

**Minutes of Meeting  
October 14, 2011**

**I. Welcome**

*William Parker, UCFW Chair*

**SUMMARY:** Chair Parker welcomed new and returning members, who then introduced themselves.

**II. Task Force and Work Group Representation**

*William Parker, UCFW Chair*

1. Accountability Report:

**ACTION:** UCFW Vice Chair Hare will represent the committee on this advisory group.

2. Working Smarter Initiatives:

**ACTION:** Chair Parker will liaise with the travel and purchasing programs.

**ACTION:** TFIR Vice Chair White will continue to work with the mandatory training working group.

**ACTION:** HCTF Chair May will work with the UCSHIPS and the self-insurance working groups.

**III. Educational Benefits for Dependents**

*Ravinder Singh, Chair, Council of UC Staff Associations (CUCSA)*

*Brandie Henderson, UCLA Senior Delegate to CUCSA*

**ISSUE:** CUCSA Chair Singh indicated that fee waivers and tuition remission for employee dependents is the target of the current investigation. Previously, CUCSA has issued white papers on this topic, but concerns about long-term cost sustainability and over-utilization precluded significant progress toward implementation. CUCSA envisions that a successful strategy will include both faculty and staff endorsement as well as careful framing in terms of recruitment and retention and staff morale.

**DISCUSSION:** Chair Parker asked how well developed the CUCSA proposal was, and Mr. Singh noted that the working group was still in the “proof of concept” phase and had not yet devised a specific proposal. Members noted that the Senate has consistently supported this concept over time, and that continuing inflation trends suggest a new urgency to implement this type of program. Members also noted that while utilization may be fairly low at any one time, the program could be of significant symbolic value to the University, as well as significant financial value to some faculty and staff.

Given that few employees would be eligible for the program at any one time, though, questions of how the program would be funded need to be addressed at the outset: from a central pool or from departments with enrollees? Some members noted that in private institutions that have this type of program, a reciprocal benefit is offered by other institutions; portability of the benefit could be of additional strategic value. Others suggested that use of state funds could preclude reciprocity. It was noted that more specific cost analyses would also be needed.

**ACTION:** CUCSA will continue to liaise with UCFW on this issue. UCFW recommends the administration update previous estimates of the cost of offering a tuition benefit.

#### **IV. Update: Task Force on Investment and Retirement (TFIR)**

*Shane White, TFIR Vice Chair*

*Note: Item occurred in executive session; other than action items, no notes were taken.*

**ACTION:** UCFW will forward the TFIR statement opposing the proposed employee contribution rate for UCRP as of July 1, 2013 to the Academic Council.

#### **V. Update: Health Care Task Force (HCTF)**

*Robert May, HCTF Chair*

**UPDATE:** Chair May updated the committee on several items of interest:

1. The task force will meet next week, so more detailed information will be available next month.
2. Alta Bates Medical Group has joined the HealthNet Blue and Gold network, which is helpful for many East Bay-based employees. Negotiations continue to improve access to HN Blue and Gold in the Santa Cruz area.
3. The employer contribution rate to health and welfare benefit premiums will again by 87% of the base plan (HN B&G).
4. A new joint administration-Senate task force is being formed to explore more fully the possibility of changes to the health and welfare coverage and subsidies offered to part-time employees.
5. Health and welfare insurance enrollment will be audited in 2012; Human Resources is interviewing two finalists, and should announce the selected vendor prior to open enrollment. All employees who have dependents enrolled will be required to produce documentary evidence proving the legitimacy of the relationship: spouse, child, other.

**DISCUSSION:** Members asked what type of documents would be needed, and Chair May indicated that original birth certificates and marriage certificates would be needed. Members asked what savings were expected from this exercise, and Chair May said he would ask Human Resources at the upcoming HCTF meeting. Members also asked what punitive steps were envisioned for employees who could not produce the required documentation. Chair May indicated there will be a grace period during which documents could be sought; after that, de-enrollment would occur, but no other punitive steps were currently envisioned. Members noted that this exercise will be costly in terms of employee morale, regardless of any actual cash savings.

