Next on the table for RX, TX, HX: a retiree health benefits trust fund

Thanks to members’ activism and support, UPTE-CWA stopped management’s attempt to take away five years of our retirement benefits and split the pension plan into two tiers.

Now, the union can turn to ensuring quality and affordable health care after retirement.

“We won an historic victory in preserving a single tier UC pension in the last round of bargaining,” said Jamie McDole, UPTE’s vice president. “We are also a health care professional at UC Davis. “This year, we are preparing to negotiate even more improvements as we send an elected bargaining team back to the table with UC management this month.”

From dramatic inflation of monthly premiums to ever-increasing co-pays, health care is becoming more unaffordable. UPTE’s contract settlement last year allows us to bargain with UC over funding a retiree health benefit trust fund, which would enable employees to set aside modest contributions to offset future health care costs.

A retiree health benefit trust fund is similar to a pension fund, in that it can make investment income, and even small contributions made over a long period of time can amount to considerable savings.

Unfortunately, UC and Medicare won’t take care of retiree health costs completely. “Because UC management has been continually shifting retiree medical costs onto retirees, you could easily be paying $1,000 a month for your health care plan after you retire – and that doesn’t even include co-pays for services,” said McDole.

“Let’s prepare now by negotiating a retiree health benefits trust fund,” explained McDole. “You can make money off of the fund like any other investment while you wait to use it when you retire,” she added.

Figure out what your retiree benefits will look like and give UPTE the results. Use UPTE’s Retiree Benefits Calculator <upte.org/retireehealth-calculator> to get an idea, then contact your local to take UPTE’s survey.

Everyone is different, depending on years of service, family size, choice of plan and Medicare age. This information will be critical for the union’s bargaining team.

Governor, UC in budget showdown

Despite renewed economic growth and higher revenues from income and corporate taxes, California governor Jerry Brown’s budget proposal, announced in early January, includes an increase of only $115 million for UC – or about 4 percent – along with $234 million for the California State University and $673 million for the California community colleges.

Brown’s $113.3 billion general fund budget proposal did not include the additional $100 million UC said it needs to avoid tuition increases, but his proposal did include a 4 percent increase contingent on UC keeping tuition flat.

“That’s better than last year’s budget, but it is far from restoring the ability of our formerly world class system to provide affordable education for all Californians,” said Jelger Kalmijn, UPTE’s president. “State funds need to be restored to historic levels to avoid further deterioration.”

The budget for UC is contingent upon the regents dropping the annual 5 percent tuition increases they adopted in November for the next five years – that’s an astounding 25 percent increase. Over the last 15 years, student fees have already increased by 300 percent, putting UC out of reach for many Californians.

UC’s president, Janet Napolitano, had said those increases could be reduced or eliminated if the governor increases the university’s budget by more than 4 percent.

Brown opposes any tuition increase, setting the stage for a face-off between the regents and the governor as the budget is considered in the Legislature over the next six months. Brown recently strengthened his influence on the Board of Regents by appointing one of his legislative staff members to fill a vacancy.

Challenging education understanding

But the issue isn’t in keeping the status quo, noted Kalmijn. “It’s returning to California’s promise of affordable and accessible education for all its residents,” and that requires returning state funding to its historic level. UPTE has joined with other UC, CSU and community college unions and community groups to call for renewing California’s commitment to its Master Plan for Higher Education.

“Today’s students deserve the same opportunities for higher education that the students of the 1960s, 1970s and 1980s enjoyed,” said Anke Schenmink, a postdoctoral researcher at UC Davis. “Our economy and our human capital will depend on reclaiming the Master Plan. We don’t need any more tuition increases that would exacerbate the student debt crisis; we agree with Governor Brown on that point. But where is the investment?”

“Tuition and administrative costs are skyrocketing while enrollment of in-state students is not keeping pace with the needs of our economy,” added Kalmijn. “We need at least 1 million more graduates by 2025 to remain economically competitive. That will not happen if students do not have access due to lack of state investment.”

The Reclaim California Higher Education Coalition, representing UC, CSU, and community college members across the state, responded to Brown’s budget proposal by calling for a comprehensive re-funding of higher education that would put the state back on the path laid out by the 1960 Master Plan for Higher Education (see related article on page 3).

Staff, students and community members have been signing the Reclaim petition demanding that UC lower student fees if the state commits to reinvest in education. You can find the petition here: <upte.org/lowstudentfees>.
On the picket line at Lawrence Livermore National Laboratory. After fighting back offers of 0% wage increases, UPTE’s bargaining team struck a deal with management just before the end of 2014. The agreement guarantees raises every year, and limits the lab’s ability to replace union members with outside contractors, among other improvements. Union members will vote on ratification soon.

