

UNIVERSITY COMMITTEE ON FACULTY WELFARE

Minutes of Meeting**July 12, 2024****I. Chair's Announcements***John Heraty, UCFW Chair***1. Academic Personnel and Programs Re-Organization Update**

Provost Newman decided to split academic and labor duties within the unit. Vice Provost Haynes will return on recall while the search for a permanent leader continues. Some noted a lack of consultation and shared governance in the process.

2. Academic Council of June 26, 2024

- New Regent leaders have been named and will lead next week's meeting.
- The Council strongly rejected the proposed amendments to APM 016. Although UCPT requested review of the section, APP's edits were not responsive to the request.
- ACA 6 was rejected in committee, but similar bills and efforts are likely to be submitted in the future.
- Health premium increases are likely to be steep again this year, and UC will have a limited capacity to off-set the increases. The Senate is working with HR to issue better and more timely communications.
- Area G/H will undergo still more review as questions about enforcement and course development costs have not been answered to everyone's satisfaction yet. The curricular differences between UC's proposed standards and the state's model curriculum are not clear to non-experts.

II. Report: UCFW Task Force on Investment and Retirement*Jill Hollenbach, TFIR Chair***1. TFIR of June 24, 2024**

TFIR met with Paul Williams from Procurement, which oversees the UC Partnership Program. UCPP sponsors home insurance with Farmer's. But recent wildfires have led to high home insurance prices and many insurers have left the state market. Older homes are frequently uninsurable absent expensive renovations. The state safety net insurance, CA FAIR PLAN offers limited coverage and is expensive. In order to have a mortgage, state law says you must have insurance, but CA FAIR may not meet the requirements, so participation in the MOP may not be available to new hires in certain regions. Future premium increases will likely continue to be steep. UC might usefully create a home insurance facilitator role, similar to the health care facilitator position.

2. UCRP Membership

Some employees in the newly acquired Dignity hospitals in San Francisco will be eligible for automatic vesting in UCRP depending on their years of service at Dignity. The Senate has not yet seen data showing cost neutrality to the plan, and other acquisitions by some of the southern campuses raise precedent concerns. See also Item IV below.

III. Report: UCFW Health Care Task Force

Michael Ong, HCTF Chair

1. HCTF of June 21, 2024

- Access to Tier 1 providers in UC Care continues to be limited in certain markets.
- Premium increases are likely to be 7-8% next year, and the CORE program may be discontinued. UC's contribution is still to be determined.
- The student health program will adopt use of UC's electronic health record system, which has both pros and cons.
- A review of the Health Sciences Compensation Plan is overdue, and perhaps is can a continuation of the current total remuneration project. UC Health is not the cognizant unit, but they are supportive of the effort.

IV. Consultation with the Office of the President – Systemwide Human Resources

Hyun Swanson, Executive Director, Retirement Program Services

John Monroe, Actuarial Services Manager

Executive Director Swanson provided background on the upcoming Regent's item F7, which would grant UCRP vesting credit, but not benefit service accruals, for employees at two Dignity Health hospitals recently acquired by UCSF. For Dignity employees that transition to employment at UC, the vesting credit would be based on their vesting service in the Dignity Plans. Their UCRP benefit payments would be based on UC employment only. The estimated \$30M cost, which will be recalculated using the final census data, will be contributed to UCRP through UCSF, making the proposal cost neutral.

Members noted that previous acquisition exceptions to UCRP had been thoroughly vetted by TFIR. Executive Director Swanson noted that HR was also surprised by the rapidity of the request. The other recent acquisition contracts do not contain a similar clause.

A request was made that future negotiations involving UCRP be channeled through the Senate and in particular TFIR.

V. Consultation with the Office of the President – Office of Community Safety

Jody Stiger, Systemwide Director

Joe Farrow, UCDPD Chief, Co-coordinator UCPD Council of Chiefs

- Director Stiger noted that guidance for the fall was presented to the chancellors this week, and it is hoped issuance will occur by the end of the month. This timeline should allow UCB and UCM to have plans in place for

the beginning of fall term. President Drake has discussed the framework with Senate leadership.

