

UNIVERSITY COMMITTEE ON FACULTY WELFARE

Approved Minutes of the Meeting

March 11, 2005

I. Chair's Announcements**John Oakley, UCFW Chair**

2005-06 UCFW Leadership. UCFW Chair Oakley reported that the University Committee on Committees will recommend to the Assembly that UCFW Vice-Chair, Raymond Russell, be confirmed as Chair of UCFW for the 2005/06 Academic Year and that current UCLA representative, Susan French, be confirmed as Vice-Chair.

Assembly Meeting. Chair Oakley announced that at its March 9 meeting, the Assembly voted to approve his nomination as the 2005-06 Academic Senate Vice-Chair as put forward by the Academic Council.

Joint Academic Council/Executive Vice-Chancellors Meeting. The bi-annual Academic Council/EVCs meeting is scheduled for March 31. Topics for discussion are "The Crisis in Graduate Education" and "Strategies to Improve Faculty Diversity."

Mortgage Origination Program Loans Sale. At the January meeting, OP administration announced that it planned to bundle some of its MOP loans and sell them to a third-party financial institution. The highest bidder was a California credit union, which required the mortgagors to become members of the credit union (at no cost to them because the University planned to pay the \$5 membership fee). The affected mortgagors were notified of the University's plan and were given the opportunity to opt out of the program. Approximately 35 mortgagors decided to do so. The transaction has since been successfully completed.

Course Access. At the February meeting, committee members agreed that it would be helpful to invite Provost Greenwood to a UCFW meeting to learn more about whether course access is a problem on the campuses, and, if so how extensive it is. This issue surfaced as part of UCFW's discussion on the proposed excess unit fee policy, which the governor has required UC and CSU to implement as part of the compact. Provost Greenwood has sent word that she is not available to attend the April meeting, but may be able to join the May meeting by teleconference. Vice-Chair Russell and UCI representative Haynes have agreed to develop the topic on course access in preparation for that discussion.

Action: Vice-Chair Russell asked the committee analyst to assist him in getting the relevant data from the Office of the President, which he will use to develop the discussion topic on course access.

Issues for the 2005/06 UCFW. Vice-Chair Russell asked returning members to email him their suggested discussion topics for the coming year. The UCLA representative noted that childcare had recently become an issue at UCLA. UCI Representative suggested that UCFW re-visit the consensual relations policy, which was revised and approved in 2003. There is a petition circulating on the UCI campus requesting a re-consideration of the policy.

Meeting Day for 2005/06 UCFW. Vice-Chair Russell asked returning members to agree on a meeting day for next year.

Action: Returning members agreed to continue holding UCFW meetings on Fridays. Vice-Chair Russell will notify the Senate's Executive Director so that she can book meeting rooms for the committee.

II. Consent Calendar:

- 1) The minutes of the February 11, 2005 meeting were pulled from the consent calendar to amend discussion items V and XI.

Action: The minutes of the February 11, 2005 meeting were approved as amended. The approved minutes are posted on the UCFW webpage at: <http://www.universityofcalifornia.edu/senate/committees/ucfw/>

2) Revised Statement of Core Values. Chair Oakley updated the committee on the status of the Statement of Core Values. Because there is some urgency to have a draft ready for the Regents to consider at their May meeting, the Academic Council Chair has agreed to broker the language to ensure that nothing in the Statement will conflict with the Faculty Code of Conduct.

3) The Proposed Amendments to SR 600.B. (Degree Candidates), was pulled from the consent calendar. Several members wanted the opportunity to comment on this proposal. Since the Academic Council's requested response date of April 14 falls before the next scheduled UCFW meeting, Chair Oakley asked members to send their comments by email to the committee analyst, who will share them with the rest of the committee members. Chair Oakley will draft UCFW's response to the Academic Council based on the outcome of the email discussion.

III. & IV. Executive Session

V. Consultation with the University Treasurer

David Russ

Treasurer Russ was unable to attend the meeting due to illness.

VI. Consultation with Vice President-Budget

Lawrence Hershman

Budget Hearings. Vice President Hershman reported that overview hearings on education finance had begun in the Assembly and Senate. President Dynes testified before the Senate and Assembly budget subcommittees on February 25 and March 9 respectively, together with the CSU and CCC leadership where general support was expressed for all of higher education. The President's testimony was comprehensive, ranging from enrollment issues to UC's concerns about salaries. UC continues to have an issue with respect to funding for student preparation programs, and is working with the DOF and legislative staff to try to negotiate a compromise. On March 14, there is a major Senate hearing on UC's operating budget at which Vice President Hershman is scheduled to testify.

