



CWA 9119
AFL-CIO

University Professional
& Technical Employees,
Communications Workers of
America 9119 • AFL-CIO

U · P · D · A · T · E

Budget deal between UC and the state jeopardizes our pensions

Recent headlines indicate that UC will receive an additional \$500 million from

the state over the next two years, of which most will be used to pay for the state's portion of our retire-

ment contribution.

"That sounds great, until you read the fine print," notes UPTE's president, Jelger Kalmijn.

"UC wants to encourage new employees to take a 401k-style retirement savings plan," said Kalmijn. "This is bad for employees, bad for UC, and bad for the state of California."

A 401k-style plan yields, on average, only half the benefit of a pension plan, and puts all the risk of market volatility and living "too long" onto employees, instead of averaging it out over everyone in the pension plan.

UCSB faculty member Michael Meranze, writing the blog, *Remaking the University*, just after budget language passed, notes that "Fortunately, no language describing such options was incorporated into the budget bills."

Meranze adds that the "relative merits of defined contribution verses defined benefit plans were thoroughly, carefully, and widely discussed" at UC about 6 years ago.

"The conclusion was that the excellence of the University was best served by continuing with UCRP as a defined benefit plan," writes Meranze.

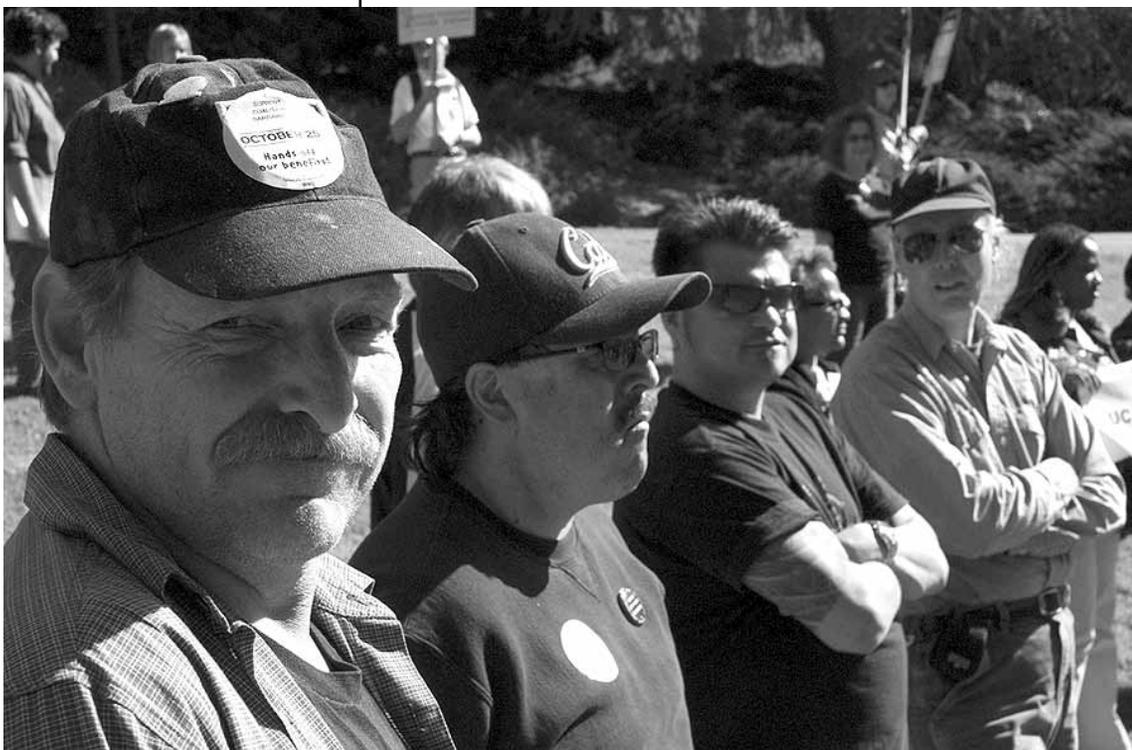
Undermining retirees

But UC is pushing ahead with the idea of introducing a 401k. Kalmijn says that if employees opt out of the pension plan, it will mean fewer funds for the plan, making it more difficult to cover liabilities.

