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February 2008

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General Council marks beginning of new era

By Ray Finnell, CSU Bakersfield

If a single word were selected to describe the 2007 General Council (GC) last October, it well could be “revolutionary.” Mostly new leaders and a sweeping package of Bylaws and Policies reforms established a partnership of co-operation among the four affiliates and a solidification of CSEA’s operational philosophy. Many observers see the end of past enmity and the onset of collective effort toward solving problems common to ACSS, CSUEU, the Retirees, and SEIU Local 1000.

Two-term President J.J. Jelincic lost his attempt for re-election to fellow SEIU Local 1000 member Dave Hart. Jelincic saw CSEA through difficult struggles, but the majority of voters felt the need for change. Two ballots were required to elect Hart, with ACSS President Tim Behrens placing a distant third in the first ballot; none of the three received the required simple majority of votes, thus a runoff between Jelincic and Hart was required. Hart pledged to listen to all opinions and to work for the common good of all affiliates.

Incumbent Vice President Donna Snodgrass, also from Local 1000, easily defeated Retiree Joyce Fox. Snodgrass had

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Photo: Rich McGee

CSUEU President Pat Gantt introduces presidential candidate Dave Hart (left) at our affiliate breakout session at General Council in San Jose last October. Hart went on to unseat J.J. Jelincic, who headed CSEA for two terms.

PERB decides Library Assistant issue Employees to shift from Unit 7 to Unit 9, eventually

By Joseph Corica, CSU East Bay

On Jan. 16, 2008, the Public Employees Relations Board (PERB) approved the formation of the Library Service Specialist (LSS) classification to replace the obsolete Library Assistant (LA) series. This decision was a victory for CSUEU and places the new classification into Unit 9; over time, the Library Assistants will be moved to this new classification.

This ruling is welcome news to the 500 library paraprofessionals who work in the CSU. They have been waiting since 2001 for official recognition that the LA classification was becoming far less clerical

and exponentially more technical in scope.

In 2004, agreeing with the paraprofessional’s point of view, the CSU filed a petition with PERB that the LAs become LSSs in recognition of this fact. CSUEU supported CSU’s request but the Academic Professionals of California (APC) did not. They filed a petition to block the action.

As such, the case was reviewed by an Administrative Law Judge (ALJ) who recommended that the LSS classification be placed in APC’s Unit 4. He also recommended that PERB hear the case as well.

Twice during October 2007, CSUEU

‘This is a great example of what people can do if they get involved and speak out.’

Growing pains at CSU Monterey Bay Grievance aims to correct ‘temporary’ 12-year practice

By Luana Conley, Monterey Bay

California State University Monterey Bay’s start-up on the decommissioned Fort Ord Army base was a transition from “barracks to books” after the base closure was announced in 1991. Experts recommend a minimum timeframe of 3 to 4 years to start a university from scratch, but the CSUMB team had 13 months. CSUEU Chapter 322 President Steven Rubin recalls everyone “jumping into the fray to make it happen.”

While the vision, can-do attitude, and

commitment were remarkable, some shortcuts from that time established undesirable long-term practices, according to Labor Relations Representative Michael Hejazi. Hejazi filed a grievance to address CSUEU bargaining unit employees who were advising students. This work is normally performed by Unit 4 employees.

“People are tasked with doing things that may have been reasonable during the startup, but now that it’s year 12, it may be

See “Grievance ...” on page 2

Senior Labor Relations Representative Teven Laxer and CSUEU Attorney Nancy Yamada presented evidence during formal PERB hearings to persuade PERB to overturn the ALJ’s decision and place these employees into Unit 9.

Concurrently, negotiations between CSUEU and APC took place which led to an agreement that CSUEU’s request may go

forward without opposition from APC.

In late December, PERB ruled that if no party opposed the move from Unit 7 to Unit 9 by Jan. 16, 2008, PERB would approve the request.

The PERB decision finally places the new LSS series into Unit 9. CSUEU President Pat Gantt said, “We now will wait for

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Feb. 5 election no-no: Prop. 92

Regardless of how you are leaning in the presidential primary races in this early 2008 voting, a pre-cursor to the much more important final contest in November, there is a ballot measure your union would like your help in defeat-

ing: Prop. 92, the Community Colleges. Funding. Governance. Fees. Initiative Constitutional Amendment and Statute.

