

Welcome to

UPTE-CWA 9119

At LBNL

**University Professional
& Technical Employees**

representing...

Technical Employees (TX)
Research Professionals (RX)
Health Care Professionals (HX)

2021

Our goal is to build strength through employee involvement and membership in order to negotiate effectively, improve the quality of our work lives - and improve UC and the Lab as a research and educational institutions.



Visit our website at
www.upte.org

DECISION-MAKING AT OUR JOBS

Each of us has our own perspective on working at LBNL depending on how long you've been employed, your relationship with your supervisor and co-workers, and other personal experiences. But because each of our departments are part of a larger institution managed by the (much larger) University of California, our workplace is governed by a formal set of policies and procedures, all of which require considerable diligence and judgement to implement fairly and maintain.

Negotiating a contract

Negotiating strong contracts is the only way for employees to have input into the policies that cover our work lives. An active and large membership is what it takes to win and enforce a good contract. Since membership is voluntary, yet all are covered by the benefits of the contract, it is even more important to join. UPTE negotiators are UC and Lab employees given paid leave for the time they attend bargaining and report to Locals on developments. Before bargaining begins for a unit, employees are surveyed to find their most important issues.

Sooner or later, we realize that the people we work with – our PIs, our supervisors, and our managers – are for the most part not the individuals who make the decisions about our salaries, benefits or even our continued employment. These are decisions that are made at the University/Lab and even DOE level, by administrators. Without a union, employees have very little input into these decisions. Not only is there little hope to be heard without an effective union of our peers, but also forming a strong union is the only way to have some degree of control over our working futures at LBNL.

EMPLOYEE RIGHTS

Employee's right to representation in a meeting Weingarten Rights

You are entitled to have a union rep. present when a supervisor asks for information that could be used as a basis for discipline. But management has no obligation to tell workers their rights, so employees must ask for union representation before or during the interview.

Public Employees' Rights to Due Process Skelly Rights

Employees must be given a written notice of proposed disciplinary action which must include:

- Nature of proposed discipline
- The effective date of proposed discipline
- Reasons for the discipline
- Specific rule or policy violated
- Statement advising employee of right to respond orally or in writing

Filing a Grievance

When a policy or contract has been violated, you can file a grievance within 30 days of the incident (this is a firm deadline). There is an appeals process if the grievance is denied. Union stewards will assist you in handling your case. See the information page for a list of local stewards, or contact the UPTE office (510-704-8783) for assistance.

Filing an Unfair Labor Practice (ULP)

When UC/The Lab has violated state labor law (i.e. changes conditions without negotiation with the union) there is a 6-month deadline for filing from the time of the violation.

History of UPTE

UPTE was formed in 1990 by a group of UC employees throughout the state. In 1993 UPTE became affiliated with the Communication Workers of America (CWA) in order to better organize UC/Lab employees and win contracts with the University. Today, Technical, Research, and Health Care Professional employees are exclusively represented by UPTE and all have contracts with the University.

Do you feel you are performing work beyond the scope of your current job classification?

Here's a brief overview of what you can do to request reclassification. Contact your UPTE local for more information.

- **Obtain a copy of your original position description.**
- **Write out your current job duties in detail.**
- **Look up the classification descriptions for your current and desired classifications.**
- **Compare your current duties to those given in the classification descriptions for your current and desired classifications. Note any discrepancies.**
- **Make a request with your supervisor for a review of your position classification. If your supervisor fails to respond within 30 days, you may forward the request to the designated University office responsible for classification review.**
- **If your request for reclassification is denied, you have 30 days to request a review of the decision denying reclassification. Be sure to state the basis upon which you are requesting a review.**

LBNL job classification descriptions and salary ranges may be found at:

<http://www.lbl.gov/Workplace/Salary-Admin/>

Why Is Membership Important?

Membership translates into negotiating and enforcing a strong contract that improves terms and conditions of employment for employees. UC/The Lab assumes that all employees who are not members of the union support their policies and uses low membership to slow bargaining.

