

University Committee on Faculty Welfare

Minutes of Meeting

April 8, 2022

**I. Report: UCFW Health Care Task Force**

*Michael Ong, HCTF Chair*

1. HCTF of March 18, 2022

- Navitus: Navitus is still working on systemic fixes, which are moving very slowly causing much frustration. Some have suggested vacating the contract, but more data are needed before such action is taken. Those on fixed incomes face the most risk. Members noted that customer service is changing, but not approval practices and processes. Members wondered whether the fault lied in Navitus or whether UC might be a bad partner. Pharmacy benefit managers (PBMs) specifically have a troubled record with UC. Chair Ong agreed that Navitus does seem out of its depth in terms of volume, but the underlying formulary decisions must also be addressed. Members noted that the RFP process focuses on institutional cost, not individual impact. It is doubtful that the estimated \$22M in savings can compensate for the service disruptions. For some, particularly retirees, Rx concerns can become life-threatening. The Berkeley divisional Faculty Welfare committee sent a memo of concern to their executive committee, which included this passage:

If Navitus is unable to provide this level of coverage, it appears they may be out of compliance with the terms of their contract. If the terms of their contract do not specify this level of service, this is an indication that UCOP was seriously negligent in negotiating and selecting the contractor for this service. In addition to noting that individuals insured through Navitus need an immediate fix to the most serious problems of this contract, FWEL suggests that the UC Systemwide Senate request a review of contracting procedures to discover whether the problem is a lack of UCOP oversight of the contractor, a deficiency in UCOP expertise in contract negotiation and selection, or a misalignment of priorities between UCOP and its employees.

**II. Report: UCFW Task Force on Investment and Retirement**

David Brownstone, TFIR Chair

1. TFIR of March 28, 2022

- The Office of the Chief Investment Officer (OCIO) is removing carbon reserves from the Retirement Savings Plan (RSP) funds as of June 30. This move will mostly impact the

403(b) funds. If plan members want to continue to invest in carbon reserves, they can self-direct those investments through the brokerage window or an exchange traded fund (ETF). The identified holdings to be purged total 4-5% of the RSP. By comparison, the impacts of inflation and interest rate changes will impact the portfolio more than the carbon reserve release. TFIR expects to review communications to plan members with HR and OCIO. OCIO will frame the action as an investment decision regarding stranded assets, but others are expected to claim a moral victory.

- Improvements to RASC continue. But new UC RAYS problems are stressing the phone system, which had only begun to recover from the Navitus situation. The RASC budget ask should double the staff.
- The pension choice model has been posted. UCFW is requested to ask the Academic Council and the division chairs to circulate the tool widely.

### III. Systemwide Review Items

#### ➤ Assign Lead Reviewer

- Presidential Policy on Affiliations with Certain Healthcare Organizations
  - ❖ HCTF will serve as lead reviewers.

#### ➤ Determine Committee Position

- Proposed Presidential Policy on UC Research Data – Second Systemwide Review  
UCD Representative Bales, Lead Reviewer  
Several vagaries in the previous version have been successfully addressed, but additional clarity in some areas is still required. Giving Vice Chancellors for Research “unfettered” access to data could implicate privacy concerns, and inconsistent practices across the campuses could lead to other difficulties.
  - ❖ Analyst Feer will draft a memo for transmittal to the Academic Council.

### IV. UCFW Business

#### 1. ARO Beyond COVID Next Steps

*With Francis Dunn, Vice Chair, University Committee on Academic Personnel (UCAP)*

Members debated whether a half-step award would be enough to address economic concerns. Most agreed that a “compassion” clause of some sort is needed. “Holistic review” might be more saleable than “ARO principles”. Faculty deserve the compassion as students.

Accommodation requests were less than expected during COVID. Privacy concerns and perhaps shame concerns may have prevented some faculty from requesting accommodations. Some might view it as begging, which can be culturally sensitive. Not all CAPs consider merit, so persuading deans is imperative. Consistency is needed, whether through policy or guidance. Overcoming legacy practices and attitudes will be a challenge, as the invocation of eroding standards indicates. Some suggested framing the effort as focusing on junior faculty or as another aspect of diversifying the professoriate. The final Mitigating the Impact of COVID on Faculty report has been sent to the provost, but promulgation after his review will be critical. Streamlining the overall processes for normal merits and normal accommodations would help, as well.

#### 2. Proactive Planning for the Next Crisis

In the short-term, planning for the next COVID spike needs to occur. Planning for longer-term eventualities is more challenging. The back-and-forth policies under the COVID pandemic eroded trust and revealed a lack of strategic thought. Ensuring Senate participation in planning efforts has been difficult. Staff and student constituencies should be consulted, too. A lack of transparent decision making is not conducive to a healthy community.

3. Other Campus Updates

UCB: Information about ventilation standards is sought.

UCLA: Communications regarding masking and testing requirement remain poor.

