

UNIVERSITY COMMITTEE ON FACULTY WELFARE

Minutes of Meeting

June 12, 2020

I. Chair's Announcements*Jean-Daniel Saphores, UCFW Chair*1. Agenda Overview

Chair Saphores congratulated Vice Chair Halpain on her appointment as Chair for next year and UCSF Representative Hollenbach on her appointment as Vice Chair for next year.

The Academic Assembly met on June 10, 2020, and Chair Saphores reported on UCFW activities regarding reopening flexibility, fossil fuel transparency, employment planning during the current financial crisis, policing and advisory boards, and systemic discrimination.

2. DRAFT Minutes of May 8, 2020

Action: The minutes were approved as amended.

II. Consultation with the Office of the President – Academic Personnel and Programs*Susan Carlson, Vice Provost**Gregory Sykes, Principal Data Analyst*1. Changes to the granting of Emerita/us Status

Vice Provost Carlson reported that further review was still pending due to workload concerns. Next steps should be determined by fall, including possible action by the Regents.

2. Salary Funding Update

A joint Senate-administration salary task is also working on this issue. Costing projections for a “market based” approach have been extended to 2025-26 due to the current downturn. To achieve market parity, 8-9% annual increases to the scales over the next 5 years would be necessary; absorbing off-scale salaries increases the cost in the out-years. Chair Saphores asked for greater methodological detail such that the analysis could be replicated under different external circumstances.

3. Exit Survey Update

The summary report includes data from 7 campuses over 3 years; the other campuses already had their own tool or opted out of the program. The program will continue into next year. The data confirm anecdotes regarding the reasons for departure and retention – namely, that salary is a key variable. Chair Saphores suggested that greater statistical analysis would underscore the trends in the report. Academic quality as a key variable seems to vary by demographic group.

4. Systemic Discrimination

The need for greater data is hampered by low participation rates in surveys, etc. Administrative training, especially regarding diversity, is ineffective despite intentions. Training does not change the structure and only changes behavior marginally. The lack of transparency in recruitment and retention practices makes crafting new policies difficult. Access to and awareness of MOP and start-up funds, the frequency and competitiveness of counter-offers, and discrepancies between academic advancement and retention, would all benefit from clear reporting. Members wondered if grievances were tracked statistically, and how failed recruitments could best be captured.

Action: UCFW will communicate its concerns via memo to Vice Provost Carlson.

III. Salary Contingencies

1. Furloughs versus Pay Cuts

UCR Representative Ghosh reported that at his campus, the rapidity of decision-making necessitates a pro-active approach. The local faculty welfare committee prefers furloughs because there is no reduction in service credit or other accumulations and because they are temporary. All acknowledge that workload is unlikely to decrease proportionately. The creation of a “make whole” fund was suggested, as was a systemwide decision for consistency. Chair Saphores noted that a public position by the Senate could be helpful.

TFIR Chair Brownstone noted that during the 2009 furloughs, there were no pension contributions, so the impacts of new furloughs would be different: it would be costly to the university and would require action by the Regents to align contributions under a new pay schema. Employer contributions are a percent of salary paid. Vice Chair Gauvain noted that the new pension tiers further complicate decisions and implementation. Some wondered whether a “pay banding” approach could be workable.

IV. Consultation with Academic Senate Leadership

Kum-Kum Bhavnani, Academic Council Chair

Mary Gauvain, Academic Council Vice Chair

1. May Regents

The Regents will hold a special meeting on June 15, 2020, to discuss proposed California Assembly Constitutional Amendment (ACA) 5, which would place on the November ballot a measure to overturn Proposition 209. Prop 209 banned consideration of demographic factors in certain state functions, including admission to the University. The Academic Council is already on record in support of the proposal.

The Standardized Testing Task Force (STTF) report and recommendations informed President Napolitano’s recommendation to the Regents. The Regents unanimously supported the President’s proposal, which is to phase-out the use of standardized tests in admission decisions in 5 years unless the UC can lead the development of a new test in that time frame. The provost will convene a task force to study the feasibility of developing a new test.

Planning for reopening the campuses continues. Discussions focusing on testing and contact tracing are on-going. The decision deadline is unclear, and systemwide standards are yet to emerge. Members raised the concern that calls for campus flexibility could obscure conflicts of interest between campus budget impacts and campus health and safety impacts.

Chair Bhavnani reported that layoffs in auxiliary services were likely in the fall as guarantees have not been extended. Differential campus resources could have health impacts.

2. May Academic Council

The Council task force on faculty retention is still working.

The Academic Assembly met on June 10, 2020, and had a wide-ranging discussion on policing.

3. University Budget

President Napolitano is waiting on the final state budget before making decisions. The size of the state budget shortfall is still unknown. UCOP has several working groups in place developing contingency plans. The 2009 task force structure is a good model that involves shared governance.

4. Presidential Search

The Academic Advisory Committee has not been involved recently, but a decision is expected relatively soon.

V. Policing at UC

Ron Cortez, Chief Financial Officer, UCI, and Co-Chair, President's Task Force on University Policing

Elisabeth Gunther, Chief Campus Counsel, UCM, and Co-Chair, President's Task Force on University Policing

Carroll Seron, Professor Emerita of Criminology, Law, and Society, UCI

Mr. Cortez reviewed the charge and work of the President's Task Force on University Policing, noting that the use of force policy is still under review but is expected to be released soon. Also, an implementation report is expected in July. Chair Saphores noted that campus advisory boards should have broad representation from campus communities and that they should not have to pursue a place. Ms. Gunther noted that advisory board charges could be as specific as desired. Members noted that such flexibility leads boards to have inconsistent oversight and therefore efficacy. Ms. Gunther noted that review boards are different from advisory boards insofar as the latter do not have accountability powers, however, they are not mutually exclusive. Some assert that advisory boards are necessary, but not sufficient, to bring about meaningful change.