As it’s name implies, Prop 92 is a complex measure designed to give

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Looking forward

What’s on the horizon for CSUEU in the coming year?

- Feb. 5: California primary election (deadline to register was Jan. 22)
- March 3–4: CSUEU Lobby Day in Sacramento
- March 15–16: CSUEU Board of Directors meeting, Sacramento
- May 15: May Revise, governor’s budget proposal fine tuned
- May–when completed: Article 20 talks with CSU (wages for represented BUs)
- June 3: California local and state election day
- June 14–15 (tentative): CSUEU Board of Directors meeting, place TBD
- June 30: End of fiscal year, California budget due
- October/November: CSUEU Board of Directors meeting, place & date TBD
- Nov. 4: Federal, state, local election day (voting for new national president)
- 2009: Full-contract bargaining begins (current agreement expires at the end of June 2009) and the start of a CSUEU campaign to direct and support our Bargaining Team through the process.

CSEA's 64th General Council

New era ...

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no pithy comments about defined contributions this time around, though.

In the third race for high office, challenger David Okumura (ACSS) ousted Frank Luna, Jr. (Local 1000) for the post of secretary-treasurer.

The fourth high office, executive vice president, was eliminated at the end of 2007's GC as mandated

by vote in 2005. CSUEU's Hylah Jacques from the SLO campus was the last to hold that office.

The groundwork for change began last winter with initial meetings of the Committee on the Future of CSEA, a consortium of the four affiliates and the CSEA officers, whose purpose was to explore ways of ending the bitter contention that often had marked internal business. With the guidance of an expert mediator, appointed and overseen

by SEIU, the group found common ground and reasons to work together rather than to battle amongst themselves. One of the results was the package of CSEA Bylaws and two-year budget which was easily passed by more than the two-thirds majority required. Among other changes, the package mandates that General Council be held every three years after 2009.

The group of amendments, voted on *in toto* under a special arrangement approved by the delegates earlier, is aimed at improving relations between the affiliates and CSEA and securing the Association's stance as a cohesive organization. Future GC delegates may find other changes up for vote as the process of co-operation is refined.

Other notable actions included the absorption of the Operations Committee into Bylaws and Policy. The Fiscal Committee's proposed budget was passed easily with no debate, in marked contrast to that of the previous GC.

Despite the reigning atmosphere of reconciliation and co-operation, a couple of sticking points were encountered. Rumors circulated that a large number of Sergeant-at-Arms were going to resign prior to the opening session. The rumors turned out to be true, but the meeting proceeded anyway. Replacements were appointed later, with some of those

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who didn't resign taking on double duties in the interim. Massive protests that were rumored to take place in protest of seating assignments in some areas of the hall did not materialize.

Special guests included SEIU President Andy Stern, State Assemblywoman Elaine Alquist (D-Santa Clara), and Democratic presidential hopeful Dennis

Kucinich. Stern spoke passionately about SEIU's campaign to reform health care across the United States. Alquist pledged her legislative

support for state workers. And Kucinich covered a number of topics and vowed to change America for the better if elected to the White House.

Retiree and long-time CSEA activist Pat Bus-

'It takes an artist years to make a painting but it takes a vandal only seconds to destroy it.'

—Pat Busby, CSEA retiree and long-time activist

by notably stated during the Bylaws

and Policy Committee's meeting, "It takes an artist years to make a painting but it takes a vandal only seconds to destroy it," referring to the compromises worked out during the Committee On the Future's 100 hours of meetings over seven months since early 2007.

Her comment pretty well sums up the plea for working together that resounded throughout the McNery Convention Center in San Jose in early October. The majority heard that plea and responded favorably. The next few years will tell how successfully the philosophy will be implemented.

No on 92 ...

Continued from page 1

California's 109 community college system some breathing room from K-12 and Prop. 98's sometimes "guaranteed" funding.

