Research and technical employees walk off the job, demanding UC end unfair practices

UC technical and research employees at all nine campuses walked off the job on May 26 in frustration at UC’s unfair labor practices. From Los Angeles and San Diego in the south, to Berkeley and San Francisco in the north, workers walked spirited picket lines and held noisy rallies in support of a fair contract.

Over the past decade, in fact, the state has allocated 15% more in wage funding than UC has distributed. While UC executives have received enormous raises and bonuses, they have refused to answer repeated calls from legislators, union members and taxpayers to account for where this extra money went.

High turnover damages research

Researchers and techs are leaving UC at alarming rates because their wages are far below market. Turnover at UC has reached epidemic proportions among research staff, with an annual rate of 33%.

UC’s continued bad faith bargaining and violations of labor law are severely undermining our research standards,” said Jelger Kalmijn, an alcoholism researcher and systemwide president of UPTE. “Researcher salaries are 25% behind the private sector. We can’t keep good people who are leaving in droves.”

Many UPTE-represented research and technical staff work to understand diseases like cancer, AIDS and Alzheimer’s, research environmentally friendly technologies, or develop advances in internet and computer technology – a public service mission that could go by the wayside if UC continues to underfund salaries.

“When good, experienced researchers leave, they take their knowledge with them. It takes at least 6-12 months to train new researchers at their job,” said Greg Severson, a researcher at UC San Diego’s Cancer Center. “This negatively impacts research.”

UC banks $2.5 million in RX/TX turnover savings annually

An independent report has confirmed that UC’s payroll costs in the technical and research units decline dramatically each year due to staff turnover. Those savings could help fund step increases for remaining research (RX) and tech (TX) employees.

UPTE hired the Segal Company, a nationally-respected compensation analysis firm based in New York City, to analyze UC’s payroll data in both units from October 2003 to September 2004. It found that the average monthly payroll per FTE dropped significantly over that period, mainly because entry-level employees were being paid at lower rates than employees who had left UC.

The study found that UC’s annual payroll for the TX and RX bargaining units is about $296 million, with about $2.5 million in turnover savings. The Segal Company estimates that the cost of granting eligible employees either a 2.0% or 2.3% step increase would cost approximately $3.4 to $3.9 million.

So the bottom line is that giving a 2% step increase to all eligible TX and RX employees would only cost UC an additional $837,000, or a 3% increase in the total annual payroll for those units. For a slightly larger increase of 2.3%, UC would pay $1.3 million, which is equivalent to a 5% increase in payroll costs.

UC has said there is an additional 2% in their budget beyond the money in the compact between the governor and UC. This, combined with savings from turnover, would easily allow the University to fully fund steps over a four-year period (including 2004/2005).

You can find the complete report on UPTE’s website.

Support from the community was evident as well. At Berkeley, for instance, a local college community decided to move its large graduation ceremony from UCB’s Zellerbach Auditorium to an off-campus location due to the strike. At many campuses, construction workers, truck drivers and others coming to campus turned around (continued on page 2)
Researchers and techs strike (continued from p. 1)

and left, saying they were honoring UPTE's picket lines.

Strike's effect positive

The strike had a positive effect: UC is now more engaged in the bargaining process, with greater interest in settlement. UC settled with the workers' union, AFSCME, shortly after its April strike. But UC is resistant to doing the same with UPTE and other unions out of fear that such settlements will be interpreted as victories for the unions.

Days after UPTE sent UC the legally required notice of intention to strike, UC put forward a wage offer with greater cost-of-living increases for two years, but with step increases only in the last year, and then delayed by three months and accompanied by a reduced third-year cost-of-living adjustment.

After UPTE's strike, UC illegally withdrew this offer, but scheduled several more sessions in June, when it had previously said its bargainers were not available.

The state's Public Employment Relations Board is preparing to issue complaints on UC's many unfair labor practices. UPTE filed the charges over UC's failure to provide critical information and refusal to bargain workplace changes. PERB also told UC that it would refuse UC's efforts to move to impasse.

Keep up the activism

During recent negotiations on the UCLA campus, members of all the campus unions showed up to put heat on the UC team. UC's chief negotiator, Sharon Hayden, retired at the end of June shortly after the session and said UC would not bargain in July.

Despite this threat, UC has already reversed itself and continued bargaining in an attempt to wrap up a contract. If a tentative agreement is reached, it will go to fans to graduation attendees with the message, “A fan of quality research and education.” Waving in stadiums and auditoriums, they made “quite a statement,” according to one observer.

UPTE members, along with supporters from other CWA locals, are distributing flyers at dozens of scientific conferences across the state about the need to defend quality research and education by reducing staff turnover. The flyers encourage conference attendees to contact UC President Dynes with their concerns.

UPTE's legislative activists are visiting state and federal legislators with an independent consultant's report in hand (see story, page 1) verifying that UC can easily afford to provide step increases with the salary money it already receives.

