Union activists take up state budget allocation and pay issues with legislators and in bargaining

UPTE-CWA’s bargaining sessions with UC over new research (RX) and technical (TX) contracts continue, as concerned members have shown up to observe each meeting and testify about their wages and working conditions. UPTE’s rank-and-file bargaining team is meeting with UC to negotiate a new contract to replace the one that expires in June of this year. Wages are just one of the items on the table, but the UPTE bargaining team is advocating – both in negotiations and with state legislators – that the state’s budget allocation should not determine the ceiling for salary increases.

For years, UC has used the state budget allocation to limit employees’ annual raises, despite the fact that the state contributes only 18% of the university’s budget. Jelger Kalmijn, UPTE’s president, who also works as a researcher at UCSD, explained: “More than 90% of researchers and techs work either directly on grant funds or on recharge funds that come from research grants and UC enterprises like hospitals, whose budgets include annual raises independent of the budget that the state gives UC.”

“Most grant sources have built-in ‘escalators’ to provide for employee raises. For instance, the National Institutes of Health grants, which account for more than $1 billion of UC’s income, have escalators of 3 to 4%. Other granting agencies, such as the National Science Foundation, NASA and the Department of Defense, permit escalators as well. Tell it to the legislature

“This is a real problem, noted Rodney Orr, UPTE’s legislative coordinator, who has been talking with legislators about the problem. “We have an annual turnover rate of 32% among researchers and techs, largely because UC’s wages are substantially underpaid – for many, their UC wages lag the market by 20% or more,” he said.

“These workers are the backbone of UC’s facilities, doing everything from computer support, to animal care and husbandry, to setting up and performing lab experiments,” Orr explained. “Underpaying such workers leads to high turnover and directly damages UC’s research mission.”

Kalmijn said UPTE is working to convince the regents, legislators and UC administrators that the traditional linkage of tech and researchers pay to the state budget is “ outdated and unacceptable.”

This spring, members are visiting state legislators to inform them about these problems. If you’d like to participate in delegations to key legislators in your area, contact your local. “Member participation will be important to our success,” added Orr.

Unrepresented workers expecting cuts

For those employees without union contracts, such as UPTE’s administrative professionals (also known as ‘99s”), it appears likely that UC’s budget will include no money for pay increases. This gloomy prognosis follows years of below-market pay increases for UC’s administrative professionals.

UPTE members who are 99s are hosting workshops to talk about the budget and pay policies, so that “we can come up with concrete ways that we can work together and make UC give us a seat at the bargaining table,” said Lisa Kermish, UPTE’s vice president and an administrative analyst at UCB. If you are interested in hosting or attending a workshop, contact her at <lkermish@yahoo.com>.

2008 Annual Report and financial audits now available

UPTE members make wage gains, as more UC employees come under union’s contracts

UPTE-CWA members have finally enjoyed a year with good raises that were not eroded by increases in costs for benefits. The raises for technical (TX) and research (RX) employees included a cost-of-living increase in October, followed by a step increase in January. Health care professionals (HX) received raises this year that brought them closer to market rates. They also began the transition to a step pay plan.

Again this year, raises for employees in UPTE’s three represented units (TX, RX and HX) outpaced those of non-union staff by more than 1%. At the same time, the union won a decrease in the cost of health care premiums and held back employee contributions to the pension fund and retiree health benefits.

UPTE also won an election to represent a new bargaining unit: the skilled trades employees at the Lawrence Livermore National Lab. Our members at both the Lawrence Livermore and Los Alamos labs have been battling budget shortfalls caused by privatization. Voting for representation will help give them a means to make their voices heard as the process unfolds.

UPTE was not at the bargaining table with UC during 2007, and this year without the demands of bargaining has given us the opportunity to strengthen our organization, resulting in a steady increase in membership, more trained stewards and a greater level of participation. The union’s financial security and relationship with our national union have also matured. We retain more of our dues locally while at the same time receiving support from our national union to organize new units, like the one at Livermore.