APs organizing for a union contract

UC’s 18,000 administrative professionals have been steadily organizing for UPTE representation. Want an update on the campaign, or just curious and want to find out more?

Meetings to answer questions and hear concerns are coming to each campus or medical center soon. Watch for email announcements, or contact your local to find out what’s planned for your location.

UPTE is systematically surveying APs about their priorities. Are wages your top concern, or do job security, workload, health benefits and pension top your list? Other issues employees consistently raise are relationships with supervisors, opportunities for advancement, and stable working conditions. Union members will vote on the tentative agreement soon.

The therapists will now have a chance to negotiate improvements to their wages and working conditions rather than having to simply accept what UC gives them.

Workload is an issue at some campuses, and market pay equity is expected to be key. PTs and OT IIs are being surveyed about their needs and desires, which will guide the UPTE bargaining process.

Goals will likely include establishing a fair, stepped pay structure and negotiating longevity increases other UPTE-represented staff enjoy. Newly-hired PTs and OT IIs will also benefit from the pension plan that UPTE members succeeded in preserving during the last round of bargaining.

Welcome to our new sisters and brothers!

Contract victory for UPTE members at Livermore

I t took some tough and sustained organizing, including repeated pickets and the threat of a strike, but after more than a year of bargaining Lawrence Livermore National Lab’s management has finally agreed to a tentative contract with UPTE-CWA’s affiliate, the Society of Professionals, Scientists, and Engineers (SPSE).

The tentative agreement locks in cost-of-living increases for all five years of its duration. Until the last marathon session, the lab only wanted to give lump sum cash payments instead of base-building raises. Many member actions both in front of the lab and inside it reinforced legal challenges to the LLNL management’s bad faith bargaining, and together they finally broke the impasse. SPSE’s members will vote on the tentative agreement soon.

Over 200 physical therapists join the UPTE universe

Physical therapists (PTs) and some occupational therapists (OTs) throughout the UC system joined their UPTE-represented health care professional co-workers in December.

After a show of support from the PTs, the state’s Public Employment Relations Board agreed that physical therapists were an appropriate classification to be included along with employees already in UPTE-CWA’s 2,000-strong health care professionals (HX) bargaining unit. UC did not contest the threat of a strike, but after more than a year of bargaining Lawrence Livermore National Lab’s management has finally agreed to a tentative contract with UPTE-CWA’s affiliate, the Society of Professionals, Scientists, and Engineers (SPSE).

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Welcome to our new sisters and brothers!

CWA, Steelworkers collaborate on health and safety training

UPTE members in Northern and Southern California participated in day-long trainings last fall conducted by TMC – the Tony Mazzocchi Center for Health, Safety and Environmental Education – a consortium of CWA, United Steelworkers, and the Labor Institute.

In a jam-packed day, members focused on systems of safety, incident investigation, a union approach to health and safety, and heat stress prevention.

“It easily was the best union workshop I’ve ever attended,” said Mike Fehr, one of three UCLA members who attended the training. “I was impressed mightily with Rodrigo Toscano, the TMC trainer. He gave us a model for analyzing any safety event. And we barely scratched the surface of his knowledge. TMC is a great resource we should use as needed. I’d highly recommend their training to any working person.”

More training on the horizon

Watch for more of these training opportunities in 2015. In the meanwhile, two other opportunities for training and interaction with union members throughout North America are coming up in March and June.

On March 9–13, CWA and the United Steelworkers are holding their 2015 Health, Safety and Environment Conference in Pittsburgh, PA to increase participant knowledge and skills and develop strategies to improve day-to-day member working conditions.

Workshop topics will include a union approach to health and safety committees, industrial hygiene, ergonomics, heat stress, lead, and labor and the environment. More information is available at <www.cwa.org/news/entry/cwa_usw_health_safety_environmetn_2015>.

June 2–4 is the date for the 2015 National Conference on Worker Safety and Health near Baltimore, MD, sponsored by the National Council for Occupational Safety and Health (NCOSH).

The program will include regional networking roundtables, workshops, and special tracks on health and safety organizing for new activists to veterans in worker safety and health. More information is available at <bit.ly/1wOQuxA>.

– Joan Lichterman, UPTE health & safety director
Imagine: a fully-funded higher education system in California

In 1960, California legislators joined with education leaders to develop and implement a visionary plan for higher education. The state’s Master Plan for Higher Education required that the state’s top 12.5% of high school graduates be accepted to UC, the top 33% accepted to the California State University (CSU), and that anyone could go to the state’s community colleges at no cost.

Back then, student fees were nearly zero and the state contributed more than 20% of UC’s budget.

Since then, California has lost its way, with student fees skyrocketing to $30,000. The state contributed just 7% of UC’s budget.

