UPTE bargaining team at work to raise wages, protect pensions and working conditions

It’s back to the bargaining table this year for UPTE-represented techs (TX), researchers (RX), and health care professionals (HX). On the top of their agenda: stay united against UC management’s efforts to undermine pensions.

“We count on our pensions to fund our retirement,” said Jelger Kalmijn, UPTE’s systemwide president. “The 401(k)-type retirement savings plan that UC wants to replace it with is unlikely to provide sufficient funds for retirees.”

Management’s push to allow new hires to opt out of the UCRS pension plan, he added, “undermines the financial viability of the plan for everyone else.”

Last month, nearly one hundred UPTE activists gathered in Sacramento to discuss and debate possible provisions of a new union contract. Delegates assessed member surveys on the issues, and decided that the highest priorities would be protecting the pension, fair cost-of-living raises, and winning longevity step increases.

Drawing from campuses and medical centers all over the state, delegates elected bargaining representatives to negotiate with UC.

Troublemakers wanted

Additional issues of importance include limiting any increases in the cost of health benefits, job security (such as improved preferential rehire rules), employee representation on the pension board, as well as shift differentials and child care support. A successful contract fight includes mobilizing to support those bargaining teams. Each campus and medical center has formed a mobilizing committee to organize activities such as distributing bargaining updates, gathering petitions, planning actions, and doing outreach to colleagues.

Members are currently signing a petition to UC that reads, in part: “We are the professional staff who wholeheartedly commit our knowledge, skills and dedication to the research, education and health care that make this University a world-renowned institution and the state of California a leader in higher education.... We are asking for livable wages, a sound pension plan, job security, and respect to ensure that we remain competitive.”

“Quality research, medical care and education depend on quality staff,” noted Kalmijn. “To attract those needed to keep UC’s place as the world’s premier public academic institution, we need to support our pension plan and to improve pay.”

The $48 fix: tuition-free higher education in California

How much would it cost to fully fund California’s higher education system, from UC to the Cal State campuses to community colleges? Just $48 per family per year.

The Reclaim Higher Education Coalition, of which UPTE is a member, has been contacting state legislators to argue for restoring free higher education in the state of California.

The coalition, which includes unions, student, and faculty organizations, converged on Sacramento last month to launch the campaign, and to introduce a new policy paper making the case for free higher education.

The paper, co-authored by a team of academics led by UCSF professor Stanton Glantz, is called The $48 Fix: Reclaiming California’s Master Plan for Higher Education. committed to free tuition for all Californians, the Master Plan was highly successful in accommodating the large Baby Boom cohort while building a system with the best public universities in the world.

Turning back the clock

California’s higher education system is made up of the 10-campus, 5-medical center University of California, the 23-campus California State University, as well as 113 California community colleges.

The $48 Fix argues it can all be tuition-free, and doing so would be a major factor in preserving the state’s economy into the future.

In 1960, legislators created the Master Plan for Higher Education. Committed to free tuition for all Californians, the Master Plan was highly successful in accommodating the large Baby Boom cohort while building a system with the best public universities in the world.

Beginning around 2000 and accelerating with the 2005 “Compact on Higher Education” between then-governor Arnold Schwarzenegger, UC’s president, and CSU’s chancellor, this public model shifted to one in which higher education is viewed as a commodity.

Over the last fifteen years, the state’s political leaders have taken $57 billion in public investment away from higher education, all while tuition has skyrocketed. The $48 Fix concludes that fully funding projected enrollment and eliminating tuition in across California’s public higher education system would cost median-income families only $48 a year (taxes would be higher on millionaires).

That would raise $9.43 billion in just the first year, enough to make higher education tuition-free.
Organizing for fairness

Remembering history

April 28 is International Workers Memorial Day, in which unions “mourn for the dead and fight like hell for the living.”

The US theme this year is “Safe jobs. Every worker’s right.” The global theme is “Unions make work safer.”

Unions across the globe hold events commemorating the day. For local actions, see <28april.org>.

Occupational safety and health heroes

The federal Occupational Safety and Health Administration (OSHA) is among the agencies that will be hit hard by Trump administration budget cuts and rule reversals. You may know that the OSH Act was passed with bipartisan support, that it was signed into law by Richard Nixon in December 1970, and that OSHA was established so “no worker should have to choose between their life and their job.”

California has its own OSHA plan and administration, CalOSHA.

The “historic moment of cooperative national reform” that led to the creation of OSHA, according to the Department of Labor, also led to passage of the National Environmental Policy Act and creation of the EPA. However, that bipartisanship ended in the mid-1970s, states John Judis in The American Prospect, and since then budget cuts and congressional meddling have meant both agencies have had to fight to fulfill their missions.