Although the different houses of higher education may be natural allies, the CSU and UC do not support giving the CCs extra special treatment beyond what they get already. Both governing bodies have come out against it and, in addition, many unions are split across the yea/nea gulf.

"We consider community colleges an important partner and support the goal of increasing access, but Proposition 92 will not achieve that goal and will do more harm than good," CSUEU President Pat Gantt said. "Due to its severely flawed funding formula," Gantt continued, "Prop. 92 will harm other areas of our public education system and negatively impact students seeking to attend four-year universities."

The Legislative Analyst agrees pointing to flaws on page 14 of the voter guide mailed to all registered voters in California.

In addition, Gantt explains, the measure calls for nearly a billion dollars in new spending but includes no way to pay for it. Gantt imagines fee increases in the UC and CSU to keep CCs' fees low.

Unfortunately, pro Prop. 92 mailings have gone to union households from the California Federation of Labor, representing the "union vote," but Gantt and CFA convinced the SEIU State Council to come out against it.

Library ...

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the chancellor's office to notify us on the next stage—which will be bargaining over salary ranges and implementation. It is very likely that the current Library Assistants may not have up-to-date job descriptions. We encourage everyone to update their job descriptions and seek in-range progressions or reclassifications using the new position

Grievance ...

Continued from page 1

time for rigorous adherence to the contract," Hejazi said.

Administrative Support Coordinators (ASCs) filled the need for student advising as enrollment increased, and despite the efforts of some to clarify the duties, the practice is becoming institutionalized.

Kevin Miller, a graduate of CSUMB and former Administrative Assistant in Social, Behavioral, and Global Studies was an ASC employee who advised students. Miller says, "I began advising solely because, at the time, it was summer and students were calling needing to get their courses approved." He was willing to advise students because of his personal commitment to student success, but he received minimal training.

"Some of those who were doing advising received three days of training by the head of Lower Division Advising," Miller said. "Their training was signed off by the department chair, the dean, and the provost in order to allow necessary access to student records."

The Academic Professionals of California (APC), the union which represents Bargaining Unit 4 employees, claims that this type of student advising belongs in Unit 4. The Student Services Professional, Academic Related classifications (SSP, AR), are "reserved for sensitive and responsible counseling positions within Student Services which require possession of advanced training typically gained in a doctoral program in a field related to Student Services work ...

statement," Gantt said.

Joan Kennedy, chapter president at San Louis Obispo, who is an LA, said a group of library activists will be meeting to discuss next steps.

"This story does not touch everyone like it does LAs," Kennedy said, "but this is a great example of what people can do if they get involved and speak out."

For more information visit: www.polyunion.org/lib/index.html.

I was assured they would investigate the problem.

and has been defined carefully to include only those positions that are academically related, e.g., counseling, and which require qualifications comparable to those of the faculty."

Staffers at CSUMB who perform informal advising duties have not had the benefit of such training. This disadvantage hurts the students and the employees, who are not appropriately compensated for performing out-of-class work, which is paid at a higher rate.

APC Chief Steward Camille Walker, a CSUMB Graduation Counselor, met to discuss this issue with CSUMB managers, and CSUEU and CFA representatives. "I was assured they would investigate the problem," Walker said. According to Walker, supervisors reported to the president that the alleged out-of-class work was only lower-level data entry. Management claimed that the work being done by ASCs, "updating learning plans and helping students pick classes," Walker described, was not really advising, only providing information. Walker explained that many supervisors are not aware of the classifications and that some employees were told they couldn't be reclassified due to budget constraints. "The AVP told me that budget shortfalls is not a valid excuse," she said.

A faculty member who requested anonymity recalls "two years of lots of talk and nothing else," while the Advisory Task Force met for a year. An Advising Council was created but brought no changes. This professor hopes that the new "action-oriented" president will make things happen.

CSUEU's grievance can help CSUMB President Dianne Harrison find a solution.

The grievance requests that the university stop assigning academic advising duties to CSUEU-represented employees and comply with the collective bargaining agreements and statewide classification standards, and to compensate employees for all hours worked out-of-class.

