UPTE administrative professionals win 3% raises

After delivering thousands of petitions to UC regents and chancellors, UPTE-CWA’s administrative professional (AP) activists provided pressure that resulted in a 3% pay raise effective July 1, 2013. “We did it!” said Julie Plotkin, a student affairs officer at UCLA. “This shows that working together to advocate for ourselves is the most effective way to make our voices heard.”

After only two raises in the last six years, this one is long overdue. This large group of UC workers, about 15,000 in total, doesn’t yet have a union contract but is organizing for collective bargaining rights with UPTE. The already under-market wages most APs receive are suffering from the cumulative effects of increased retirement and benefits contributions and inflation. The increases in contribution rates that UC imposes upon APs are de facto pay cuts. The wage increase announcement came after a series of actions by APs advocating for fair pay raises as part of a campaign to win union representation.

Collective action is the way to go

Since November 2012, thousands of UC administrative professionals have signed UPTE-sponsored petitions, written letters, and attended the union’s “wage workshops” at each campus to pressure UC for pay increases. The petitions urged the chancellors to follow the lead of Berkeley chancellor Robert Birgeneau, who announced 2% pay raises for Berkeley campus employees effective March 1, 2013. “We’ve suffered lagging wages from years of no pay increases, compounded by increases in pension contributions and health care costs,” said Scott Bates, a budget analyst at UC Santa Cruz, and one of many administrative professional employees who recently delivered signed petitions to campus chancellors. “While this is a big victory,” said Keith Pavlik, senior publica- tions coordinator at UCSF, “the best guarantee for regular and fair pay increases is a union contract.”

Along with thousands of his colleagues, Pavlik has signed an “authorization” card supporting UPTE representation. “If you haven’t yet signed in support,” he says, “please take a moment to do it now so that next year, we’ll be sitting at the bargaining table negotiating even more improvements.”

APs continue to join UPTE and participate in efforts to get fairer compensation and a voice in their working conditions. UPTE has held dozens of “wage workshops” teaching APs how to obtain reclassifications, equity increases and administrative stipends. Learn more at <apsforupte.org>.

Pressure from APs pays off

UC pushes two-tier pension proposals, as workers strategize over strike actions

Afer eight months of bargaining, UC continues to hold the contract hostage to try to force UC to accept its demand for a new substandard two-tier health and pension plan.

The talks come in the context of a series of statewide mobilizations by UC workers angry about management’s attempt to undermine pensions and retiree health care benefits.

On the first day of a bargaining session in mid-August, UC handed UPTE’s bargaining team for the research and tech unit (RX/TTX) what it called a “final proposal,” dismissing virtually all the contract proposals UPTE has made up to this point.

The one exception was UC’s compensation proposal, which it had previously refused to put on the table. But that turned out to be a 0% range adjustment and a paltry step increase for each year of the contract, amounting to roughly 2% a year – at a time when UC is asking each employee once again to increase their pension contributions as well as pay higher parking fees and health care costs.

“UC’s outrageous offer would mean no wage increases at all for many of our members, such as per diem and casual workers or members already at the top step of their job classification,” said Jelger Kalmijn, UPTE’s president and member of the RX unit at UCSF.

At the same time, UPTE was hampered in evaluating UC’s other proposals by lack of information. UC is legally mandated to provide relevant information the union needs to bargain, but it so far has failed to turn over information the union requested back in November 2012.

PERB rules against UC on impasse

When UC proposed a follow-up bargaining session, UC negotiators said they believed bargaining was at an “impasse” and that future sessions would be unproductive. However, the Public Employment Relations Board disagreed – in late August, PERB agreed with UPTE that bargaining should continue.

This is exactly what UC did with AFSCME in late July. Although UC imposed its terms in July, AFSCME-represented work- ers are working without a contract and are free to force UC back to the table and to agree to a contract through workplace actions and strikes.

