

UNIVERSITY COMMITTEE ON FACULTY WELFARE

**Minutes of Meeting
December 9, 2016****I. Announcements**

Lori Lubin, UCFW Chair

1. Academic Council of November 30, 2016

Update: Chair Lubin reported several items of interest:

- A lot of discussion focused on undocumented students. President Napolitano noted that UC has 4,000 DREAMERS enrolled systemwide. The Offices of General Counsel and Student Affairs are issuing guidance. Per counsel, there will not be immigration checks for campus services. How DACA work permits will be handled remains to be determined. “Sanctuary” is a bulls-eye term, but it reflects the attitude and posture of UC. Undocumented staff will receive the same guidance and courtesies (see also Item XI below).
- In January, following a FOIA request, 150 resolved cases investigated by UC Title IX officers will be publicly released, and only partially redacted.
- Discussion regarding honorary degrees was tabled.
- Data illustrating UC liabilities for UCRS and retiree health are causing growing concern among some Regents and UCOP leaders.
- Campus structural deficits are expected to be exacerbated by any non-resident enrollment cap. All proposed caps leave several campuses with a deficit, but no gap funding has been made available. This decision is political.
- Vice President for the Office of National Laboratories Kim Budil reported that UC will re-bid for management of the Los Alamos National Lab. Her office seeks stronger connections with UC researchers. The new federal administration has lab officials planning for several contingencies.
- CFO Brostrom reported that UC needs 20,000 new residences to accommodate enrollment growth and to retire old buildings; an RFP is being prepared. He also reported that his office will again propose borrowing for UCRP.
- Provost Dorr noted that a new long-range planning effort will soon be launched.

II. Consent Calendar**1. DRAFT Minutes of October 14, 2016**

Action: The minutes were approved as amended.

2. DRAFT Minutes of November 18, 2016

Action: The minutes were approved as amended.

3. DRAFT Response to Proposed Revised Presidential Nondiscrimination Policy and APM 015

Action: The response was approved as noticed.

4. DRAFT Response to Proposed Revisions to Senate Bylaw 182

Action: The response was approved as noticed.

III. Systemwide Review Items**1. Management review: Proposed Changes to LSOE Policies**

Issue: The controversial aspects of this proposal focus on the LSOE role in scholarship and whether scholarship into pedagogy can be expected for reviews. The proposal would also rename LSOEs, but no alternative has received consensus support.

Discussion: Many members rejected use of “teaching professor” as a replacement title. Few were supportive of “professor of teaching X”, modeled after the health sciences title series. It was also noted that some lecturers are unionized. The future administration of Unit 18 Lecturers is not clear. See also Item VII.1 below.

Action: Analyst Feer will draft a memo summarizing the committee’s feedback for electronic approval.

2. Clery Act Implementation

Note: Item deferred.

3. Second systemwide review: Revised APM Policy Sections 278 and 210-6 (Health Sciences Clinical Professors)

Note: Item deferred.

IV. Consultation with the Office of the President – CFO: Travel Programs

Debra Almason, Director, UC Travel Management Services

1. Connexus

Issue: Director Almason summarized some of the recent changes enacted by the UC Travel Management. Technological improvements have helped access. Billing transactions are run by the campuses. Personal travel options are also available to UC personnel, but not all locations have advertised them well. Webinars and FAQs are available. Discount prices continue to be negotiated with air carriers, especially, but as the market is in flux, negotiations are seemingly on-going. Hotel discounts have been slower to develop. A 24-hour automatic re-book feature to secure the lowest price is being developed. Contracts with AirBNB and Uber are being considered.

V. Consultation with the Office of the President – COO

Rachael Nava, Chief Operating Office and Executive Vice President

1. Campus Police Department Oversight

Issue: Members are concerned about recent events on several campuses that suggest a pattern of racial profiling and insensitivity by UC police against students, staff, and even faculty family members. Despite some listening sessions, distrust remains high. LGBTQ members of the UC community have also voiced concerns about police treatment on campus. There is no known route to submit feedback that does not go through the campus police departments.

COO Nava noted that she is the UCOP liaison to the chiefs’ council, but she has no authority over them. The chancellor sits atop the local chain of command. The current chief coordinator is from UCSD, and COO Nava and Chief Rose have monthly conversations on policy matters. UC police policy is governed by the “Gold Book”, which is available online and was updated following the Robinson-Edley report. Under the Gold Book, campuses can develop local operating procedures custom to their campus needs. Some more standardized policies are being advanced for review: body cameras, use of force, and special response teams. Policing data are reported in accordance with the Clery Act.