Over the last year, we have petitioned the state labor board to add three more job titles to UPTE’s represented units. We have also been able to make significant financial contributions to our strike fund. UPTE members also formed a retiree chapter that promotes involvement by retirees, especially on issues like retiree health benefits and the pension plan. Safeguarding our hard-earned benefits and pensions, as well as improving health care access and quality for all Californians, have remained among our top priorities. We’ve voiced opposition to skyrocketing benefits premiums, as well as discussed broader health care and pension reforms. Health care costs, quality, and access will remain key issues unless dramatic changes are made. We are exploring opportunities for such reforms at UC and in California.

UPTE’s bargaining goals for the next year will focus on sustaining wage improvements while
Get all the vacation time you are due

With summer approaching, many of us are checking our vacation accruals and planning vacations.

In most cases, the university enters your vacation accrual rate at the department level, and often mistakes are made. The most common mistake is that your department forgets to increase your accrual rate when you get to ten, fifteen or twenty years of qualify-

Check UPTE’s website at www.upte.org for the relevant vacation articles in the contract. You can check your accrual rate with your login on your campus benefits website. Usually a simple call to your department payroll person will fix this, but call the union if you need assistance. Make sure UC gives you the vacation credit retroactive to the date that your accrual went up.

MLT Advisory Committee established

The state of California has recently begun to license medical laboratory technicians (MLTs), a new designation in the health care field in the state. MLTs have been trained, licensed and employed in most other states for many years. In general, MLTs have a two-year AA degree and at least 6 months of internship in a hospital clinical laboratory. They are most often used in addition to clinical laboratory scientists (CLTs).

Due to the critical shortage of CLTs at the UC medical center facilities and state-wide, hiring MLTs may soon be used by UC to help relieve the situation. There are many questions as to what job functions MLTs can legally do; how are they to be supervised; what training and licensing requirements are needed, etc. At this point, UC has not established a job title for MLTs or begun hiring into this position.

Gathering information

A temporary committee has been created to research and give recommendations to UPTE on these new clinical laboratory workers.

Some things the committee will look into: Are the MLTs going to be used to replace CLTs as a cheaper source of labor? Will patient care and the quality of laboratory testing be compromised by these less-trained workers? What exact job functions will they be able to do? Will they need to be supervised, and by whom? How will their job functions compare to AFSCME’s HLTs (hospital laboratory technicians)? Should the new MLTs be included in UPTE’s HX unit?

The committee will also look into exact training and licensing requirements, including questions about which schools are planning or already training MLTs, how many are already working in California, and how they are they being used.

UPTE’s committee includes Mila Braganza, CLS at UCSF; Ann Paulsen, CLS at UCSD; Teri Cook, CLS at UCD, and Lisa Bremer, CLS at UCLA.

If you have information or thoughts on the issue, we’d like to hear from you. If you have any particular knowledge or have worked with MLTs before; know how they are used at other locations; are familiar with their training; or just feel strongly one way or the other about MLTs – please let us know. We hope to have an advisory for UPTE by the end of June. – Wendi Felson.

Wendi Felson is UPTE’s HX systemwide coordinator and can be reached at <wfelson@earthlink.net>

Computer resource specialists sign up for better pay at UCSD

Computer resource specialists (CRS) at UCSD are organizing for better pay.

There are over 90 employees in the classification at San Diego, and a majority of them have signed an UPTE petition requesting an across-the-board equity increase to bring their pay scale into line with other UC campuses.

“We need to establish some competitive rates for retention,” said Michael Stuart, a CRS who works in UCSD’s Geisel Library. Rene Feuerbach, also a CRS at the library, added, “I signed because there are serious pay inequities for San Diego CRS titles, compared to other UC campuses that need to be addressed and rectified.”

In addition to the discrepancy between San Diego campus pay and the rest of the UC system, pay for computer resource specialists is also substantially below the outside market. San Diego union activists are currently in negotiations for an equity pay raise.