Even worse, having divided retirement plans – different tiers – divides employees. A pension plan encourages long-term employment, whereas a 401k-style plan allows employees to leave with the retirement savings paid for by UC.

"In short, this proposal undermines the stability of our UC pensions," said Kalmijn. "We are paying 9% of salary for an excellent pension, and we will fight UC management if it proposes to undermine our pension with a retirement savings plan."

The Board of Regents is likely to discuss this proposal at its next meeting. Check upte.org for updates.



Members of UPTE and other UC unions demonstrate on the UC Berkeley campus in support of their elected pension team during the last round of bargaining.

UPTE LOCALS

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LBNL:
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Livermore/SPSE:
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Los Alamos:
(505) 490-6054

Los Angeles:
(310) 443-5484

Merced:
(510) 704-UPTE

Riverside:
(951) 781-7922

San Diego:
(858) 458-0862

San Francisco:
(415) 753-UPTE

Santa Barbara:
(805) 685-3661

Santa Cruz:
(831) 429-UPTE

Butte College:
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College of the Sequoias:
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Landslide election win puts UPTE and AFSCME activists on UCRS governing board

Thanks to thousands of UPTE-CWA members and the UC union coalition, activists Mike Fehr and Naomi Nakamura were elected in a landslide to the UC Retirement System Advisory Board on June 19.

Fehr is an UPTE member who has worked as a computer resource specialist at UCLA for 28 years.

Nakamura is a member of the American Federation of State, County and Municipal Employees (AFSCME), and a UCSF pharmacy technician for the past 4 years.

More than 7,500 pension plan members voted in the election. Fehr came in first with 4,073 votes, while Nakamura had 3,730. Their nearest competitor in the field of 7 candidates got 2,718 votes.

Protecting our retirement

The board is not permitted to make recommendations, but it brings faculty, staff, and retirees together to analyze proposed changes and collaborate on ways

to protect the retirement plan.

"Unfortunately, UC is in the process of adding yet another pension 'tier,'" Fehr told the *Update*. "This 2016 tier has the potential to damage our pension much more than the 2013 tier, which UPTE and other UC unions successfully fought during the last round of bargaining."

"UC wants to allow newly hired employees to abandon the pension for a cheaper but far less valuable and much riskier savings account," Fehr continued. "This would deprive the pension of contributions it needs to pay all current and future retirees."

Little support for UC's plan

Fehr says faculty largely do not favor the 2016 tier, and "retirees certainly don't like it." Newly-hired employees who opt out would make the pension more expensive for those remaining, and weaken it.

Nakamura told the press she wanted "to make sure that the



Mike Fehr, UPTE-CWA



Naomi Nakamura, AFSCME

health of UC's pension plan is protected and that it continues to serve as an important tool to attract and maintain UC faculty and staff."

Starting in July, Fehr and Nakamura will serve four-year terms on the 11-member pension advisory board, which meets at least three times a year.

A voice for workers

Fehr promises to be a strong voice for rank-and-file employees. "Attacks on our retirement must

end," he said. "By working with all UC employees and retirees, we leverage our opportunity to protect the pension."

In addition to the two seats held by elected staff representatives, the board includes two members of the Academic Senate, the chief investment officer, presidential appointments, and chairs of the Council of UC Emeriti Associations and Council of UC Retiree Associations.

Organizing for fairness

Administrative professionals at UC Santa Cruz deliver a petition to their campus chancellor signed by hundreds of their colleagues asking for a fair wage increase (see story under photo).



Who joins UPTE?

Susan Orlofsky is a senior editor at UCSD in the School of Medicine's Department of Family Medicine and Public Health. She has worked there for more than 24 years.

Orlofsky coordinates publications for a world-renowned epidemiologist, whose focus is on women's health, healthy aging, and diseases of aging. She has assisted a faculty researcher in publishing more than 400 peer-reviewed publications since 2000 and is proud of the research to which she has contributed.

