



CWA 9119
AFL-CIO

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

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U · P · D · A · T · E

16,000 UC administrative professionals launch campaign for UPTE-CWA representation

The largest group of UC employees still without union protections have announced they're joining together to launch a campaign for UPTE-CWA representation.

Administrative professionals (APs) say the most effective way to protect their workplace interests is to bargain collectively. They've begun a statewide drive on all 10

sions from when times are tight," said Lynn Bush, a senior editor at UCSD. "I'd like to have a place at the bargaining table too, instead of just accepting what is handed down from UCOP and the campuses."

Dave Sookne, a programmer/analyst at UCLA agrees: "It is time we bargained our working conditions rather than having them dictated to us."

employees," said Keith Pavlik, a senior publications coordinator at UCSF. "I want to be subject to that asterisk. I want a seat at the table instead of having these conditions imposed," he said.

Wages, job security key

Among the goals of the union's AP organizers are fair compensation, better job security and protection of UC health and pension benefits.

Sara Ortiz, a senior administrative analyst at UCSD writes, "I believe that the administrative professionals deserve to have a unified voice that represents our interests. The loyalty we've shown to the University of California hasn't always been returned; we've been the first to accept cuts, the last to receive raises, and have watched our stagnant salaries decline with increased contributions to our benefits." Ortiz says

person alone, they can ignore us as individuals but with the support of a union they have to at least listen and deal with our issues," she notes.

UPTE currently represents about 12,000 UC employees, including 4,000 technical employees, 5,000 research professionals, and 3,000 health care professionals. All of those groups have received regular cost-of-living and other pay increases every year. UPTE recently negotiated a package of up to 14.5% in pay increases over 3 years for its UC researcher and tech members.

UC's pay raise for APs doesn't add up

After four years of no pay increases, UC announced in late summer AP employees would finally be eligible to receive an average 3% pay increase.

"It's important to thank the unions at UC for this development," said Pavlik. "Without union successes at the bargaining table, management wouldn't feel the pressure to grant any pay increases at all to unrepresented staff."

On top of several years with no pay raises, APs also struggled with an average 6% pay cut during 2010-11 furloughs, concurrent with rapidly rising health care premiums and increased mandatory employee contributions to the pension plan.

While the news of a pay increase is welcome, it is important
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UC administrative professionals at UCSD meet to plan campaign.

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Riverside:

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San Diego:

(858) 458-0845

San Francisco:

(415) 753-UPTE

Santa Barbara:

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Santa Cruz:

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campuses and 5 medical centers to collect signed cards calling for union representation among a diverse set of administrative professional job titles. In all, about 16,000 employees are eligible to sign cards.

"We are the last group of non-union staff in the UC system, so we are the easiest group to wring salary and benefits conces-

Most APs have gone years without any pay increases and have been hit hard by benefits cost increases and UC's furlough program.

"You know how all those communications about furloughs, rising health and retirement contributions, etc., always have that asterisk with a caveat 'subject to collective bargaining for unionized

UPTE representation can help UC "to become a place where APs are encouraged to develop long-term careers."

APs have formed organizing committees over the last year at nearly every campus and medical center. "There is strength in numbers," said Donita McCants Carter, an administrative analyst at UCR. "UC won't listen to one

Protecting UC employees' pensions and health care

As the *Update* goes to press, word is that UC and UPTE are close to agreement on bargaining over benefits for over 12,000 UC workers.

UPTE continues to bargain with UC about increases in health benefits costs for those still on HealthNet (not Blue and Gold) and over pension contributions. The UPTE bargaining team has insisted on a greater employee say in the development of benefit plans.

"We also want to participate in discussions over a retiree health benefit trust fund, which will help ensure the future of these benefits," said chief negotiator Wendi Felson.

"We are attempting to come to a resolution with the assistance of a state mediator, but up to now UC

has steadfastly refused to provide us anything in return for the additional employee contributions," said Felson.

UPTE is also working with other UC unions and groups to prepare for a joint day of action in November to support public services (see story on back page).

"We aim to get thousands of members to send a strong message to UC opposing its plans for inferior two-tier pension benefits," said UPTE's president Jelger Kalmijn.