Key victories for safety

Fortunately, a number of nongovernmental organizations exist to ensure the effectiveness of both agencies. As soon as the OSH Act became law, unions and other worker safety and health advocates started organizing to make sure “workers knew about their rights under the law and how to use them,” according to the National Council for Occupational Safety and Health – a federation of 19 committees/coalitions on occupational safety and health (COSH groups) that now exist throughout the U.S.

Since the mid-1970s COSH groups have achieved a number of victories. Early local campaigns by COSH and environmental groups led to passage of state-level Right-to-Know laws and the ultimate development, in 1983, of a national Hazard Communication Standard that gave U.S. workers, for the first time, “the right to know about the chemical hazards to which they were exposed on the job.”

Here are some of the accomplishments of just a few of the COSH groups:

• Passage of a groundbreaking law to halt temporary worker exploitation.
• Landmark environmental health improvements in Boston Public Schools, earning prestigious recognition from the EPA.
• Creation of the first teen-written sexual harassment curriculum.
• Advocacy efforts that created New York State’s occupational health clinics and the Public Employees Safety and Health Act.
• Helped lead disaster response and recovery after the World Trade Center disaster, as well as after Hurricane Sandy.
• Helped develop a partnership to create a stronger, unified voice for healthier nail salons in the state.
• Worked to strengthen the Chemical Identification Law.
• Worked for passage of an Occupational Disease Reporting Act in order to document worker illness caused by workplace hazards.
• Developed a coalition of labor, consumer, and environmental groups to work toward successful passage of legislation that required industry to reduce the use of toxic chemicals and the production of hazardous waste.
• Won the strongest policies in the nation to ensure indoor air quality in schools and public workplaces and for safety and security at facilities using high hazard chemicals.
• Helped to train and empower thousands of at-risk workers.

Decades of progress

Worksafe, a California COSH that has helped UPTE on a number of occasions, will celebrate its 35th anniversary in May by honoring heroes in the field. Here’s some of what it has accomplished:

• Initiating or contributing to many significant occupational safety and health bills considered and enacted by the California legislature in the past 28 years, including the California Right to Know Law in 1980, and AB 1127 (1999), which established the strongest health and safety protections in the country for workers on multi-employer worksites.
• Sponsoring AB 515 (2008), a proposal to achieve equal protection for workers exposed to toxic chemicals that cause cancer, birth defects, and reproductive harm – many of which are regulated by Cal/EPA in the environment at large under Prop 65, but are either under-regulated or completely unregulated by CalOSH in the workplace.
• Supporting a new law that requires the CalOSHSA Standards Board to create and implement new rules to protect workers from the hazards of working in indoor heat.
• Supporting AB 1978, Workplace Sexual Assault and Violence in the Janitorial Sector, which addresses the gaps in state regulations that leave too many janitorial workers vulnerable to sexual violence and other violations of their basic rights in the workplace.

These COSH groups are more important than ever at a time when unions are under increasing attack and worker protections are being stripped at the federal level. – Joan Lichterman

UPTE Academy ready to teach

Interested in learning about your rights on the job, or want to help your co-workers learn theirs? Want to see how a recategorization request works, or gain knowledge about health and safety issues? The place to do it is the UPTE Academy, which offers members basic to advanced training to prepare for bargaining, arbitration, lobbying, mobilizing, organizing, and more.

Check out the class schedule and enroll online at <www.upte.org/academy>.

Take an online class

UPTE is gifted with members who have great technical and design skills, and a desire to educate, such as Max Ferman from our UCSF local.

She has created an UPTE 101 e-course with all the basics you need to know about UPTE and unions in general.

Take the class at <up.te.org/UPTE101>).
A student services professional on why she wants a union contract

Janel Munguia has been a student affairs officer (SAO) in UCLA’s English Department for over 22 years. Before that, she worked for 9 years in administrative assistant roles for 2 other departments on campus. We asked her some questions about the current campaign to gain a union contract for student services professionals.

What are the biggest issues for student services workers?

SAOs have seen our workloads increase greatly over the last 10 to 15 years. First, there was Tidal Wave II during the 2000s, when the UC was mandated to accommodate the children of the Baby Boomer generation, which meant an estimated increase of 65,000 students over 10 years.

Before that period ended, we had the 2008 economic downturn, which put financial pressure on the UC to accept increased numbers of students from outside CA who must pay out of state fees. Of course, all of this has occurred without any increase in the number of SAO staff who must meet these students’ needs.

How can a union help with these issues?

Before I became an SAO, and before the student services professionals campaign started, staff received regular annual salary step increases based on performance in addition to annual cost of living increases to keep up with inflation.

The creation of new job titles was largely a way for the UC to do away with the step increase system, and fool employees into thinking they’d be eligible for increased salary “ranges” which are rarely implemented. I’ve been very fortunate to work in a good department for over 2 decades, but that doesn’t mean I haven’t also made sacrifices, as a mother of 3 who commits 2 hours a day, for the promise of a pension plan that would reward me for my time and commitment to UCLA and our students over all these years.