Orlofsky is also proud to be a long-time UCSD employee and feels that she makes an important contribution to UC's missions, "but UC is not going to compensate me or my AP coworkers adequately until we get a seat at the table through UPTE representation. Then we can get regular pay raises and a say in the terms of our employment," she said.

APs turn in petitions demanding wage increases: 4% for 4 years!

Eighteen thousand administrative professional (AP) staff throughout the UC system continue to work with UPTE with the goal of voting to be represented by UPTE for purposes of contract negotiations.

UPTE activists in the AP unit have circulated a petition endorsing a comprehensive plan to address their lagging salaries, and at *Update* press time, news has broken that UC's Office of the President may soon announce raises.

The UPTE petition asks for 4% raises for the next 4 years and a return to a step-based pay system. The petitions were submitted locally to campus leadership and systemwide to UC's Office of the President.

"I'd rather have my raises guaranteed in a union contract, but we need to work together to make up for years of inadequate pay increases. That's why I signed UPTE's fair pay petition and urged my co-workers to do so too," said Keith Pavlik, a senior publications coordinator at UCSF.

Union contracts a model for APs

Wages, professional development, post-employment benefits and job security are among the concerns of administrative professional staff. Recent contract victories by UPTE's RX, TX, and HX employees point a spotlight on the clear benefits provided to UC employees with union contracts.

Pay for computer programmers, student advisors, analysts, accountants, library professionals, and many other AP titles dramatically lags the market. Campus reorganizations and consolidations have also taken a disproportionate toll on administrative professionals, resulting in increased workloads.

AP wages have lan-

guished for more than 15 years, and it is past time for UC to make a robust investment in long-term salary growth. Union-represented UC workers get regular pay raises.

"I deserve to get the raises every year as do my co-workers, and administrative assistant and a respiratory therapist who've been getting 3% and 4%, respectively," said Maria E. Rosales, an analyst at UCSF.

"I love my career, and I am honored to work with such dedicated faculty and wonderful students. This university means the world to me and I know I help to make it a fantastic community," said one UC program rep.

"But every year my salary remains relatively the same, I lose money because my work and living expenses increase," she said. "A glance at job postings shows me that other departments offer higher salaries and that leaving my department is the only way I can receive an increase in compensation."

"We deserve annual salary increases for our continued dedication of service and heavy workloads that only continue to grow," notes Tina Thomas, administrative specialist at UCLA. "And thank you, UPTE -- at least someone cares about our livelihood!"

Learn more at apsforupte.org.

Community college faculty are low-wage workers

Most students and legislators do not realize the extreme exploitation of associate faculty at California's community colleges.

UPTE members at the three community colleges where our union has contracts are prohibited by law from making more than \$20,000 per year at that college, in exchange for working two-thirds of full-time. They receive no benefits, have no job security, and have almost no office hours (never mind an actual office).

The job requirements for associate faculty mirror those for tenure-track faculty, but the overall compensation is three to four times less. UPTE-CWA commissioned a study to chronicle this situation, which you can read online at www.upte.org/cc/supportingfaculty.pdf.

Over the last year, union membership at two of the three colleges has more than doubled.

UPTE also successfully negotiated a contract at College of the Sequoias last year that achieved greater raises for the untenured faculty than those obtained by the unrepresented tenured faculty.

The Boards of Trustees of these colleges must make a greater commitment to faculty compensation. More faculty should be hired as tenure track.

UCSD administrative professional Susan Orlofsky.



Lisa Kernish, photo

UPTE-represented community college faculty members hold a demonstration over their lack of office hours.



Celebrating 50 years of Medicare

The end of July will bring rallies in Los Angeles and Oakland celebrating the 50th anniversary of Medicare, and calling for it to be protected and expanded.

- **July 30: Oakland RALLY & MARCH**

11 am, Frank Ogawa Plaza

- **July 30: Los Angeles RALLY & CELEBRATION**

4 pm–6:30 pm at LA Trade Tech
400 W. Washington Blvd.

Medicare is the nation's largest and most successful health insurance program, providing quality healthcare and financial security to 50 million Americans. It is also the most financially efficient health care system in the United States with administrative costs averaging only 2 percent of program outlays.

