



CWA 9119
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University Professional
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U · P · D · A · T · E

UC tries to force unreasonable sick leave policy on hospital workers

UC operates five of the state's most advanced medical centers, but it is forcing a policy on some of its health care professionals that would encourage them to come to work ill and send sick children to school rather than stay at home with them.

It's a policy called "paid time off," or PTO, which requires most employees to use vacation time for up to the first 24 hours of each episode of illness.

"As you can imagine, that could mean more workers will come to work sick and put already compromised patients at further risk," said Jamie McDole, a health care professional at UC Davis who also serves as UPTE's systemwide vice president.

Saving money, risking health

The issue is on the bargaining table for UPTE-represented physical therapists (PTs) and occupational therapists (OTs), who have been in contract bargaining since February 2015.

Physical therapist 1, 2 and 3 job titles, as well as occupational

PTs and OTs rally for fair sick leave policy at the UCD medical center.

therapist 3s, joined UPTE's health care (HX) professionals unit in late 2014 and are now at the bargaining table for a contract.

The union is adamant that health and safety is of paramount importance in the hospital workplace: "The last thing you want to encourage is for hospital employees to come to work sick," said McDole.

Therapists speak out

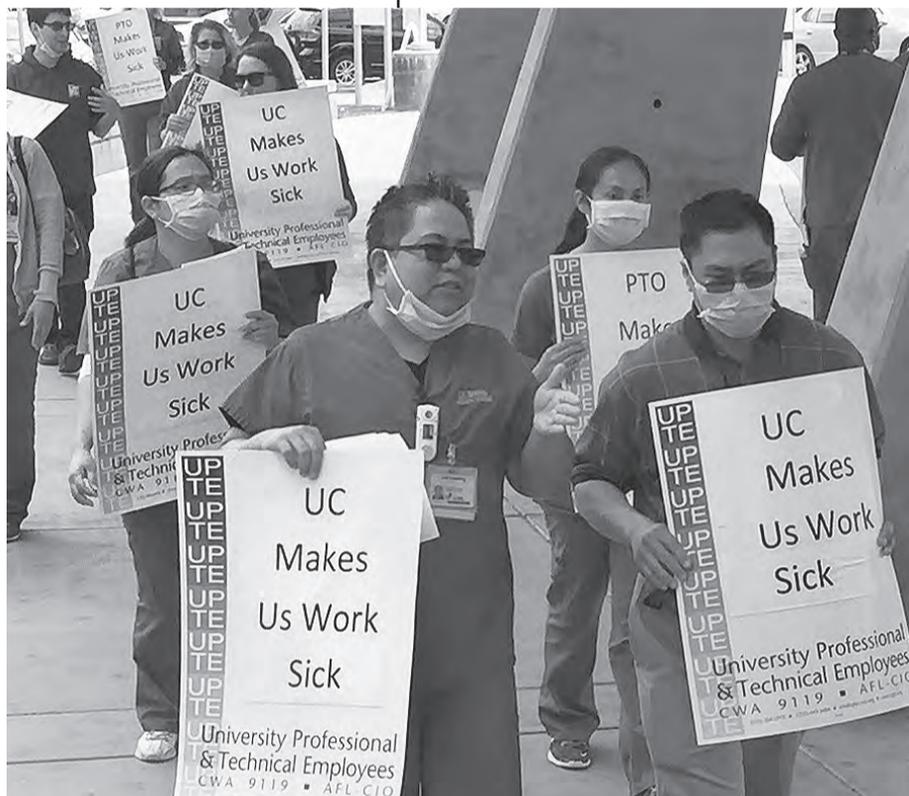
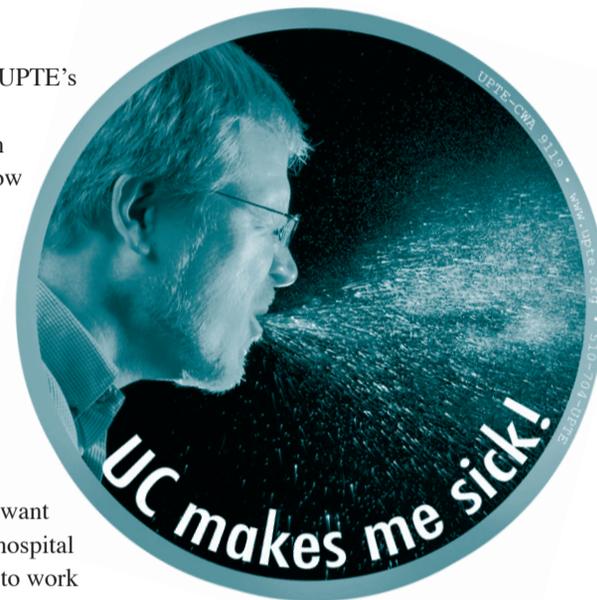
Wearing masks and carrying signs that read "UC makes us work sick," PTs and OTs and their HX coworkers have held rallies at several medical centers this year to get their message across to UC administrators.