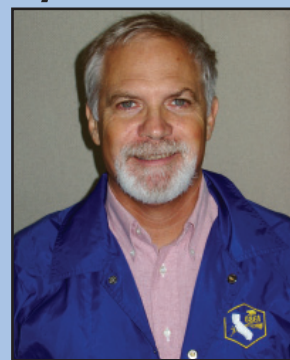
From the desk of CSUEU President Pat Gantt No time to panic, but to watch

The Governor's proposed state budget, based on an estimated \$14.5 billion shortfall, is cause for concern, but not panic. One of the first responses by the CSU was to cut off freshman fall 2008 enrollment on Feb. 1, 2008. The CSU already has an estimated 14,000 full-time students over what's funded in the current budget, and had planned to take in another 10,000 freshman to add to its 445,000 students on the 23 campuses. Because it's likely that these additional students will not be funded, the move makes sense. It will be interesting to see how the legislature and the parents of those hopeful high school graduates react.

The Legislative Analyst Office (LAO) is critical of the Governor's budget plan in its preliminary analysis.

The chancellor and his senior management of Finance and Human Resources are meeting with all the unions. Since the CSU is not a target of mid-year cuts, which is the focus of the special session, we are all watching the process carefully until the middle of February, which is the 45-day deadline for the Legislature to address the fiscal emergency in this year's budget. What they do now may give an early indication of how they may deal with the full 2008-09 state budget. The trustees say they will not take any action on student fees until their March meeting. This will give some time to see what may unfold.

Preliminary reports from some chapter presidents are that some of the CSU campuses may be able to absorb the cuts on a one-year basis without layoffs or position losses. This may be due to some of the contingency reserves that all campuses must carry. The ability of a campus to absorb budget cuts without loss of staff positions is unique to each campus. The larger campuses may be better able to do this than the smaller ones. Campuses that



have had budget issues in recent years due to enrollment problems may have special challenges with new enrollment targets and budget cuts. If there are layoffs on a campus, the CSUEU and the affected permanent employees must be notified at least 60 days in advance. Any layoffs for the 2008-09 fiscal year, which starts July 1, would need a notice issued in early May. CSUEU takes a very proactive approach to layoffs and has historically been able to mitigate most layoffs proposed by the CSU. Each chapter is encouraged to attend the campus budget committee meetings to watch how their campus reviews the proposed budget impact.

Here are some talking points to help you write about (letters to the editor) and discuss:

- The proposed budget cuts will impact student access to the California State University since not all qualified students will be admitted.
- The CSU has asked for revenue to increase enrollment by 2.5 percent or 10,000 students for 2008-09. This was not included in the Governor's budget.
- That means that 10,000 qualified students will not have the opportunity to attend a CSU because we will not be able to offer them a slot at any CSU campus.
- As a major supplier of graduates into the state's workforce, budget cuts to the CSU will have an impact on key industries in California.
- CSU graduates nearly 90,000 students into the state's workforce

each year, most stay in the state.

- We supply the majority of the workforce in key industries including nursing, teaching, agriculture, business, public administration and technology.
- For every dollar the state invests in the CSU, \$4.41 is generated in economic activity.
- The unions are working with the CSU to develop a strategy to protect the CSU budget.
- We will be calling our members to action to discuss with local legislators the importance of investing in the CSU to California's long-term financial health.
- The proposed budget cuts will impact the long-term prospects of increasing the college-going rates of underserved communities in California.
- The pipeline of students in K-12 is two-thirds students of color, and it is critical to the state's future that more students from underserved communities attend college.
- The CSU has experienced an increase in enrollment of first-time freshman from underserved communities over the past few years as a result of outreach efforts in these communities.

We will have more talking points as the budget impacts develop and see how the campuses react. While we are concerned about the depth of the proposed cuts, again, it is not a time to panic but to watch carefully.

Of course, our 2008-09 compensation deal is in question because the Governor has suspended the Higher Education Compact. The compact was the basis that every CSU union based its compensation-related sections upon. Compensation issues will not be addressed until the CSU knows what it has for a final budget. No one really knows when that will be, as the Legislators have notoriously missed the deadline. Please follow along by going to our website (www.csueu.org). In union, Pat Gantt.