Universal healthcare makes good sense for unions. "Bargaining for healthcare coverage is increasingly difficult," said Yvette Piceno, a research associate at LBNL and an UPTE activist. "With rising health care costs, employers want us, the employees, to pay a greater share of the costs, but most workers have little room in their paychecks for added medical expenses."

Piceno adds that health care costs are rising faster than wages. With a larger group (e.g., all Americans) being covered, better costs for consumers can be negotiated with hospitals and medical providers.

"Administration costs can be reduced substantially if only one entity pays the bills," says Piceno. "Right now, medical providers have to fill in many different forms for each kind of insurance provider, adding a huge burden to administrative costs. This could be streamlined and made much more efficient."

Protect, expand Social Security

Activists at the Pension Rights Center are also calling on the US House of Representatives to protect and expand Social Security.

Two-thirds of retirees depend on Social Security for the majority of their income. As employers phase out traditional pensions in favor of a do-it-yourself retirement savings model, unions and their allies are working to protect and expand Social Security – the only guaranteed source of income for many retirees. To learn more, visit www.expandsocialsecuritynow.com.

Preserving pensions for RX, TX and HX employees

Three years after the UC Regents voted to force pension reform on all employees, 15,000 UPTE-CWA members in the research (RX), tech (TX) and health care professional (HX) units have won contracts

preserving the UC retirement plan.

While many private and public sector employers have frozen pensions and replaced them with risky 401k plans, UPTE-CWA resisted UC's efforts to turn our pension into an inferior two-tier plan that would have dramatically reduced benefits.

Twice as good as a 401k!

Why fight so hard? Because a defined benefit pension plan such as UC's has *twice* as good a return on investment as a 401k.

The supposed "underfunding crisis" does not come from pension benefits being more generous or employees living longer. It is an issue only when employers do not want make the required or recommended contributions. They would rather shift the burdens and risks of retirement planning to employees.

In particular, UC took a contribution "holiday" from the UC Retirement Plan (UCRP) for 20 years. If the university had continued to make the contributions recommended by its own actuaries, employees would not have had to foot the bill with increased contributions. And all the while UC made no contribution, employees were forced to deduct 2% into a "defined contribution plan" that could supplement our pension, monies that have now been re-directed into the UCRP plan.

Next on the agenda

A similar situation holds true for our retiree health benefits. If UC had made even small contributions to a savings fund to cover these benefits, the plans would have run smoothly.

Instead, UC proposed taking away years of retirement by pushing back the age of the maximum retiree health benefit by 15 years. UC wanted to do this for *half* of all current employees and *all* future hires in the units UPTE-CWA represented.

Saving the single-tier pension plan was "a victory of historic proportions," said UPTE's president, Jelger Kalmijn, adding that "we hope it will set a new trend by inspiring other unions to fight against concessions, and to claim the value we create with our increased productivity as our own."

Jessica Martinez, Deputy Director of the National Council of Occupational Safety and Health (National COSH), at the National Conference on Worker Safety and Health (www.coshnetwork.org). The gathering of union members, grass roots activists and public health experts, which took place June 2 through 4 at the Maritime Training Center in Linthicum, MD, brought together hundreds of participants with a focus on empowering workers and making our jobs safer.

Lab safety at UC post-Sheri Sangji

UCLA, UCB chemistry labs slapped with Cal/OSHA citations, some "serious"

Special Cal/OSHA inspections of selected UC chemistry labs have been underway to determine compliance with a 2012 settlement agreement that dropped felony charges against the university after the death of UPTE-represented UCLA lab worker Sheri Sangji in January 2009. Eighteen days earlier, the 23-year-old had been burned over 43 percent of her body in a totally preventable lab fire.

A reading of the agreement with the Los Angeles County District Attorney shows how much work UC has had to do to develop a comprehensive laboratory safety program that fully complies with California workplace health and safety regulations. (See http://cen.acs.org/content/dam/cen/static/pdfs/Article_Assets/90/UC_Agreement.pdf.)