"Under UC's two-tier retirement proposal, newer employees would end up paying more and getting less in benefits than current employees. The long-term effect will be to weaken the system for everyone, not to mention creating divisions between employees," said Kalmijn.

The UC Union Coalition, an alliance of the unions at UC, succeeded in getting UC-AFT's president, Bob Samuels on UC's Investment Advisory Group. He has attended his first meeting and it has given union leadership a clearer picture of UC's investment plans and priorities.



For instance, UC wants to invest in emerging economies rather than investing in US workers and firms. Samuels intends to investigate out how UC parcels out its funds to money managers, who those managers are, how much they get paid, and so on.

"This is of more than academic interest," notes Kalmijn. "After dismantling its own in-house investment managers in the early 2000s, UC has funneled tens of millions of dollars to private investment managers, creating conflicts of interest as regents and their associates profited from the redirected funds," he said.

Eventually, the UC unions hope to move university investments toward more socially responsible funds.

Organizing for fairness

Organizing UC's 16,000 administrative professionals was a main topic of this year's UPTE convention, held in Los Angeles in late October. At right, CWA's president, Larry Cohen (center) in discussion with UC administrative professionals Laurel Lucia (UCB) and Joan Lichterman (UCB, retired). To their right, CWA's Brooks Sunkett speaks with UPTE's Jelger Kalmijn.



Unions support Occupy movement

Protests modeled on Occupy Wall Street have sprung up in cities across the country, as the unemployed, underemployed, and stressed working families have declared they've had enough. As one demonstrator's placard succinctly put it, "This protest is about 1% of Americans stealing from the 99%. Meaning you."

Many UPTE members have also joined protests in California's cities. UPTE's national union, the Communications Workers of America, has endorsed the movement and declared that the demonstrations are "an appropriate expression of anger for all Americans, but especially for those who have been left behind by Wall Street. We support the activists' non-violent efforts to seek a more equitable and democratic society based on citizenship, not corporate greed."

In all, more than a dozen national unions, including AFSCME, the United Steel Workers, the Teamsters and SEIU, have endorsed the movement.

One of many colorful graphics for the Occupy movement in different languages by Berkeley artist Eric Drooker, freely downloadable at <www.gstrike.org>.



APs launch organizing drive

(continued from page 1)

to note that the *entire* 3% of UC's proposed raise is discretionary. Campuses, medical centers and departments can use any method they like to allocate the 3% merit pool, leaving a lot of room for arbitrary, unilateral decisions on the part of UC.

UC's reversal on seniority protections

This issue of arbitrary treatment is key for many APs. While some 80,000 UC employees already have union representation, administrative professionals have been left to fend for themselves. This summer, UC reversed decades of practice, unilaterally declaring that years of service don't really count in a layoff situation.

"For the university to say that the experience, loyalty, and many years of service to the campus community counts for next to nothing is truly insulting," said one administrative professional (among hundreds) who wrote to UC about the matter.

For many, downgrading seniority protection was a last straw. APs, like most UC employees, have a strong commitment to UC's mission, choosing to continue working at the university despite deep cuts to compensation and benefits and an ever-increasing workload.

"UC is exploiting a 'two-tier' system where employees without union contracts bear the brunt of layoffs and reorganizations," said Jessea Greenman, a student affairs officer at UCB. "That's simply not fair – it's time for us to join our colleagues at the bargaining table where we'll have a real voice." ■

Librarians, lecturers and service workers win wage increases

UC has reached agreement, including salary increases, with the university's 3,000 lecturers and 350 librarians, who are represented by the University Council-American Federation of Teachers (UC-AFT).

UC-AFT said the contract had two significant gains: a requirement limiting layoffs to scenarios where the classes taught by the lecturers end, and a provision requiring negotiations when UC seeks changes in work duties due to the creation of online teaching programs.

Meanwhile, AFSCME, the union that represents over 18,000 UC service and patient care workers, reports that it has won all its demands in contract negotiations.

