Researchers and techs pocket systemwide over poverty wages, stalled contract negotiations

While the regents met in Riverside on March 18, University of California researchers (RX) and technical employees (TX) conducted informational pickets and other actions at all ten campuses and the Lawrence Berkeley National Lab to show their concern with management’s intransigence at the bargaining table.

“UC continues to prioritize sky-rocketing salaries for its executives, rather than basic funding to keep the university providing high quality research and education,” said UPTE’s president, Jelger Kalmijn, a researcher at UCSD. Over 400 execs made upwards of $200,000 a year, in addition to a wide variety of lucrative perks. Meanwhile, UC continues to raise student fees and short-change the staff who provide the world-class education and research for which the university is known. Some 10,000 UPTE researchers and techs are bargaining for basic cost-of-living increases, improved health and safety, and preservation of their health care benefits.

“After a year at the table, we are preparing for a possible strike this spring,” said Kevin Rooney, UPTE’s chief bargainer and an EH&S tech at UCSF. “UPTE bargainers are not asking for anything unreasonable. Some of our members earn as little as $10.98 an hour – that qualifies as poverty wages in California.” Over 40% of UPTE-represented employees earn less than a family-sustaining wage.

Thirty percent of techs and researchers leave each year, due to wages that are 20% to 30% below market. “When you have a high turn-over rate, especially among skilled and professional employees, that’s just a waste of the taxpayers’ time and money,” said UPTE member Michele Hammond, a researcher at UCB.

While some 35,000 UC employees – from health care workers and nurses, to lecturers, police and custodians – have received increases of 2% to 5% this year, UC has refused to settle with researchers and techs, a substantial portion of whom are among UC’s lowest-paid workers.

“A 20% pay cut to UC’s 400 top executives would save $24.4 million, and would help the university do two critical things,” said Paul Brooks, a mass spectroscopist at UCB and UPTE member (see page 2 for calculations). “First, it could finally pay a family-sustaining wage to its lowest-paid workers, and second, it would not have to curtail freshman enrollment as drastically as was predicted last January.”

State budget is an excuse

On the day of UPTE’s statewide actions, the regents discussed ways to deal with state budget cuts, which, at approximately $400 million for a two-year budget, were rather modest compared to other state agencies.

“Even aside from the issue of high executive salaries, UC has op... CONTINUED ON PAGE 2

UCLA lab fire death shows need for better safety provisions in new researcher and tech contract

On January 16, a promising 23-year-old staff research associate at UCLA died after being burned in a horrific laboratory fire on December 29.

Sheharbano “Sheri” Sangji was working on a chemistry experiment with a compound that ignites instantly when it is exposed to air. For details, see the Los Angeles Times, “Deadly UCLA lab fire leaves haunting questions” www.upte.org/lab-fire.html.

Sheri’s tragic death illustrates training failures in a number of areas, including best practices for handling hazardous materials; the need for protective equipment, including proper clothing (Sheri’s synthetic sweater stuck to her and contributed to her death); and how to get help. Sheri ran away from an emergency shower nearby, instead of toward it. Also, say UPTE members, help would have arrived more quickly if other researchers had called 911 from a UCLA phone.

Sheri’s death is news, but the safety failures that led to it are not. UPTE staff research associates (SRAs) have complained for years about poor or no training in labs, failure to enforce safety regulations, and failure to correct safety violations.

Two months before the accident, reported the Los Angeles Times, UCLA safety inspectors identified “more than a dozen deficiencies in the same lab.” The lab director, the department chair, and UCLA safety officials were given a deadline (December 5) to fix the violations – such as failure to wear protective lab coats. None were fixed by the time Sheri was burned.

One SRA said, “In my experience this is not unusual. Safety is not a priority in the overall average campus culture, with some exceptions. There are no or weak consequences for not following policy.”

This lackadaisical attitude about safety violations exists systemwide, not only in labs. A Berkeley safety officer listed dozens of unaddressed safety complaints filed more a year ago – and added, “UCB is also in noncompliance for fall protection on approximately 80% of all buildings on campus.”

Since Sheri’s accident, UCLA has scrambled to change laboratory safety culture. Why did it take someone to die before beginning to correct long-standing problems? If UCLA makes safety changes, will they be repeated elsewhere? And, if so, who will enforce them?