Discussion: Members asked how strictly the campuses are required to follow Gold Book procedures, and COO Nava indicated that may not be mandated, but it is certainly implied, that campuses do not loosen the standards set forth in the Gold Book, though

they can enact additional restrictions. Members asked whether different campuses had different standards for use of force, and COO Nava responded that community policing is UC's philosophy. Members noted that community policing requires open and frequent communication, which does not seem to be occurring. COO Nava cited advisory boards at Berkeley, Davis, and Los Angeles as models for the other campuses. She added that UCFW should invite Chief Rose to a future meeting.

Members suggested creating a systemwide advisory board to review the Gold Book and set higher standards for police-campus interactions. COO Nava indicated that such a board may require presidential or regental support.

Action: UCFW will invite Chief Rose to a spring meeting.

Action: UCFW members will investigate local reporting practices.

2. Health Services Decision-Making

Issue: COO Nava reported that a new executive steering committee for health benefits decision-making has been empaneled. It consists of COO Nava, CFO Brostrom, EVP Stobo, a faculty Senate representative, and the president's designee; this body may become the plan administrator. COO Nava will serve as chair for two years, and then leadership will rotate to UC Health. The group is expected to hold its first meeting in January, and an MOU is being drafted to delineate responsibilities between human resources interests and UC Health interests. Below the executive steering committee is a joint operating committee to handle day-to-day operations; Vice President Duckett from HR and Executive Director Tauber from UC Self-funded Health Plans are co-chairs.

3. Payroll Third-Party Vendor Management

Issue: At least one campus has raised privacy concerns over the out-sourcing of employment verification services to a third-party vendor.

Discussion: COO Nava indicated this was a standard practice in procurement, and suggested further questions be directed to that office.

VI. Health Care Task Force Report

Robert May, HCTF Chair

1. Domestic Partner Benefits Equity

Issue: Changes to retirement policy must be approved by the Regents, but there may be a loophole that would allow President Napolitano to take executive action. A full proposal is being prepared for a subsequent meeting. The proposal will cover the moral arguments in favor of expanding coverage, the legal necessity of addressing this issue preemptively, and the affordability of the coverage expansion.

Discussion: Members asked how many individuals were impacted by this policy oversight, but at present, there are only estimates as utilization in the target population varies widely.

2. Open Enrollment

Issue: No new data are available yet. Migration data should be available by February.

3. Federal Guidelines

Issue: The future of the Affordable Care Act remains uncertain.

VII. Consultation with the Office of the President – Academic Personnel and Programs

Susan Carlson, Vice Provost

Janet Lockwood, Director, Academic Policy and Compensation

1. LSOE Policies

Issue: Discussion continues from Item III.1 above.

Discussion: Members suggested including an option to grandfather current LSOEs under the terms of their current contracts. The delay in announcing a new salary scale for impacted individuals is harming the proponents' efforts. Vice Provost Carlson noted that employment protections for this group would not be disappearing. Some asserted that a "professor" must conduct research or generate creative output, meaning that it would be inappropriate to rename lecturers as professors. Adding a research or creative output component to incumbent lecturer responsibilities would be unfair. The proposal that all research or creative output by employees in this category could be required to target pedagogy was met with resistance by members.

2. Overtime Rules

Issue: New federal regulations were to be adopted on the campuses December 1, and preparing for them has proved difficult. A circuit judge stayed implementation a week before the new regulations were to go live, and a new secretary of labor could bring further changes in the future. Nevertheless, UC post-doctoral scholars have a closed union contract, and NIH pay scales are finalized. Given the changing landscape, UC has decided to adopt a wait-and-see approach. Still, UC will undertake internal reviews of impacted salary programs.

VIII. Consultation with the Office of the President – UC Care

Laura Tauber, Executive Director, UC Self-funded Health Plans

Mike Meneary, Alliant

Scott McClay, Alliant

1. Out-of-Pocket Maximums

Issue: A change to the formula for determining out-of-pocket maximums will disproportionately impact those with high prescription costs. UCFW seeks to understand the process by which this change was made, and upon what data the decision was based.

Mr. Meneary indicated that data on out-of-pocket expenditures was from Blue Shield, and at this time, reflects on the UC Care population base. Director Tauber noted that in order to meet the 5% employer cost increase cap, UC Care spent from its reserves, even after risk adjustment and the out-of-pocket changes.

Discussion: Members noted that many individual premiums went down, and asked why not keep the previous premium rate and the old out-of-pocket formula. Mr. McClay noted that the Blue Shield data only reflect expenditures up to the old caps; expenditures over the caps are estimates only. Also, the Blue Shield data did not include behavioral health expenses. Nonetheless, but using standard market metrics to supplement UC data, Alliant was able to offer the out-of-pocket change as part of the strategy to contain employer cost raises.

Members returned to the question of disproportionate impact, and asked how the impact assessment of the out-of-pocket change was costed out. Mr. McClay indicated that per capita averages were used. Members noted that the marketing and communications on this issue could be markedly improved, and suggested a clarifying note be developed and sent.