Legislative Analyst's Report (LAO). The LAO recommends that the Legislature disregard the compact, and instead consider its various funding choices annually in the context of what is needed to achieve the state's higher education goals, as expressed in the Master Plan. The LAO proposes that the compact's 3% increase in state funding for salary and cost increases at UC be changed to a 3% increase in total revenues based on both state and fee funding. This translates to UC receiving \$57 million less than called for in the governor's budget. With respect to enrollment, the LAO recommends enrollment growth of 2% in 2005-06 rather than the 2.5% in the governor's budget. Other recommendations include changing the student fee policy to shift a higher portion of the cost to students, and not setting aside any revenue from fee increases for financial aid. Between now and the May budget revision, UC will be working to prevent these proposed changes. Highlights of the LAO's report are posted on the web at: http://www.lao.ca.gov/analysis_2005/05-06_budget_highlights.pdf

VII. Policy Initiatives Under Consideration by Academic Advancement

Jill Slocum, Coordinator-Compensation Plans, Academic Advancement

APMs Issued. Coordinator Slocum reported that the following two revised APMs were issued this past January: APM 120 governing Emeritus Titles and APM 200-22 governing recall appointments for academic appointees sixty years of age or older who are recalled for teaching. Both of these revisions result from initiatives put forward by UCFW in an effort to improve and add needed clarification to these two policies.

Pre-Announcement of Draft APM Revisions/Additions. Coordinator Slocum announced that the Academic Senate would be asked to review and offer comments during an informal review process this spring on APMs related to absences/sick leave, medical separation and leaves of absences/general.

VIII. Proposed Updates to the Electronic Communications Policy

Issue: The Academic Council has asked the Standing Committees of the Senate to review the proposed updates to the Electronic Communications Policy and to submit their comments by March 15.

Overview. The Director of Policy for Information Resources, Jacqueline Craig, and Maria Shanle from the Office of the General Counsel joined the meeting to provide an overview of the proposed updates to the Electronic Communications Policy (ECP) and to answer questions. Director Craig distributed a handout that summarized the ECP changes. She noted that the first policy on electronic communications was an email policy that was issued in 1996. In 2000, that policy was extended to cover all electronic communications. Since that time, there have been a number of complaints from the campus electronic communication coordinators about how to interpret certain provisions of the ECP. As a result, it was decided to add needed clarification to some of the provisions, and, at the same time, bring the policy into alignment with current IT practices particularly with respect to monitoring activities. The goal was to achieve a more consistent set of practices by the campuses.

Action: Following an in-depth discussion of the proposed additions/changes, UCFW made the following recommendations:

- Provision 6 on Search Warrants and Subpoenas under IV.B. (Access Without Consent), should be revised to specify the applicable law and to clarify what is already standard University practice. State law requires the University to provide a ten-day notice to the affected individual in advance of compliance with a subpoena that seeks personal information about that individual. This requirement is reflected in both systemwide and campus policy and is normal University procedure, but it is erroneously omitted from this policy.
- The conflicting statements on the University's electronic monitoring practices should be clarified. The second paragraph under IV.A (Introduction), states that, "The University does not routinely inspect, monitor, or disclose electronic communications without the holder's ...consent," but under IV.C.2.b (Unavoidable Inspection), the policy states that, "During the performance of their duties, personnel who operate and support electronic communications resources regularly monitor transmissions..." In actual practice, the University does regularly monitor electronic communications. UCFW understands and supports the need for the University to monitor these transmissions and firmly believes that the policy should reflect the true monitoring practices of the University and not understate those practices.
- UCFW strongly recommends that the policy include a provision under Section IV.C.2 (Unavoidable Inspection), that when monitoring activities occur, the user will be notified of this action and by whom it was done. Such notifications would give the user some measure of security by knowing what took place, when and who was responsible.

- UCFW believes that the University’s Electronic Communications Policy should be a firm systemwide policy rather than mere guidelines subject to individualized interpretation and varied application at the campus level, and strongly recommends that the Office of the President periodically issue an advisory e-mail to every user of a UC computer informing and/or reminding them of this policy.
- UCFW suggested that there be an on-going working group with Senate representation to monitor the implementation of the EPC.

In summary, Chair Oakley noted that there was a process issue with respect to how this policy was revised and distributed to the Senate for review. For example, there appeared to be little, if any, Senate input on the revisions, and it was circulated for review without a cover sheet summarizing the proposed changes. Moreover, it is misleading to refer to this revision as an “update” because it contains substantive changes and a new provision requiring a more serious and thorough review than what would normally be expected of an “update.”