UPTE’s annual report sums up the year

preserving benefits. The state budget crisis will be our first obstacle. UC likes to claim the crisis limits its ability to give fair wage increases, but more than 90% of our TX/RX members are not funded by state money.

Neither grant funding nor the UC enterprises they work for are not affected by the state budget, and they do have money for raises. We will need to convince the university to change its long-held policy of using the state budget as a ceiling for our raises. We also need to have a final contract that protects us from the university’s tendency to undermine our pay raises by increasing employees’ health care and pension contributions.

UPTE has nearly a thousand administrative professional members who have voluntarily joined the union to help it organize for a union election in what is known as the “99” unit. Because this group of members does not yet have a contract, they have begun a campaign to pressure UC for fair raises.

Compared with the Consumer Price Index, administrative professional pay has eroded dramatically in past years. The so-called “merit pay” system in place for these workers has, in most cases, neither delivered raises nor given raises based on merit. A new set of rules is needed, one that can be negotiated after this group has a chance to vote for collective bargaining and UPTE representation.

The preceding is an overview of UPTE-CWA’s annual report. The full version, including the union’s annual audit, is available online at <www.upte.org/about/index.html>, and in print, from UPTE’s systemwide office.
Nano and you

The “nano” in this case is not an iPod, but an abbreviation of two words we need to start thinking about: nanotechnology and nanotoxicology. They may be closely related.

Nanoparticles are smaller than cells, visible only by the world’s most powerful microscopes. (A human hair is about 80,000 nanometers wide.) Nanotechnology took off in the 1980s with the development of atomic and electron microscopes. It is now used to create a huge number of products we use every day – from bumpers to sunscreen.

The enormous promises (and hype) of nanotechnology carry tremendous potential risks as well. Like the first industrial revolution, nanotechnology will have a huge influence on our lives, for better and worse. Because of the scale, scope and speed of its development – and knowledge of history – scientists, governments, and others are scrambling to develop global agreements about methods to study the potential risks of nanotech materials. As in the past, new technologies are being developed and used before their environmental and health risks are known.

Nanotechnology presents new challenges because of its nature. Knowing how toxic a material is when it’s in a larger form doesn’t explain how it works on a “nano-scale.”

“For instance,” says Michael Berger, creator of the Nanowerk web portal, “opaque substances become transparent (copper); inert materials become catalysts (platinum); stable materials turn combustible (aluminum); solids turn into liquids at room temperature (gold); insulators become conductors (silicon).”

Because or their size, nanoparticles can enter our bodies easily through skin, by breathing, by being swallowed, or by being injected during a medical procedure. Because or their size, nanoparticles behave inside the organ by breathing, by being swallowed, or by being injected during a medical procedure. And most of our offices have laser printers. You may remember the stir around the world of office workers in the summer of 2007, when newspapers reported the results of Australian air quality tests. Professor Lidia Morawzka and others at Queensland University of Technology found that particle levels in the air of a large, open office increased fivefold during work hours due to printer use.

How to protect ourselves?

Pay attention to our surroundings. Ask lots of questions. Get advice from more than one source. Take precautions. Work to change regulations. Press policymakers to require devoting a much larger proportion of nanotechnology funding to studying nanotoxicology and assessing risks.

Perhaps most importantly, mobilize our co-workers to demand a safe environment. And bargain for contract protections – such as being consulted before decisions are made to introduce new processes and materials, and having a say over worker protections.

For more information, see the National Institute for Occupational Safety and Health’s site at www.niosh.nih.gov/topics/nanotech/ and the Project on Emerging Nanotechnologies at www.nanotechproject.org.

— Joan Lichterman

Joan Lichterman is an editor at UCR and UPTE’s health and safety director. Citations for the studies above are available from her at <jlichterman@mindspring.com>.