**V. Consultation with Academic Senate Leadership**

*Robert Horwitz, Academic Council Chair*

*Susan Cochran, Academic Council Vice Chair*

- At the March Regents meeting:
  - The Investments Committee considered the impacts of the war in Ukraine on energy markets.
  - The Compliance Committee considered the impacts of the war in Ukraine and possible cyberattacks. Expanding cybersecurity protections for the institution and for individuals seems prudent.
  - A suggestion to increase the number of student regents was made. Such a change would require a public referendum.
  - The Academic and Student Affairs Committee considered academic integrity and online tutoring services such as Chegg and CourseHero. Working with the other segments may provide a way forward.
  - UC Health reported to the Board that new contracts have been signed with affiliated providers Dignity and Adventist health systems. Other contracts, notable with the VA and Indian Health Service, are still being negotiated. How to educate trainees and physicians assigned to these affiliates of their rights is still under development. A joint Senate- administration oversight committee is being formed.
- At the March meeting of the Academic Council:
  - Searches for a new provost and a new vice provost for academic personnel continue. The search for the new Senate executive director is close to nearly finished.
  - The Council endorsed a nominee for the next vice chair of the Council, and the Academic Assembly will next vote to ratify the nominee.
  - Feedback on possible changes to SR 424.A.3 that would add an ethnic studies requirement for first-year admissions have been sent to the Board of Admissions and Relations with Schools (BOARS) for evaluation. Concerns include non-resident compliance and the highly political nature of the topic as a whole.
  - The University Committee on Academic Freedom (UCAF) will consider further the issue of posting political statements on departmental websites. Most agree that such statements should not be prohibited, but appropriate disclaimer language and best practices to avoid internal strife are needed.

- The budget for the Retirement Administration Service Center (RASC) includes funds for more staff, including retirement counselors.
- UC is asking the state for additional one-time funds for deferred maintenance.
- The Navitus transition issues have many wondering if the fault lies with UC Health or with the procurement process itself.
- Discussions on teaching modalities continue.
- The Academic Assembly will consider the climate crisis Memorial to the Regents. If passed, it will go to the campuses for a full Senate faculty vote.
- The Retirement Savings Program will divest of fossil fuel holdings as of June 30.
- The Intersegmental Committee of Academic Senates will consider proposed changes to the Intersegmental General Education Transfer Curriculum drafted in response to AB 928.

## **VI. Consultation with the Office of the President – Academic Personnel and Programs**

*Susan Carlson, Vice Provost*

### **1. ARO Beyond COVID**

Advocates see opportunities to partner with other UC programs, such as the Advancing Faculty Diversity effort.

### **2. Policy Revision Updates**

- A second review of the abusive conduct policy is forthcoming. It will be an expedited review.
- A second review of proposed changes to APM 025 and 671 will occur after clarifications are received from the Office of Ethics, Compliance, and Audit Services (ECAS).
- Some have proposed adding mentoring to the APM as a recognized activity.

### **3. Lecturer Contract Implementation**

UCOP is working on tracking and record-keeping with campus academic personnel offices. Members noted that 2-year pre-planning is difficult, in addition to other onerous requirements. Slow communication of guidance added to the confusion.

### **4. Academic Student Employees**

This group is still bargaining to address housing costs and wages. A contract for post-doctoral scholars is also pending. Members noted that these contracts can have unintended consequences on grants, especially in this period of high inflation. The poor financial accounting system adopted by many of the campuses complicate processing payroll for all employees, not just academic student employees.

## **VII. Consultation with the Office of the President – Human Resources**

*Cheryl Lloyd, Vice President*

*John Henderson, Interim Executive Director, Compensation Programs and Strategy*

### **1. Hiring and Promoting Staff**

Director Henderson highlighted the differences between advancement and promotion/reclassification, especially the addition of new duties. Whether there was an open recruitment can also play a role. Equity adjustments for staff are common, but retention bonuses are new in this area. VP Lloyd noted that a staff retention bonus program was requested by the Vice Chancellors and the Chief Human Resource Officers in January, and systemwide HR has sent a list of options for evaluation. The “match an outside offer” model is one possibility.

Members indicated that UC is becoming an uncompetitive employer. Poor software choices have forced good staff out. Internal poaching is also a problem. Director Henderson noted that Great Resignation is real, and that there are limited applicant pools across the board. Members noted that more funding is needed to secure the best staff. Demands for permanent remote work accommodations can be difficult to grant in an educational delivery setting. Partial and phased retirement could help workplace succession, but regulations can be onerous.

#### **VIII. Chair’s Announcements/UCFW Business (continued)**

1. Academic Council of March 30, 2022

Note: Item not addressed.

#### **IX. New Business**

None.

Adjournment 3:35 pm.

Minutes prepared by Kenneth Feer, Principal Analyst

Attest: Jill Hollenbach, UCFW Chair

Attendance:

Jill Hollenbach, UCFW Chair

Terry Dalton, UCFW Vice Chair

Laura Nelson, UCB

Karen Bales, UCD

Carson Schutze, UCLA

Jayson Beaster-Jones, UCM

John Heraty, UCR

Kim Cooper, UCSD

Jenny Liu, UCSF

Lisa Parks, UCSB

Alexander Sher, UCSC Alternate

David Brownstone, TFIR Chair

Michael Ong, HCTF Chair

Joanne Boorkman, CUCEA Vice Chair

Henning Bohn, UCRS Advisory Board Faculty Representative