#### **VI. Consultation with the Office of the President – Budget**

*Patrick Lenz, Vice President*

**UPDATE:** Vice President Lenz reported that he and his staff have scheduled meetings with Department of Finance staff to work together in setting budget priorities. Since mid-year cuts are anticipated, it behooves the University to show the State the anticipated harm from further cuts and to plan accordingly. The Regents have suggested that more external support could be gathered, but the current economic environment does not facilitate such philanthropy. President Yudof is meeting soon with Governor Brown with

the goal of finding agreement on a long-term funding schedule to aid in strategic planning. Illustrating concretely the relationship between calling for better access to UC and adequately funding enrollment, for example, or between excellent educational outcomes and cash salaries and UCRP viability, is an on-going struggle, exacerbated each year by the necessity of educating new legislators.

**DISCUSSION:** Members asked how likely the mid-year cuts were, and VP Lenz responded that revenue shortfalls are already in evidence, but that the depth of the cuts was not yet clear. Members also asked whether the cuts could be deferred to the 2012-13 operating budget, and VP Lenz indicated yes, with the help of the bridging strategies discussed before the committee previously. Members then asked whether UCRP funding was expected from the state, and VP Lenz reminded the committee that UC was successful last year in removing the statutory prohibition, and that this year, the Governor has publicly stated that UCRP is among the state's liabilities. Members suggested that another "IOU" be pursued, due to the successful precedent.

## **VII. Systemwide Review Items**

### *Members*

#### **1. UCR SOM HSCP Implementation Plan**

**ISSUE:** The UC Riverside School of Medicine has drafted implementation guidelines for its participation in the Health Science Compensation Plan (HSCP, APM 670), and UCFW is asked to opine on their draft guidelines. UCR asserts that the implementation plan is necessary to proceed with recruitment, even though enrollment has been deferred for one year.

**DISCUSSION:** Members noted that the Academic Personnel Units (APUs) in the UCR proposal seem to have different parameters than those in the parent APM, and that the draft over-empowers deans' in terms of hiring and salary decisions. Other members added that the role of the Senate in reviews has not improved from the current version of the APM, citing among other examples the closed feedback loop surrounding the advisory board as proposed. Some members noted that the UCR draft matches neither the parent APM nor any of the proposed draft revisions to the parent APM. Members also noted that imprecise language in the draft could lead to undue confusion, citing specific concerns regarding the definition of "good standing" and the priority of revenue generation.

Members wondered whether an interim plan could be devised for UCR to follow until the parent APM was revised.

**ACTION:** UCFW will recommend adoption of the proposed plan on a three-year basis, or until the parent APM is revised, whichever comes first.

#### **2. Proposed Policy on Phased Retirement for Staff**

**ISSUE:** Human Resources has circulated a draft policy to allow staff, but not faculty, to participate in a phased retirement program. The benefits are expected to include easier personal transitions into retirement and improved departmental staffing planning processes.

**DISCUSSION:** Members noted that UCFW and the faculty as a whole have been asking for this option for several years. Other members noted that the plan would be UCRP neutral, but that eligibility for the full employer subsidy for health and welfare benefits could be jeopardized.

**ACTION:** UCFW will recommend that this program proceed carefully and be expanded to include faculty.

### **VIII. Consultation with the Office of the President – Academic Personnel**

*Susan Carlson, Vice Provost*

#### **1. APMs 010, 015, and 016 (Discipline)**

##### **APM 010:**

**ISSUE:** The current proposed revision is intended to clarify when a faculty member's speech is protected under the aegis of Academic Freedom, such as when participating in peer reviews.

**DISCUSSION:** Vice Provost Carlson noted that the new proposed language was lifted from elsewhere in the document and is repeated for emphasis. Members, however, felt that the previous proposed language was clearer.

**ACTION:** UCFW will recommend that the language endorsed in December 2010 be used moving forward:

“The principles of academic freedom protect freedom of inquiry and research, freedom of teaching, ~~and~~ freedom of expression and publication, and freedom to address any matter of institutional policy or action whether or not as a member of an agency of institutional governance.”

