

AGENDA

COMMITTEE ON COLLECTIVE BARGAINING

Meeting: 11:30 a.m., Tuesday, March 21, 2017
Munitz Conference Room—Closed Session
Government Code §3596(d)

12:45 p.m., Tuesday, March 21, 2017
Glenn S. Dumke Auditorium —Open Session

Adam Day, Chair
Peter J. Taylor, Vice Chair
Debra S. Farar
Lillian Kimbell
Hugo N. Morales
John Nilon
J. Lawrence Norton

Open Session– Glenn S. Dumke Auditorium

Consent Item

Approval of Minutes of the Meeting of January 31, 2017

Discussion Items

1. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 4, the Academic Professionals of California (APC), *Action*
2. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 1, the Union of American Physicians and Dentists (UAPD), *Action*
3. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 10, the International Union of Operating Engineers (IUOE), *Action*
4. Adoption of Initial Proposals for Salary and Benefits Negotiations for Fiscal Year 2017-2018 with Bargaining Unit 6, the State Employees Trades Council United (SETC), *Action*

**MINUTES OF MEETING OF
COMMITTEE ON COLLECTIVE BARGAINING**

**Trustees of The California State University
Office of the Chancellor
Glenn S. Dumke Conference Center
401 Golden Shore
Long Beach, California**

January 31, 2017

Members Present

Adam Day, Chair
Peter J. Taylor, Vice Chair
Debra S. Farar
Hugo N. Morales
John Nilon
J. Lawrence Norton
Timothy P. White, Chancellor
Rebecca Eisen, Chair of the Board

Chair Day called the Committee on Collective Bargaining to order.

Approval of Minutes

The minutes of the November 16, 2016 meeting were approved as submitted.

Presentation of Action Item

Interim Vice Chancellor Andrew Jones presented the action item.

Public Speakers

The committee heard from eight public speakers who spoke on various topics.

Action Item

The committee then unanimously approved the following action item:

1. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Units 2, 5, 7, and 9, the California State University Employees Union (CSUEU), SEIU Local 2579

Chair Day then adjourned the committee meeting.

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 4, the Academic Professionals of California (APC)

Presentation By

Andrew Jones
Interim Vice Chancellor
Human Resources

Summary

The adoption of initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 4, the Academic Professionals of California (APC), will be presented to the Board of Trustees. The proposals are attached to this item.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 4, the Academic Professionals of California (APC), is hereby adopted.



**The California State University's
Initial Collective Bargaining
Proposals**

Between

**The Board of Trustees
Of
The California State University
And
Bargaining Unit 4
Academic Professionals of California**

March 23, 2017

Bargaining Unit 4
2017 Successor Agreement Negotiations
California State University Bargaining Proposals

ARTICLE 2 – Definitions

- Review existing contractual definitions against campus operational needs.
- Update definitions to reflect any substantive changes elsewhere in the Agreement.

ARTICLE 5- Reconsideration Procedure

- The CSU will make proposals to amend reconsideration procedure to increase efficiency and effectiveness.

ARTICLE 8- Union Rights

- Review and amend as appropriate current procedures in relation to the provision of information to the union; contractual provisions relating to union leave; and the provision of resources for union business.

ARTICLE 10 – Grievance Procedure

- The CSU will make proposals to amend grievance procedure to increase efficiency and effectiveness.

ARTICLE 11- Personnel File

- The CSU will make proposals in relation to the content of, and access to, employee personnel files.

ARTICLE 13 – Appointment

- Review and amend as appropriate current contractual provisions in relation to appointment and classification review.

ARTICLE 14 – Probation and Permanency

- Review and amend as appropriate current contractual provisions in relation to probation and permanency.

ARTICLE 16- Professional Development

- Review and amend as appropriate current contractual provisions in relation to employee professional development.

ARTICLE 17 –Assignment/Reassignment

- Review and amend as appropriate current contractual provisions in relation to assignments and reassignments to promote efficiency and meet campus operational needs.

ARTICLE 18- Evaluations

- Review and amend as appropriate current contractual provisions relating to employee evaluations.