“Now is the time to act,” said Mary Schuster, president of AFSCME’s Local 3299. “The day for passivity is over. This contract is ours to win.”

(continued on page 2)
At right, UPTE members at UC Davis joined colleagues around the state on July 1 to protest the imposition of two-tier post-employment benefits (pension and retiree health care). While UC can unilaterally impose these changes on those without a union contract, it must negotiate with those who have contracts.

UPTE-CWA has with joined the California Nurses Association to stand for fair pay and retirement security for all, rather than UC’s race to the bottom.

“We insist there are alternative means to stabilize the retirement fund and our retiree health benefits, which keep all employees on the same plan,” said Jelega Kalmijn, UPTE’s president and a staff research associate at UCSD.

“Modest contributions from all of us can easily avoid future pay, retirement or benefits cuts.”

Ergo tip: hand-held devices
Don’t hold them continuously, or limit use!

Holding a small device creates muscle tension even before you use it for more than a few minutes. Find a holder, stand, and/or keyboard add-on that lets you use the device without awkward postures and muscle strain; alternatively, use the device for short periods of time or with speech recognition.


Administrative professional activist Rana Burroughs (left) delivering a letter signed by union members thanking Berkeley’s chancellor for his positive response to UPTE’s wage petition.

HX workers head to fact-finding

Since UPTE-CWA’s health care professionals (HX) unit has been at impasse in the bargaining process, two mediated sessions have been held this summer.

“As many already know, the issue that UPTE cannot agree to is UC’s proposal for a two-tier pension plan and reduced retiree health care for many of our members as well as new hires into the unit,” said UPTE’s chief bargainer, Wendi Felson. “These sessions are facilitated by a professional mediator whose role is to try to get the two sides to overcome their obstacles and reach some agreement,” said Felson. “These mediated bargaining sessions are confidential, so we have not published bargaining reports as we usually do after our meetings with UCOP’s team. While UPTE’s HX team was hopeful that the mediator could bring UC back to real negotiations with us, it didn’t happen,” she added.

For more information on the pension and health care changes, and to use the online calculator to determine what your costs would be if UPTE accepted UC’s proposal, go to <www.upte.org/benefits>.

Proceeding to fact-finding

The negotiators have now officially been released by the mediator to the next step in the impasse process. That is “fact-finding,” which involves both sides presenting their bargaining proposals, supporting documents, and witnesses to a panel of three: The panel is made up of one UPTE-appointed member, one UC-appointed member and one PERB-appointed member who has been agreed upon by both parties. The goal is to present the best case as to why our proposals are reasonable and fair. This is the step that the HX unit has just completed.

Once the fact-finding hearing has taken place, the panel will make a report based on what both parties have presented as to what they feel are the most reasonable proposals. Once the report is made, each side must come back to the negotiating table one more time. If there still is no resolution, there is a 10-day “cooling off” period. At that point, the report findings can be made public by either side. UC can then impose their final offer on the HX unit for one year and the HX unit has the right to strike.

“If we should get to the point where we feel striking is our only option,” said Felson, “we have several other UPTE units and other UC unions who are in a position to go on a sympathy strike with HX.”

UPTE is currently circulating strike pledge cards. Your elected HX bargaining team urges you to contact your UPTE local and sign one, if you have not yet done so.

Creating a safer workplace with union-based training

A major concern in health and safety training is how to convince workers of the need for training, or why they would benefit from additional training. Workers tend to become interested in health and safety only after they or a coworker have suffered a preventable injury or illness (or worse).

Most UC training is web-based, though even top UC safety managers agree that hands-on training is far more effective. Web-based training is a fast and relatively inexpensive way to meet the university’s legal obligations to provide training.

Union-based health and safety training focuses on workers’ “role in removing or controlling hazards” by teaching “how to engage effectively in collective action ... to end working conditions and exposures that increase their risk of suffering injury, illness, and even death from their jobs,” write Deborah Weinstock and Craig Slatin in “Learning to Take Action: the Goals of Health and Safety Training,” New Solutions 22(3), 2012.