Professor Seron noted that many complaints to advisory boards involve general respect, rather than use of force, which was confirmed by anecdotal reports from members. Consistently disproportionate responses and suspicions of "good old boy" networks undermine faith in campus police, in addition to the impacts of policing more generally.

Next steps for UC policing should be structural and systemic, and not targeted to addressing the behavior of individual bad actors. Police should be viewed as guardians, not as warriors. Public accountability and community integration are important goals. Whether change should build on current efforts or it should build new structures is still a matter of discussion.

VI. Report: UCFW Health Care Task Force

Mark Peterson, HCTF Chair

1. HCTF of May 22, 2020

- Several changes in leadership in UCOP Human Resources department signal a loss of institutional memory. Institutional goals may also change.
- Financial projections for the UC medical centers are grim.
- PPE surcharges for dental care are not allowed in-network.
- IRS regulations limiting changes to Flexible Spending Accounts and Dependent Care coverage have been relaxed due to COVID-19. The Regents have adopted and posted guidelines for any wanting to make changes.
- HCTF continues to monitor utilization data under the new Medicare choice plan.
- HCTF continues to monitor unintended consequences from the new formulary.
- Routine RFPs for the vision plan and the disability plan are expected in accordance with state law.
- Broader SHIP coverage and communications were encouraged.
- HCTF next meets June 26, 2020.

2. COVID-19 Impact to Status of In-Residence and Clinical X Part-Time Faculty

This item is deferred until June 26.

3. The 95% Rule in Practice

This item is deferred until June 26.

4. Insurance Surveys

HCTF has concerns about a recently conducted employee survey of insurance preferences, which was commissioned by UC Health. Discussions with the external vendor are being planned.

VII. Report: UCFW Task Force on Investment and Retirement

David Brownstone, TFIR Chair

1. Borrowing Options

At the request of the University Committee on Planning and Budget (UCPB), Prof Brownstone, acting independently of TFIR, developed a proposal for institutional borrowing to prevent short-term pay cuts or furloughs and to supplement employer contributions to the retirement system. Any such borrowing would have to be repaid with interest. One possible benefit of the proposal would be avoiding reprogramming UC Path.

Chair Saphores wondered how to quantify the financial opportunity costs, what risk limits should contain arbitrage estimates, and how UC's borrowing capacity and credit rating might be impacted. Members wondered how the potential loss of critical faculty and academic excellence could be quantified as opportunity costs, too. Cuts are seldom restored.

2. New University of California Retirement System Advisory Board Representative

Professor Terrence Hendershott from UC Berkeley has been elected by the Academic Council to start a term beginning July 1, 2020. He will replace Chair Brownstone on the Board, and Henning Bohn from UC Santa Barbara will continue in the other faculty representative role. Professor Hendershott will join both UCFW and TFIR ex officio.

3. Disability Coverage

The documentation onus is confusing, and there are substantial delays in approvals. Both design and communications need improvement, and TFIR/HCTF will work with systemwide Human Resources on this important topic.

VIII. Systemwide Review Items

1. Proposed Presidential Policy on Native American Cultural Affiliation and Repatriation
Action: The committee elected not to opine on this item.
2. Proposed Revised Presidential Policy on UC Seismic Safety
Action: Representatives Ghosh, Steigmann, and Hsiai will serve as lead reviewers.

IX. Campus Updates

1. Systemic Discrimination Next Steps
UCFW will continue discussion with Vice Provost Carlson in July.
2. Policing Next Steps
Members are asked to review the charters of their local review/advisory boards, including membership and reporting. Discussion will continue in July.
3. Salary Cut Planning Statement
Members want to be proactive and set terms for the discussions to come. Documents are in process at Riverside and Davis, already. Chair Bhavnani noted that the President and Chancellors prefer to wait for the final state budget before tipping their hands. Senate principles and guidance are desired by many.
4. Decarbonization Next Steps
UC should move toward banning research support from fossil fuel affiliated companies, as it has done with tobacco and the like.
5. Campus News
Berkeley: Local discussions have focused on safe reopening, but communications are lacking.
Davis: 1) A survey of the Step+ system is being assessed. 2) A health care facilitator for retirees has been proposed. 3) Oversight of procurement and systems data is lacking.
Irvine: No report.
Los Angeles: 1) A faculty housing assessment is underway. 2) Many local discussions on policing and reopening are occurring. 3) Many faculty have called for remote teaching through December.
Merced: No report.
Riverside: A campus climate report is being assessed amid a loss of confidence in the administration to address the issue. Data transparency and a consultative solution are needed.
San Diego: Local discussions have focused on policing and the impact of COVID closures on female faculty publication rates.
San Francisco: Local discussion continues to focus on maternity leave versus medical leave during pregnancy. Acquiring data has been difficult.
Santa Barbara: No report.
Santa Cruz: 1) A construction lawsuit is pending that could impact a proposed child care facility. 2) Access to health care continues to be a concern.

Meeting adjourned at 4:00 pm.

Minutes prepared by Kenneth Feer, Principal Analyst

Attest: Jean-Daniel Saphores, UCFW Chair

Attendance:

Jean-Daniel Saphores, UCFW Chair

Shelley Halpain, UCFW Vice Chair

David Steigmann, UCB

Moradewun Adejunmobi, UCD

Ken Chew, UCI

Tzung Hsiai, UCLA

Jayson Beaster-Jones, UCM

Abhi Ghosh, UCR

Adam Aron, UCSD

Jill Hollenbach, UCSF

Grant McGuire, UCSC

Caroline Kane, CUCEA Chair

Mark Peterson, HCTF Chair

David Brownstone, TFIR Chair