease is work-related, etc.

After obtaining the OSHA log and the incident reports for each campus, we can start verifying the information in the OSHA log so we have a better picture of the actual number of injuries that are occurring, and training ourselves and our coworkers to identify health and safety problems in our workplaces. We need to use proven techniques to break through language and other barriers, define hazards that we want to see corrected or eliminated, and build a strong base of support to implement changes through safety committees, our stewards’ network, and the union coalition.

The last day in February is International RSI Awareness Day — the only day of the year that isn’t repetitive — because work shouldn’t hurt!

Win at UCSD Clinical Labs

Late last year, UPTE activists in San Diego learned that some clinical laboratory scientists were angry with the union because they had been told by management that UPTE was holding up their equity raises. Wendy Mullen, UPTE’s health care professional coordinator, investigated. After conversations with the workers and UCSD Labor Relations, it was clear that the equity increases were merely a rumor that had spiraled out of control. According to Labor Relations director Barbara Ferguson, there was no written proposal, nor was there any time frame for the increase to be distributed. Ferguson indicated that she was quite upset about the rumor, circulated by supervisors in the labs. UPTE staffer Nina Leshan got Ferguson to write a public letter stating that UPTE could not possibly be holding up the raise, since it had not even been proposed yet.

Labor Relations did, however, indicate its desire to begin working collaboratively with UPTE, and within two weeks sent a proposal to UPTE for 8% increases to all medical center clinical lab scientists, and an additional 2% for genetic tissue specialists. This increase will include all clinical lab scientists in the med center, but does not include those working outside that jurisdiction, across the street in clinical teaching facilities and on campus.
University of Texas pulls out of Los Alamos bidding

While the University of Texas has publicly announced that it will not bid to run the Los Alamos National Lab, rumors have begun to surface that UC is close to agreeing to a partnership with several private corporations to prepare its bid.

If there is such a partnership, it is unclear at this time who would actually be the employer and what would happen to the employees participating in the UC retirement fund. One of the private partners could become the employer, or the partnership could set up its own private umbrella corporation.

The University’s last experiment with such a partnership occurred when it privatized the entire UC San Francisco hospital in a merger with Stanford. That venture ended in an unmitigated disaster for employees and the University.

During the transition, UC forced employees to resign their UC positions in order to be eligible for jobs with the new company. Many dedicated, long-term employees decided to leave. After 18 months, the enterprise collapsed and employees were funneled back to UC. Throughout the process, UPTE and other unions fought to save jobs, compensation and benefits. It took an act of Congress to order the employer and what would happen to the employees participating in the UC retirement fund.

University Professional & Technical Employees

CWA members settle with Verizon

The Communications Workers of America (CWA’s national union) reached an early settlement with Verizon California covering 6,000 members in 12 locals.

The agreement provides for a 4% lump sum payment effective March, 2005. Other gains include an additional personal holiday, enhanced employment security and transfer opportunities, an increase in the minimum pension, and improvements in health insurance.

Labor debates its future shape

Over the last year, union members nationwide have been engaged in discussions about what the labor movement needs to do to increase its overall strength. This reevaluation of labor’s strategy is going on within particular unions as well as at the level of the AFL-CIO.

Proposals vary widely in their focus. For instance, the Service Employees International Union, in collaboration with four other unions, has proposed forced mergers of the nation’s unions into larger institutions along industrial lines, with the hope of speaking on a larger scale.

AFL-CIO fund for tsunami relief

The AFL-CIO’s Solidarity Center has set up a disaster relief fund to allow union members to send aid for recovery and rebuilding in the Indian Ocean nations devastated by the December 26 tsunami.

To date, more than 162,000 people are among the dead and tens of millions of survivors are in desperate need of clean water, food, medical supplies and shelter.

The AFL-CIO fund will provide workers and their families with long-term support for housing, reconstruction and other aid. The Solidarity Center helps workers around the world to build democratic and independent trade unions.

Checks marked “tsunami relief” may be made out to the Solidarity Center Education Fund. Send to: Tsunami Relief Fund, Solidarity Center, 1925 K Street, NW, Suite 300, Washington, D.C., 20006-1105.