"The agreement ensures that UC does not balance its budget on the backs of front line workers," wrote AFSCME 3299 president Lakesha Harrison to supporters. "It gives some peace of mind to workers struggling in these uncertain times," and includes

cost of living increases for 2011 and 2012, an increased minimum wage, and caps on health care premiums. ■

More dietitians join UPTE's HX unit

UPTE-CWA's health care professionals unit (HX) recently grew by 156 workers, after the Public Employment Relations Board (PERB) issued a ruling in early October that the job titles Dietitian II and Senior Dietitian should be represented by the union.

UPTE already represented the title Dietitian I as part of its 3,000-plus health care professional (HX) unit. The union filed with PERB to include the other two similar titles within the unit's "community of interest" so it could bargain on behalf of all UC dietitians.

The news comes just as the elected HX rank-and-file bargaining team sits down with UC to begin negotiating a new contract.

UPTE's chief negotiator, Wendi Felson, welcomed the newly-represented dietitians into the union, inviting each of them to

attend bargaining sessions, get involved in UPTE, and contact the elected bargaining team with their concerns and comments. ■

Why "defined benefit" retirement plans work

The National Institute on Retirement Security has released a new study on the advantages and disadvantages of defined benefit retirement plans (i.e., pensions such as UCRS) versus defined contribution plans (such as 401(k)s or 403(b)s) for public employees.

They found that public employees overwhelmingly chose defined benefit plans such as pensions when given an option, and that defined benefit plans are more cost-effective than defined contribution plans.

In addition, defined contribution plans like 401(k)s do nothing to close funding shortfalls and can actually increase retirement costs. Finally, in defined benefit plans, employers bear most of the risk, while in defined contribution plans most of that risk is shifted to the employees. ■

Governor signs bill protecting right to strike

In a blow to UC, California governor Jerry Brown has signed a bill into law that protects public-sector workers' fundamental right to strike.

SB 857 overturns a Public Employment Relations Board (PERB) decision that it could award damages to employers for costs incurred in preparing for a strike, even when no actual strike occurred. By exploiting a loophole in state law, UC had tried to recover \$14.7 million from the California Nurses Association and AFSCME 3299 for threatened strikes that PERB had deemed unlawful.

If upheld, the case would have had a chilling effect on workplace activity. Senator Ted Lieu, the bill's sponsor, said "SB 857 restores this administrative over-reach and helps ensure that workers have the right to strike for better working conditions and fair pay." ■

Workload is a health and safety issue

Ten years ago, in another *Update* column, I wrote: “Everywhere I turn at UC, employees at all levels are stretched and stressed to maximum capacity and beyond as a result of increased enrollment and staff cutbacks to reduce costs.”

Things have gone downhill since then, accelerating in the past few years with the economic crisis. As UC hired more highly paid, top-level managers, it eliminated and reorganized offices and laid off even more of the staff who actually do the work, putting greater workloads and even more stress on those who remain. This is particularly true for UC’s administrative professional staff, who are now organizing with UPTE-CWA

for the right to bargain for compensation, health care and pension benefits, and working conditions.

Doing more for less and with less, including less recognition of what it takes for us to do our jobs well and less appreciation for our contributions, are only a few of the common workplace stressors – objective environmental conditions that cause feelings of stress and/or strain.

Yet how many of us consider increased workload or other workplace stressors as health and safety issues? How many of you find yourselves or your coworkers increasingly irritable during the day, working on ever-shorter fuses? How many of you go home exhausted, with headaches or rashes, or have digestive or sleeping problems, or feel you need a couple of drinks after work? And how many of you or your coworkers are getting repetitive strain injuries – which a large number of staff are afraid to report for fear of losing their jobs?

Recipes for stress

Increased workload is related to poor job design. For instance, a professional employee recently asked me what she could do about the pain in her arms, which resulted from working 10- to 12-hour days at a computer. A better question would have been, why is the job designed so badly that she needs to work 10- to 12-hour days? Any worker is likely to eventually develop work-related injuries at this sort of pace.

Although some workplace stressors are physical – chemical or biological agents, heavy lifting, inadequate equipment, awkward postures, repetitive motion – many others are related to job design. These categories are not mutually exclusive. Constant sitting, repetitive motion, and awkward postures are physical stressors, but can also be attributed to poor job design.