Campus free speech threatened by UC’s proposals

UC campuses have long been places for the free exchange of ideas. After all, the university’s motto is f Pax et lBete, “let there be light.”

But now, UC is trying to end to this tradition. It has proposed regulations limit access to the campus for organizations and individuals not directly connected to the University like unions, the Sierra Club, religious organizations and the public in general.

In May, all employees received a legal notice of new proposed regulations governing free speech on UC property. Here are some excerpts:

◆ No more freedom of assembly: “No non-affiliate shall, on University property, without authorization of the Designated University Official, demonstrate or gather.”

◆ No more early morning jogs on campus: “Curfew: No non-affiliate shall enter or otherwise remain on University Property between the hours of midnight to 6:00 a.m.”

◆ No more placards for concerts and demonstrations: “No non-affiliate shall, on University property, without authorization from the Designated University Official: in any way affix, fasten, or attach to the premises any such signs, posters, placards or banners.”

UPTE’s statewide executive board voted unanimously to opposed these regulations. As a publicly-funded institution, UPTE’s president Jelger Kalmijn wrote in a letter to the university, “Open and unfettered interaction with the surrounding society is not only a right guaranteed by our federal constitution, but crucial to the success [of UC] as an academic institution. Setting up procedures and gatekeepers for ‘non-affiliates’ can only have a chilling effect,” he wrote.

Marching for change on May Day

UPTE-CWA members from Berkeley and San Francisco joined thousands of marchers around the state on May 1st, celebrating International Workers Day, demanding immigrant rights, and protesting against the Iraq war.

In an anti-war action, dockworkers represented by the International Longshore and Warehouse Union in Oakland and all along the west coast walked off the job early in the morning, bringing busy port activity to a standstill. At noon, hundreds of students from San Francisco State University and UC Berkeley walked out of classes to protest student fees hikes (see related story, page 4).

Immigrant rights supporters marched to the San Francisco Civic Center behind banners depicting flags of all the nations in the Americas. In the afternoon, UPTE members joined immigrant rights supporters for a march down International Avenue in Oakland.

Submit your comments by email through UPTE’s website at <www.upte.org/Access-Reg.html>. Your message will automatically go to the appropriate UC officials.

UC nurses win PERB case on right to strike

The California Nurses Association (CNA), which represents some 10,000 UC nurses, has won a major legal decision on the right to strike, and the right to bargain over staffing and other patient care issues.

In late April, the state’s Public Employee Relations Board ruled against UC’s claim that a planned one-day strike in July 2005 by CNA was illegal.

CNA had planned to strike over UC’s failure to bargain in good faith over RN ratios and other staffing practices. Right before the strike was to begin, UC obtained an injunction to block it. Though those negotiations were subsequently settled, in an effort to retaliate against the RNs, UC sought $9 million for what it said were its costs preparing for the strike that never occurred.

PERB decided against UC, ruling that strikes by public employees over unfair labor practices are legal, and that the university violated state law by refusing to bargain over CNA’s proposal for staffing.

“This is a refreshing acknowledgement of the fundamental, democratic right of California public employees to strike – and a stunning rebuke for the university’s attempts to silence the collective voice of UC nurses in our ongoing efforts to assure the highest standards of quality patient care,” said Geri Jenkins, an RN at UCSF and a CNA member.

The university was represented in the case by one of the nation’s most notorious anti-union law firms, Littler Mendelson.
More executive perks, broken pay rules

UC Berkeley granted improper perks last year to Victoria Harrison, the campus police chief, who retired with a $2.1 million payout and was immediately rehired to the same position at a higher salary. That’s according to a report published in the Contra Costa Times in late April.

On top of that, Harrison will be getting $552,000 over the next 10 years in deferred compensation. The newspaper’s investigation found that administrators ignored federal and UC rules in Harrison’s case, including some that were reiterated after UC’s 2006 executive compensation scandal.