UC established its state-mandated Injury and Illness Prevention Programs (IPPs) in a fragmented manner. Each campus must develop its own program. In turn, the campuses require each department to establish its own program. UCLA’s Environment, Health & Safety web... CONTINUED ON PAGE 2
Organizing for fairness

DO THE MATH: executive pay versus research and education

The average pay for UC execs making over $200K is $305,000 (not including perks). There are at least 400 execs in this salary range, making for a total payroll of $122,000,000. A 20% pay cut would equal savings of $24,400,000, while a 50% pay cut would result in savings of $61,000,000.

Where could these savings go? The amount needed to bring 3,800 low-paid UPTE researchers and techs up to a family-sustaining wage is approximately $21,600,000.

According to a UC press release, the cost of one year of undergraduate education for one student is $11,073. The cost of restoring these enrollments is $21,600,000, or 2300. The cost of one year of undergraduate education is $11,073. There is a cost of one year of undergraduate education is $11,073. The cost of restoring these enrollments is $21,600,000, or 2300. The cost of restoring these enrollments is $21,600,000, or 2300.

And the executive pay increases haven’t stopped. As the San Francisco Chronicle reported on March 25, the “worst financial crisis in years has not prevented the hiring of high-salaried administrative talent or the awarding of pay raises, promotions and perks to a dozen executives.” UC regents appointed two execs at salaries of more than $500,000 and gave paid leaves to two former chancellors at $402,200 and $315,000 a year. They also recently granted pay increases of up to 22.3 percent for a half dozen senior managers. (See related story page 4.)

Demonstrations statewide over stalled RX/TX bargaining

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erating revenues of over $19 billion per year, so this represents a loss in funding of less than 1.2%,” said Rooney. “Overall, this is a very small dent.”

In its most recent budget report, UC lists assets of over $6 billion in cash and short-term investments. “UC clearly has enough money in reserve to support its obligations to provide fair wages to hard-working employees,” said Rooney. “There is reason to think UC’s overall funding will increase, because the federal stimulus bill contains billions for medical and scientific research, a good portion of which will end up in UC research facilities.”

“UC can clearly afford to support the basic needs of its employees and students,” said Hammond. “If the university doesn’t want to use its existing funding, how about reducing the salaries of the 400 highest-paid executives even further by 50%, which would yield savings of up to $61 million a year?”

“Research and education are key elements in creating jobs and renewing Californian’s economy,” said Hammond. “We’ve seen a new push from the Obama administration in strengthening these areas as part of a national economic recovery. It makes no sense for UC to be underfunding them in favor of compensating highly-paid administrators.”

UC has the money

“When discussing going on strike for a raise, some employees are concerned that the economy is bad so that we should lower our expectations,” noted Kalmijn. “If you work for Washington Mutual, General Motors or the state of California, that is probably true. But we work for UC, and our grants have raises included in their budgets, or our departments depend on recharge money, where raises are already budgeted, or we work for UC enterprises such as hospitals that are turning a generous profit.”

In all, less than 10% of UPTE-represented researchers and techs depend on state funds. UC workers further question how the university is handling large sums of grant money, “UC brings in billions in grants and then takes up to 54% of it for ‘administrative expenses,’” said Rooney. “The public has a right to know where that money goes.”

Over 200 UC faculty have signed letters of support for UPTE’s technical employees and researchers to receive fair wage increases. State legislators Leland Yee (D-SF), Anthony Portantino (D-Pasadena), and Alberto Tetzco (D-Fremont) also back the union’s demands for fair wages and a contract. UPTE also has the ongoing support of the UC Union Coalition, which represents some 80,000 workers at UC.

Health and safety

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What do these disconnects say about UC’s expressed concern about safety?

DO THE MATH: executive pay versus research and education

What we can do

◆ Press for changes in procedures. UPTE will be meeting with UCLA’s vice chancellor for research to suggest lab safety changes. Kern thinks “emergency drills for staff and students in labs should be part of the safety training. When people panic, unless they have practiced the drill ahead of time they are likely to make mistakes that make injuries worse.”

◆ Sheri’s preventable death has convinced many of us to redouble our efforts to get UC to take safety seriously and to involve our members in doing so. Kern and UPTE UCLA’s current president, Max Hechter, assert that our members have “vast collective practical experience” and can contribute to a safer work environment.