IX. Long Term Care Options
Raymond Russell, UCFW Vice-Chair

Issue: At the February meeting, UCFW Vice-Chair Russell agreed to take the lead in developing an information sheet, together with UCSF Representative Newcomer and UCTF Chair Simon, on available long-term care insurance options and also to investigate the possibility of coupling long term care insurance with UC’s disability insurance.

Overview: Vice-Chair Russell distributed a memo on his personal experiences with purchasing long-term care insurance. He noted that he had not included any information about elimination periods, but that both CalPERS and the policy he purchased have 90-day elimination periods. UCSF Representative Newcomer reported on an option that UCFW had discussed several years ago when OP administration considered offering long-term care insurance to UC employees. UCFW discussed an option with an elimination period greater than 180 days. The main benefit of this type of policy for high-income faculty is asset protection as opposed to long-term care coverage. (OP did not go forward with the plan because CalPERS came out with a policy that was much less expensive than anything on the market at that time.) UNAM used to offer a policy that provided disability protection and at a specified age converted to a long-term care insurance policy, but it is not clear whether that policy is still available.

Discussion: UCFW agreed that it would be desirable if UC could offer a combined disability/long-term care product to employees, and recommended that this idea be explored further. One member questioned whether life insurance might also be included in such a package?

Action: Representative Newcomer will investigate whether a catastrophic long-term care insurance policy or a disability policy that converts into a long-term care policy is available, and report back at the April meeting.

X. Audit of UC Health & Welfare Plan Enrollees: Processes and Procedures
Joe Lewis, Director of Communications & Customer Service
Jennifer Damico, Audit Oversight

Issue: When this issue was first discussed at the February meeting, UCFW decided that it would be helpful to invite the Director of HR&B Communications and Customer Service to lead a discussion on the Audit process.

Overview: Director Lewis explained that in an effort to build awareness of the importance and necessity of the Audit, HR&B included notification articles in its newsletters for employees and retirees, and posted an announcement on the AtYourService website. In addition, HR&B has been working with the campus benefit managers on circulating information about the audit

process to their staff and faculty. The information will include a description of the different dependent categories, the dependent eligibility requirements and acceptable documentation. In general, acceptable documentation includes marriage certificates, birth certificates, adoption papers, and tax returns. For those individuals unable to produce an acceptable record, HR&B will work with them and the Office of the General Counsel to find an acceptable solution. Director Lewis introduced Jennifer Damico who will supervise the unit where the audit work will be done. Director Lewis` explained the audit process. Beginning mid-May, HR&B will send out the first audit notifications to a random sample of 20% of UC employees/retirees who have dependents on their health coverage. The 20% sample will be equally drawn from each employee category. People who were audited last year will not be included. Notification recipients will have 60 days to respond by providing documentation that supports their dependent/s` eligibility. If no response is forthcoming by the end of the 60-day period, they will receive a second notification letter with a 30-day response period. If no response is received by the end of the 30-day period, the dependents, employees and other eligible family members will be de-enrolled from their health plans for a 12-month period. During the 12-month period, they will be given the option of assuming the full cost of their health care coverage. Last year, 8% or 270 of the total number of dependents audited were found to be ineligible and were de-enrolled at an estimated savings of \$250 each.

Action: UCFW recommended that before de-enrollment takes place, HR&B should send an email backup notification to the affected individuals notifying them that they are not in compliance and that they are subject to de-enrollment.

Action: Director Lewis and Supervisor Damico agreed to report back to UCFW on the progress of the audit and the nature of the data received.

XI. Proposed Draft UCFW Resolution on the HR&B Audit

John Oakley, UCFW Chair

Issue: At the February meeting, UCFW decided that it might want to draft a Resolution in support of the Audit process depending on what it learned at the March meeting.

Action: Since HR&B reported that the campuses to date have raised no concerns about the Audit, the committee decided to suspend going forward with a formal statement unless friction is encountered during the audit process, or the committee decides that it wants to go on record in support of additional audits. That would depend on the amount of savings realized from the current effort.

XII. Executive Session

Action: In a vote of 8 to 3, UCFW approved the proposed revisions to Senate Bylaw 128 governing membership of Standing Committees of the Assembly. The UCFW Chair will inform the Academic Council Chair of the committee`s action.

The meeting adjourned at 4:10 p.m.

Attest: John Oakley, UCFW Chair

Minutes Prepared by:
Betty Marton, Analyst