- When asked about the issuance of suspensions to faculty, Director Stiger noted that it is an academic and disciplinary decision, not a safety decision. Nevertheless, legislation has been proposed for the CSU regarding code of conduct violations, and recent budget language ties funding to the creation of the aforementioned systemwide framework. The campuses are reviewing their Time Place and Manner policies.
- Chief Farrow described the Council of Chiefs. The Chiefs try to coordinate and act consistently, but local differences and campus cultures necessitate some variation. The departments are seeking international accreditation through the International Association of Campus Law Enforcement Administrators (IACLEA) for June 2025 (Berkeley, Davis, and San Francisco already have the accreditation). The accreditation would encourage the departments to follow best practices, rather than minimum standards.
- Members asked where information on campus police activities was available. Each campus has a transparency dashboard, and a systemwide dashboard is being updated to allow for real-time searches, rather than quarterly uploads from disparate systems.
- Members asked what review of the spring's encampment raids would occur. Chief Farrow noted that UC has 10 different departments, 10 different chiefs, and 10 different incidents. Some campuses invoked mutual aid. Regardless, an after-action report is submitted every time force is used so that it can be documented and reviewed for both necessity and legality. These reports are intended for internal use only, but incidents can be referred to local police advisory boards. External assistance reviewing incidents can be solicited, and reviewers are usually retired officers. Other standing investigators are civilians.

In the case of encampment clearing, the law requires that dispersal orders be made ahead of any action and that a clear exit path is provided.

- Members asked about the disposition of items confiscated during encampment raids, noting that several belongings have not been returned and no explanation has been given. Chief Farrow indicated that if the items were being held as part of a criminal investigation, there are few options. Otherwise, individuals should be able to retrieve their belongings.
- Members asked if UCPDs enforce policies or laws, noting that TPM is a policy. Chief Farrow stated that UCPDs enforce the law. For example, no smoking on campus is a policy not enforced by UCPDs. In the encampments, the TPM policy violations were egregious enough that they were deemed criminal, allowing the invocation of law enforcement. The determination of when the line is crossed between policy violation and criminal activity is made by the chancellor (or designee), usually in consultation with the local UCPD chief, and within the framework of on-going safety discussions with campus leadership, per the requirements of the Robinson-Edley report. UCPDs only act independently in the case of emergencies.
- It is also the chancellor (or designee), usually in consultation with the local chief, within that same framework, who decides to invoke mutual aid.

Requests go to other UCPDs, then CSUs, and then municipal law enforcement/CHP.

- California Penal Code Section 626.4 governs the exclusion of people from a campus. When activated, it restricts the implicated individual(s) from entering campus for a period of 7 days. The provision is usually used to ban suspicious people under investigation for violent crimes. This spring, some campuses invoked the section. Once law enforcement is active on the scene, use of the provision is almost automatic.
- Each campus should have an emergency operating plan and an emergency operations council. The Senate should request a seat at each division, if it does not already have one.

The committee then debriefed on the consultation. At least one campus has a good working relationship with its chief, but regular interaction does not seem to be widespread. Good relations can lead to better decision making, but there is no guarantee. Campus investigations into local incidents might be usefully supplemented by a systemwide analysis. Part of the funding-linked framework is an explanation of TPM policies to students as well as the development of campus climate action plans. The optimal level of TPM standardization is unclear. How the Senate can advance academic freedom protections and respect for protected assembly rights remains under discussion.

VI. Consultation with Academic Senate Leadership

James Steintrager, Academic Council Chair

Steve Cheung, Academic Council Vice Chair

- Systemwide feedback to the proposed revisions to APM 016 (Faculty Code of Conduct) was negative across the board. The proposed text is opposite of what was envisioned when the Senate made its request for review. Feedback has been sent to APP.
- Next week, the Regents will consider, among other topics, 1) the proposed policy on website use, which now largely resembles current Senate guidelines; 2) a presentation by the Senate on Area C (Math) to the Academic and Student Affairs Committee; and 3) while no specific discussion about campus climate is scheduled, preparations for the fall are underway.
- The state tax returns are better than expected, and the legislature added funds to UC beyond the governor's May revise, although some of the funds are conditional. Investment returns have also been positive.
- The recently acquired Dignity hospital employees are unlikely to be hired as faculty, but rather as clinicians. The Ethical and Religious Directives will no longer be in force, but service limitations due to equipment considerations, for example, may occur.

VII. New Business and Further Discussion

1. 24-25 Topics

- Improvements to UC travel insurance (Chubb-AXA Global Travel Assistance Program) - need to have a full review of what is being offered by the UC travel insurance. Advice is not available on weekends as to coverage and medical options and the on-line response is that the insurer will provide a response in 5-7 business days. This is unacceptable in emergency situations. Why is there not an on-call doctor to assess emergencies and provide advice?
- Faculty participation in upcoming contract negotiations

Adjournment 2:45

Minutes prepared by Kenneth Feer, Principal Analyst

Attest: John Heraty, UCFW Chair

Attendance:

John Heraty, Chair

Juan Pablo Pardo Guerra, Vice Chair

Nancy Wallace, UCB

Karen Bales, UCD

Lisa Naugle, UCI

Wendy Matsumura, UCSD

Cat Mosti, UCSF

John Lee, UCSB

Alexander Sher, UCSC

Michael Ong, HCTF Chair

Jill Hollenbach, TFIR Chair

Amy Block Joy, CUCEA Alternate