◆ Fill out a confidential survey that UPTE will send out soon about how your department handles safety and training. This will give us more specific information so we have more tools to strengthen our contracts.

◆ Participate in a week of UPTE activities leading up to Workers’ Memorial Day on April 28. Workers around the world mark the day to honor those killed and injured on the job and to call for improved safety. – by Joan Lichterman, UPTE’s health and safety director and an editor at UC Berkeley.

Union members at Berkeley take a break on Sproul Plaza after a morning of spirited picketing.

UPTE members at UCLA send a message to the regents.

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A matter of priorities
Wage agreements prove UC has money

Actions in support of contract bargaining have paid off for several groups of unionized workers at UC.

After a determined campaign lasting more than 18 months, AFSCME service workers won a five-year contract with 3% raises each year, an additional 1% in 2009, and 2% step increases for the last three years. The first three years’ raises are independent of the state budget. The final two years will include negotiations over pensions, as well as ensuring the last two raises.

Although UC will be able to shift service workers’ 2% retirement savings (DCP fund) into the UCRP pension fund in 2010, the agreement sets a cap on how much health benefits can increase. Other gains include overtime after working a normal shift, more training time, and an increase in the minimum wage to $14 per hour in 2012.

During the campaign, AFSCME got influential politicians and celebrities to boycott UC events. Workers sat in at the offices of regent Richard Blum (husband of Californian senator Dianne Feinstein), picketed the homes of the UC president and other regents, and also held a one-week statewide strike.

Following a vote in January by UC nurses authorizing a strike, the university and the California Nurses Association reached an agreement on a new 3-year contract covering 10,000 nurses statewide. The agreement includes more than $32 million in total wage increases through September 2009, including a 2% step increase in July. The agreement maintains benefits and guarantees bargaining over contributions to UCRP before nurses’ contributions are required.

A major issue in the CNA negotiations was staffing levels. Nurses have complained that UC medical centers do not provide sufficient staffing to allow nurses to take legally required meal and rest breaks. The new agreement offers improvements on staffing levels and allows re-opener negotiations later this year on benefits and staffing.

Challenging the chancellor

After the statement, the chancellor was presented with a letter signed by UPTE members asking for him to send a support letter to Mark Yudof, UC’s president, similar to the one drafted by the chancellor at UC San Diego. UPTE’s Davis bargainer, Edgard Vasquez, challenged the chancellor to intervene, pointing out that the UC bargaining team stated that it was taking direction from the chancellors and the UC president. However, Davis’s chancellor Larry Vanderhoef insisted that it was not his decision.

The letter UPTE members signed made three points. First, the funds that UC is proposing to divert from our compensation to the pension amounts to a pay cut, and we need to have a voice in pension decision-making. Second, UC is refusing to allow UPTE to bargain for health care premiums. And third, the offer of 0% raises is an insult, since 90% of research and technical staff are not paid by state funding, and many have built-in raises in their grants that they don’t receive.

UPTE members will be following up to ask for the support letter. – by Saanne Klahorst, a union member who works at UC Davis as a writer (part of the tech unit). “Cut execs, not techs!” is her favorite picket sign.

Admin professionals face 0% increase, job security worries

In the 12,000-strong administrative professionals (AP) unit are engaged in an organizing campaign to designate UPTE as their exclusive representative. AP job titles include administrative analysts, student affairs officers, program managers, and senior editors and writers, and many other titles.

While many APs have voluntarily joined UPTE, participating in the union and helping their coworkers with workplace problems, they do not yet have a contract to enable them to bargain collectively for wages, benefits and working conditions.

Susan Orlowski, an AP at UCSD, works as a senior editor at the Department of Family and Preventive Medicine. In spending one day a week organizing on her campus. We asked her for her impressions of why APs are interested in unionizing.

What concerns are you hearing from APs about their jobs at UC?

The big one, of course, in this scary economic environment, is job security. Also, workloads are increasing so much that people don’t take lunch breaks or any kind of breaks, and when we’re sick we’re online doing our work from our sickbeds. That is sick! APs are also concerned that UC wages have plummeted below market rates. The broken merit pay system is seen as arbitrary and unfair. Of course, this year APs got no merit increase of any sort, even though most of us are funded by grants, which have automatic escalators included for annual cost-of-living increases. People want to know: where do those funds go? Another concern is lack of career development opportunities. Here at UCSD, the only way to further our UC careers is to transfer, and lateral transfers usually mean no wage increase.