Cal/OSHA has cited both UCLA and UC Berkeley in the course of these inspections, which are not yet complete. (Nine UC campuses that have chemistry/biochemistry departments are to be inspected.) UCLA was issued three general citations, which seem easy to abate. The inspectors at Berkeley issued five citations to comply with California regulations: three "general" and two "serious." A serious violation is one that Cal/OSHA defines as presenting "a realistic possibility that death or serious physical harm could result from the actual hazard created by the violation." (<https://www.dir.ca.gov/title8/334.html>)

Both of the serious violations concern liquid pyrophoric chemicals – the kind of compound Sangji had been working with – which burst into flames on contact with air. The citations allege "the employer did not select, provide, or require the use of appropriate hand protection," and did not "carry out standard operating procedures ... that were part of its chemical hygiene plan ... and that recommended flame resistant gloves for the work." The nitrile gloves Sangji was wearing had melted into her hands, which would have been unusable had she lived.

Employers have a right to contest citations and penalties, and UC Berkeley is doing so.

None of the principal investigators in the chemistry department use flame-resistant (FR) gloves with liquid pyrophorics. The university argues that the chemical manufacturer recommends using two layers of nitrile gloves; FR gloves are bulky and awkward and could make it harder to handle containers and lead to more accidents; and UC health and safety specialists believe enough other controls now exist to eliminate the need for them.

Opinion about gloves among chemists covers the field, from using a pilot's glove or leather glove that provides 3–5 seconds of protection from flames, to using light-weight nitrile gloves that offer minimal fire protection and the possibility of getting burned. Lawrence Berkeley National Lab provides the most thorough information I've seen on how to decide what protection to use, starting with use of safer alternatives if possible.

A culture of safety

The Sangji case is one of a number of recent incidents in academic chemical research labs that have prompted members of the National Research Council and others to start examining the culture of safety in these labs. The authors of *Safe Science: Promoting a Culture of Safety in Academic Chemical Research* assert,

"As the priority placed on safety increases, many institutions have expressed a desire to go beyond simple compliance with regulations to work toward fostering a strong, positive safety culture: affirming a constant commitment to safety throughout their institutions, while integrating safety as an essential element in the daily work of laboratory researchers." (National Academies Press, 2014. Available at <http://www.nap.edu/catalog/18706/safe-science-promoting-a-culture-of-safety-in-academic-chemical>.)

We all have a stake and should have a role in this development. It will help to start with compliance. – *Joan Lichterman, UPTE's health and safety director*



Photo by Earl Dotter / earldotter.com

Historic Supreme Court ruling for marriage equality

Unions celebrated the Supreme Court's historic ruling in late June on marriage equality.

Pride at Work executive director Jerame Davis said the "victory in the Supreme Court has affirmed what we already knew – the 14th amendment to the U.S. Constitution guarantees equal protection under the law and that includes the right to marry for same-sex couples."

"We are ecstatic that this ruling will finally deliver equality and justice to families in every state," she added.

"LGBTQ activists and their allies fought for years to gain the right for LGTBQ couples to marry, UPTE's national union, the Communications Workers of America said in a press statement.

"These couples and families were not asking for special rights, or different rights," the statement read. "They were simply asking for the same rights afforded to all other couples....CWA is proud to stand behind our brothers and sisters who worked so hard to achieve equality."

Executive pay watch

The cost of living may be going down, but pay of public university leaders continues to go up – 7 percent on average in the past year, according to a recent *Chronicle of Higher Education* report.

UC's chancellors pulled in almost \$400,000 on average, but that was still below the national median, reports the *San Francisco Chronicle* in a June 8 article.

Median pay for public university chancellors reached \$401,000 a year in 2013 to \$428,000 in 2014 – that's four times what full-time faculty at the same schools earn.

Campus chancellors at UC who served a full year in 2013-14 made \$390,126 on average – slightly lower than the national median. UC's highest paid chancellor is Berkeley's Nicolas Dirks at \$486,800.

Meanwhile, this year legislators consid-

ered a half dozen bills that would restrict the pay of UC executives, restrict their ability to raise tuition or end UC's constitutional autonomy.