IX. Task Force on Investment and Retirement Report

Bob Anderson, TFIR Chair

Update: Chair Anderson noted that TFIR will follow-up on target date funds comparisons at next week's meeting with the Chief Investment Officer.

X. Consultation with Academic Senate Leadership

Jim Chalfant, Academic Council Chair

Shane White, Academic Council Vice Chair

Update: Chair Chalfant updated the committee on several items of interest:

- The Regents endorsed the Senate-supported UCOP principles on supporting undocumented students and workers at UC, as well as their families.
- The non-resident enrollment cap may come for action in January to the Regents. The current proposal would limit such enrollment to 20% at each campus. No provision for a cap-and-trade system was included. So far, this is only for undergraduates, but PDST could be impacted in future discussions. For those campuses already over 20%, a 3-5 year glide path would be offered, but not any funds to close the forecast structural deficits.
- The Senate office is working to prove that the Senate is not an obstacle to the approval of self-supporting program proposals.
- A new long-range planning effort is being planned. Divisional Senates may need to be proactive to secure participation.
- Votes of no confidence in local leadership at Riverside have echoed across the system.
- Full funding for recent increases in undergraduate enrollment has not been offered or yet found. Capital planning impacts, workforce and academic planning concerns, and student support services are all being negatively impacted. New thinking is needed to meet these needs.
- Public engagement and philanthropic efforts are increasing. Of \$2B in philanthropic support, only \$160M was dedicated to student support.

XI. Consultation with the Office of the President – Student Affairs and Office of General Counsel

Jerlena Griffin-Desta, Deputy to the Student Affairs Vice President

Julia Friedlander, Deputy General Counsel

1. Sanctuary Campuses

Issue: Deputy Griffin-Desta reminded members that there are coordinators at each campus who have been tasked with interfacing with impacted members of the UC community. Since 2013, a new advisory council to the president has been in place, and they consider student concerns such as privacy, policing, PD and ICE coordination, and the limits of a “sanctuary” campus. Counsellor Friedlander added that the new federal administration is a largely unknown actor, so UC actions have focused on protecting personal data.

Discussion: Members wondered what level of support for ally/bystander training would be made available. Counsellor Friedlander noted that the legal support center modeled at Davis was being expanded to other campuses, and that UCOP had assigned additional attorneys to several campuses. Members asked about FAQs and fact sheets, and were told that those resources are still being developed.

Members then asked how faculty should respond when asked to sign petitions, either electronically or physically. Counsellor Friedlander indicated that such decisions were a matter of personal choice, so long as university resources are not involved.

Factual analyses can be shared, but recommendations should be individual, not associated with the university.

XII. Campus Updates

Berkeley: Absent during this item.

Davis: 1) Discussions regarding how best to handle controversial speakers and their protestors continue. 2) Enhancing student services has become a new priority, given years of cuts to support staff. Even meager TA support has been indicted as a cause of academic slippage.

Irvine: 1) The campus recently approved a new faculty development, complete with a Montessori school. 2) Local police department issues have risen to the fore. A listening tour is under way.

Los Angeles: A town hall focusing on child care was held last week in light of licensing violations at UCLA-affiliated day cares.

Merced: Absent during this item.

Riverside: The division will hold no confidence votes on both the provost and the chancellor in January. Both administrators claim to have heard and to be responsive to campus concerns, but only actions will tell.

San Diego: 1) The campus is frantically responding to budget deficit concerns resulting from limits on non-resident enrollment. 2) A local faculty climate survey is being deployed, and the divisional CFW is helping to draft questions based on the HARI survey model. It is hoped that a useful overlap with existing medical center surveys can be created for analysis. Assessing needs for child and elder care are especially tricky. 3) Perhaps two new college venues are being proposed for construction prior to 2020 to accommodate the enrollment bloom. Hopefully child care will be a critical part of development planning. 4) Parking on campus has again become an issue. Allocating additional reserved spots for faculty is being considered.

San Francisco: Local discussion has focused on cost of living concerns.

Santa Barbara: Providing accommodations for new hires has become increasingly difficult – from wet labs to housing to parking.

Santa Cruz: Absent during this item.

XIII. New Business

None.

Adjournment: 3:35 p.m.

Minutes prepared by Kenneth Feer, Principal Analyst

Attest: Lori Lubin, UCFW Chair

Attendance:

Lori Lubin, UCFW Chair

Roberta Rehm, UCFW Vice Chair

Caroline Kane, UCB

Michael Hill, UCD

Jean-Daniel Saphores, UCI

Areti Tillou, UCLA

Sean Malloy, UCM

Victor Lippitt, UCR

Gedeon Deak, UCSD

Margo Kushel, UCSF

Stan Awramik, UCSB

Stefano Profumo, UCSC

Robert May, HCTF Chair

Robert Anderson, TFIR Chair

David Brownstone, UCRS Advisory Board Faculty Representative

Dick Attiyeh, CUCEA Chair