

# University Employee

California State University Employees Union/SEIU 2579

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## CSU employees under siege

*Unprecedented cuts to the CSU; furlough TA ratified by over 80 percent*

Due to the unprecedented cuts threatening the CSU, totaling nearly \$584 million, and in the context of the ongoing multi-year budget crisis, the CSU presented all their employee unions with a theoretical option of using furlough days to lessen the impact of possible massive layoffs. "The budget cuts are so huge this time around," CSUEU President Pat Gantt said, "that every campus would be affected by layoffs, possibly totaling well over 5,000 of the approximately 16,000 we represent."

Because furloughs are new on the CSU scene (civil service state employees have been furloughed two days a month since February, with a third day added recently) and time was needed to figure out how the CSU would address the cuts, unions were given a deadline of June 22 to let the CSU know if they were interested in exploring the furlough

option. Any details of a furlough program would have to be worked out between the CSUEU Bargaining Team (BT)

*'This was not normal bargaining by any stretch. ... We were doing our best to avoid massive layoffs.'*

—VP for Representation Russell Kilday-Hicks

and the CSU, in what is called a "side-letter" agreement to our current contract. At that point, the CSUEU Board of Directors voted to find out what the sentiment would be among the members in three ways: a scientific phone survey, an online survey open to all represented employees

regardless of membership status, and chapter votes. These meetings had high participation rates and the results all said the same thing: better than 80 percent said furloughs were the lesser evil. (See companion story below.)

The BT, elected at the June 28 Board of Director's meeting in San Francisco, was at the bargaining table in Long Beach on June 30. By the July 7 CSU Board of Trustees' meeting, the BT and the CSU had a tentative agreement.

"This was not normal bargaining by any stretch," said VP for Representation Russell Kilday-Hicks, who chairs the BT. "Some members expected something for 'giving up' furloughs, like a return to salary steps or another personal holiday. But we were doing our best to avoid massive layoffs. It was to our members' and the CSU's benefit that we

See "CSU Employees under siege" on page 2

## Furloughs verses layoffs: members express themselves

*Over 4,000 responses to online survey*

In an emergency board meeting on June 10, the statewide CSUEU Board of Directors decided to take a three-part path to finding out what their represented members and non-member fee payers would prefer.

During the week of June 15, without knowing exactly what a furlough program would look like, represented employees were interviewed in a random phone survey, asked to vote in member meetings at each of the 24 CSUEU chapters (see the results at: [www.csueu.org](http://www.csueu.org)), and invited to participate in an online survey polling their opinions on CSU's furloughs vs. layoffs option. This vote was to give the Bargaining Team and the four statewide CSUEU officers the di-

rection needed to proceed with the CSU.

Well over 4,000 members and non-members took the survey, and more than half of those made a comment about the CSU's cutback proposals. The following are key themes that emerged from the more than 2,000

*Sharing the pain is a good idea: furloughs spread the cuts more evenly than layoffs.*

comments submitted as part of the online survey:

- 1) Sharing the pain is a good idea: furloughs spread the cuts more evenly than layoffs
- 2) Trim MPP fat: ensure that cuts impact management, too, not just classified staff
- 3) Sliding scale: help out those with lower salaries by giving them less furlough hours or fewer days

See "Furlough surveys" on page 2

## Election creates new statewide officer team



Ray Finnell

*As of the CSUEU Board of Directors meeting of June 28, President Pat Gantt, Chico (second from left), was elected to his fourth two-year term, VP for Organizing Ronnie Grant (right), Northridge, is starting his second term, and new VP for Finance Loretta Seva'aetasi (left) and VP for Representation Russell Kilday-Hicks (second from right), both from SF State, begin their first terms. Also elected at this meeting were the statewide Bargaining Unit Councils, including a chair and vice chair (who sit on the Bargaining Team), and at-large members.*

## Furlough daze: furlough plans disappoint

By Ray Finnell, CSU Bakersfield

"This isn't what I voted for. This is b\*\*\*\*\*t!" More than one person reacted that way when campuses rolled out their plans for implementing the furlough agreement. Plans run the gamut from tightly controlled schedules to a mix of specified days and employee-requested F-days, to use a popular and snide bit of jargon. Even members of the Bargaining Team are not entirely pleased with the range of ways that managements have interpreted the side-letter that all CSUEU-represented bargaining units ratified recently.