Membership in UPTE is voluntary by California law and therefore strongly encouraged by UPTE officers and members for a variety of reasons. Membership shows UC/The Lab that employees are concerned about maintaining high standards in such issues that UPTE advocates such as:

- Quality of research,
- Improved job security,
- An end to salary erosion,
- Reform or replacement of new regressive UC/Lab policies such as PPSM (formerly know as HRMI),
- Protect our Pension,
- Meaningful nondiscrimination policies,
- Health and safety provision, and
- Fair and effective grievance procedure.

What do membership dues pay for?

- *Contract negotiations
- *Individual grievances
- *Literature, mailings
- *Local & Statewide staff and offices
- *Stewards training
- *Legislative action
- *Member's only benefits

BECOME A MEMBER AT
[WWW.UPTE.ORG/JOIN](http://www.upte.org/join)

ALL EMPLOYEES SHOULD...

- * Pre-designate a physician in case of an injury on the job: add a note to your personnel file stating you want to be seen by your doctor, otherwise, you may be sent to an employer doctor for up to a month after the injury.
- * Verify your vacation time accrued each pay period.
- * You have 30 days to grieve any mistakes.

Who's Covered by UPTE? UPTE is the bargaining representative for UC/Lab employees at each of the UC campuses and LBNL in the TX, RX and HX units. The California State Public Employee Relations Board (PERB) certified these three units in 1984.

Unit	Job Titles	Size	History	Contract for Unit can be found at ...
TX Technical Employees	Accelerator Operator, Computer Resource Specialists, Electronics Techs, Dev Technicians, Mechanical Engr Techs, Radiation Safety Tech, etc	4133 Statewide 135 at LBNL	Voted for representation in Nov. '94; latest contract was ratified 8/8/19 and will remain in effect until 10/31/24.	UPTE TX Contract http://www.upte.org/contract-tx
RX Research Professionals	Research Associates, Research Assistants, Museum Scientists, etc.	5642 Statewide 167 at LBNL	Voted for representation in Sept. '96; latest contract was ratified 8/8/19 and will remain in effect until 10/31/24.	UPTE RX contract http://www.upte.org/contract-rx
HX Health Care Professionals	Clinical Lab Techs, Pharmacists, Social workers, etc.	5271 Statewide None at LBNL	Voted for representation in Sept. '97; latest contract was ratified 8/8/19 and will remain in effect until 9/31/24.	UPTE HX contract http://www.upte.org/contract-hx

HOW TO GET INVOLVED

The more people that get involved and build our local organization, the more effective we will be representing ourselves and protecting each other. The following are important jobs that we could use your help with:

- Distributing literature at your worksite and talking to co-workers about UPTE
- Signing up new members in your worksite and/or other worksites
- Making phone calls to members for events and updates
- Becoming a Steward and helping others with grievances (we hold trainings and assist with cases)
- Helping to bring our employee list up to date (information always changes)
- Becoming a reliable source on a particular issue (doing research)

Contact Todd Kolze at tkolze@upte-cwa.org for more information.

HOW DO I GET MORE INFORMATION?

LBNL UPTE Address: PO Box 4247, Berkeley, CA 94704

Contact a member of the Executive Board!

The Executive Board (e-board) is comprised of members from LBNL, who meet monthly to conduct union business (such as plan upcoming trainings, review grievances, and plan expenditures of the local and many more items).

Eduardo de Ugarte	President	edeugarte@gmail.com	w. 510-486-4981 c. 510-542-4178
Thor Swift	Vice President	Thorswift@gmail.com	415-652-1728
Kevin J. Watson	Recording Secretary	kjwatson516@gmail.com	516-316-3980
Neel Singh	Treasurer	NRSingh@lbl.gov	510-508-1115
Topher Bentley	Member-at-large	toph.bentley@gmail.com	707-708-6184
Andy DeGiovanni	Member-at-large	ADeGiovanni@lbl.gov	510-452-2345
Robert Evans	Member-at-large	rse@lbl.gov	925-765-7749

General membership meeting – First Wednesday of each month (noon to 1:00 p.m.). We send out a reminder to members before the meeting. New hires can attend the first meeting before becoming a member, but after that membership is required to attend. You can find a membership form at www.upte.org/join

Websites:

UPTE's website: www.upte.org

CWA's website: www.cwa-union.org

Local 184 website: www.upte.org/LBNL/

UCOP's website: www.ucop.edu