UPTE members all over the state are also reaching out with a special message to coworkers who are not yet union members: join the union for a fair raise with a COLA and steps. Newly-signed membership applications will be presented to UC in the wake of the strike, the union has organized for fairness public awareness actions at UC graduation and the Coalition of University Employees, the clerical union, to have a meeting with UC.

Many problems facing us as UC employees may be tackled at the local level, by organizing with our coworkers and meeting with management. These issues may be department problems or policy changes at a campus, and may not be especially good candidates for grievances or unfair labor practice charges.

UPTE generally gets notified of the proposed policy changes and has a right to ask management for all the information regarding them. The union can also meet with employees to share that information, as well as “meet and confer” or “meet and discuss” with UC. Bringing coworkers together to talk about the issues and then meet with management is sometimes the best way to have positive input into the process.

For example, UCLA proposed privatizing its Olympic Lab, which does drug testing for various sports organizations. UPTE requested a meeting on this issue but was told by UC that there were no plans to privatize. A few months later, the director sent an email to all the employees, without notifying the union, that plans were in the works to privatize the lab.

Why we went on strike

by jelger Kalmijn

Staff Research Associate, UCSD Department of Psychiatry, and President, UPTE-CWA

O n May 26, research and technical staff at the University of California went out on strike. We did this with great regret, but felt we must strike in order to protect the research, teaching and public service we care so much about. After more than a year of negotiations, the University has repeatedly failed to meet its legal obligations to negotiate in good faith, including refusing to provide information about how much money it receives for salaries.

From AIDS research to nanotechnology, to protecting endangered wildlife, UC researchers broaden the forefront of science like at no other institution in the world. We are proud of the advances that we have helped UC make in the past. But UC now faces a crisis. One-third of the research support staff leave every year.

Why are researchers leaving? Wages for researchers at UC have fallen 30% behind inflation in the last 15 years despite adequate funds from the state and research grants. Increasing health care costs and parking fees, combined with stagnating wages, have created a situation where staff can no longer afford to work at the University of California.

Over the past two decades, the University has been transformed from an employer of choice to a revolving door employer. UC number crunchers, instead of using a reduced third-year cost-of-living adjustment to make up for past decade, state funds have allocated 15% more for wage increases than UC distributed. This 15% would have made up some of the lag below market wage rates for researchers and techs. What happens to that money?

We have asked the University that question and received no answer. The California state legislature has required the University to report on these funds, and after a year of asking, has still not received an answer.

Funds dedicated for researcher wage increases must go to their designated purpose. With some confidence that we will receive fair and regular increases, we can get back to the research, education and public service of which we are so proud.

We remain extremely loyal to the projects and departments we work for. Our work is important to us and to the community that we serve. There are millions of people who are depending on our research in the hopes that we can find a cure for what ails them.

Our mission is to protect these important projects and hold UC accountable in fixing the research crisis caused by high staff turnover. We will accomplish this by pressuring UC to meet its legally mandated bargaining obligations.

Stewards' corner

The art of meeting and mobilizing

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Revving up a response

Employees were understandably concerned about losing their UC benefits. UPTE immediately called for a meeting with the staff, recruited members, and asked the employees to select a team to meet with management after UPTE had obtained all the information on the impact of UC's illegally announced privatization plans.

“We are working on a public campaign and a legal campaign to fight this outsourcing of a very profitable UC entity,” said Cliff Fried, UPTE's executive vice president and a steward at UCLA. “We'll make sure employees' benefits, job security, retirement and work loads are not negatively affected.”

Fried adds that anyone interested in “training in the art of meeting and mobilization” may call him at (310) 443-5484.
Health care workers to set agenda

Over the weekend of July 9, health care professionals from around the state met in Los Angeles for the UPTE Summer Retreat. Topping the agenda was preparing for negotiations after their contract expires on June 30, 2006.

“Member input is critical in establishing bargaining priorities and assisting the bargaining team in writing contract language,” notes Wendy Mullen, an UPTE bargaining team in writing contract language, “These calls are a place for health care professionals across the state to communicate with one another,” says Mullen. All members are welcome on these calls, held on the second Tuesday of each month at 7 pm. Another way to get involved is to participate in monthly HX conference calls. “These calls are a place for health care professionals to discuss their concerns without fear of retaliation letter that was requested in May,” says of a UC-commissioned private analysis of the toxic chemical contamination in Richmond, “as is figuring out how to share the material and even how to wrap one’s mind around it.” At the first CAG meeting on June 30, the 25 members, who are broadly representative of the Richmond community, decided that DTSC should expand its cleanup to all properties in the vicinity, including downwind businesses.

Field Station

Activists fight to clean up UC’s Richmond Field Station

As we reported in May, UC workers and community members are facing serious health hazards from toxic chemical contamination in Richmond, primarily from the former Stauffer Chemical/Zeneca site next to the UC-run Richmond Field Station (RFS), about 10 miles north of the Berkeley campus. UC workers are exposed to some additional toxins at RFS, which was the site of an explosives manufacturing company.

