

AGENDA

COMMITTEE ON COLLECTIVE BARGAINING

Meeting: 9:45 a.m., Tuesday, January 28, 2020
Munitz Conference Room—Closed Session
Government Code §3596(d)

11:45 a.m., Tuesday, January 28, 2020
Glenn S. Dumke Auditorium —Open Session

Lateefah Simon, Chair
Douglas Faigin, Vice Chair
Debra S. Farar
Lillian Kimbell
Jack McGrory
Christopher Steinhauser
Peter J. Taylor

Open Session– Glenn S. Dumke Auditorium

- Consent**
1. Approval of Minutes of the Meeting of September 25, 2019, *Action*
 2. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 3, the California Faculty Association, *Action*
 3. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Units 2, 5, 7, and 9, the California State University Employees Union, *Action*

**MINUTES OF THE 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**

September 25, 2019

Members Present

Douglas Faigin, Vice Chair
Debra S. Farar
Lillian Kimbell
Jack McGrory
Christopher Steinhauser
Peter J. Taylor
Adam Day, Chair of the Board
Timothy P. White, Chancellor

Vice Chair Faigin called the Committee on Collective Bargaining to order.

Public Speakers

The Committee heard from 9 public speakers who spoke on various topics.

Consent Agenda

The minutes of the July 24, 2019 meeting were approved as submitted.

The initial proposals for successor collective bargaining agreement with Unit 6 was approved as submitted.

Vice Chair Faigin then adjourned the committee meeting.

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 3, the California Faculty Association

Presentation By

Evelyn Nazario
Vice Chancellor
Human Resources

Summary

The initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 3, the California Faculty Association, will be presented to the Board of Trustees for adoption. 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 3, the California Faculty Association, is hereby adopted.



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

Between

The Board of Trustees

Of

The California State University

And

California Faculty Association

(Bargaining Unit 3)

January 2020

**Bargaining Unit 3
2020 Successor Agreement Negotiations
California State University Bargaining Proposals**

Preamble

- Review the terms of the preamble to the extent that it references matters within the scope of representation.

ARTICLE 2 – Definitions

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

ARTICLE 6 – CFA’s 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

- Review and amend as appropriate current contractual provisions in relation to the procedures and usage of personnel files.

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ARTICLE 12 – Appointment

- The CSU will seek to conduct a comprehensive review of Article 12 including, but not limited to, the appointment of temporary faculty; evaluation of temporary faculty; the order of assignment of work; and range elevation.

ARTICLE 15 – Evaluation

- The CSU will make proposals in relation to the evaluation process for faculty.

ARTICLE 16 – Non-Discrimination

- Review current language against prevailing law.

ARTICLE 17 – Temporary Suspension

- The CSU will make proposals to increase operational effectiveness with regards to temporary suspensions.

ARTICLE 18 – Reprimands

- The CSU will make proposals related to clarity and consistency of reprimands.

ARTICLE 19 – Disciplinary Action Procedure

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

ARTICLE 20 – Workload

- The CSU will seek to conduct a comprehensive review of Article 20 including, but not limited to, assignment of professional responsibilities; probationary faculty instructional assignments; and exceptional service assigned time pools.

ARTICLE 21 – Summer Term Employment

- The CSU will make proposals to amend provisions relating to Summer Term Employment.

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.

Article 23 – Leaves of Absence with Pay

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

Article 26 – Fee Waiver

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

ARTICLE 27 – Sabbatical Leave

- Review and amend as appropriate provisions of sabbatical leave.

ARTICLE 29 – Faculty Early Retirement Program

- Review and amend as appropriate provisions of the Faculty Early Retirement Program.

ARTICLE 31 – Salary

- The CSU will make proposals to amend the salary Article, including but not limited to employee salary rates.

ARTICLE 32 – Benefits

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

ARTICLE 36 – Additional Employment

- The CSU will make proposals in relation to additional employment.

ARTICLE 39 – Intellectual Property Rights

- The CSU will propose a full revision of the way that the Agreement deals with intellectual property rights.