Violations included rehiring Harrison without even trying to replace her first, either from within the department or outside. UCB also let Harrison keep 61 weeks of sick leave where she was rehired, even though UC rules limit rollovers to 2 weeks, and rehired her full-time, in violation of guidelines limiting rehires to less than half-time employment.

Harrison’s secret rehiring came right after former President Robert Dynes told legislators UC would reform its policies on executive compensation deals and make them visible to the public. Harrison’s exceptions were not made public at the time they were granted.

AFSCME workers to strike

As this issue of the Update went to press, AFSCME, the union representing service and patient care workers at UC, is planning a two-day strike on June 4 and 5.

After 10 months of bargaining, negotiations between AFSCME and UC are at a standstill. The regents have consistently cited lagging market pay every time they bestow another double-digit increase on UC executives, some of whom now make over $500,000. But such market equity gets short shrift when it comes to UC’s workers.

AFSCME points out that wages for some patient care technical jobs have fallen behind other hospitals and California’s community colleges, where workers are paid an average of 25 percent higher for the same work.”

The union is seeking a minimum wage of $15/hour for UC service workers, more than 60 percent of whom currently make under that amount.

“I’m striking for my family. It’s a shame that I work at a world-renowned university but they aren’t paying me enough to support my family. UC has a responsibility to our communities to provide good jobs,” explained Rosario Cortes, a UCSC custodian.

Fact-finder questions UC’s priorities

UC has rejected the union’s proposals, claiming that its ability to grant wage increases is limited by state funding. In fact, less than 20% of UC’s budget comes from state funds.

As a state-mandated neutral fact-finder reported, after the AFSCME-UC bargaining had been declared at impasse, “it is not the lack of state funding but the university’s priorities that leaves the university’s priorities that the leaves the service workers’ wages at the bottom of the list. UC has demonstrated the ability to increase compensation when it fits with certain priorities without any demonstrable link to a state funding source.”

Solidarity from UPTE

UPTE encourages members to support the AFSCME actions. “Our co-workers need our solidarity. We face the same issues in our negotiations – fair pay and negotiated benefits and pension costs,” notes Jelger Kalmijn, UPTE’s president.

We’re on YouTube!

UPTE members are making their YouTube debut at <www.youtube.com/uptecwa>. Check out how researchers and technical employees describe the work they do and what they hope to get out of the year’s negotiations.

Techs and researchers want to send a message of the pride and professionalism with which they do their work, and how decent pay and good benefits are essential so they can continue to work at UC.

Links to the video vignettes will go to faculty, legislators and union members to educate and build support for UPTE’s bargaining priorities.

UC students and workers protest 10% tuition hike

Union members are joining student activists in protesting state budget cuts to UC and proposed tuition hikes.

On May 8, UC Santa Cruz students and their supporters gathered to make their voices heard on UC’s proposed 7.4% tuition increase – the sixth in seven years. UPTE’s local president Phil Johnston spoke, along with representatives from several other campus unions, student representatives and community supporters.

A week later, as UC regents met on the Los Angeles campus and hundreds of students and workers demonstrated, 16 students were arrested when they locked arms and refused to leave after a regents’ committee voted to impose the fee hikes for the next school year.

The full board later ratified the decision, raising costs for UC undergraduates from $6,571 to $7,126. Graduate students will also pay more, though costs vary by professional field.

Where the money is

UC Santa Cruz sophomore John Williams pointed out the contradiction of raising fees while continuing to pay high salaries to executives. “If we actually cared about the students and workers on this campus, then we wouldn’t be getting presidents who cost $655,000 a year in salary and extra bonuses. Instead we would be getting presidents who have connections to students and workers,” he said.

Other students testified at the regents’ meeting about their struggles to put themselves through school working many hours and taking on high debt.

The regents also approved a provision allowing the undergraduate tuition to be raised again by up to 10% if the state’s budget situation worsens over the summer.

The California State University’s Board of Trustees also voted to raise tuition there by 10%, increasing undergraduate fees from from $2,772 to $3,048.