How did you get involved in UPTE?

I was a union activist at UCSD in the 1980s, when we all belonged to AFSCME – professionals, clericals, skilled laborers, researchers, techs and service workers were all in one union. Then I left UCSD to teach in the San Diego Community College system where I was active in the union there. I returned to UCSD in 2000 and was so happy to find UPTE – a union conceived and built by UC workers – so I joined. As a senior editor, I knew we didn’t yet have a union contract, but we had a chance to organize for one. This vision of what could be has made me more of an activist than ever, and I am pleased to find other APs of like mind.

What difference will representation make?

APs at UC got no merit increases this year. Instead, we’ll be taking a de facto pay cut, given that health benefits costs for many of us are going up, and the regents have decided to redirect our 2% “defined contribution” (DCP) retirement savings into the “defined benefit” pension fund (UCRS). That’s 2% less in salary that we can draw on when we retire. I am a long-term, dedicated UCSD employee, but I am concerned that we APs have no say in our economic fate. We work hard, contribute our skills and experience to fulfill the university’s educational, research and service missions. We deserve fair pay and working conditions in return. There are at least 12,000 of us systemwide. We could have a powerful voice in improving our working lives if we organize and act together to win a union contract. A contract would give us an equal voice at the bargaining table – a right to negotiate for fair pay and decent working conditions, career development opportunities – the things we need to help us do our jobs better and in turn improve UC. If we don’t speak up for ourselves, who will?

Workshops for union members

UCCLA will be hosting this year’s Sacramento Summit in Union Women from August 11–15. The four-day residential program brings together 150 participants from the United States and Canada’s western regions for workshops and speakers on the history and achievements of working women.

An UPTE arbitration training workshop is scheduled in the Los Angeles area on May 16-17. Training will include to how present and argue grievances that go to independent arbitration. Professional arbitrator Luella Nelson will participate in the training to teach attendees the tools of the trade.

On May 16 in Oakland, the rank-and-file journal Labor Notes will host a “troubleshooters school” for activists who want to learn effective techniques for organizing.

UPTE at UCLA just hosted an all-day Southern California regional stewards training on March 28. Similar workshops are on-going, so contact your local if you want to receive training in the important and satisfying work of helping your co-workers win justice on the job.

If you are interested in attending any of these events, please contact your local.
In the news

Perspective needed by UC executives

Tanya Smith, president of UPTE-CWA’s Berkeley local and Kathy Young, president of the Berkeley local of the Coalition of University Employees, co-authored this opinion piece, which first ran in the San Francisco Chronicle on March 27.

UC regents’ chair Richard C. Blum and UC president Mark G. Yudof suggested (San Francisco Chronicle, March 26) that the Chronicle’s news pages have misrepresented recent UC actions on executive salaries. They cite the news story “Even in recession UC raises top salaries; gives perks” as an example of a “misleading and incomplete appraisal of several administrative salaries.” We disagree.

In this statement as fact that they have frozen “senior managers’ salaries, cut bonuses and incentive pay,” they in fact have made exceptions. As Chronicle staff writer Jim Doyle’s article noted, the regents continue to make exceptions by awarding huge salary increases or bonuses, stipends, or retention increases to executives. And they make exceptions by re-slotted positions to higher salary ranges. The bottom line is that the number of UC executives earning more than $200,000 nearly tripled in recent years.

Perspective is needed on UC salaries, but from our perspective, the premises on which Blum and Yudof are running this great university will run it into the ground. Yudof sees the university from the perspective of an executive whose annual total compensation is nearly $1 million, and who lives in the Oakland hills, where taxpayers cover more than $100,000 a year of his rent while millions are spent to renovate the UC presidential mansion. Blum sees the university from the perspective of a man of tremendous wealth — an investment banker who chairs several investment management firms.

Here are the facts.

