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

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# U · P · D · A · T · E

## APs to launch union representation campaign

**A**dministrative professionals (APs) from across the UC system will converge on Los Angeles for an all-day kick-off event to launch a union representation campaign on Saturday, August 27.

“APs will fill buses and planes to convene for the launch conference to imagine, plan, and imple-

ment a winning vote for UPTE representation in 2017,” said Susan Orlofsky, an AP who is organizing her coworkers and works as a senior editor at UCSD.

The conference will combine a rally, presentations by plenary speakers, and workshops on union building.

There will be opportunities to

network and brainstorm with supporters from all UC campuses.

All expenses will be covered by UPTE. Contact your local if you’d like to attend.

### No longer left out

“When APs win an election for collective bargaining rights, we will finally gain a seat at the table to negotiate with UC about the terms and conditions of our employment,” said Orlofsky.

APs are one of the only groups of UC workers who do not yet have this right. They number some 18,000 workers – student affairs officers, analysts, editors, writers, programmer/analysts, library professionals and many others.

“This is not our first attempt to win representation, but we have learned from our past experiences and have developed new strategies and tactics to achieve our goal – organizing our supporters at each campus to advocate, talk union with co-workers, and encourage

a vote for representation,” notes Orlofsky.

“Cuts to benefits and inadequate wages have hit these non-union UC employees hard,” said Jelger Kalmijn, UPTE’s president and a staff research associate in the RX unit at UCSD. “Whereas employees covered in our contracts have received 26 percent more in raises over the last decade and can retire 5 years earlier, the salaries of administrative professionals haven’t even kept pace with inflation and their workloads have skyrocketed,” he said.

“Staffing cuts and various consolidation schemes have left fewer staff to perform more work, for less,” added Kalmijn.

“We invite AP supporters to save the August 27 date and join us to build union power!” Orlofsky said of the upcoming conference. UPTE members can help by reaching out to their AP coworkers and signing them up for union membership. Learn more at [apsforupte.org](http://apsforupte.org).



APs organize at UCLA.

### UPTE LOCALS

Berkeley/UCOP

(510) 848-UPTE

Davis:

(530) 759-0803

Irvine:

(949) 223-5400

LBNL:

(510) 704-UPTE

Livermore/SPSE:

(925) 449-4846

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:

(530) 400-6953

College of the Sequoias:

cos@upte-cwa.org

Mt. San Jacinto College:

(951) 276-0016

## Labor Notes conference energizes UPTE activists

**M**ore than two thousand trade unionists from around the world descended on Chicago at the beginning of April for the 2016 *Labor Notes* conference, and among them was an eleven-strong delegation of UPTE activists.

The conference is the pre-eminent annual event among labor activists in the country. It features three days packed with reports from participants in ongoing workers’ struggles, music, picket lines, and workshops on everything from the nuts and bolts of organizing to international labor issues.

It was an “extraordinary weekend,” reported UPTE’s Janie Frank, a clinical lab scientist at UCSF. The conference offered “a cornucopia of fascinating, relevant workshops,” Frank reflected after the conference, writing that “for each class I took, there are two more I’d love to have taken at the same time.” With participants from over 20 different countries, Frank noted, “you were surrounded by diverse knowledge and wisdom.”

### Linking theory and action

The workshops encouraged participants to link the theoretical information presented with activ-

ists’ actual experiences back in their workplaces. Reflecting on one principle presented in her workshop to “find the common ‘yes’ that will include everybody,” such as by supporting wage increases for all employees instead of only certain groups, Frank recalled her own experience. “When UC was paying new hires greater than their trainees, a huge percent of clinical lab scientists from all campuses signed a petition to give those underpaid a raise,” she said. “We felt united in the injustice of this practice. With the support of our administration and medical director, we forced the UC Regents to acquiesce to our demands and give those underpaid a raise during the long negotiations.”

Jamie McDole, UPTE’s vice president, highlighted

“the inspiring speakers from the Driscoll berry fields talking about the dangerous conditions in which they work.”