It will take involved union members to establish effective health and safety training in an academic system in which top management is arrogant and maintaining its control is paramount, and principal investigators often are given undue deference (even if they’ve had no safety training). In addition, Environment, Health and Safety departments lack sufficient authority to challenge them; top management gags and reins in lower-level managers (like EHS directors) so they can’t talk to union members or plan effective actions that might challenge UC’s hierarchy; and increasing amounts of money and control are moving from the bottom to the top.

If you want a voice in collective action to make UC a safer place to work, contact your UPTE local about participating in a multi-union health and safety training being planned for spring. – Joan Lichterman, UPTE’s health & safety director

RX/TX bargaining

(continued from page 1)

Sticking points with UC include wages, pensions and retiree health. UC is demanding UPTE-represented workers accept a two-tier pension plan, which would permanently lower benefits and push back retirement age for all new employees hired after July 1, 2013, and about half of current employees.

UC’s proposal claims to respond to alleged financial liabilities of the pension plan, but a professional actuarial firm, hired by UPTE and other campus unions, revealed that UC’s plan is based on faulty assumptions. UPTE has held strong against UC’s pressure, contending that there are effective ways to resolve any issues without creating a second-class system. Learn more at <www.upte.org>. [Image 14x53 to 229x349]
How do your wages compare to similar positions outside UC?

If there’s one thing administrative professionals (APs) at UC have in common with many other workers at UC, it’s crummy pay. The university’s 15,000 APs are organizing with UPTE for a voice at the bargaining table to change that.

Among more than a thousand respondents to UPTE’s recent survey, more than 75% said their paychecks are lower than they would be at comparable jobs outside UC.

That’s not surprising. According to MIT’s Living Wage Calculator, a family of four needs to earn $46,072 just to meet basic expenses in California. In high-cost areas, the numbers are much higher – nearly $53,000 for those in or near San Francisco.

UC used to support middle-class careers. But as wages lag, it’s become harder for dedicated staff members to stay.

Among survey participants who describe themselves as “long-time employees thinking of leaving,” 64% identify low wages as a significant issue.

In addition, new revenue sources and adequate staffing were two items that APs mentioned as crucial to UC’s future.

When asked to identify items that are “very important” to the university’s future:

• 78% named “new revenue sources,”
• 76% also chose the related item, “a real financial commitment to all public education in California,” and
• 73% stressed the need for “adequate staffing levels.”

A large majority of respondents (71%) also see securing a staff representative on the pension board as a top concern.

And 70% said “improved transparency in university operations” will be critical in the years to come.

Restoring and protecting the university’s missions will take work on many fronts – and it is clear that we are more likely to succeed when we stand together.

We can make a difference so that UC once again becomes a destination for those seeking careers in public education. UPTE is fighting for fair wages for all UC employees, whether they have a union contract or not. If you are an AP, show your support by joining the union and signing a card for UPTE representation: <apsforeurope.org>.

Medical interpreters fight for services

UCSF and other UC teaching hospitals depend on skilled medical interpreters in order to accurately diagnose and treat illnesses among patients whose English skills may be limited or non-existent. When UCSF management in August proposed to “migrate” in-person interpreting services to a video monitoring call center model, medical interpreters raised the alarm.

In unprecedented unity, the entire staff of medical interpreters collaborated on a formal written objection to this project, “based on scientifically gathered evidence and an analysis of inaccuracies in the data used by management to justify this ‘migration’,” said one of those involved.

Medical interpreters presented their response along with a petition from providers at UCSF protesting the significant erosion of quality of care which they felt the changes would cause. The response also took issue with the expense of the video consoles – more than $10,000, taking chauffeured town cars to the airport and dropping off their pets more than $10,000, taking chauffeured town cars to the airport and dropping off their pets at kennels on the way, and spending nights at expensive hotels – all at public expense.