ARTICLE 40 – Extension For-Credit Employment

- The CSU will make proposals in relation to extension employment.

ARTICLE 41 – Duration and Implementation

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

Side Letters and Memoranda of Understanding

The CSU will review all Appendices, Memoranda of Understanding; and Forms and make proposals to amend, retain, or delete as appropriate.

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.

**Public Notice for the California Faculty Association (CFA) Contract Proposals
For a Successor Collective Bargaining Agreement**

CFA's Board of Directors has adopted a set of initial bargaining proposals for a successor Unit 3 contract for presentation to the California State University (CSU) Board of Trustees at its January 2020 board meeting.

In preparing our proposals we consulted widely with our members. We conducted an extensive survey and collected input at open meetings with members at all twenty-three of the CSU campuses. Faculty are concerned about the state of public higher education, about fair access for the students of California, and about equity and racial and social justice issues within the CSU.

We propose a successor agreement that improves compensation, and ensures fairness and equity. Further, CFA seeks to bargain over terms that provide dignity to the educational professions of faculty in the CSU. In successor negotiations, CFA intends to bargain with CSU management to:

Improve salaries at all ranks and in all ranges.

Ameliorate salary equity problems such as compression, inversion, outdated starting salaries, and the salary structure itself.

Address salary inequities correlated with race, gender, and other identities.

Provide stability in appointments and assignments for temporary and permanent employees.

Define workload for all faculty based on pedagogically appropriate class sizes, professionally recognized counselor to student ratios, contemporary librarian responsibilities, and coaching duties (both on and off the field).

Increase provisions and improvements for faculty and students of color, women, people with disabilities, and LGBTQI+ individuals, in accordance with CFA's anti-racism and social justice mission.

Fully recognize (in compensation and assignments) faculty who serve the needs of California's diverse and deserving student population.

Enhance support for academic freedom, the indispensable requisite for unfettered teaching and research in institutions of higher education.

Ensure that the CSU is sufficiently resourced to provide a quality public higher education that is affordable for California's families.

Develop and implement evaluation processes that are fair, appropriate, and that acknowledge and address biases and overreliance on student opinions.

Improve paid leaves, including but not limited to sabbaticals and family leave.

Improve parental and family support for all faculty.

Provide for campus safety, particularly for marginalized faculty, students, and staff, and for increased environmental health and safety.

Revise the grievance and discipline appeals processes to provide for more efficiency and execution of due process.

Revise the Maritime Academy Cruise Memorandum of Understanding (MOU) to increase pay and benefits of cruise faculty to levels commensurate with the nature of the cruise assignment, the level of faculty responsibility for students aboard ship and in ports of call, and the level of responsibility for the safety of the ship and the crew.

Revise the Maritime Academy Cruise MOU to address the Golden Bear's health, safety, and environmental conditions to acceptable, contemporary levels.

CFA's mission is to strengthen the cause of higher education for the public good; to promote and maintain the standards and ideals of the profession; to provide a democratic voice for employees in higher education; to provide legislative advocacy; and to maintain collective bargaining agreements covering salaries, working conditions, and other items and conditions of employment. In this, CFA continues to advocate for explicit guarantees of academic freedom, tenure, and academic due process; orderly and clear procedures for prompt consideration of problems and grievances; to promote and protect the professional and economic interests of CFA and all bargaining unit members; to promote unity among employees and thereby enhance the effectiveness of the CFA in representing these employees; and to promote racial and social justice and thereby challenge systems of racial oppression and social inequity.

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Units 2, 5, 7, and 9, the California State University Employees Union

Presentation By

Evelyn Nazario
Vice Chancellor
Human Resources

Summary

The initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Units 2, 5, 7, and 9, the California State University Employees Union, will be presented to the Board of Trustees for adoption. 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 Units 2, 5, 7, and 9, the California State University Employees Union, is hereby adopted.