“The energy was revitalizing and made me ready to push ahead and fight for the rights of our members,” McDole added.

One of the activities that energized conference-goers was a mass picket. Participants hopped on four

busses to go to Chicago’s O’Hare airport to picket in support of the Fight for \$15 movement. During the ride out, activists from the Chicago Teachers’ Union talked about their fight for equity and the holistic nature of living wages, emphasizing that the economic health of their students’ families directly affects life in the classroom.

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UPTE delegates to the Labor Notes convention: 1st row (l-r): Ashley Mensing, Tim Smith, Aaron Miller; Middle row (l-r): Jelger Kalmijn, Shanna Vela, Jamie McDole, Lisa Kermish; Top row (l-r): Judy Scarborough, Elizabeth Wilks, Marcos Jimenez



# Organizing for fairness

UPTE-CWA members lobby with CWA District 9 members on a bill to help UPTE's part-time faculty at community colleges, AB 1690 (see story, page 4).



## Attention: HX employees

UPTE will be launching a survey this summer to get a better understanding of your interest in pre-funding retiree health care benefits.

We'll be asking you to share your opinions, as well as when you plan to retire and how much service credit you'll have.

Your answers will help inform the bargaining process. Stay tuned for more!

## Attention: UPTE members

The union's annual report, which includes financial audits for both UPTE and CWA, has been released.

You can find it posted at [upte.org/about/AnnualReport2016.pdf](http://upte.org/about/AnnualReport2016.pdf).

A union demonstration at UC Berkeley against the chancellor's plans to lay off 500 staff.



## Lean production at UC: organizing against cutbacks

by Dan Russell, UPTE Berkeley

Executives at the University of California have taken significant steps over the past two months to squeeze more out of workers while reducing benefits. If unchallenged, this will set a dangerous trend for the future of work at UC.

On April 11, UC Berkeley chancellor Nicholas Dirks announced that the administrative workforce would be cut by 500 – or 6% – in the next 18 months, as part of a larger restructuring of the university that intends to close what he claims is a structural campus deficit by the 2019-20 fiscal year.

### Layoffs of unrepresented staff no surprise

On April 14, Berkeley suspended the right of laid-off, unrepresented employees to preferential rehire in lieu of severance pay. This is no coincidence. An administration planning for layoffs wants to be able to lay off whoever it wants and turn around and hire whoever it wants.

Because seniority rights have already been eliminated for unrepresented staff, it shouldn't surprise us if the administration chooses to lay off older, experienced, and higher paid staff on the dubious grounds of lack of work or lack of funds. (*Editor's note: "unrepresented" staff are mostly APs, or administrative professionals, who are currently organizing with UPTE; see story, page 1.*)

Initial signs have confirmed the fear that these cuts won't be aimed at management – whose numbers have grown exponentially in recent years – but front-line staff. A number of departments have already begun layoffs, including an administrative support worker who has been at Berkeley for more than 30 years.

It also shouldn't surprise us if Berkeley continues to shift work into unrepresented titles where it does not have to bargain over wages, benefits, and working conditions. A significant portion of the Berkeley workforce are administrative professionals (APs), who have been organizing across the UC system with UPTE. Their numbers

have increased at the cost of existing union-represented workers in fields like Human Resources and Information Technology. This has been driven by previous changes to the structure of administrative work; a prominent and recent example being Berkeley's Campus Shared Services (see the last issue of the *Update*, February 2016).

Because of this, it is all the more important that represented workers stand with APs as they try to organize and fill one of the largest gaps in representation at UC. If the university is allowed to treat APs and the rest of the unrepresented as second class workers – despite some receiving higher starting salaries – these employees will continue to be used as a staging ground for attacks on rights that union-represented staff have fought so hard to win.