##### **APM 016:**

**ISSUE:** The proposal is intended to eliminate ambiguity by making the implicit explicit and to close loopholes when language shifts from “policy” to “rule” to “guideline” etc.

**DISCUSSION:** Members sought clarification on the differentiations between the various forms of policy, and wondered if enhanced communication efforts might be more successful than over-writing policy. Other members added that ambiguity is not lessened with phrases such as “such as” and “not limited to”.

**ACTION:** UCFW will recommend that the adjective “University’s” be moved to modify the entire subsequent clause.

#### **2. APM 133 (Limits on Rehiring into Certain Academic Titles)**

**ISSUE:** Vice Provost Carlson noted that this topic is still in the exploration phase, in response to campus concerns that current prohibitions on rehiring are too restrictive.

**DISCUSSION:** Members asked for data supporting the need for a change in policy, suggesting that non-tenure track options for rehiring good instructors in the status quo are adequate. Members also asked if the ban would extend to the entire system, or just one campus.

#### **3. APM 530 (Nonresidents)**

**ISSUE:** The previously proposed technical changes were found to be more than technical in their impact, so the current proposed language was developed in conjunction with the University Committee on Academic Personnel (UCAP).

**DISCUSSION:** Members asked about requiring chancellor approval, and Vice Provost Carlson indicated that that language was unchanged from the current APM, and that it is delegable. Members suggested including explicit language to that effect as a fail-safe.

4. Update on Faculty Salary Task Force

**UPDATE:** The group's first recommendation of 3% merit increases has been approved, and now the group turns to longer-term considerations, such as perhaps a new four-year plan as suggested by President Yudof. Another idea under discussion is to adapt the "Irvine model" for implementing the salary scales on a systemwide basis. The "Irvine model" adjusts the scale minimum for new hires and promotions to the average of incumbent salaries at the new level; at the system level, UC might use one campus as the scale benchmark.

**DISCUSSION:** Members wondered whether the intent of the proposal was to reinvigorate the scales or to further obviate them by rewarding the behavior of deans who hire off-scale. Other members wondered if a disciplinary average across the system would be more fair, or perhaps just the campus average of the scale level? Vice Provost Carlson indicated that various costing plots are still being generated.

Members also asked how any new scale norms were envisioned to interact with the proposed policy expanding the negotiated salary program (APM 668, see Item IX.5. below). Members then queried if an ideal market competitiveness ratio had been determined, and if a funding commitment to same could be achieved. Others asked what rate of increase would lead to current market parity, and what rate of increase is needed just to keep the lag from growing.

**IX. Systemwide Review Items (continued)**

3. APMs 200 and 205 (Recall)

**ISSUE:** The current proposed revision notes that the 43% recall limit applies to an entire year, per UCFW's request.

**DISCUSSION:** Members inquired as to the early termination clause, wondering why the recalled faculty had to commit to a predetermined length of recall but the University did not. Vice Provost Carlson indicated that the language in question was added at the request of the Office of General Counsel. Members asserted that the recall population should have specific protections written into the policy. Other members noted that some recalled faculty might not be coordinated with Social Security and so would need special implementation guidelines. Members also sought clarification regarding the calculation of base and non-base salary for recall provisions. Special Assist to the Vice Provost Price noted that the medical centers asked for that flexibility given the complexity of HSCP, but her office will work to devise clearer language.

4. APM 670 (Health Sciences Compensation Plan (HSCP))

**ACTION:** TFIR Vice Chair White, UCSF Representative Marshall, and UCD Alternate Schaeffer will serve as lead reviewers for this proposal and facilitate discussion next month.

5. APM 668 (Negotiated Salary Program)

**ACTION:** UCI Representative Meenakshisundaram and UCM Representative Malloy will serve as lead reviewers for this proposal and facilitate discussion next month.

6. UCAAD Salary Equity Study

**ACTION:** UCB Representative Braunstein and UCSD Alternate Rickard will serve as lead reviewers for this proposal and facilitate discussion next month.