The costs to UCLA over four years amounted to $2 million. (See chart at right.)

You can find the report at <cironline.org/reports/ucla-officials-bend-travel-rules-first-class-flights-luxury-hotels-5072>.

Meanwhile, newly released figures show UC payroll grew 6 percent in 2012, reported the Sacramento Bee. Payroll at the UC hospitals jumped almost 10 percent over last year.

UC officials said pay increases were not responsible for the rise and attributed it instead to growth in staffing, enrollment and research activity. “UC salaries are below market. That does make it hard to attract top talent,” a UC spokesperson admitted.

Unintentionally evoking the struggle of Harvard workers to win union representation in the 1980s with their slogan, “We can’t eat prestige,” UC’s PR officer cited alternatives to compensation as incentives, such as UC’s public service mission. Apparently, that “incentive” is meant for frontline workers, not executives.

Medical interpreters on their way to presenting a petition to UC management.

Around the state

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UC executives in the news, again

A stunning new report from the Center for Investigative Reporting (CIR) shows how UC executives get frequent “exceptions” to the rules the rest of us work under.

“Thirteen years ago,” writes CIR, “the University of California changed its ban on flying business or first class on the university’s dime, adding a special exception for employees with a medical need. What followed at UCLA was an acute outbreak of medical need.”

Investigators found that six of 17 deans at UCLA routinely submitted doctors’ notes stating a need to fly in a class other than economy due to “medical reasons,” including one dean who regularly participated in endurance athletic events. Other excuses abounded, including taking flights costing more than $10,000, taking chauffeured town cars to the airport and dropping off their pets more than $10,000, taking chauffeured town cars to the airport and dropping off their pets at kennels on the way, and spending nights at expensive hotels – all at public expense.

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New UCB stadium a $445 million loss

UC Berkeley “is struggling to pay off debts stemming from its fancy new stadium and athletic center, which cost a whopping $445 million,” according to the Daily Caller News Foundation.

Although the university had planned to sell expensive lifetime seats, sales have been disappointing and, according to a February KQED report, “are well short of the $750,000 – which, it pointed out, could well become obsolete in the near future.”

UPTE members and medical interpreters Elizabeth Milos and Suzanne Reiss-Koncar pointed out that the video system could constitute unequal treatment in medical care to patients based on their national origin, a civil rights violation. They also told UCSF officials that interpreters had asked for the formation of a Language Access Advisory Committee for more than two years to get broad-based consensus on projects that will so profoundly affect patient care.

As this issue goes to press, UCSF Interpreting Services management has announced the formation of a Language Access Advisory Board. UPTE’s interpreter activists encourage providers concerned about equity and quality of care for limited-English-proficient patients to join this committee.

“Ultimately, there is confusion about quantity of access versus quality of access – as if it were the same thing,” said Reiss-Koncar. “People come to UCSF for expertise, not half or a quarter of it. We must provide equitable quality and scope of care for all.”

“All of UCSF’s medical interpreters helped with this effort and we hope interpreters and health providers at other UC campuses will feel less fear about speaking up for patients,” added Milos.

A follow-up meeting with UCSF management is scheduled soon and interpreters will be mobilizing support in preparation.

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Working to preserve fair retiree benefits

Everyone should be able to retire with dignity and a pension after a lifetime of work. Productivity has increased dramatically over the last 30 years, but most of this increased income has gone to the top 1% of earners.

At the same time, earners in the top 1% have made the decisions that have taken away pensions, so most will be forced to try to work into their 70s. 401k accounts have not made up the difference, since 57% of Americans have less than $25,000 in such plans.

Many will be laid off at an earlier age and be forced to live in poverty or move in with their adult children. The top 1% have under-funded pensions for the rest of us, then claimed pensions are too expensive and discontinued them.