UC has already imposed a second retirement tier on unrepresented staff – something that represented workers were able to fend off only by striking. UC president Janet Napolitano is now threatening yet another tier that would encourage incoming staff to opt out of the pension entirely and remove any incentive to stay with UC for more than a year. This will not only undermine the long-term solvency of the pension but will also further divide workers and reduce our ability to build solidarity to defend it.

### Fight for funding

As the state government and UC continue to exchange jabs over funding, executive compensation and enrollment, workers will need their unions to fight not only for the UC to be properly funded, but for those funds to be used to meet the university's obligations to workers and students rather than lining the pockets of upper management and the regents.

I've heard numerous times in my four years at UC Berkeley that people choose to work here for the benefits, culture, and job security; that these things tend to make up for the stagnant wages of many unrepresented workers. Chancellor Dirks and President Napolitano are doing everything in

their power to end this and turn UC further into a corporate environment where a growing layer of well-paid managers rule over a shrinking group of increasingly unrepresented staff who are asked to work harder and harder for less and less.

*Dan Russell is a member of UPTE Berkeley's executive board, and works at UCB as a business technology support analyst. You may contact him at <dbrussell85@gmail.com>.*

## Labor Notes conference

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At the airport, Frank reported, "Two really courageous airport workers came out to talk to us, under the eye of their supervisors. 'I've been here for 8 years and make \$10 an hour.' That's courage and it drove home to me the fact that even one voice makes a difference," said Frank.

### Hearing younger voices

Jelger Kalmijn, UPTE's systemwide president, attended workshops that looked at the international dimensions of labor struggles and what they mean for workers here in the US. "The workshop on Chinese labor strikes," he said, "provided great information about how workers that make so many products for sale in the US are treated and paid. Likewise, the speaker from San Quintin, Mexico gave a riveting presentation about strawberry production for export to the US."

The labor movement is under attack these days, but Kalmijn pointed out a cause for hope for the future. "The workshop for young workers completely overflowed the meeting room," he said. "Lots of great participation and the old folks (like me) managed to keep their mouths shut and listen."

The *Labor Notes* conference takes place every other year in spring, usually in the midwest. If you're interested in attending the 2017 conference, contact your UPTE local. Check out *Labor Notes* online for news and views about labor at [labornotes.org](http://labornotes.org).

## Health & Safety 101 for UPTE members

by Joan Lichterman

Workers today often take for granted the safety of their workplaces, especially at non-industrial institutions like universities. We can do so because of the relative success of occupational safety and health laws enacted in the late 1960s (mine safety), and 1970 (the Occupational Safety and Health Act), which have reduced workplace fatality and occupational injury and illness rates by about two-thirds.

However, 150 workers still died every day in 2014, according to AFL-CIO statistics; 4,821 killed while working and an es-

California law requires you to take the following steps:

- Tell your supervisor about the hazard and ask that it be corrected.
- Explain that you are willing to continue working if the hazard is corrected or you are assigned other work that is safe.
- State that you believe a health or safety regulation is being violated.
- Contact your union rep.

The health and safety section of UPTE's technical (TX) and research unit (RX) contracts require slightly different

procedures, so members should become familiar with it. (See, for example, [upte.org/contract-tx/11.pdf](http://upte.org/contract-tx/11.pdf) sections B4-6.) Your supervisor and, if necessary, the campus or lab's Environment, Health & Safety Department (EH&S) will determine if the task is "abnormally" hazardous or dangerous and, if so, how the hazard can be remedied.

Once the task is modified, you may be required to do it. If it is not considered abnormally hazardous, you may also be required to perform the assignment, or you may be assigned other work. If you refuse the assignment, you may be subject to discipline.

Members also have the right to file a Cal/OSHA complaint, either online or by calling. Theoretically, all OSHA complaints are anonymous, and under the law, you have the right to complain without fear of retaliation. However, if the worker filing a complaint can be identified easily because of the nature of the work or department, you may want to have your union rep file a complaint to provide additional protection against possible retaliation.