Other workplace stressors related to job design are unrealistic deadlines; fast-paced work; conflicting demands; poor communication; lack of control over work hours, pace, or decision-making; hierarchical management; poor supervision; favoritism; lack of respect; wage stagnation; job insecurity;

and lack of opportunity for growth, advancement, or promotion.

Are you affected by poor job design and workload stress, and can you identify the stressors affecting you?

What stress does to you

When you are under stress, your heart-beat, blood pressure, and adrenaline levels increase. This is called a “fight or flight” reaction, which can be essential to our survival. Problems occur when this response is always being triggered and our bodies have no time to recover. Then, stressors lead to strain, fatigue, symptoms, and illness.

It’s not known how job stress affects

chronic diseases, which develop over time as a result of many factors. But the National Institute for Occupational Safety and Health (NIOSH, which is part of the Centers for Disease Control and Prevention), says, “evidence is rapidly accumulating to suggest that stress plays an important role in several types of chronic health problems – especially cardiovascular disease, musculoskeletal disorders, and psychological disorders.”

Further: “Health care expenditures are nearly 50 percent greater for workers who report high levels of stress.”

The effect of workload stress has implications for the majority of UC workers, and especially those who are long-time employees. Reasonable limits on workload and appropriate policies enforced by a union contract can help remedy this situation. The broader policy implications need to be discussed in a national context, as part of a dialogue about how working conditions affect our health and happiness. – *Joan Lichterman, UPTE Systemwide Health & Safety Director*

State audits UC, calls for more transparency

In the wake of huge fee hikes and dramatic executive bonuses, California’s state auditor has released a 91-page report after more than a year of investigating UC’s financial operations.

The audit report calls for more transparency in UC’s accounting practices, complaining that UC’s financials lump together about \$1 billion a year in unspecified spending, according to the *Los Angeles Times*.

The state auditor’s report also found that four campuses with high numbers of students of color receive less per-capita funding than some other campuses. For instance, the “UC budget allocated \$19,529 to each UCLA student and \$55,186 to each UC San Francisco student, but only \$12,309 to each UCSB student,” writes the *Santa Barbara Independent*.

The audit was requested last year by state Senator Leland Yee (D-San Francisco), with the support of UC’s unions.

Livermore lab case yields UPTE victory, as workers go to court

A determined struggle by UPTE’s affiliate at the former Lawrence Livermore National Laboratory (LLNL) has resulted in the reversal of nine layoffs and orders to bargain with the union.

The National Labor Relations Board (NLRB) ordered the reinstatement of nine workers it says were illegally laid off in May 2008 when the new employer, Lawrence Livermore National Security, LLC, issued waves of layoffs. The decision by the NLRB board itself reversed an earlier decision by a lower-ranking administrative judge that dismissed the lawsuit.

New lab management undercuts employee rights

Until late 2007, LLNL was operated by the University of California. In September 2007, while it was still under UC management, the state of California certified UPTE’s affiliate there, the Society of Professionals, Scientists, and Engineers (SPSE-UPTE), as the employees’ representative. The following month, the new management took over and immediately began a campaign to circumvent the union. It refused to recognize and negotiate with SPSE-UPTE. It also began a series of layoffs of SPSE-represented employees.

In January 2008, LLNS laid off 19 workers. In April, LLNS announced 10 to 15 more layoffs, and in May, 9 more. Throughout these months, SPSE fought to get relevant information and negotiate with management over the layoffs. Almost 75 workers submitted a petition demanding that management rescind the layoffs and bargain with the union.

Management stalled, dissembled, and simply tried to ignore SPSE. In response to union requests for the names of employees to be laid off in May, for instance, management claimed it was still identifying those employees but would provide the information as soon as it had it. And it did provide the information – at the same time it notified the nine employees that they were laid off effectively immediately and escorted them off the site.

Nine workers reinstated with full back pay and benefits

SPSE filed multiple unfair labor practice charges with the NLRB, some of which were resolved earlier, but the case of the nine went to trial. LLNS claims that it did not have to bargain with SPSE were overruled by the NLRB, which in July ordered the nine workers reinstated with full back pay and benefits. It also ordered LLNS “to cease and desist from failing and refusing to bargain collectively” with SPSE-UPTE.