One bill, AB837, still in committee, would cap compensation for UC executives at \$500,000. There are 387 who earned more than \$500,000 in 2013, the most recent data available, according to the *San Francisco Chronicle*.

The university routinely increases compensation for its top executives, while denying rank-and-file staff raises and increasing student tuition.

"As a Legislature, we have a right to ask where we should appropriate people's dollars, because student tuition is skyrocketing," the author of AB837, Assemblymember Roger Hernández (D-West Covina), told the *Chronicle*.

New law limits contracting out at UC

In early June, the state Senate passed a bill by Senator Ricardo Lara that removes UC's incentive to outsource jobs by requiring UC contractors to provide their employees equal pay to career UC workers performing the same jobs.

According to AFSCME 3299 spokesperson Todd Stenhouse, there is a "growing army" of private contractors who employ workers to do the same work as career UC employees, for as much as 53 percent less pay. AFSCME represents UC service and patient care tech workers.

The new law requires bidders to certify in writing that the total employee compensation package "does not materially undercut the average per-employee value of total compensation for UC employees who perform comparable work at the relevant campus, medical center, or laboratory at which the bidder proposes to perform the work."

"When it comes to issues of poverty, Californians expect their public institutions to lead by example in finding solutions – not actively contribute to the problem," Art Pulaski, president of the California Labor Federation, said of the victory.



Newly-elected CWA vice president Sara Steffens (left) with UPTE co-founder Lisa Kermish (right), who was a delegate to the national union's convention in Detroit.

Sara Steffens, former UPTE organizer, elected as CWA vice president

Former Bay Area newspaper reporter Sara Steffens was elected secretary-treasurer of the Communications Workers of America (CWA), UPTE's national union and one of the biggest labor unions in the country.

Steffens began her union activity as a reporter at the *Monterey Herald* and helped create the union's Bay Area News Group – East Bay unit in 2008. She became a staffer and top officer in the News Guild-CWA after she lost her job in the fallout from the BANG-East Bay campaign.

At the national union's annual convention in early June in Detroit, Steffens was elevated to one of the biggest jobs in the American labor movement, defeating the incumbent, Annie Hill. Her running mate, Chris Shelton, was elected president of the 700,000-member CWA, taking over from Larry Cohen, who announced his retirement last year.

"I'm excited to get to work for our union, for our members. I'm grateful to everybody who helped out on the campaign," she said.

Let's get mobilizing

Steffens becomes one of the most prominent labor leaders to have come from the ranks of journalists since the famed New York columnist Heywood Broun founded the American Newspaper Guild in 1933.

In contrast to Broun's era of labor ferment and rapid growth, Steffens takes office at a time labor has been reeling from corporate attack and political setbacks. Although no one questioned Hill's dedication, her campaign theme of "proven leadership" proved no match against the "movement-building" promised by the Shelton-Steffens "Team for the Future." They had the endorsement of Cohen and backing of the powerful East Coast telecommunications locals.

She was nominated from the floor by Carl Hall, executive officer of Pacific Media Workers Guild, CWA Local 39521. "She has the experience, the skills and the persistence to get difficult and even impossible jobs done. I am deeply honored to nominate her," he said.

Steffens will serve a four-year term. She won the secret ballot election by a 56.3% to 43.7% margin.

She and Shelton head a new roster of international union officers, including Tom Runnion, who was elected vice president of CWA's District 9, which includes California and Hawaii, defeating incumbent Laura Reynolds in a hard-fought campaign.

After Shelton delivered a rousing speech to start his first day at the helm of CWA, Steffens came to the podium, thanked Cohen and Hill for their long service, and promised to concentrate her work on nuts-and-bolts "core operations" of the union.

One of Steffens first tasks is relocating from Oakland to the Washington, DC, area, with her husband, Mike Kepka, and their three young daughters Rosie, June and Grace. Kepka, a staff photographer at the *San Francisco Chronicle*, also is a member of CWA Local 39521 – *Pacific Media Workers Guild delegates to the 75th CWA Convention*

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