UNIVERSITY OF CALIFORNIA, ACADEMIC SENATE

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Mary Gauvain
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Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

November 3, 2020

MICHAEL DRAKE, PRESIDENT
UNIVERSITY OF CALIFORNIA

Re: Proposed Campus Curtailment Program

Dear President Drake,

As requested, I distributed for systemwide Senate review the proposed campus curtailment program for 2020-21. All ten Academic Senate divisions and five systemwide committees (UCAP, UCACC, UCPB, UCFW, and UCAADE) submitted comments. These comments were discussed at Academic Council's October 28, 2020 meeting and represent the structured and informed views of UC faculty. They are attached for your reference.

We understand that the plan is the initial product of the Strategic Planning Task Force convened to develop options for addressing the financial challenges of the pandemic – specifically, workforce-related savings that also minimize impacts to lower-wage employees. Under the draft proposal, UC employees would be grouped into salary tiers and allowed to use a different combination of paid and unpaid time off to cover a minimum five-day curtailment.

Thank you also for sending the curtailment plan "update" document to Council prior to the October 28 meeting, which provided additional information about the proposal, including the possible salary tiers and minimum salary threshold under consideration, and estimated savings under the plan. This information was received after completion of the systemwide review, but it helped inform Council's discussion with you in October.

I regret that the Academic Council is unable to endorse the current version of the plan. Council recognizes the University's need to consider cuts as part of a strategy to address the $300 million reduction in UC's state-funded budget, but it feels the current plan needs further development before it can be considered as a response to UC's budgetary challenges. The attached responses from Senate reviewers show considerable convergence in perspectives across campuses. Some of their main points are summarized below, and Council would like to draw your attention to the joint letter written by UCPB and UCFW (co-signed by UCFW's two task forces), which it feels is particularly effective in capturing faculty concerns. Should the administration not accept our recommendation, some of the Senate comments may be informative about how to implement the policy so as to mitigate some aspects of harm.

First, reviewers found that the proposal obscures the nature of the curtailment as a *de facto* furlough that would also represent a salary cut for faculty who will be unable to use accrued vacation to offset the curtailment days and will experience no reduction in work or responsibilities. Council reads Regents Standing Order 100.4 (qq) as requiring the President to declare an Extreme Financial Emergency before implementing a systemwide program that involves furloughs or salary reductions. However, we understand that no plans exist to declare an emergency. Moreover, we are unsure if, at the present time, an emergency situation exists systemwide, given the University's liquid reserves. It would be helpful to clarify the University's current financial situation, and how it justifies this proposed program in the context of Regents' policy.

Reviewers also cite numerous ways in which the proposal as written is vague or silent about critical details, including who counts as an "essential" employee; and how the additional curtailment days would be implemented for clinical faculty and others paid from external funds, student employees who do not accrue vacation days, staff who normally work through the existing holiday curtailment period, and other specific groups of faculty, staff, and student employees. The Council is concerned that this lack of clarity could hinder fair implementation of the plan, will increase burdens on non-represented staff and workers classified as essential, and will exacerbate inequities particularly among women faculty, faculty of color, junior faculty, and lecturers.

In addition, while we would support, in principle, a progressive and flexible approach to addressing financial challenges in a way that minimizes impacts to lower paid employees and that protects jobs, the current plan is not clear or transparent about how it will prevent layoffs. For example, layoffs tend to be predominantly in the auxiliaries (housing, parking, dining, etc.) as a consequence of reduced demand and income, yet auxiliaries cannot be subsidized using core funds, such as money saved from faculty salary cuts. In addition, salary savings on one campus with a small budget gap cannot be used to prevent layoffs on another campus with a large budget gap.

The plan projects salary savings that are modest at best, and do not make a significant impact in addressing the University's budget shortfall. Council found that these potential savings do not outweigh the certain harm to faculty and staff morale and the administrative cost of implementing the program on the campuses and through UC Path. Such unintended consequences seem particularly likely in the current situation of the pandemic, in which many faculty have invested enormous amounts of time and struggled greatly with adapting their teaching to remote instruction and in dealing with the disruption and/or realignment of their research programs and graduate student training. Moreover, many faculty have taken on additional duties because of hiring freezes, often while shouldering caregiver responsibilities at home as we all cope with the difficulties presented by the pandemic.

The proposal is also not informative about non-salary options and strategies for stabilizing revenues the University is considering or may have considered. The Council encourages the University to consider creative alternatives such as borrowing and tapping internal reserves, before turning to furloughs and pay cuts. The joint UCFW-UCPB letter calls on the University to use all free reserve funds, including unrestricted endowment funds, before enacting any pay cuts, and notes that should the crisis magnify to an emergency level next year, a full range of

systemwide options, including pay cuts and furloughs, will need to be considered instead of curtailment.