Now UC is undermining our defined benefit plan with “tiers” and defined contribution options that divert pension funding. Participating in the organizing campaign gives me a voice on these issues, and my UPTE membership provides visibility within UC.

What do you hope to see in UC’s future 25 years from now?

I love UC and UCLA, and believe wholeheartedly in our mission to provide a caring and superior educational experience, as well as cutting edge research to the people of our state and the world.

But I have observed too many poor choices made by the UC, too often influenced by “business model” practices, which cannot be expected to substitute well for “best educational” practices, undermine our common goals, demoralize staff, and waste essential resources in the long run. Only an engaged and appreciated staff can provide the support necessary for UC to meet the future.

Student services activists work for UPTE representation

The campaign to bring union representation to UC’s 19,000 administrative professionals (AP) is taking a new, creative turn.

UPTE-CWA activists have begun to develop “student services” organizing groups at each campus. There are about 4,000 student services professionals systemwide, such as student affairs officers, program reps, learning skills counselors and library professionals.

Interest in the union among student services workers has been very high, so it makes sense for these workers to undertake a focused campaign that could initially gain them representation, and give a boost to all APs by getting the university to the negotiating table.

UPTE’s membership voted at its January convention to support the campaign, noting that UPTE’s past organizing successes have come about in a similar way.

Learning from other UPTE units

The technical (TX) employees unit, which voted for UPTE representation in 1994, was a solid core of 4,000 techs with strong organizing committees at each location. Because techs shared close similarities in their jobs, organizing took off like wildfire and was successfully completed in less than a year. In 1997, 3,700 researchers (RX) organized for UPTE representation, and 2,000 health care (HX) professionals followed.

Committed to organizing all APs

The focus on student services doesn’t mean that other administrative professionals won’t still be organizing for a union. UPTE will continue to develop AP leaders and address important work-related issues.

“We remain committed to organizing all APs, and hope a successful effort among student services workers can build momentum,” said SSP Leadership Committee activist Julie Plotkin, a student affairs officer at UCLA.

Activists will work with UPTE leadership and seek support from our international union (Communications Workers of America) to ensure a successful card collection campaign for student services professionals.

“Our goal is to collect cards from more than 51% of the unit, allowing a simple ‘card check’ to win union representation,” said Plotkin. If necessary, student services professionals could also collect enough cards to request a traditional Public Employment Relations Board-run election.

“Making benefits fair

“...and seek support from our international union (Communications Workers of America) to ensure a successful card collection campaign for student services professionals."

Committed to organizing all APs

“...and hope a successful effort among student services workers can build momentum,” said SSP Leadership Committee activist Julie Plotkin, a student affairs officer at UCLA.

Activists will work with UPTE leadership and seek support from our international union (Communications Workers of America) to ensure a successful card collection campaign for student services professionals.

“Our goal is to collect cards from more than 51% of the unit, allowing a simple ‘card check’ to win union representation,” said Plotkin. If necessary, student services professionals could also collect enough cards to request a traditional Public Employment Relations Board-run election.

“What we want to make this effort as inclusive as possible. Student services professionals’ participation is essential – we need your imagination, creativity, and activism to succeed,” added Plotkin.

For more information, check out the latest news or download an authorization card at <www.apsforupte.org>.

BTSA bargaining moves forward

When Business Technology Support Analysts (BTSA) (formerly BTSAs) gained UPTE-CWA representation in late 2016, they had two major goals in negotiating a contract. They wanted to bring their pay up to parity with regular TSAs, already represented by UPTE, whose pay scale was more than 20% higher, and they wanted the UPTE-negotiated modifications of the UC retirement plan to apply to them, enabling earlier retirement and more secure benefits.

UPTE’s bargaining team has been able to get a proposed wage scale that includes steps but still falls short of the TSA pay scale and even the existing BTSA maximum.

The union’s team has also discovered pay inequities, particularly for those who have worked at UC many years. The team will be asking BTSA’s to reach out to their coworkers to build pressure on UC for reasonable pay scales and equity.

Making benefits fair

On pensions, UC agreed with the union’s proposal to move all BTSA’s onto UPTE’s modified tier so that all BTSA’s will be eligible for retirement beginning at age 50 and reach the maximum retirement benefit multiplier at 60. Those hired after July 1, 2013, will keep their current accrual in the existing pension or 401(k) and will then begin accruing their new benefits pursuant to UCRP modifications. The union and UC have also agreed that there would be no changes to health care costs.

Bargaining will continue through April. “We’re optimistic,” said lead UPTE negotiator Jamie McDole. “There are issues to work out but we’re building support for our demands in order to pressure UC to correct the problems that they created by excluding BTSAs from representation in the first place.”
Single payer for California on agenda

If there’s a silver lining in Congressional Republicans’ efforts to kill the Affordable Care Act, it’s that the debate has highlighted the limitations of the ACA.