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

Between

The Board of Trustees

Of

The California State University

And

California State University Employees Union

(Bargaining Units 2, 5, 7 & 9)

January 2020

**Bargaining Units 2, 5, 7 & 9
2020 Successor Agreement Negotiations
California State University Bargaining
Proposals**

Article 1 – Recognition

- Review classifications and propose amendments as appropriate.

Article 2 – Definitions

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

Article 5 – Union Rights

- Review and amend as appropriate current procedures and provisions related to providing information to the union, union leave, and resources for union business.

Article 7 – Grievance Procedure

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

Article 8 – Complaint Procedure

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

Article 9 – Employee Status

- Review and amend as appropriate current contractual provisions in relation to the posting of vacant positions; the recruitment and filling of positions within the bargaining units; the types of appointment within the bargaining units; procedures for employees rejected during probation; and provisions relating to granting permanent status in the bargaining units by the president.

Article 10 – Employee Performance

- The CSU will make proposals to amend the employee performance evaluation process.

Article 12 – Corrective Action

- Review and amend as appropriate current contractual provisions related to reprimands.

Article 14 – Vacations and Holidays

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

Article 15 – Leaves of Absence with Pay

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

Article 16 – Leaves of Absence without Pay

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

Article 17 – Assignment/Reassignment

- Review and amend as appropriate current contractual provisions in relation to permanent and temporary employee assignments and reassignments.

Article 18 – 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 meal periods and clean-up time.

Article 19 – Overtime

- Review and amend as appropriate current contractual provisions in relation to the use of overtime and Compensatory Time Off consistent with prevailing law and campus operational needs.

Article 20 – Salary

- The CSU will make proposals to amend the salary Article, including but not limited to ways to address salary inversion and compression.

Article 21 – Benefits

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

Article 25 – 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 26 – Cruise Employees

- Review and amend as appropriate current contractual provisions in relation to cruise employees consistent with campus operational needs.

Article 28 – Family and Medical Leave and Pregnancy Disability Leave

- Review and amend as appropriate current contractual provisions in relation to use and reporting of employee leaves consistent with campus operational needs and prevailing law.

Article 29 – Duration and Implementation

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

Appendices and Side Letters

- The CSU will review all Appendices and Side Letters, and make proposals to amend, retain, or delete as appropriate.

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.

CSUEU Public Notice – Successor Contract Agreement

The California State University Employees Union (CSUEU) submits this public notice of our intention to modify the collective bargaining agreement between CSUEU and the California State University (CSU). CSUEU reserves the right to add to, modify, or delete these proposals and to introduce new proposals in the course of negotiations.

Article 2 – Definitions

CSUEU will propose amendments to the definitions of terms within the agreement.

Article 3 – Management Rights

CSUEU will reopen this article in order to impose limits on contracting out decisions and require uniform application of management decisions.

Article 9 – Employee Status

CSUEU will reopen this article to require an independent and objective review of out-of-class work. CSUEU will reopen this article to limit temporary employment.

Article 10 – Employee Performance

CSUEU will reopen this article to improve the accuracy, consistency and fairness of the evaluation process and grant the right to remove a negative review after one year.

Article 12 – Corrective Action

CSUEU will reopen this article to strengthen the rights of employees to representation.

Article 14 – Vacations and Holidays

CSUEU will reopen this article to improve vacation accrual. CSUEU will reopen this article to address pay-out of vacation over the maximum accrual.

Article 15 – Leaves of Absence With Pay

CSUEU will reopen this article to improve leave procedures.

Article 17 – Assignment/Reassignment

CSUEU will reopen this article to revise provisions related to assignment, classification, and non-represented employees performing bargaining unit work.

Article 20 - Salary

CSUEU will reopen this article to provide for step movement through the salary scale. CSUEU will propose other modifications to salary provisions.

Article 23 – Health and Safety

CSUEU will reopen this article to require designation of essential personnel in emergencies, procedures for the leaves of employees impacted by emergencies, and other emergency measures.

Article 25 – Non-Discrimination

CSUEU will reopen this article to address bullying and civility in the workplace in order to promote a safe and productive work environment.