But UPTE-CWA and other unions within the University of California, the community colleges and CSUs are trying to resurrect the vision of higher education as the economic engine of the state, forming the Reclaim California Higher Education Coalition.

Unions to governor: return higher education to its rightful place

“This coalition is a historic opportunity to place stakeholders of all three systems in the position to advocate for higher education in a coordinated manner,” said Amy Hines, UPTE’s higher education director.

Representing UC, CSU, and community college union members across the state, the coalition responded to Brown’s budget proposal by calling for a comprehensive re-funding of higher education that would put the state back on the path laid out by the 1960 Master Plan for Higher Education.

That plan envisioned a well-funded university system automatically open to all students on the basis of academic achievement who would not be barred by financial obstacles.

The Reclaim coalition sent a letter to California governor Jerry Brown in mid-December, which read, in part:

“We support the following guidelines for the 2015-16 budget cycle above the anticipated augmentations to our institutions’ base budgets:

For California Community Colleges, the consensus proposal among constituency groups for additional funding to ensure students receive proper institutional support: $100 million for converting faculty to full-time and extending part-time faculty office hours together with $25 million for professional development of faculty, staff and administrators.

For California State University, $127 million in additional funding to support the enrollment of 10,000 more in-state residents that will provide greater access to the CSU system, the hiring of much needed faculty to increase quality by decreasing class sizes, and more instructional support staff to serve those students.

For University of California, funding to stop tuition increases and support undergraduate enrollment targets of 5,000 additional in-state residents, more student aid to defray the real cost of attending a UC, smaller class sizes, resources to recruit and retain quality faculty and staff, an end to lobbying and funding to oppose Research Assistant collective bargaining rights, and no outsourcing of vital services since bringing services in-house will decrease UC’s existing administrative costs and increase quality overall.

“As the 2015-16 budget cycle begins, we look forward to working closely with you so that we can re-prioritize once again higher education within the State of California.”

The letter to the governor was signed by the leaders of 12 unions (including UPTE-CWA) representing employees in California’s higher education system, as well as the University of California Student Association.

How you can get involved

The coalition is planning a joint lobbying day this spring, and has endorsed a community college Adjunct Walk Out on February 25.

Want to get involved? Contact your UPTE local listed on the front page; you can find emails for all locals at <www.upte.org>.

UPTE @ 25: a history of activism

UPTE-CWA members are celebrating the 25th anniversary of our union this year. The union’s annual convention this year, taking place January 17-19 in Sacramento, included a ceremony marking the date.

UPTE was founded as an independent union in 1990 to safeguard and expand workers’ rights, and win union contracts for the technical, research, health care and administrative professional employees.

During 3 years of independence, UPTE focused on campus campaigns and stewards’ training. UPTE represented many members under existing UC personnel policies, which included the option of arbitration.

Within a year, there were UPTE chapters at every campus.

A string of victories

At just a year old, in 1991, UPTE won a lawsuit in federal court over UC’s incorrect classification of thousands of employees as exempt from the federal Fair Labor Standards Act. Eight thousand UC workers had overtime rights restored and got back pay that had been wrongfully withheld.

In 1993, UPTE members voted to affiliate with the 700,000-member Communications Workers of America, under an agreement that granted the local considerable autonomy while still providing the benefits of national union.

Many victories followed. UC’s 4,000 technical workers voted for UPTE representation in 1994, followed by the system’s 4,000 researchers in 1996, and 2,000 health care professionals in 1997.

A local was formed at the Lawrence Berkeley National Lab and the Society for Professionals, Scientists and Engineers at the Los Alamos National Lab in New Mexico affiliated with UPTE.

Administrative professionals system-wide have been organizing for UPTE representation, and many are voluntary members of the union, even though they do not have a contract. UPTE also represents the associate faculty at three California community colleges: Butte, Mt. San Jacinto, and College of the Sequoias.

“What a glorious history of struggle and success,” said Dana Frank, a professor of history at UC Santa Cruz and a member of UC-AFT Local 2199. “UPTE has played a key role in the labor movement, from fighting off the attempted privatization of the UC medical centers in the late 1990s, to winning better wages, job security and retirement benefits for UC workers,” she said. “Cheers UPTE, and here’s to 25 more!”

Check out <www.upte.org/history.html> for more details of UPTE’s history.

UC Care cuts Sutter, leaves huge gap in hospital, primary care services in No. Cal.

UC employees at Berkeley, Davis, Santa Cruz, San Francisco and Office of the President who are members of the UC Care medical plan are in for a shock.

The plan, administered by Blue Shield of California, has announced that – only a week into the new year’s coverage – it has terminated its contract with Sutter Health, which provides a major portion of UC Care’s in-network hospital and primary care services near those campuses.

UC Care members, who foot high costs for the plan, have been given 6 months to find other providers.