Definitely contact your union rep if you want to file a complaint. You should know that Cal/OSHA (and federal OSHA) are significantly under-funded, and have few inspectors for the number of workers they are supposed to protect.

A complaint from a UC staff member will be referred to your campus EH&S Department, which is the first line of defense. Cal/OSHA is likely to come to UC only if someone is injured or worse. EH&S is responsible for providing safety resources and guidance on workplace hazards and has staff who are trained to assess and remedy hazards. – *Joan Lichterman is UPTE's health & safety director and can be reached at <[joanlichterman@gmail.com](mailto:joanlichterman@gmail.com)>.*

## Topped out UCSD health care workers win raise

Topped out UPTE-represented health care (HX) professionals at UCSD's Health Sciences are getting an additional 2 percent raise, after pressuring management through a petition campaign and a series of labor-management meetings.

Six months of intense advocacy and a dramatic delivery of a petition signed by some 200 HX workers to the office of Patty Maysent, CEO of Health Sciences, and other officials, made the difference.

### Pressure works

The petition made the case that management should fairly compensate those who were "topped out" – that is, had reached the top step in their classifications – by giving them an additional 2 percent so they'd get equivalent raises to those who were not topped out.

It reminded management that it had agreed to an extra amount in 2015 to bring topped out HX employees up in salary, and that it should do the same in 2016 and 2017.

### Getting the good news

"UPTE was delighted to get the good news," said Susan Orlofsky, president of UPTE San Diego, who also works as a senior editor at UCSD.

"Congratulations to all our HX members who circulated petitions, spoke truth to power, and talked union with their co-workers. You made this happen!"

## Online Health & Safety Resources

### Federal Law

*Your Rights Under OSHA Law.* <https://www.osha.gov/workers/index.html>

### California Law

*Health and Safety Rights: Facts for California Workers.*  
*Department of Industrial Relations, Division of Occupational Safety and Health (DOSH, or Cal/OSHA):* <http://www.dir.ca.gov/dosh/documents/health-and-safety-rights-for-workers.pdf>

### UC Resources

*UC Berkeley, EH&S Fact Sheet, Illness and Injury Prevention Programs:* <http://www.ehs.berkeley.edu/sites/default/files/lines-of-services/workplace-safety/22iipps.pdf>

*UC Berkeley, EH&S Fact Sheet, Department Safety Committees:* <http://www.ehs.berkeley.edu/sites/default/files/lines-of-services/workplace-safety/08sftycomm.pdf>

Every UC campus has an office of Environment, Health & Safety. Berkeley links provided as an example.

timated 50,000 from occupational diseases, often from exposure to toxic agents decades earlier. Latino workers and older workers are at higher risk, according to Worksafe.

We can't expect workplaces to be safe without constant efforts on several fronts at once: attempting to update the laws to regulate hazards (somewhat easier in California than nationally, as California has its own – more protective – OSH plan, known as Cal/OSHA); strengthening workers' rights and enforcement; and training workers.

### Your rights at work

Workers need to know they have a right to a safe place to work – including the right to work on machines that are safe, to be provided required safety gear, and to be protected from toxic chemicals. They also have a right to receive information and training in language they can understand about safe work practices and about the specific hazards of their jobs, and to speak up about safety concerns without fear of retaliation.

UPTE members don't always know they have a right to refuse to do a task if they think it would violate a health and safety regulation or believe it will put at risk their health or their life or that of their coworkers. Before you refuse, however,

UPTE members demonstrating outside a Verizon store in the Bay Area in support of CWA members who have been on strike since mid-April. In the largest such action in years, 40,000 Verizon workers represented by UPTE's national union, the Communications Workers of America, and the International Brotherhood of Electrical Workers, struck Verizon after 9 months of contentious contract negotiations (see story, page 4).