ARTICLE 20 –Leaves of Absence with Pay

- Review and amend as appropriate current contractual provisions in relation to use and reporting of employee leaves with pay for clarity and conformance with law.

ARTICLE 21- Non-Discrimination

- Review and amend as appropriate current contractual provisions in relation to non-discrimination to be consistent with CSU Executive Order processes and prevailing law.

ARTICLE 22 –Leaves of Absence without Pay

- Review and amend as appropriate current contractual provisions in relation to use and reporting of employee leaves without pay for clarity and conformance with law.

ARTICLE 23- Salary

- The CSU will make proposals to amend the salary Article, including but not limited to employee salary rates and in-range progressions procedures.

ARTICLE 24- Benefits

- The CSU will make proposals in relation to employee benefits.

ARTICLE 28- Hours of Work

- Review and amend as appropriate current contractual provisions in relation to establishing and assigning work schedules for exempt and non-exempt employees consistent with prevailing law and campus operational needs.
- Review and amend as appropriate current contractual provisions in relation to use of overtime and Compensatory Time Off consistent with prevailing law and campus operational needs.

ARTICLE 32 – Work Environment

- The CSU will make proposals in relation to employee work environment, including but not limited to increases in parking rates.

ARTICLE 33- Layoff

- Review and amend as appropriate current contractual provisions in relation to layoff.

ARTICLE 34 – Duration

- The CSU will make proposals on the duration of any successor Agreement.

Side Letters of Agreement

- Review and amend as appropriate current side letters.

The University reserves the right to add to, modify, or delete proposals for any/all Articles during the course of negotiations, in accordance with applicable laws.



Lee O. Norris, Labor Relations Manager 8726-D South Sepulveda Blvd., #C172, Los Angeles, CA 90045 (310) 745-8608 Fax (310) 439-1382 lnorris@apc1002.org

February 19, 2017

Via Email Only: jswarbrick@calstate.edu

Mr. John A. Swarbrick
The California State University
401 Golden Shore, 4th Floor
Long Beach, California 90802-4210

Re: APC's Sunshine Proposals

Dear Mr. Swarbrick:

In this letter you will find APC's "sunshine proposals" as required by HEERA, but on a more fundamental level you will find the concerns of our bargaining unit members: concerns that we believe need to be addressed during negotiations. These concerns were identified through consultation with the Union's Statewide Council, Executive Board and most importantly the membership.

Please understand the proposals included here are an overview of the Union's position on each Article it wishes to open, but this list should not be viewed as demonstrating either their order of priority or the entire list of Articles APC may choose to open during bargaining. Instead, these proposals should be seen as the beginning of a process in which the Parties work collaboratively to improve the working conditions of all of the employees APC represents.

APC hereby proposes modifications to the current collective bargaining agreement in the following areas:

- Article 12, Corrective and Disciplinary Action -
 - Address the conduct of Skelly meetings.
- Article 13, Appointment -
 - Ensure proper bargaining unit representation on hiring committees;
 - Provide a meaningful mechanism to address classification issues.

Attachment B

CB – Agenda Item 1

March 21-22, 2017

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- Article 14, Probation and Permanency –
 - Clarify when a recruitment must occur.
- Article 16, Professional Development –
 - Seek equity for employees pursuing doctoral degrees.
- Article 17, Assignment/Reassignment –
 - Clarify employee rights for an intra-campus transfer.
- Article 23, Salary –
 - Provide for general salary increases in each year of the contract;
 - Clarify the duration of the various bonus programs;
 - Ensure Merit Bonus monies continue to be placed in the Budget Shortfall Mitigation Bonus;
 - Clarify the eligibility date for the Budget Shortfall Mitigation Bonus;
 - Expand the criteria for which employees may be granted an In-Range Progression (IRP) and ensure a minimum percentage increase for those receiving an IRP.
- Article 24, Benefits –
 - Provide parity with other employees to unit 4 employees who use non-industrial leave.
- Article 26, Vacation –
 - Increase vacation accrual rates.
- Article 32, Work Environment –
 - Require a timely response to suggestions for workplace improvements;
 - Ensure parking rate increases are implemented in a fair and consistent manner.
- Article 34, Duration –
 - This proposal is designed to complement the Union’s salary proposal.