- Across its ten campuses and five medical centers, UC is facing a budget gap of $450 million over a 2-year budget period. This $225 million-a-year deficit represents just over 1 percent of the annual UC budget of almost $20 billion. Overall, this is a very small piece of the pie.
- On the UC Berkeley campus, for example, there is a $60 to $70 million budget deficit as a result of cuts in state funding and increased spending on programs, salaries and other obligations. On Tuesday, at a campus wide meeting, the administration called for curtailing faculty hires, laying off staff and raising student fees. Meanwhile, the administration has openly promoted UC Berkeley’s success in fundraising, now totaling $1.4 billion in private donations. Though this is 20 times more than what is needed to close the budget gap, the administration claims such funding is restricted, and thus not available.
- At the same meeting, the administration said that of the nearly $1 billion in UC Berkeley cash reserves, about one-third is unrestricted. This amount, $300 million, could cover the budget shortfall there for another four years. Financially, other campuses such as UCLA, and the medical centers, have similar budget reserves.
- Despite these reserve funds, the regents decided it was necessary to raise student fees last week by more than 9 percent.
- The University of California is a state jewel. We are proud to work for an institution that brings together many of the brightest minds of California and conducts world-class research. But the administrators at the top are running the UC system like a corporation, where student tuition is raised because it is deemed to be below market (UC administrators often repeat that a UC education is still a very good deal) and where research and education continue to take a back seat to executive pay.

From our perspective, UC has extensive sources of funding, large surpluses, and the expectation of receiving research grants from the federal economic stimulus package. UC’s explanations of necessary cuts to education and research don’t mesh with the facts. Neither the taxpayers nor the students should be satisfied with these explanations. We aren’t.

Furthermore, Blum and Yudof do not adequately explain the need for exorbitant salaries of UC executives. They should follow the lead of AIG executives who returned bonuses and of Stanford executives who voluntarily took pay cuts last fall.

Livermore skilled trades workers ratify first contract

The newly unionized skilled trades workers at the Livermore Livermore National Lab have made big gains in their first UPTE contract. The contract addresses the major concern of job security (the lab has reduced the work force by 15%) by converting current “flex term” temporary workers to career status, and reducing the number of years workers can be kept on that status. Management must also now bargain any contracting out of work.

The two-year contract contains 8.3% in raises, some going back to October 2008. Members also now have the ability to stop performing any work they believe to be dangerous, and there are extra protections for working with beryllium, a substance which has been a particular problem at the lab.

Los Angeles film archive workers organize to clean up workplace, win health and safety award

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UCLA is known around the world for the rare gems in its film and TV archive, but what’s less apparent are the health and safety issues that the archive’s workers deal with every day as they preserve this important cultural history.

The UCLA Film and TV Archive Health and Safety Committee came about a few of years ago in response to serious health issues at the vaults, such as high reading of trichlorethylene in areas where the preservationists work to clean and restore film. With the help of UCLA’s Labor Occupational Safety and Health Program, UPTE members working at the archive developed a plan to fix these problems, including using a safer cleaning chemical and installing effective ventilation hoods.

They also created a labor-management committee modeled on a “constant bargaining” approach to subsequent problems. Paid release time is granted for work on the committee and to receive training in health and safety enforcement.

The committee is so successful that it won an award from UCLA’s Environmental Safety and Health department for the Illness and Injury Prevention Plan it created.

Obama signs historic equal pay bill

In 1998, after 18 years of working at a Goodyear plant in Alabama, Lily Ledbetter discovered that she was being paid less than the lowest-paid man at the plant.

Ledbetter filed suit under the Equal Employment Opportunity Commission, and a jury eventually awarded her $3.8 million. But when Goodyear appealed to the Supreme Court, the court threw out her case, ruling that she had missed the original deadline. The court held that workers have only 180 days after their first paychecks to file pay discrimination claims — even if they don’t discover the discrimination until years later.

To rectify this, the Lily Ledbetter Fair Pay Act was introduced in 2007 under which the 180-day deadline would begin anew with each paycheck workers receive, thus restoring a measure of fairness and sanity to nondiscrimination laws. Although the House passed the legislation in 2007, Senate Republicans killed the bill in 2008 with a successful filibuster.

In early January 2009, the House again passed the legislation, followed by the Senate. In one of his first official acts, with Ledbetter proudly looking on, President Barack Obama signed the landmark legislation into law on January 29.