Behind UC's hardline stance is its desire to cut costs for per diem employees at the hospitals, who are sometimes called in when a career employee stays home sick.

"A restrictive PTO policy

might make sense for UC's bottom line," said McDole, "but it's a terrible policy in a hospital where not spreading illness is a major concern. UPTE feels strongly that our members should have immediate access to sick leave when they are ill," she added.

PTs and OTs and their colleagues are planning another action around the UC system on September 21, where they'll wear "UC makes us sick" buttons at work and be joined by coworkers represented by other unions at the medical centers.



UPTE LOCALS

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(949) 223-5400

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:

(530) 400-6953

Building a union: AP organizers on the move

Administrative professionals (APs) from around the UC system who support a union for themselves and their 15,000 colleagues met in Los Angeles to strategize in late August.

"We are the only remaining group of employees at UC who don't have a seat at the table," said Keith Pavlik, a publications coordinator at UCSF who attended the meeting.

"The ability to negotiate a strong contract covering our wages and working conditions that can be enforced in solidarity with other union members systemwide is the key to improving our careers," he said.

Vulnerable professionals

Discussions focused on the mechanics of forming a union, as well as those issues confronting professionals who are the most vulnerable to management cost-cutting moves.

"We also set up campus com-

mittees to coordinate activities at the local level and talked strategy," said Pavlik, who added that the numbers of activists at each campus has been quickly expanding.

Participants were treated to a lunchtime address by Alexandra Bradbury, editor of the Detroit-based *Labor Notes*, who described some of the techniques in the publication's latest book, *Secrets of a Successful Organizer*.

"It was an inspiring day, discussing the possibilities of change once our voices are recognized at the table, and we have the ability to negotiate with the university regarding our working conditions and compensation," said Judy Scarborough, a senior administrative analyst at UCSC.

Some of the AP activists who converged on Los Angeles for an organizing summit.

How to win

"The key takeaway is that we all need to be involved for the campaign to be successful," she added, whether that is signing a commitment card, wearing a button, or talking with coworkers about the union.

APs can do any of the above

by checking out the campaign's website at <www.apsforupte.org>, or calling your UPTE local.

And if you are an UPTE-represented health care professional, researcher or technical worker who works alongside AP colleagues, please take a moment to introduce them to the union.



Organizing for fairness

UPTE-represented part-time faculty members at College of the Sequoias in Visalia have begun bargaining over the summer. The union's team is asking for paid office hours, wage increases, a substitution system, compensation for program review, and paid time/stipend for five days of professional development.

Gearing up for the November election

The fall election season is on the horizon, and UPTE-CWA wants to remind everyone to make sure you are registered to vote on Tuesday, November 8.

To make sure your voter registration is current (or to register, if you haven't yet), go to the nonpartisan <www.canivote.org>.

Here are UPTE's endorsements so far.

- **Nancy Skinner** in California Senate District 9 (Alameda/Contra Costa counties)
- **Mae Torlakson** in California Assembly District 14 (Contra Costa/Solano counties)

UPTE Berkeley members rally to protect retirement benefits (see story page 3)



Victory for part-time faculty in pending job rights bill

New legislation protecting job rights of non-tenured faculty will be a victory for California's community college teachers, including over a thousand such faculty who are represented by UPTE-CWA at Butte Community College, Mount San Jacinto College, and College of the Sequoias.