I look forward to receiving the University's proposals and to beginning what I hope will be a collegial and productive experience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lee O. Norris', with a long horizontal stroke extending to the right.

Lee O. Norris,
Labor Relations Manager

cc: APC Executive Board
APC Bargaining Team

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 1, the Union of American Physicians and Dentists (UAPD)

Presentation By

Andrew Jones
Interim Vice Chancellor
Human Resources

Summary

The adoption of initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 1, the Union of American Physicians and Dentists (UAPD), will be presented to the Board of Trustees. The proposals are attached to this item.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 1, the Union of American Physicians and Dentists (UAPD), is hereby adopted.



**The California State University's
Initial Collective Bargaining
Proposals**

Between

**The Board of Trustees
Of
The California State University**

And

**Bargaining Unit 1
California Federation of the Union of
American Physicians and Dentists**

March 21, 2017

Bargaining Unit 1
2017 Successor Contract Negotiations
California State University Bargaining Proposals

ARTICLE 1 – Recognition

- Review existing language and amend to reflect newly created and approved classifications.

ARTICLE 2 – Definition

- Review existing contractual definitions against campus operational needs.
- Update definitions to reflect any substantive changes elsewhere in the Agreement.

ARTICLE 6 – Union Rights

- Review current procedures and amend as appropriate in relation to the provision of information to the union; contractual provisions relating to union leave; and the provision of resources for union business.

ARTICLE 8 – Grievance Procedures

- The University will make proposals to amend grievance procedure to increase efficiency and effectiveness.

ARTICLE 11 - Employee Status

- The University will make proposals to incorporate newly proposed classification standards.
- The University will make proposals to facilitate a classification review of employees to determine placement within newly proposed classification standards.
- The University will make proposals to preserve flexibility to make bargaining unit appointments that are consistent with the operational needs of the appointing campus.

ARTICLE 14 – Sick Leave

- Review current contractual provisions and amend as appropriate in relation to use and reporting of accrued sick leave.

ARTICLE 15 – Leaves of Absence with Pay

- Review current contractual provisions and amend as appropriate to ensure compliance with Family and Medical Leave Act, California Family Rights Act, and California Family Paid Leave Act and in relation to use and reporting of employee leaves with pay.

ARTICLE 16 – Leaves of Absence without Pay

- Review current contractual provisions and amend as appropriate to ensure compliance with Family and Medical Leave Act, California Family Rights Act, and California Family Paid Leave Act and in relation to use and reporting of employee leaves without pay.

ARTICLE 19 – Salary

- The CSU will make proposals to amend the salary Article, including but not limited to employee salary rates and in-range progressions procedures.

ARTICLE 20 – Benefits

- Review and amend as appropriate current contractual provisions in relation to employee benefits consistent with system and campus operational needs, and prevailing law.

ARTICLE 22 – Vacation

- Review current contractual provisions and amend as appropriate in relation to use and reporting of accrued employee vacation.

ARTICLE 25 – Layoff

- Review current contractual provisions in relation to layoff and amend as appropriate to ensure that the existing processes and procedures contained in this Article are operationally efficient and provide the necessary procedural and definitional clarity.

ARTICLE 26 – General Provisions

- Review current contract provisions in relation to non-discrimination and amend as required to be consistent with federal and state law as well as CSU Executive Order and policy.

ARTICLE 28 - Duration and Implementation

- The University will make proposals regarding the duration of any successor Agreement.

The University reserves the right to add to, modify or delete proposals for any/all Articles during the course of negotiations, in accordance with applicable laws.



UNION OF AMERICAN PHYSICIANS AND DENTISTS

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TREASURER

ZEGORY A. WILLIAMS
EXECUTIVE DIRECTOR

March 3, 2017

Leslie Freeman
Manager Labor Relations
California State University
401 Golden Shore, 4th Floor
Long Beach, CA 90802

Re: Demand to Bargain and Proposals for Negotiations

Leslie,

Per Article 28 of the CBA, UAPD is requesting to resume bargaining in April of 2017. UAPD and CSU are currently engaged in a JLM regarding three (3) new classifications and a salary survey that will impact the starting point of negotiations around salary.