## Verizon workers digging in as stakes climb in historic strike

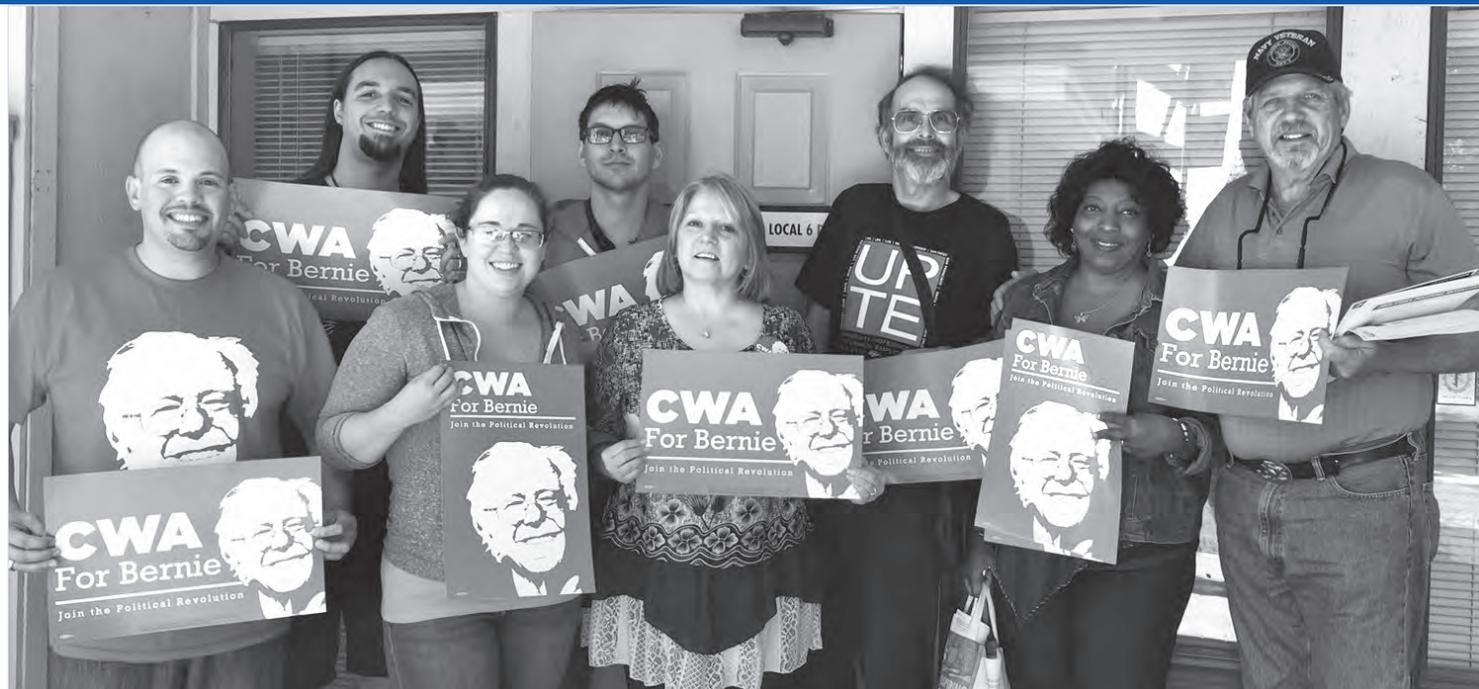
It's the largest strike in years. Forty thousand Verizon workers in the company's landline operations, represented by UPTE's national union, the Communications Workers of America, and the International Brotherhood of Electrical Workers, struck Verizon on April 13 after nine months of contentious and fruitless contract negotiations.

Verizon has racked up record profits – over \$39 billion in the last three years – but is pushing to outsource jobs to the Philippines, Mexico and elsewhere, as well as to low-wage contract workers in this country.

Presidential candidates Bernie Sanders and Hillary Clinton walked the Verizon picket lines shortly after workers struck, but there has been lagging attention from the national corporate media. The *New York Times* has cast the strike as a question of whether the economy can provide well-paying jobs with job security and benefits in an era of rapid technological change.