Rather than implementing a single payer, “Medicare for all” system – under which a government insurance fund would cover medical bills for all Americans – the ACA put coverage in the hands of for-profit insurance companies. Where the ACA was fully supported, as in California, uninsured rates dropped from 17 percent in 2013 to 7 percent in 2016. But the ACA still leaves millions uninsured.

California Senators Ricardo Lara and Toni Atkins are seeking to change that with SB 562, the Health California Act, which would establish universal health care for all Californians. The act would cover all medical care, including inpatient, outpatient, emergency care, dental, vision, mental health and nursing home care. It would eliminate co-pays and deductibles and allow Californians to choose their doctor.

The financing for such a system still needs to be hammered out. A recent Pew poll found that 60 percent of Americans believe government should be responsible for ensuring health coverage for all.

UPTE has endorsed the bill, and urges members to call their legislators in support of it.

New Supreme Court majority, same as old

Labor’s hope, after the death of Supreme Court justice Antonin Scalia in February 2016, had been that former President Obama would be able to move the court toward supporting workers’ rights. But the Senate’s confirmation this month of Trump nominee Neil Gorsuch returns the Court to the chilly status quo ante that existed under Bush and Obama: a court that was hostile to unions and working people.

Gorsuch’s dissent in one case was emblematic of this attitude and drew pointed criticism during his confirmation hearing. That case concerned a trucker whose rig had broken down on the road in subzero weather. The company fired the worker after he was forced to abandon his trailer on the roadside in order to avoid freezing to death. Gorsuch ruled in favor of the company.

That decision was part of a pattern of rulings following his 2006 appointment to a federal circuit court in which Gorsuch sought to limit the power of agencies.

Cases coming before the court will include Janus v. AFSCME, another attempt to weaken unions by going after their funding base. The court will also consider whether companies can require workers to sign away their right to file class action lawsuits – something the National Labor Relations Board has said violates workers’ rights.

Can the boss force you to reveal genetic test results?

There’s a provision of the Affordable Care Act most people aren’t aware of. It allows employers to charge significantly more for health benefits of employees who fail or refuse to participate in the employer’s wellness program.

A bill introduced in Congress last month, HR 1313, the Preserving Employee Wellness Programs Act, would allow employers to require employees undergo genetic testing or face financial penalties of up to 30% of the cost of their health insurance.

Current law prohibits employers from requiring employees to give up their genetic privacy, but the new legislation explicitly repeals that protection by declaring it cannot apply when part of a wellness program.

The bill has sent up red flags from more than 70 medical, consumer, and civil rights groups across the spectrum, who say the legislation will strip basic privacy rights under the Americans with Disabilities Act and other laws. Nevertheless, it passed out of committee on a party line vote, with Republicans supporting. The bill is now awaiting action by the full House.

March for Science on Saturday, April 22

A historic March for Science is planned for Washington DC and over 425 other cities on Saturday, April 22. Organizers say it is the “first step of a global movement to defend the vital role science plays in our health, safety, economies, and governments.”

Science and scientists are under attack. The censorship of climate research, disappearing datasets, and massive cuts to federal agencies are putting our health, environment and economy at risk.

“The March for Science is an unprecedented call to action for everyone who knows that science is essential to public health, global and economic security, and the livelihood of communities around the world,” said Christine McEntee, executive director of the American Geophysical Union.

University-based science and research undermined

The dramatic cuts to science, research and the arts in the Trump administration’s budget proposals will have damaging effects on higher education. Reducing overhead grants, as suggested by the administration’s Health and Human Services secretary, will also have a negative effect on scientific research on US campuses.

Here are some of the cuts, as reported in the press:

- 18% cut to the National Institutes for Health (NIH)
- 31% cut to the Environmental Protection Agency (EPA)
- 20% cut to Department of Energy (DOE)
- Eliminate $73 million Sea Grant program at the National Oceanic and Atmospheric Administration (NOAA)
- 100% cut to the National Endowment for the Humanities (NEH)
- Cuts to the National Science Foundation (NSF)
- Cuts to the Food and Drug Administration (FDA)

Now is the time to stand up and be counted. UPTE has endorsed the march and encourages members to attend. Wear your UPTE t-shirt and register at <www.upte.org/MarchforScience> so we can keep you informed of developments. We’ll see you there!

Mark your calendars for May Day too

May 1 is celebrated around the world as International Workers’ Day – the original Labor Day. In recent years, May 1 demonstrations in the US have been especially important for immigrants, who have turned out in the millions to support the rights of both workers and undocumented people. This year’s May Day is likely to be a big event, especially on the West Coast, so get set for some marching.