UAPD cannot accurately request monetary proposals that are tied to salary until the information from CSU is presented to UAPD. That will happen on March 9, 2017 and UAPD will file its monetary proposals on March 10, 2017.

UAPD reserves the right to submit additional non-monetary proposals that may be necessary due to the new classifications that may be implemented during negotiations. Any such proposals shall be submitted prior to any planned negotiation session.

Attached separately are the sunshine proposals and the information requests and proposals that can be submitted without the data from the JLM salary survey.

UAPD looks forward to the upcoming negotiations and is hopeful to reach agreement prior to the expiration of the current CBA on June 1, 2017.

Best,

Jake Baxter
Lead Negotiator
UAPD Los Angeles

CC: Rene Castro – CSU Assistant Vice Chancellor HR & ER
John Murillo – UAPD Regional Administrator
Zegory Williams – UAPD Executive Director

Attachment B
CB – Agenda Item 2
March 21-22, 2017
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March 3, 2017

Sunshine Proposals
Leslie Freeman
Labor Relations
CSU BU 1

Re: Sunshine Proposals

Dear Leslie,

UAPD wishes to sunshine the following articles for upcoming negotiations in the spring of 2017:

Article 1: Recognition
Article 2: Definitions
Article 6: Union Rights
Article 8: Grievance Procedure
Article 11: Employee Status
Article 12: Assignment/Reassignment
Article 14: Sick Leave
Article 15: Leaves of Absence with Pay
Article 16: Leaves of Absence without Pay
Article 18: Hours of Work
Article 19: Salary
Article 20: Benefits
Article 21: Holidays
Article 22: Vacation
Article 23: Professional Development
Article 24: Health and Safety
Article 25: Layoff
Article 26: General Provisions
Article 28: Duration and Implementation

UAPD will also be introducing new proposals regarding Equity Pay based on Gender Discrimination & Compensation for employees where a Holiday falls on their regular day off.

Lastly, UAPD will be requesting a side letter in which there will be transparency around the new classifications and the pay codes and abbreviated titles. 1, 2, 6, and 8 or A, B, C, and D all refer to time base and not a different salary range and that should be reflected in a side letter to minimize confusion of bargaining unit members.

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 10, the International Union of Operating Engineers (IUOE)

Presentation By

Andrew Jones
Interim Vice Chancellor
Human Resources

Summary

The adoption of initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 10, the International Union of Operating Engineers (IUOE), will be presented to the Board of Trustees. The proposals are attached to this item.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 10, the International Union of Operating Engineers (IUOE), is hereby adopted.



The California State University's

Initial Collective Bargaining

Proposals

Between

**The Board of Trustees
Of
The California State University**

And

Bargaining Unit 10

International Union of Operating Engineers

March 21, 2017

Bargaining Unit 10
2017 Successor Agreement Negotiations
California State University Bargaining Proposals

ARTICLE 2 – Definitions

- Review existing contractual definitions against campus operational needs.
- Update definitions to reflect any substantive changes elsewhere in the Agreement.

ARTICLE 8- Non-Discrimination

- Review and amend as appropriate current contractual provisions in relation to non-discrimination so as to be consistent with CSU Executive Order processes and prevailing law.

ARTICLE 9 – Grievance Procedure

- The CSU will make proposals to amend grievance procedure to increase efficiency and effectiveness.

Article 22 –Assignment/Reassignment

- Review and amend as appropriate current contractual provisions in relation to assignment and reassignment.

ARTICLE 24- Salary

- The CSU will make proposals to amend the salary Article, including but not limited to employee salary rates and in-range progressions procedures.

ARTICLE 25- Benefits

- Review and amend as appropriate current contractual provisions in relation to employee benefits consistent with system and campus operational needs, and prevailing law.

ARTICLE 31 – Duration and Implementation

- The CSU will make proposals on the duration of any successor Agreement.

The University reserves the right to add to, modify, or delete proposals for any/all Articles during the course of negotiations, in accordance with applicable laws.