For more information:

• Zeneca Towers <conference.berkeley.edu/newsletter/spring05.pdf>
• UC-B’s Capital Projects Fact Sheet <www.cps.berkeley.edu/>
• UCB’s Capital Projects Fact Sheet <www.cps.berkeley.edu/RFS_FactSheet_021005.pdf>
• Richmond Field Station <www.cp.berkeley.edu/RFS_Stats>
• Zeneca Towers <conference.berkeley.edu/newsletter/spring05.pdf>
• UC-B’s Capital Projects Fact Sheet <www.cps.berkeley.edu/>
• UCB’s Capital Projects Fact Sheet <www.cps.berkeley.edu/RFS_FactSheet_021005.pdf>
• Richmond Field Station <www.cp.berkeley.edu/RFS_Stats>

UC students sent a message in support of labor studies outside the Regent’s meeting in San Francisco this month. They were reacting to the governor’s saging out of labor studies for massive funding cuts again this year. For more information, see <laborcenter.berkeley.edu/newsletter/spring05.pdf>.
Ominous outlook for UC benefits and retirement

The University may radically change our benefits and retirement plan in the coming months.

In a management presentation recently obtained by UPTE, UC considers more than tripling our monthly benefits premiums, as well as starting retirement contributions in coming years.

Also under consideration is setting up a separate retirement plan for faculty and executives, while offering new staff only a bare bones 401k-type plan rather than the current defined benefit plan.

Citing double-digit increases in the cost of benefits, UC benefits managers also told UPTE’s Joint Benefits Committee and other unions about plans to increase co-pays for medical visits and prescriptions next year. UC refused to reveal any specifics, even though the state budget has now been finalized.

UPTE, along with other UC unions, has advocated that UC support broader health care reform to help keep costs down for everyone. That would include preventing monopoly hospital chains from overcharging for services or providing low-quality health care. Since UC is one of the state’s largest employers with over 150,000 employees and retirees who are members of its health plans, it has great political leverage to help enact reforms that would lower costs.

UPTE will continue to meet with UC benefits managers over the summer to get more information. We’ll report more as the specifics, even though the state budget has now been finalized.

Family and Medical Leave on GOP hit list

After attacking overtime, Social Security and an array of workers’ rights, the Bush administration has now moved the Family and Medical Leave Act near the top of its hit list.

The White House and its GOP allies in Congress want to water down, if not undo, the Family and Medical Leave Act near the top of its hit list.

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Free higher ed campaign takes off

The right has stepped up its assault on access to higher education, following the same pattern as in attacks on the estate tax, Social Security, and personal bankruptcy protection.

Government-provided student aid is the main source of the crisis of affordability, according to a report from the Cato Institute. The recommendation? Eliminate all federal student aid, and replace it with a form of indentured servitude in which students would borrow tuition money from private lenders in exchange for a lien against anticipated earnings after graduation.

The conservative American Enterprise Institute also fingers government aid as a culprit driving up tuition costs. But AEI raises the stakes, arguing that colleges need to run more like profit-making corporations: increase faculty teaching loads, cut salaries, and eliminate the job security of tenure.

“This attack can be met only by reaffirming broadly that access to higher education must be a basic right,” says Adelph Reed Jr., co-chair of the Free Higher Education campaign. Reed reports on several events to that end. In mid-April, student activists, faculty and staff unions at the University of Massachusetts, Amherst, organized a public hearing on the human costs of budget and aid cuts.

A similar alliance at Rutgers University sponsored a week-long Tent State University teach-in, and South Carolina State University hosted a forum on the state of public higher education in South Carolina.

“The Free Higher Education campaign,” says Reed, “was featured prominently in all these events, both as the only real solution to the problem of accessibility. In each venue people expressed excitement that the campaign gives us all something to fight for.” – Reprinted with permission from <www.freethighered.org>.

PERB rules for UPTE on 99 wage information

UC has agreed to a settlement in an unfair labor practice complaint that it illegally refused to provide information to UPTE about administrative professional salaries.

The state’s Public Employment Relations Board issued the complaint recognizing that UC had failed to meet and discuss in good faith with UPTE. Back in May, 2004, UPTE asked UC to provide relevant information to enable UPTE to propose a 2004-2005 wage increase for twelve thousand UC staff professionals who are not exclusively represented (the “99” unit). Many are UPTE members. But UC refused to provide the union with information that could be used to calculate turnover savings.

“We needed that information in order to effectively lobby for 99 salary increases,” said Lisa Kermish, UC’s vice president and a staff professional at UCB. “They also refused to provide us executive salary information, which we wanted so that we could compare the amount of increases given to execs to those given to 99s.”

UC’s argument was that, since UPTE is not the exclusive rep for 99s, it had no obligation to provide the information. UPTE filed an unfair labor practice with the PERB. In the settlement meeting on June 1, the PERB attorney said that previous cases supported UPTE’s contention that UC is required to provide a non-exclusive representative with information so that it can effectively advocate for its constituency.

As part of the settlement, UC agreed to give the union virtually all the information that we wanted. “This re-affirms 99 unit employees’ rights to be represented by a union,” notes Kermish, “and requires UC to provide us with information so that UPTE can effectively represent the employees who choose to become UPTE members.”