About two-thirds of the state's community college instructors are adjuncts or part-timers with little job security and low pay. Senate Bill 1379 (which replaces Assembly Bill 1690) – at *Update* press time the bill is on Governor Jerry Brown's desk awaiting his signature – would help change those conditions.

What the bill will do

The legislation is designed to help non-tenured part-time faculty by requiring community college districts to bargain "minimum standards for the terms of reemployment preference for part-time, temporary faculty assignments" that take into account how long part-time faculty have served at their school, the number of courses they have taught, and their evaluations.

There's an "enforcement mechanism" provided in the form of withholding state funds if the law isn't followed.

"These new rules could greatly improve the status and treatment of part-time, temporary faculty," said Amy Hines-Shaikh, UPTE's higher education and legislative director, who is hopeful that the governor will sign the bill. "UPTE will continue to organize for even stronger legislation, but this is a strong start."

Faculty organizing

Part-time faculty at California's community colleges are among the lowest-paid teachers in the nation.

UPTE members at the three community colleges where the 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).

While part-time faculty are required to hold the same academic qualifications and credentials as their full-time colleagues, they 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.

Learn more about the movement to improve faculty wages and conditions at UPTE's community college webpage at <upte.org/local/cc>.

possible, such as cost-of-living and longevity step increases, as well as a strong, more secure pension plan. Union increases have exceeded non-union increases by 26% over the last ten years.

In addition, BTSAs hope to negotiate a maximum retirement benefit five years earlier, which is another advantage union-protected employees have over those who don't have a union contract.

Other issues include improving job security and widening training opportunities for those in the job classification.

UC unveils 2017 benefit changes

UPTE and other unions met with UC for an initial briefing on the benefits plans for next year.

UC plans to make significant changes to supplemental disability insurance. The current four levels of waiting periods will be condensed into one waiting period of 14 days.

The university will also reduce the benefit from 70 percent of pay to 60 percent, a significant cut.

Cost increases, again

Most UC employees have a waiting period of 30 days – which makes more a more affordable premium – because employees are forced to use a month of accrued sick leave before using the disability benefit anyway.

Under the new plan, the cost will increase by \$9 per month if you currently have a 30-day waiting period.

You can read UC's presentation with additional details on UPTE's website: <www.upte.org>.

In addition, UC retirees who already carry the nearly the entire burden of vision care will see their premiums increase by \$5 per month.

UPTE's technical (TX) unit likely to expand

Another group of technical workers is on the verge of becoming represented by UPTE: Business Technology Support Analysts (BSTA).

That's a job title not currently covered by UPTE's technical (TX) unit, but UC has been hiring into that title, and reclassifying existing technical employees into it, such as programmer/analysts. (Note: A title change is one trick UC execs try to use in order to move employees out of union-covered job titles, or begin shrinking the number of workers covered by union contracts at UC overall.)

Adding new members by petition

UPTE filed a "unit modification" petition with the Public Employment Relations Board asking that the new title be included in the TX unit, and so far, UC has agreed.

At press time, details are being worked out, but UPTE supporters are hopeful that they'll soon be able to negotiate issues just like their represented coworkers.

A wide range of improvements are

Tanya Smith, photo

UCB workers send message on pension plan

Union-represented workers are standing together to oppose the university's new proposal to allow new hires to opt out of the UCRS defined benefit pension plan into a separate 401k-style plan.

UPTE's Berkeley local joined other campus unions recently for a rally in front of the chancellor's office to show their displeasure with the proposal.

"This proposal hurts not only new hires – who UC hopes to lure into the riskier 401k-style plan – but undermines the long-term financial stability of the pension plan for existing employees," notes Dan Russell, a Business Technology Support Analyst and member of UPTE Berkeley's executive board.

UC imposed the plan on non-union-represented staff on July 1, but must negotiate it with those employees who have union representation.

"Standing together, we can defeat this ill-advised proposal that only serves short-term, highly paid executives," said Jelger Kalmijn, UPTE's systemwide president.

Undercutting UCRS

The proposed change would allow new employees to opt out of the University of California Retirement System (UCRS), the defined benefit pension plan. That plan depends on the full participation of UC employees, and there is concern that allowing an opt out will start a slippery slope to underfunding.

Younger workers, or those who might be planning to stay at UC for a shorter time, may not see the immediate benefits to UCRS and opt out. If sufficient numbers do, UC would then have to force those left in the plan to pay more of their salary to sustain it.