Most union workers at Verizon are in its landline operations, which are shrinking, and the company has aggressively fought unionization in its growing wireless division. On May 1, Verizon cancelled health benefits of the striking workers and has been advertising for scabs to take their place. CWA has pledged to ensure health care coverage for all the strikers and their families.

The union expanded picketing to Verizon storefronts nationwide, and on May 5, two hundred and fifty activists disrupted the Verizon shareholders meeting in Albuquerque (see photo on page 3 of a recent Bay Area demonstration). Earlier this year, twenty US senators sent a letter to Verizon's CEO calling on him to "act as a responsible corporate citizen and negotiate a fair contract with the employees who make your company's success possible."



UPTE-CWA activists gather in Davis to learn campaigning skills, then hit the road to door knock for the Bernie Sanders campaign.

## California primary may be decisive: vote June 7!

California's primary election is on June 7, and voters will have the chance to weigh in not only on the national presidential race, but many state, local and county offices and measures as well. If you'd like to vote by mail, you have until May 31 to request a mail ballot (go to [www.sos.ca.gov/elections/voter-registration/vote-mail](http://www.sos.ca.gov/elections/voter-registration/vote-mail)).

UPTE-CWA Local 9119 and our national union, the Communications Workers of America, have both endorsed Bernie Sanders for President of the United States. His campaign to turn around income inequality has support from a broad cross-section of all voters, with especially strong support among younger voters.

Sanders has a well-thought out plan for investing in free higher education instead of burdening students with massive debt before they even enter the work force. We strongly urge you to support him.

To participate in the California Democratic primary, you must have been registered to vote as a "Democrat" or "No Party Preference" by May 23 (though at *Update* press time, there is legal action pending that, if successful, would allow later registration).

Get out there and vote!

But it's clear that the strike, now in its second month, could become a protracted struggle. Verizon workers need our help if they're going to be successful. Find strike events in your area, and sign up for email updates at CWA's Stand Up to Verizon page [standuptoverizon.com](http://standuptoverizon.com). Follow the links there too to contribute money to the solidarity fund, to help cover the costs of striking workers' wages and health care.

## Proposed bill supports UPTE's part-time faculty

UPTE-CWA represents over a thousand part-time faculty members at three California community colleges: Mt. San Jacinto, Butte Community College and College of the Sequoias.

While they are required to hold the same academic qualifications and credentials as their full-time colleagues, these part-time faculty are nearly always paid significantly less than full-time faculty for the same duties, and in most cases, receive no health coverage or compensation for office hours.

UPTE members John Martin and Peggy McCormack are leading the charge to change that. As part-time faculty members at Butte Community College, they together have over 40 years of teaching experience and bring first-hand knowledge of the faculty working conditions.

They are organizing colleagues to support a bill, AB 1690, by Jose Medina (D-Riverside), who chairs the Higher Education Committee in the Assembly, which would help faculty attain the same professional recognition as tenured faculty at community colleges.

As the author of the legislation, Medina writes, "This lack of dignity, fairness, and equity translates to poor prospects for career advancement, resulting in many qualified part-time faculty leaving the

profession annually."

He believes that AB 1690, which seeks to enhance the retention of qualified instructors, support institutional viability and directly contribute to student success, is broadly supported by the higher education community.

### Negotiate now!

AB 1690 requires community college districts that do not have a collective bargaining agreement with part-time faculty in effect as of January 1, 2017, to begin negotiations those faculty's exclusive representatives regarding specified terms and conditions.

These terms and conditions include job evaluations, placement on a seniority list for assignments following six semesters of satisfactory service, maintenance of the faculty member's hours, as well as offering new assignments in seniority order, and following "last in, first out" principles if assignments need to be reduced.

Part-time faculty would also get the due process rights in cases of termination, something that almost all California public employees already have.

Stay tuned for updates on this bill. To help with legislative outreach or to find out more, contact John Martin at [johnmartin@cpfa.org](mailto:johnmartin@cpfa.org) or (530) 591-2292.

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