IBM under-funded its employees’ pension, then converted the plan to 401ks, resulting in massive losses for IBM employees. United Airlines went bankrupt in order to stop paying its pensions, ruining the lives of many of its former employees.

From 1990 to 2010, no taxpayer money or student fees went into UC pensions. Employees were assured that the pension was so over-funded that the regents actually took money out in 1991-1993 and even in 2002-2003. By 2006, the regents claimed that contributions were needed again, but refused to allow an actuary hired by the unions to verify this. It took 5 years of litigation for UC to allow a union actuary to even get the data. What was UC trying to hide? The union actuary found a potential $1 billion in savings.

Meanwhile, the state got used to not funding UC pensions even though it funded California State University pensions at 20% of salary along with a 5% employee contribution.

Who gets hurt? In the case of UC, executives like President Mark Yudof came out unscathed. He’ll receive an additional $230,000 per year in retirement after his 5 years of service. But UC workers get fewer benefits, and for younger workers, UC has drastically changed the rules on qualifications for retiree health care benefits.

As of July 1, UC wants to force all employees to meet the “rule of 50” – age and years of service must equal 50 (and one must be vested) in order to avoid cuts to retiree health care benefits. These cuts could equal a third of your retirement income. And for faculty and staff hired on or after July 1, 2013, UC is pushing a new retirement tier – pay a little less and get a lot less, a third to a half of what others will get.

Two unions, UPTE-CWA and the California Nurses Association, oppose the tiered retiree benefits and are in bargaining over these and other matters. UC has refused to consider any proposals from the unions.

Before the contribution holiday, UC had contributed two, three, and five times as much as employees contributed to the fund. The retirement benefits helped retain faculty and staff. Now, with two tiers of retirement, why would newly hired employees spend much as employees contributed to the fund. The retirement benefits helped retain faculty and staff. Now, with two tiers of retirement, why would newly hired employees spend lifetimes at UC for meager pensions? And if these tens of thousands of employees do not stay, how does the fund stay solvent?

The UC regents now want employees to pay more and get less, an experience familiar to UC students. It’s really up to us to say no to these ongoing shifts of resources from students and workers to executives, regents, CEOs and consultants. We need to work together to challenge decisions that diminish our future, and work to preserve decent pensions for all.

Congressmember presses Livermore lab on fair wages

“Maintenance workers, like those represented by the Society of Professionals, Scientists, and Engineers – University Professional and Technical Employees (SPSE-UPTE), have a positive impact on the productivity of LLNL and ought to be fairly compensated.” That was the message in a July 8, 2013, letter from Rep. Eric Swalwell (D-15th Cong. District) to management of the Lawrence Livermore National Laboratory.

Responding to a request from UPTE for assistance, Rep. Swalwell visited the lab in June and raised the issue of application of the Davis-Bacon Act to construction and maintenance workers there. The Davis-Bacon Act, dating from 1931, requires employers engaged in federally sponsored public works projects to pay wages equal to the prevailing wages of the area. The act was initially passed to prevent employers from displacing local workers and driving down wages by using cheap labor. Over the years it has evolved to protect fair wages for construction and maintenance workers. Rep. Swalwell sought to ensure that lab management was complying with its provisions for all relevant workers at the lab.

“While I know that LLNL is under difficult budget constraints, its employees should not bear the burden of any solution,” his letter continued. He said he was delighted to learn that lab management had agreed to extend Davis-Bacon coverage to maintenance workers as well.

The congressmember’s investigation comes as bargaining for the UPTE-represented Skilled Trades unit at Livermore gets under way. LLNL management had been making noises about eliminating Davis-Bacon work at the lab altogether, prompting UPTE’s request for intervention by Rep. Swalwell.

Following one brief bargaining session so far, during which UPTE proposed language on training, UPTE submitted a number of requests for information as to how LLNL intends to implement Davis-Bacon provisions for maintenance workers. Future bargaining sessions are being scheduled as this Update goes to press.