A similar situation with UC Care at UC Santa Barbara last year provoked outrage from staff and faculty who had to travel long distances to receive in-network care.

UC Care includes both in- and out-of-network levels, and was created by university management to replace Anthem Blue Cross two years ago.

While the plan aims for a greater reliance on the UC medical centers, 5 of the 10 campuses do not have a medical center.

UC Care members are writing to UC President Janet Napolitano <president@ucop.edu> and VP of Human Resources Dwaine Duckett <dwaine.duckett@ucop.edu> to express their concerns. If you write, please copy UPTE <info@upte-cwa.org>.

Below, UPTE-CWA activists and supporters celebrate outside the San Francisco offices of the state Public Employment Relations Board in 1994, just after that board counted the ballots and determined that UC’s technical employees had voted for UPTE-representation.
In the news

NLRB rules workers can use employer email to organize

Anyone who has spent more than five minutes in a modern office understands the importance of email – it is everywhere, and used every day by most workers.

Employees use email for personal and social communication as well, and most employers understand and tolerate this.

But this understanding was not shared by the National Labor Relations Board (NLRB). The chief federal agency charged with enforcing private sector workers’ labor rights has historically regarded company email systems as employers’ property, akin to telephones, bulletin boards, and meeting rooms.

The NLRB wakes up

The NLRB has held that employees should have no expectation of privacy, and employers could legally bar them from using email for union campaigns and union business.

The NLRB affirmed this stance as recently as 2007, in a ruling that some NLRB members said “confirms that the NLRB has become the Rip Van Winkle of administrative agencies. Only a Board that has been asleep for the past 20 years could fail to recognize that e-mail has revolutionized communication both within and outside the workplace.”

CWA challenges, wins

But UPTE’s national union, the Communications Workers of America, brought a case challenging the NLRB’s archaic position, and in December, the NLRB finally overturned its 2007 decision, giving workers the legal right to use employer email systems to discuss terms and conditions of employment and to use email for organizing purposes, during non-work time.

The board also issued a new rule that requires employers to disclose employee email addresses and phone numbers to unions in organizing drives.

Previously, employers needed only to disclose mailing addresses after a union had filed for an election. The new rule allows unions to communicate quickly and directly with all the workers they are organizing. These revisions finally bring the board into the 21st century regarding workers’ labor rights.

How will this affect us?

While the NLRB does not govern labor relations at UC because it is a public institution, the agency that does oversee labor relations here – the Public Employment Relations Board, or PERB – often follows precedents set by the NLRB.

PERB in 2008 held that California public sector unions did not have a right by law to communicate with workers via employer email systems, and it relied directly on the NLRB’s 2007 ruling.

Now that that ruling has been superseded, the effects may percolate down to the state level in the coming years. In any event, the ruling is a long-overdue boost to the rights of workers to organize.

Adjunct faculty organizing takes off

2014 saw a wave of organizing among faculty at the nation’s community, state and private colleges. “Adjunct faculty” are also known as “associate faculty,” or sometimes “contingent faculty” because of the precariousness of their positions.

UPTE-CWA represents such faculty members at three California community colleges: Butte College, Mt. San Jacinto College and College of the Sequoias (see related article at right).

These faculty members are non-tenure-track instructors for whom job security is virtually non-existent. Classes can be added or cancelled without warning, schedules are part-time, wages are inadequate and benefits are unattainable.

At some institutions, adjunct or associate faculty teach as many as 60 percent of the courses, often for pay that is far below tenure-track faculty.

Discontent has led increasing numbers of adjunct faculty in recent years to organize for union representation.

New organizing strategies

In 2014, a coalition of unions answered that demand by launching a “metro strategy” that targeted several schools in a region concurrently, building on the fact that adjunct faculty often hold simultaneous part-time positions at multiple institutions.

Nationally, CWA has partnered with Service Employees International Union (SEIU) and American Federation of Teachers (AFT), the Steelworkers, the National Education Association and others, in organizing drives now across 22 states, from Washington and Oregon to Florida, New Mexico, New York, and Vermont.

Unions are also pushing legislation in state legislatures to bolster adjuncts’ rights and working conditions.

In early January, adjunct faculty at Washington University in St. Louis voted for representation by SEIU. They followed faculty at Temple University in Philadelphia, who voted for unionization in mid-December. Adjunct faculty at other Philadelphia-area schools are also organizing with AFT.

Recently, in California, adjunct faculty voted union at Whittier College and Laguna College of Art and Design (both in the Los Angeles area) and the San Francisco Art Institute, Mills College, and California College of Art (all in the San Francisco Bay Area).

While not all organizing drives have succeeded, it is clear that the patience of these hard-working faculty members has reached its end. 2015 promises to be a watershed year.