"It's extremely frustrating that the vision of the program that we thought we were creating is being radically changed by the CSU," said Russell Kilday-Hicks, vp for representation. "They are imposing more restraints due to their conservative interpretation of wage and hours laws and unemployment liability."

Some voters seemed to expect that they would have the right to schedule their F-days whenever they wanted. To date, though, no campus has allowed complete employee control. Some campuses have allowed a fair amount of flexibility, al-

lowing employees to request as many as 10 of the 24 F-days. In addition, some are allowing alternative days to be requested as one would request vacation days, in special circumstances.

In contrast, several campuses have handed down calendars with all 24 days specifically designated. Bargaining Unit 2, 5, 7, and 9 employees as well as non-represented management personnel (MPPs) will follow the same calendar on many campuses. Many authorities predict that other bargaining units, if they also approve furloughs, will be directed to follow the same schedules.

Few of the F-days, however, have been designated for campus closure. "We can't expect all activities to simply halt," is the prevailing opinion held by many campus leaders. Consider, for example, training and research vessels operated by the Maritime Academy and CSU San Diego that spend

weeks at sea. Certain functions that our people perform must continue round-the-clock, regardless of furloughs, vacations, etc. Athletic and performing arts events are often scheduled months in advance and affect the community and students of other institutions. Student health, dormitory, and safety services must be available on demand regardless of time or day. Many classes that meet on F-days and require staff services cannot reasonably be rearranged to meet new time demands. Given those realities, the general administrative stance against campus closures makes sense.

Understandable as those logistical concerns may be, the bargaining team and many union activists were envisioning campus closures to make the point that our part in the CSU is widespread and profound. Systemwide closures would have been even better. If campus services were

See "Disappointed" on page 2

## CSU Labor Council calls for revitalization

By Russell Kilday-Hicks, SF State

In a meeting at the last CSU Board of Trustees meeting, July 21, the CSU Labor Council—comprised of the leaders from all the unions in the CSU—decided to join together in unity to face together the largest budget crisis in CSU history. One of the strongest points of agreement was that labor needs a unified voice to better influence students, their parents, and, most of all, the people of California on the importance of the CSU to California's economic future.

The group decided that no matter where each union ended up on the furlough question, they would back each other up. At the time CSUEU was the only union to have an agreement on furloughs, with APC following closely behind. Concern was shared

over the coming unallocated cuts, the part of the budget not addressed by furlough savings. They also agreed to hold the chancellor and campus presidents accountable for their spending decisions. "The campus presidents will have discretion," CFA President Lillian Taiz said, "so we have to keep our eyes open for pet projects that don't make sense in hard economic times."

There was expressed distrust for the information the trustees get from the presidents. "We have to be the stewards of public money spent on the CSU," Elizabeth Hoffman, CFA, said, "to deal with the misplaced priorities and the real affects from these cuts."

CSUEU President Pat Gantt, who chairs See "Labor Council" on page 2

## Myth busting 101

What the public believes about us may not be the reality. According to our employer (the governor), we are pampered with excessive benefits, overpaid, and underworked. Here is the reality check:

- As of June 30, 2008, the average state worker retired at age 60, after 22.7 years of service, earning a monthly pension of \$2,291, or \$27,492 a year. (Not to mention that, while working, we paid 5

percent a month into the system, so this is our money coming back to us.)

- Of the 5,115 state retirees who earn more than \$100,000 a year, most were managers, police, and fire fighters.\*
- California in 2007 had 103 full-time equivalent state employees for every 10,000 residents, second-lowest in the nation behind Illinois.