In September, some 130 former lab employees filed their own suit in court over their layoffs, charging that the waves of layoffs were aimed at senior staff members who earned the largest salaries and were nearest retirement.

The 2007 privatization scheme, under which the Bechtel-led consortium took over the lab, was touted as the solution to make the lab more efficient and productive. Instead of adding employees as promised, however, within two years it had laid off or fired almost 3,000. Allegations also continue to circulate that Bechtel had an inside line on the lab and that the bidding process was rigged.

SPSE representatives have raised alarms before the National Academy of Sciences and in the press that management policies have created a chilling effect on research and that productivity has plummeted.

You can read the audit at www.bsa.ca.gov/pdfs/reports/2010-105.pdf.

Meanwhile, amidst layoffs of front line staff, UC’s executive ranks continue to swell (see related story on page 4). UC’s “\$218,000 Club” has grown by 374 employees. Any appointment or raise bringing salary to \$218,000 or above requires Regents’ approval. Those additional 374 highly paid employees represent a 12% increase in executive positions. The *San Francisco Chronicle* reported these new totals in late August following the last Regents’ meeting.

“How can UC have adequate funds for never-ending executive pay increases and new building construction but still insist on wide spread layoffs and cuts to our pension and benefit plans as well as unprecedented increases in student fees?” asked Lisa Kermish, UPTE’s vice president.

UC continues to receive record amounts of federal funding for research. Each research grant generates more than 50% overhead. The medical centers report more than \$100 million in profit every 6 months.

Profits from these money-making parts of UC could be used to support areas slated for cuts, such as the libraries and teaching, which are integral to UC’s mission. ■

Arbitration win for UPTE on leave issue

An important provision of union contracts allows members to take leaves for union business. Making it possible for rank-and-file members to work for UPTE is critical for keeping the union democratic, effective, and in touch with its constituents.

UPTE-CWA contracts have long allowed members to take leaves for union business. UC had never challenged such leaves, but in 2010 it began denying requests for renewals of leaves by UPTE activists – among them UPTE’s chief negotiator, its systemwide president, and a field representative at UC San Diego.

UC claimed the contract prohibited its granting the leaves. UPTE took the matter to arbitration, and on October 17, the arbitrator dismissed UC’s contention, noting that neither contract language, nor bargaining history, nor prior practice supported UC’s interpretation.

“This was a concerted effort by UC to make it as difficult as possible for the union to represent employees,” said UPTE president Jelger Kalmijn, a staff research associate at UC San Diego. “These denials came directly from the top. It was clear from the start that UC’s interpretation was incorrect.” ■

Refund public education

Public education is in crisis in California. State budget analysts are anticipating a proposal of \$2.5 billion in new “trigger cuts” to public education.

UC’s president has put more job cuts on the table and up to 81% in tuition hikes to cover the shortfall. This comes in the wake of \$17 billion in cuts to education since 2009 that have contributed to the layoffs of thousands of employees in education, and a 300 percent tuition increase at public universities over the last 10 years.

Two UC unions – UPTE-CWA Local 9119 and UAW Local 2850 – have called for a week of actions starting November 9 to raise awareness about the crisis of public education, and the need to raise taxes on the wealthy and on Wall Street.

UPTE represents 12,000 professionals and tech employees, while the UAW represents 11,000 academic student employees. Both unions want to send a clear message to the University of California and California State University’s administrations, and

invite others to join them.

In a statement, UPTE-CWA and the UAW said they believed “that privatization of public education is also an attack on public employees, through the privatization of the pension fund, the rising cost of benefits for workers, and the restructuring of our universities following the corporate model.”

The unions are demanding that the UC regents and administrators and the CSU trustees reverse fee increases, layoffs and the cuts to essential services and classroom education, and ensure equal benefits for all workers. They want both university systems to actively support affirmative action, as well as taxes on the wealthy and on Wall Street in order to fund public education. ■

UC executive pay climbs yet again

Despite layoffs, cancelled classes, packed classrooms, reduced library hours, and 32 percent tuition increases, UC added four new million-dollar earners to its payroll last year.

That’s according to UC’s payroll report for 2010. An analysis of the report by the *San Francisco Chronicle* shows UC “also

spent \$8 million more on overtime in 2010 than in 2009, even as it added nearly 2,300 employees to its \$10 billion payroll.”