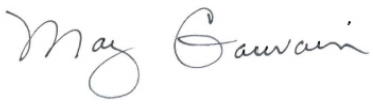
The Council understands that some administrators see the plan as a component of state budget negotiations moving forward. As reviewers make clear, however, campuses have already undertaken painful actions to reduce costs, including hiring freezes and layoffs and cuts to various campus units, including those central to the core teaching and research missions. And, as previously noted, faculty too have made considerable sacrifices– working extra hours to transition to remote instruction and refocusing their research to align with pandemic priorities. These campus-based actions make clear the seriousness with which the University views the current crisis.

Several reviewers also questioned the wisdom of a systemwide approach to curtailment when the financial situation of individual campuses differs widely. These reviewers feel that any systemwide program should provide flexibility for campuses to tailor the program to suit their unique financial needs. However, other reviewers were concerned that allowing campuses to implement curtailment days beyond the five-day minimum would encourage an uneven application across campuses and threaten the unity of the UC system. These issues need careful thought, as I believe we are at a crossroads in thinking about the future of the University: should UC remain a closely unified system or be considered merely a loose collection of campuses?

As I mentioned during your October meeting with Council, the Academic Senate wants to partner closely with the Administration to craft a transparent, comprehensive solution to our current crisis that also positions us well to tackle our longer-term structural issues. I say this both in the spirit of shared governance, and because I know the faculty's expertise and commitment can help the University set a sustainable course. We look forward to working with you.

Thank you for the opportunity to opine. Please do not hesitate to contact me if you have additional questions.

Sincerely,



Mary Gauvain, Chair
Academic Council

Cc: Academic Council
Provost Brown
CFO Brostrom
Chief of Staff Kao
Senate Directors
Senate Executive Director Baxter

Encl.

ACADEMIC SENATE
BERKELEY
320 STEPHENS HALL
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October 26, 2020

MARY GAUVAIN
Chair, Academic Council

Subject: Comments on the Proposed 2020-21 Curtailment Program

Dear Chair Gauvain,

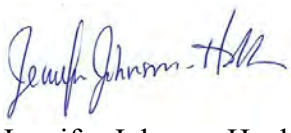
On October 19, 2020, the Divisional Council (DIVCO) of the Berkeley Division discussed the *Proposed Curtailment Program*, informed by reports of the committees on Academic Planning and Resource Allocation (CAPRA); Diversity, Equity, and Campus Climate (DECC); and Faculty Welfare (FWEL). DIVCO endorsed the reports, which are appended in their entirety.

Overall, DIVCO agreed that some reduction in compensation is essential to confront our budget challenges, but that the current proposal is so vague as to make any concrete response impossible. Some in the Berkeley Division suggested that the vagueness of the proposal makes a mockery of shared governance.

I now highlight several points on which the Berkeley DIVCO concurs with the proposal. President Drake's letter notes the importance that campuses have "significant flexibility" in shaping their own curtailment program. We strongly agree, and Berkeley's Divisional Senate will work aggressively with the Chancellor and the Provost on our own campus plan. Berkeley DIVCO also emphasizes the need for a steeply progressive program, as described in the third bullet of page 1, "Impacts will be progressive based on income level." The last important point is that the curtailment program not affect retirement. DIVCO is heartened by the statement of the last bullet on page two under the section of "Proposed Features," which states, "The University would seek changes to the University of California Retirement Plan or other policies, as needed, to avoid negatively impacting employee retirement benefits," but would be more heartened by more specific information.

Thank you for the opportunity to comment. If you have any questions, please don't hesitate to contact me.

Sincerely,



Jennifer Johnson-Hanks
Professor of Demography and Sociology
Chair, Berkeley Division of the Academic Senate

Enclosures

cc: Ronald Cohen, Vice Chair, Berkeley Division of the Academic Senate
Paul Fine, Chair, Committee on Academic Planning and Resource Allocation
Lok Siu, Chair, Committee on Diversity, Equity, and Campus Climate
David Hollinger, Co-chair, Committee on Faculty Welfare
Terrance Odean, Co-Chair, Committee on Faculty Welfare
Jocelyn Surla Banaria, Executive Director, Berkeley Division of the Academic Senate
Deborah Dobin, Senate Analyst, Committee on Academic Planning and Resource Allocation
Linda Corley, Senate Analyst, Committee on Diversity, Equity, and Campus Climate
Sumali Tuchrello, Senate Analyst, Committee on Faculty Welfare

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October 18, 2020

PROFESSOR JENNIFER JOHNSON-HANKS
Chair, Berkeley Division of the Academic Senate

Re: CAPRA comments on proposed 2020-21 systemwide curtailment program

At its October 14th meeting, CAPRA discussed the letter from President Drake and the proposed 2020-21 curtailment program.