\*[www.californiapensionreform.com/calpers/database\\_results.asp](http://www.californiapensionreform.com/calpers/database_results.asp)

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# Damage control: How CSUEU protected us

“Why should I join the union? All they’ve done recently is let Charlie Reed give me furloughs and a pay cut.”

CSUEU officers across the state are facing opinions similar to this, and worse, lately. Few of us, if any, are happy about the budget situation, but understanding the true causes and knowing how the bargaining team succeeded in minimizing the damage reveals a different scenario than imagined by those who complain.

The roots of the budget situation are many and deep, and they go back a number of years in California politics and national policies. Proposition 13, which limited property tax increases, was one factor. The state legislative requirement of a two-thirds majority for both tax increases and annual budgets was another cause. Taxpayers who guard their earnings contributed to the problem as well. The mortgage crisis, bank failures, a lack of adequate regulation over the financial industry, and partisan politics certainly must take a good portion of the blame as well. Questionable expenditures in the CSU, such as PeopleSoft, also have to be scrutinized, and less than effective lobbying for higher education probably didn’t help, either. A conservative governor, special interest groups, and legislators who would rather see prisons built instead of schools did a lot of damage, too. It all gathered into a perfect storm of recession and less income for the state.

Within the framework of disastrously shrinking income, the governor and legislature gouged out a huge portion of the line item that funds the CSU and UC systems. The figure for the CSU: nearly \$584 million. There was no choice for the CSU: reduce costs by that much.

Within that amount, chancellor’s office personnel figured that a savings of \$275 million could be realized from every employee in the system taking a 10 percent furlough. Once that figure was arrived

## Furlough days—channel your outrage

There’s a saying that if you’re not outraged by what’s going on, you’re not paying attention. A quick look around shows our society facing immense challenges on many fronts. Furlough days assigned to state workers are just one symptom of a national economy which has crashed by perhaps 20 percent in one year!

Foreclosures and unemployment continue. California’s budget cuts will leave the poor with even fewer support services. Local food and homeless shelters are packed. After years of deliberate neglect by the Bush Administration, many national issues, such as global warming, fixing the environment and reforming health care, are finally up for discussion again. At least the new administration seems to be listening and now, more than ever, citizen pressure may move the agenda forward.

What’s that have to do with furloughs? Consider using some of your furlough time to help address some of these problems. How? Find valuable Internet news sites and gather knowledge “overlooked” by mainstream (corporate) media. Write your congressman and sena-

at, the unions that represent most employees were apportioned their shares and given a simple choice: take furloughs and a few layoffs or take massive layoffs. Either way, the target figure had to be met; nobody had a choice. Management personnel were also directed to take a 10 percent furlough. No manager had a

*The budget crisis is a lose-lose situation; CSUEU is fighting to keep our losses to an absolute minimum.*

choice, either: management personnel don’t have collective bargaining rights, so the furlough was imposed on them.

So what did CSUEU achieve for us, given those circumstances? The bargaining team—a new one at that, (comprised of rank and file employees) many of whom were elected on a Sunday, maybe were able to fly home for a change of clothes, met for training the next day, and then immediately went into bargaining for the furlough agreement—forced at least one major workplace issue, workload, to the forefront.

Civil service state employees now must deal with nearly 15 percent furloughs. Our 10 percent loss must look pretty good to them right now. The governor imposed two days and then another day—without bargaining. He also wants them to take a five percent pay cut. Most experts predict that 2010–11 will be as bleak as this year, but our furlough program expires June 30, 2010. Any further labor cost-savings program will require bargaining, as did this one. The chancellor cannot impose any contract changes on us without the bargaining team standing up for our rights. Were it not for our union, the chancellor could have unilaterally imposed a 20 percent furlough or massive layoffs without even consulting us.

Defending employee rights in the agreement is an ongoing effort. “We have filed a couple of grievanc-

tor about national issues you care about. And don’t forget our state politicians. Let them know that we pay attention to how they vote. Join and support organizations that champion causes you believe in. Volunteer to help out local organizations that feed the homeless, improve the environment, or work on other community issues.