UCB workers come together in front of their chancellor's office to protest retirement plan changes.

Even UC admits that setting up a separate 401k-style plan will actually cost more initially – about \$500 million. Savings may come decades down the road, says UC, but only after it has short-changed new hires by getting them out of the plan.

Why "defined benefits" are better

UCRS is a "defined benefit" plan, which means each participant is guaranteed a set pension amount monthly for the rest of their lives by a standard formula. The plan resembles group insurance in that the larger the number of participants, the safer everyone's future is.

In addition, the pension has a "survivor" provision that continues to pay benefits after the employee's death to spouses, partners or others, depending on the employee's choices.

UC's proposal for a 401k-style plan is a "defined contribution" plan, which doesn't guarantee any retirement income. The individual employees bears the risk if the stocks or bonds in which the funds are invested tank, leaving them without retirement funds.

"This option shifts all risks to the worker, leaving retirement to the exorbitant fees and whims of Wall Street," added Kalmijn.

Got student debt? An UPTE-sponsored workshop could save you money

Are you one of the 40 million US residents with college debt?

At UC, you wouldn't be alone. UPTE activists who have begun holding Student Debt Clinics have been astounded with the response to the workshops, in which participants learn how to refinance their debt and take advantage of existing government loan forgiveness programs.

"The idea for student debt clinics came out of our national union's Next Generation committee, and it has really hit a nerve," said UPTE member Lisa Kermish. "So many younger people graduate from college with massive debt – sometimes up to hundreds of thousands of dollars," she said, especially younger UC staffers hired right out of college.

How to use federal "loan forgiveness" programs

The clinics focus on reducing both the total debt owed and the monthly payments on the debt. The US government offers "income-driven repayment plans," that allow those with lower incomes or larger families to reduce their monthly payments and stretch them out farther. A second set of federal programs – "public service loan forgiveness" – allows former students who work in a public service job at UC, a community college or a 501(c)3 nonprofit, to make a certain number of payments before the debt is forgiven entirely. Combining the two programs can lead to a big reduction in debt.

"Students today graduate with a huge amount of debt, often deferring buying a house, traveling or having children," added Kermish. "The payments can burden you for decades – it's shocking to find out how many people on Social Security are being garnished by the government for student loan debt," she added.

Kermish facilitated two clinics at UCLA along with fellow union member Herbert Serrano, and taught a third clinic at UCB. As future workshops are scheduled, they'll be listed at the UPTE Academy's website <www.upte.org/local/academy>.

Lisa Kermish (standing) leads an UPTE-sponsored Student Debt Clinic. Co-facilitator Herbert Serrano is on her right.



AT&T workers win contract following historic strike

After a landmark strike earlier this year, AT&T Mobility workers, represented by UPTE's national union, the Communications Workers of America, have voted to ratify a new contract covering health care and other benefits for 42,000 workers.

"Our main goal was to put health care benefits bargaining back in the regional bargaining agreement process and to make health care affordable," said CWA District 1 Vice President Dennis Trainor. "This new contract reduces health care costs and will improve the standard of living for our members," he added.

An earlier agreement was voted down last month, and continued negotiations resulted in the proposal that went to the membership for a ratification vote.

The new contract includes reduced premium costs for 20,000 employees hired after 2014. In addition, employees with dependent children and no covered spouse will pay lower rates under a new structure, and a new plan will be introduced with lower premium costs.

Grad students at private universities win right to unionize

Graduate student unions won a huge victory in late August when the National Labor Relations Board (NLRB) ruled that graduate students could be considered employees and therefore able to organize and bargain collectively under the National Labor Relations Act.

The 3-1 decision along party lines overturned a 2004 ruling by recognizing that graduate workers can be both students and workers at the same time.

Grad students at more than 30 state universities, such as UC, California State University, and the University of Washing-

ton, already have the right to unionize, but those rights were determined by the states. Students at private colleges were covered by the NLRB and were barred from unionizing by the previous ruling.

Big win, long fight

The latest decision follows petitions for union recognition filed two years ago by grad students at Columbia University and the New School in New York. The universities argued that unions would interfere with the educational environment, an argument administrations have used for decades to fight unionization here at UC and elsewhere.