Payroll grew by nearly \$108 million, or about 1 percent, at the same time as its officials mandated a furlough program that reduced many individuals’ salaries by 4 to 10 percent. The payroll report shows that UC is relying less on students



A banner from Refund California, a statewide labor/community coalition working to make Wall Street banks pay for destroying jobs and neighborhoods with their irresponsible and predatory business practices. Learn more at <www.makebankspaycalifornia.com>.

MARK YOUR CALENDARS!

◆ Actions all day **Wednesday, November 9** at **UC, CSU, and Community College** campuses throughout the state

◆ Regional convergence on **Wednesday, November 16 at 10 AM** at the **UC Regents meeting at UCSF Mission Bay** and the **CSU Trustees meeting in Long Beach**

◆ Other local actions to be announced

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and the state’s general fund to pay employees, and more on its money-generating hospitals and federal government grants.

Among those new employees are some with increasingly high salaries. The number of University of California employees earning more than \$200,000 annually grew by 10 percent last year, reported the *Orange County Register*.

Yudof’s pay drops

The report also shows why UC president Mark Yudof claims UC administrators are underpaid: “[Yudof] earned \$560,594, dropping to No. 152 from No. 76 among the highest paid in 2010, after his salary decreased because of his furlough. UC Irvine Chancellor Michael Drake earned \$374,969, ranking No. 608.”

UC’s largest revenue growth comes from its medical centers, revenue from which grew to almost \$6 billion in 2010, an increase of nearly \$2 billion just six years before.

You can find the numbers at <www.universityofcalifornia.edu/news/compensation/payroll2010>. ■

Regents table tuition increase – for now

University of California President Mark G. Yudof unveiled a proposal in late September that would raise annual tuition for UC students by 8% to 16% over the next four years – a proposal that met with a storm of outrage from students, staff and faculty.

One group of students and staff at UC Berkeley sat-in at the Education/Psychology building for a day in protest, and that campus’ student paper took student reps on the Board of Regents to task for not speaking out. Regents have tabled the issue for now.

California State University leaders rejected another tuition increase this year “even if it suffers a further \$100-million cut in state funding.” CSU chancellor Charles B. Reed also rejected adoption of a multi-year budget with annual tuition increases, he said, because of the difficulty of planning in a volatile environment. ■

Activists target new Verizon iPhone

UPTE’s national union, the Communications Workers of America has launched the next stage in the fight for middle-class jobs at Verizon and Verizon Wireless.

CWA has joined with the International Brotherhood of Electrical Workers as well as allies such as MoveOn.org, the AFL-CIO, Jobs with Justice, and the National People’s Alliance in a nationwide “iWon’t Campaign,” asking Americans to delay upgrading to the new iPhone on Verizon Wireless until the company agrees to a fair contract with its workers.

The campaign, which includes online outreach by MoveOn.org, and flying at hundreds of Verizon Wireless stores, began as Apple’s new iPhone launched in early October.

“We know tech lovers are eager to get their hands on the latest offering from Apple,” said CWA District 9’s Libby Sayre. “We’re asking that when they do, they take into account the labor record of the service provider they choose.”

Verizon and Verizon Wireless “jump through hoops to avoid paying federal taxes, dole out millions to their top executives, and then have the audacity to cut back and ask their workers to pay the price,” said Justin Ruben, executive director of MoveOn.org. “We are joining the iWont Campaign and asking consumers to get the new iPhone on Verizon only when Verizon and Verizon Wireless treat their employees with the respect and fairness they deserve.”

The coalition is also working to expose what it calls the “Verizon Tax Loopholes” – the tax dodges Verizon and Verizon Wireless use to pay nothing in federal corporate income taxes even as they make billions in profits, pay their top five executives hundreds of millions of dollars, and undermine middle-class jobs.

CWA and its allies are calling on lawmakers to force companies like Verizon to pay their fair share in federal taxes and respect workers’ rights.

Since August, 45,000 Verizon and Verizon Wireless workers have been fighting to protect their health care coverage and other standard employee benefits against company demands for massive takebacks. Learn more at <bit.ly/iWontUpgrade>. ■