Fifteen thousand-plus CSUEU members (wear your union T-shirt) contributing one furlough day a month to causes like these could be quite a force in local communities, in our state, and even in the nation.

Universal health coverage, anyone?

—Tom Alden, Chico

### Labor Council ...

*Continued from page 1*

the council, encouraged the other unions to promote the closing of the campuses in their furlough agreements. “Closed campuses send the right message to the public that there are consequences from these cuts,” Gantt said.

It was agreed among the groups in attendance to begin sharing information and have better coordination of events on every campus, starting this fall.

es on campus-specific implementation plans,” said VP for Representation Russell Kilday-Hicks, “as well as a system wide grievance.” Chief of Staff Phillip Coonley explained these grievances charge that employees are not being offered the opportunity to choose their furlough days and the CSU has placed restrictions on the number of days per week and per month that are not in the furlough MOU. Partial campus closures are also contrary to the intent of the agreement. The San Jose plan has CSUEU-specific furlough days, for example.

Management adjustments have been made at some campuses. “Exempt employees have been ordered to not monitor networks or read e-mail,” said Andrew Coile, chapter president at CSU Monterey Bay. The whole situation has focused much attention on the workload issue, which the CSU has “been in denial of for a long time,” according to Kilday-Hicks. Labor-Management Councils were bargained and are being formed to monitor and control workload and other violations of the agreement. The attention to workload issues is welcomed, since the problem is perpetual and little substantive progress has been made in the past.

Another plus to arise from the situation is that the Board of Directors has agreed to reduce dues by 10 percent to ease the burden on members, proportionally to salary decreases from furloughs. Fee payers’ rates will also decrease.

The budget crisis is a lose-lose situation; CSUEU is fighting to keep our losses to an absolute minimum. We could have lost a huge number of jobs: the CSU stated they would cut over 30 percent of CSUEU-represented employees if we didn’t agree to furloughs. And even though there’s still a significant amount of money that must be saved somehow, your union will be there to protect your rights throughout.

To fully answer the question, “What did the union do for me regarding furloughs?” one must also ask, “What did union members do for me?” Union members voted overwhelmingly to share the pain rather than to gamble that other individuals would be laid off and that they themselves would survive. That’s what unions do: protect each other (whether voting members or not) and in doing so, protect as many as possible.

—Ray Finnell, Bakersfield

### Disappointed ...

*Continued from page 1*

not administered on certain days (as at many state agencies whose personnel are subject to furloughs), the public would have no choice but to notice our absence. Activists are disappointed that the impact of furloughs has been diverted off a political statement superhighway onto a side road.

“Our absence won’t make much difference under the plans we are seeing,” said Mark Flahan, chapter president at San Diego State. “‘Close the doors and stop classes? Great idea!’ is what we were hoping for,” he said.

Even some CSU leaders seem begrudgingly resigned to the fact that they cannot close their doors to make the public notice our absence. At the Fresno and Stanislaus campuses, employees were instructed to put up “closed-due-to-budget-cuts” signs on closed office doors and include the fact they are furloughed in their absence messages.

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# Furloughs confuse exempt and non-exempt rules

## Need-to-know info for exempt employees during furlough weeks

*By Rich McGee, San Bernardino*

During furlough weeks (also known as “furlough periods”), exempt employees become non-exempt.

CSUEU Vice President for Representation Russell Kilday-Hicks foresees problems making this transition. “I imagine it will be very difficult for both exempt employees and managers to move from one state to another,” Kilday-Hicks said, who is an Information Technology Consultant (ITC) Career Exempt at San Francisco State. “The reason we are exempt is because of the higher level of responsibility these classifications entail. We don’t get daily supervision. Our work is done by project, not punching a clock, and often can’t be easily quantified like other work, and many of us are Type A workaholics to boot,” he concluded.