Stationary Engineers, Local 39

INTERNATIONAL UNION OF OPERATING ENGINEERS AFL-CIO

JERRY KALMAR

February 27, 2017

*Sent Via U.S. Certified Mail
7016 0750 0000 2190 0097
And via facsimile (562) 951-4890
And email: nshah@calstate.edu*

Ms. Neha R. Shah
Manager of Labor Relations
California State University
401 Golden Shore, 4th Floor
Long Beach, CA 90802-4210

Dear Neha,

This letter is to notify you of the Union's desire to re-open the below articles in the bargaining unit agreement between the Maritime Academy and Stationary Engineers, Local 39.

In order to satisfy the Sunshine requirements for fiscal years 2016/2017 we wish to re-open:

The Union wishes to make modifications to these sections in the agreement:

- **Article 6, Contracting Out**
- **Article 11, Hours of Work**
- **Article 12, Overtime**
- **Article 14, Vacation**
- **Article 22, Assignment/Reassignment**
- **Article 24, Salary** – The Union is proposing fair and equitable wage increases for all bargaining employees.
- **Article 25, Benefits** – The Union is proposing improvements in health and welfare plans with elimination or reduction in co-pays for all bargaining unit employees.
- **Article 27, Apprenticeship Program**
- **Article 28, Training**
- **Article 29, Health & Safety**

We reserve the right to add to, modify, or delete proposals during the course of negotiations, in accordance with applicable laws.

Please contact me so we can calendar dates for meetings at (916) 928-0399.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Eichenberger", is written over a horizontal line.

Stan Eichenberger
Business Representative

SA:tt:IUOE#39/afl-cio

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for Salary and Benefits Negotiations for Fiscal Year 2017-2018 with Bargaining Unit 6, the State Employees Trades Council United (SETC)

Presentation By

Andrew Jones
Interim Vice Chancellor
Human Resources

Summary

The adoption of initial proposals for salary and benefits negotiations for fiscal year 2017-2018 between the California State University and Bargaining Unit 6, the State Employees Trades Council United (SETC), will be presented to the Board of Trustees. The proposals are attached to this item.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the initial proposals for salary and benefits negotiations for fiscal year 2017-2018 between the California State University and Bargaining Unit 6, the State Employees Trades Council United (SETC), is hereby adopted.



**The California State University's
Initial Collective Bargaining**

Proposals

Between

**The Board of Trustees
Of
The California State University**

And

**Bargaining Unit 6
State Employees Trades Council United**

March 21, 2017

Bargaining Unit 6

2017 Salary and Benefit Re-Opener Negotiations

California State University Bargaining Proposals

ARTICLE 24- Salary

- The CSU will make proposals to amend the salary Article, including but not limited to employee salary rates and in-range progressions procedures.

ARTICLE 25- Benefits

- Review and amend as appropriate current contractual provisions in relation to employee benefits consistent with system and campus operational needs, and prevailing law.

The University reserves the right to add to, modify, or delete proposals for any/all Articles during the course of negotiations, in accordance with applicable laws.



**STATE EMPLOYEES
TRADES COUNCIL UNITED**
We've been on your side since 1976



February 24, 2017

John Swarbrick
Associate Vice Chancellor
Labor Relations & Chief Negotiator
401 Golden Shore
Long Beach, CA 90802

Sent via regular mail [return receipt], hand delivery, and email: jswarbrick@calstate.edu

Re: SETC-UNITED request for a reopener for salary and/or benefits per 24.4d of the in-force MOU

Dear Mr. Swarbrick;

SETC-UNITED is formally requesting a salary and/or benefit reopener per the relevant section of the current, in-force MOU, quoted:

"GENERAL SALARY INCREASE

24.4 d. The CSU or SETC-United may request salary and/or benefits reopener bargaining in either fiscal year 2017/2018 and/or 2018/2019 by providing written notice between January 1 and February 28 of the fiscal year for which bargaining is being requested."

We will contact you in March to establish meeting dates convenient for both of us.

We'll look forward to meeting and conferring with you, and anticipate significant positive adjustments in salary and/or benefits.

Very truly yours,

Hector Fernandez
Business Manager, SETC-UNITED
Chief Negotiator

C: SETC-UNITED, EXECUTIVE BOARD
Fred G. Quiel, Attorney for SETC-UNITED