Members had been somewhat anxiously awaiting proposals from UCOP that would address the severe budgetary effects of the Covid-19 pandemic. Given the many months we have been waiting to learn more about UCOP's response to campus-specific proposals for a steeply progressive model of curtailments or furloughs, CAPRA found the proposal to be disappointingly vague.

Asking for faculty response to such a vague proposal does not, in our view, demonstrate a real commitment to shared governance. Moreover, President Drake's letter makes no reference to the difference it makes that campuses have suffered different degrees of financial loss, and that curtailments would work differently on campuses that divide their academic years into quarters. We encourage UCOP to allow the Berkeley campus, on the semester system, to apply a progressive curtailment program, by which the highest-income brackets, including both administrators and faculty, bear the greatest salary reductions.

Thank you for the opportunity to review this proposal.

With best regards,

Paul Fine, Chair
Committee on Academic Planning and Resource Allocation

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October 19, 2020

PROFESSOR JENNIFER JOHNSON-HANKS
Chair, 2020-2021 Berkeley Division of the Academic Senate

Re: DECC's Comments on the Proposed Systemwide Campus Curtailment Program for 2020-21

The Committee on Diversity, Equity, and Campus Climate (DECC) discussed the proposed systemwide campus curtailment program for 2020-2021 at our October 15, 2020 meeting. We carefully considered the effects of the proposed program through the lens of diversity, equity, and campus climate. Below are our comments and suggestions.

1. We strongly recommend establishing a minimum salary threshold for both faculty and staff. A minimum salary threshold should serve two purposes. A) It should set a cut-off point for participation in this curtailment and salary deduction program. Any staff or faculty whose salary is at or below that minimum threshold should be exempt from curtailment and salary deduction. From an equity perspective, it is crucial that we protect employees who are already at the lowest salary tier and who may not be able to afford further deductions in salary. B) It should set a salary floor to ensure that no deduction will result in salaries falling below this minimum threshold. While we support the progressive application of curtailment according to salary tiers, we want to ensure that a minimum salary threshold is maintained across the board for staff and faculty.

2. The Committee calls attention to both the financial and non-financial effects of curtailment, especially for junior faculty who recently joined the UC. As a group, junior faculty comprises a higher proportion of women, first-generation, and URM faculty than those in the Associate and Full Professor levels. They also tend to have additional financial burdens, such as student loans and/or the need to provide financial support to family members. Salary deductions for junior faculty, then, may have a disproportionate effect on their take-home salaries at present and into the future. Also, we should consider the effects on the morale of junior faculty, whose sense of precarity as non-tenured faculty will be amplified by the financial effects of curtailment. We urge the administration to be sensitive to these additional challenges facing junior faculty.

3. We strongly suggest that certain types of grants be made available to address particular circumstances that require financial support to offset the general application of

curtailment. They may include “Dependent Care Grants” that help address the additional financial burdens of childcare and/or elderly care and “Emergency Grants” to address unexpected events, such as hospitalization, mental health support, disability support, etc.

Thank you for the opportunity to comment on this proposed campus curtailment program.

Sincerely,

Lok Siu
Chair, Committee on Diversity, Equity, and Campus Climate

LS/lc

ACADEMIC SENATE
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320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

October 16, 2020

CHAIR JENNIFER JOHNSON-HANKS
Academic Senate

Re: UC Curtailment Proposal

Dear Jenna,

The Committee on Faculty Welfare (FWEL) gathered informal comments from members electronically as the business item was received and due prior to the next scheduled committee meeting. We note that while only a portion of the members were able to provide comment, the questions and observations provided were plentiful. Before we list the questions FWEL members raise, we want to underscore one point about this process. Given the considerable leeway that individual campuses are given to implement this curtailment plan, we believe it imperative that DIVCO be given an opportunity to review a more detailed, Berkeley-specific version of it.

Questions

1) The plan calls for a minimum of five curtailment days. *What actual costs savings does the Berkeley campus (and wider system) hope to achieve? If the UC system knows that it will save X dollars by implementing a minimum five-day curtailment period, why not just reduce salaries by a percentage of the total budget that will yield X dollars? What, if any, top end or maximum curtailment days is permitted under the proposal? Or would Berkeley actually implement? What, if anything, would need to occur for that maximum to be increased?*

2) *Does this proposal assume all faculty are better compensated than all staff?* While the solution should be progressive, there are some faculty who cannot pay for childcare on days they are not being paid. *Will gross family income be considered if the "impacts will be progressive based on income level (e.g., single parent faculty members)?*

3) *How will the teaching and/or research expectations for faculty be lowered as a result of the reduction in salary? How would this be explicitly accounted for in future tenure and merit review cases?*

4) *What is the explicit termination date when salaries will return to current rates? What are the indicator conditions that must occur that would trigger a return to normal rates?*

Without such information, the (terrifying) implication is that there will be a long-term erosion of faculty salaries.