7. SR 610 (Residency)

**ACTION:** The committee elects not to opine on this item.

**X. Consultation with the Office of the President – Human Resources**

*Dwaine Duckett, Vice President*

1. Revised Sexual Harassment Prevention Training

*With Randy Scott, Executive Director, Talent Management and Staff Development (via phone)*

**UPDATE:** Mr. Scott reported that the roll-out of the state-mandated sexual harassment prevention training this year will be more user-friendly than in past years. A simplified version will be available via the Learning Management System, and any unfinished trainings can be completed without restarting the entire module (prior to October 21); anyone found to be in non-compliance will be referred to their local Title IX officer. New content is limited to updates for consistency with recently amended laws. An in-person/live-theater training will also be available, and HR is seeking grant support to off-set the associated costs.

2. Senior Management Group (SMG) Market Zones

*With Dennis Larsen, Executive Director, Compensation Programs and Strategy*

**ISSUE:** Vice President Duckett said the purpose of this exercise is to identify the most appropriate market comparators for SMG salary benchmarking; duties and responsibilities will be audited closely. Mr. Larsen added that the SMG total is now 156; this lower number reflects the migration of deans out of the SMG since their duties are mostly academic, not administrative.

**DISCUSSION:** Members noted that as the total SMG population shrinks, the ability to construct systematized categories is also diminished, which leads inevitably to individualized hiring and salary decisions – not greater consistency and transparency. Mr. Larsen emphasized that the objective was to gather data for more competitive hiring, highlighting more strongly the actual local duties performed by incumbents. Members then asked whether changes to SMG total remuneration were anticipated as a result of the investigation, such as if UC SMG were found to be overpaid? VP Duckett indicated that at present, HR is not certain that the right comparators are being used; title alone is not necessarily indicative of on-the-ground responsibilities. Chair Parker suggested that the issue of adequate pay ranges was being conflated with accurate job descriptions and classifications.

Members also queried whether other staff categories would be similarly rebench, and VP Duckett indicated that the same theory applies to all groups.

3. Health Sciences Total Remuneration Study

*With Dennis Larsen, Executive Director, Compensation Programs and Strategy*

**UPDATE:** Mr. Larsen reported that the working group focusing on this project met again last week, and that the medical center deans were still not persuaded of the value of the project and remain unwilling to contribute to funding it. It was suggested that professional association data could serve as proxy, since the Office of the President is also unable to justify at present the cost of the study (estimated

between \$750K-\$1M). It is not possible to conduct this study without external assistance given the complexity of UC benefits and the unpublished status of comparator data. Inaccurate or incomplete data could be more harmful than the current data dearth.

**DISCUSSION:** Members noted that as a percentage of relevant payroll, the cost of the study is insignificant. Others were lead to question: If data is good for SMG compensation (as noted above), how is it not good for the health sciences? Mr. Larsen indicated that the complexity involved in the project is a significant, real-world obstacle: as one example, outside income is particularly hard to track. He added that since the Office of the President is not a participant in HSCP, it requires an external sponsor to access proprietary data, but no sponsor has yet been forthcoming.

**ACTION:** UCFW will continue to lobby for a health sciences total remuneration study.

4. UCRP New Tier Update

**UPDATE:** Vice President Duckett reported that the new UCRP tier, as well as ongoing health and welfare benefit coverage, is currently being negotiated with union officials.

**DISCUSSION:** Members asked if differential contribution rates for represented and non-represented employees could emerge. VP Duckett indicated that all employees currently contribute 3.5%, and will contribute 5% as of July 1, 2012, but that July 1, 2013 rates were still to be determined. Negotiations may have to be re-opened once the future rates are scheduled. Members asked what would happen if one or more of the unions did not agree to the proposed rates, and VP Duckett indicated that the University would set its contribution rate, and that all groups are expected to have the same rate. Members asked who would make up the difference if one group had a different rate, suggesting that it is the employer's responsibility.

**XI. Introduction to SharePoint**

*Todd Giedt, Associate Director, Universitywide Academic Senate*

*Note: Technical tutorial; no notes were taken.*

Adjournment 3:35.

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: William Parker, UCFW Chair