Here are some things exempt employees should bear in mind during furlough weeks:

- You may be subject to a fixed work schedule (a fixed start time and a fixed end time).
- You need to account for part-day absences, including medical and dental appointments, partial days of jury duty, dependent care, etc., and record these appropriately on your time sheets. (Exempt employees normally only record and use sick time, vacation time, etc., in full-day increments.)

# CSU employees under siege ...

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avoid the damage to personal lives and the system that layoffs on this scale represent. We were bargaining for one solution rather than 24, as the case would be if the CSU used Article 24 instead.”

Although this agreement did not require ratification by the members, the CSUEU BOD voted to hold a ratification process. “We felt it was the right thing to do because of the impact on lives,” Pomona Chapter President Deborah Campbell said. “We all need to stay in solidarity to deal with this nightmare.”

The ratification process started the week of July 13. On July 20, after member votes and visits by team members, the statewide officers and/or staff at every chapter, we had our answer: overwhelming support for the furlough program, as envisioned by the BT.

“We created a special process,” San Diego chapter President Mark Flahan said, “with meetings at every chapter where the pros and cons were amply discussed.”

President Gantt was satisfied

- You can request and use vacation time in part-day amounts. If you want to take half a day off, you can schedule four hours of vacation.

- You may not work more than 32 hours, unless more time is explicitly approved by the “appropriate administrator” (Furlough Agreement section 4g, Contract section 19.4). Employees must be compensated for work over 32 hours (Furlough Agreement section 4k).

- During off hours, you should not be monitoring servers, checking your voice mail or your work e-mail, or responding to pages and phone calls, unless explicitly instructed to do so during the furlough week by the appropriate administrator. This is true even if you are receiving a stipend for remote monitoring under contract section 20.43. If you’re unsure, ask your appropriate administrator what she/he wants you to do. If you get a call during off hours from someone who isn’t an administrator, advise the person to have an administrator call you. Only administrators can authorize overtime or initiate callback. If you respond to a phone call, e-mail, or page during your off hours, it’s unauthorized overtime unless the appropriate administrator has explicitly authorized it.

- You can be disciplined for exceeding 32 hours in a furlough

week without prior authorization, or for not recording absences.

- You must report overtime and all other hours worked on your payroll forms.

- If assigned overtime means you won’t have at least an eight-hour rest period, you can adjust your schedule to make sure you have a rest period (Contract section 19.5).

- Normal work schedules are five days, Monday-Friday. The official boundaries of the normal work week are 12:01 a.m. Sunday to midnight Saturday (Contract section 18.10, 19.1 as revised in Side Letter 29).

- Remember to take your breaks: 15 minutes for every four hours worked. You should be taking these anyway, actually (Contract section 18.22).

- Lunch periods are 30-60 minutes (Contract section 18.19).

- There will be a complaint procedure for employees whose assigned workload is unreasonable or excessive (Furlough Agreement section 4j).

Please do not work unauthorized extra time because “the work needs to get done.” The CSU has decided not to have all the work done during furlough periods. If your manager doesn’t grasp this, and is pressuring you to get 40 hours of work done in 32 hours, or work “unofficially,” contact a steward for help.

Gantt said. “The membership had a say in every step of the process and supported first the concept and the TA by wide margins. That is what a union is supposed to do for and with

## Online furlough survey results ...

*Continued from page 1*

- 4) Stop wasteful spending: identify and cut the fat
- 5) Raise taxes: the state and CSU budget shortfalls can’t be bridged by cutbacks alone
- 6) Flexible furloughs, moved holidays as furloughs: if we must have furloughs, at least let us choose our furlough days
- 7) Raising student fees: to what extent can raising student fees help the budget crunch?
- 8) Are two days enough for the chancellor: how do we know that a two-day furlough won’t evolve into three days?
- 9) Workload concerns: more work may need to be done in less time for many furlough-impacted workers
- 10) Concern over pensions

Results of the survey showed that approximately 82 percent of

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