Experience has shown however that unions have greatly benefited grad students over issues like pay and health care, with no impact on the academic environment.

The ruling supercharged union efforts at Columbia and spurred organizing at Yale, Harvard and Duke universities. Within a few days of the NLRB's decision, grad workers in ten departments at Yale filed for union recognition under UNITE HERE, and more schools will undoubtedly follow soon.

Health care win for undocumented

UPTE-CWA has been a strong supporter of health care for all through its participation in organizations like the Labor Campaign for Single Payer and the Campaign for a Healthy California, and by lobbying legislators to support legislation like Senate Bill 10. SB 10 was introduced to the state Senate by Senator Ricardo Lara (D-Bell Gardens) in December 2014 and was finally signed into law by Governor Jerry Brown in June this year.

The new law requires the California Health Benefit Exchange, or Covered California, to apply for a waiver from the federal government to allow undocumented people living in California to buy insurance on the exchange.

The change will take effect January

John Nichols, photo @nicholsuprising



Former Ohio Senator Nina Turner speaks at the People's Summit in Chicago.

People's Summit aims to build movement

Delegates from UPTE-CWA joined thousands of others at the People's Summit in mid-June in Chicago, a three-day event meant to encourage the "transformative change" that Vermont Senator Bernie Sanders unleashed during his energetic bid for the Democratic presidential nomination.

"It was exhilarating to be surrounded by so many forward-thinking and progressive people," said Darlene Haines, an UPTE activist and systemwide board member who attended the event. "It was very inspiring," she added.

Haines said the event "was filled with stories of people who want to make a real change and brought a very human perspective to politics."

The program was filled with presentations by progressives, such as author Frances Fox Piven, human rights activist Van Jones, Rep. Tulsi Gabbard (D-Hawaii), National Domestic Workers Alliance director Ai-jen Poo, and climate activist Naomi Klein. Topics ranged from voting rights, to national health care, to economic justice, to labor organizing, and of course, the upcoming November election.

"It was exciting to be in the company of progressive people – young and not-so-young – working for change on many different fronts," said Lisa Kermish, who serves on UPTE's systemwide executive board and was also a Bernie delegate on the Democratic Platform Committee.

Kermish added that Bernie's campaign "inspired people from many causes to put aside differences in order to advance an agenda for working people. That was eventually reflected in the excellent changes we were able to advance in the Democratic platform."

1, 2018, with health plan coverage starting January 1, 2019. Undocumented immigrants will pay the full cost of the coverage, receiving no public subsidies, though there will be some additional administrative costs for the exchange.

Opening national conversation

Since the passage of Obamacare, state legislators have been looking for ways to expand health care coverage to undocumented immigrants. SB 10 would allow as many as 390,000 immigrants to purchase insurance through the exchange.

According to one legislative analysis, "...over 70% of undocumented Californians are in families with legal residents." The law moves the state closer to health care coverage for all – or as single payer advocates say, "Everybody in, nobody out!"

On the national stage, multiple supporters of a Medicare for All/single payer system, such as the Labor Campaign for Single Payer, Campaign for a Healthy California, California Nurses Association, and Healthcare Now! leaders, advocated for a single payer system to be part of the Democratic party platform this year. While it did not make it on the platform, the efforts increased the national conversation for it and raised hopes that its time is coming.

Temp workers now have right to unionize

In another landmark decision that will have a major impact on the rights of low-wage and temporary workers to organize, the National Labor Relations Board (NLRB) in July overturned a restrictive Bush-era rule that made it virtually impossible for temp workers at a company to win union representation with their co-workers in the same workplace.

Businesses have been increasingly using temp workers to meet their labor needs. But even though temp workers do the same jobs as their direct hire co-workers, under the same working conditions, the NLRB previously considered them as employees of the temp contractor, not of the business.

This made it hard to unionize either direct hire workers and all but impossible to unionize the temp workers. Temp workers consequently were paid poorly and had no benefits, vacation, sick leave, or basic job rights.

Under the new standard, which recognizes a "jointly employed" status, temps could be organized into a common mixed bargaining unit along with the company's regular workers. The standard returns to one that was first established under President Bill Clinton's administration and opens the door to union drives at exploitative employers across the country.

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