5) *Is the proposed reduction in faculty salary to be a reduction in base salary that comes from the campus' budget only? Or in total salary? What of the faculty who have their salary supplemented from monies that are independent of the state (e.g., Berkeley Law and Haas have add-on salaries for their faculty)? Will summer stipends or similar grants be figured into the reduction? If, for example, a faculty member is paid 2/9ths for summer activities from his/her grant, will that be figured into the reduction?*

6) *How will salary reductions affect faculty who are sabbatical for 2020/21 and are already at less than their typical 100% salary? Or for next year? Will these faculty also be subject to a reduction in salary?*

7) *How will the curtailment work for those who may already be part of the "Interim COVID-Related Dependent Care Modified Duties Program" that the UC system has authorized?*

8) *In the event that the University is unable to "…seek changes to the University of California Retirement Plan [UCRP] or other policies, as needed, to avoid negatively impacting employee retirement benefits" what is the UC's alternative plan to maintain the established retirement benefits?*

9) *Where not the 2009 furloughs done, in part, to protect UCRP calculations, since the base and decoupled salaries remained the same in name? How would this proposed curtailment be different, if not worse, than furloughs?*

Observations

1) The 2009 furloughs were *devastating* to employee morale and deeply damaging to recruitment and the diversity of faculty. Already, in recent years, recruitment of top candidates has become a problem in some disciplines. Whether cuts to salary or furloughs, the Berkeley campus will be placed further behind in our attempts to retain competitiveness. No scholar wants to put up with the smoke days, building closures that limit access to their labs, PG&E shut-offs that threaten their specimens and the like. This proposed curtailment is coming at a time when we are already vulnerable to faculty finding UC Berkeley to be a less attractive or viable research institution. It seems like it will be a further liability for faculty morale, recruitment, and retention.

2) We must take seriously that the expected effort from faculty needs to be reduced when: a) conditions create less resources/capacity and/or, b) compensation is reduced. It seems like faculty are uniquely excepted from this expectation that effort will be reduced during a curtailment period, relative to other appointments. The qualities of tenacity and industrious behaviours that we look for in our faculty applicants means that we have a faculty corps who are unlikely to actually curtail their faculty obligations during these

days.

3) The proposal lacks clarity about what the progressive or "tier" system will look like in practice. It appears that the burden of cuts grows as you move up the tiers, but without any clarity about what the maximum number of cuts will be permitted.

4) It is not clear how just five days of curtailment will "save" the University given the enormous budget deficits that are in front of us. As President Drake notes, "…the optimal combination of short-term bridging strategies and longer-term structural reforms for addressing these challenges will likely vary by campus…". What is absent from this proposal is extent to which a five-day curtailment will specifically save Berkeley and why that is the optional choice over other considerations on our campus.

5) There seems to be little to no chance that the teaching or research expectations will be lowered. If anything, it would seem that faculty will have more because of the diminishment (that is already underway) and curtailment of staff support.

We appreciate the Division Council's consideration of these recommendations and the opportunity to weigh in on these matters.

Sincerely,

David Hollinger, Co-Chair

Terrance Odean, Co-Chair

DH/TO/st

UNIVERSITY OF CALIFORNIA, DAVIS

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October 26, 2020

Mary Gauvain
Chair, Academic Council

RE: Systemwide Review of Proposed Curtailment Program

Dear Mary,

The Executive Council of the Davis Division of the Academic Senate reviewed the proposed 2020-21 curtailment program. We note that the proposal has provided limited information, making it difficult to provide informed, actionable feedback. We have therefore bucketed common themes, within which we provide our initial thoughts and pose unanswered questions.

University of California Financial Situation
The proposal does not place itself in quantitative, fiscal context, which raises clarifying questions:

- What are the current budget realities at the systemwide and campus levels?
- What is the current budget shortfall that makes a curtailment/furlough program necessary?
- What alternatives to curtailment/furlough have been or are being considered?

We know that measures have already been taken to achieve budgetary savings, including pauses on staff merits and faculty range increases, vacancy management programs, voluntary separation programs, bond issuances, travel savings, and so on. Extraordinary endowment payouts and debt restructuring have also been discussed. Where, and to what extent, do shortfalls exist that necessitate curtailment/furloughs? We have heard through UCPB that the potential savings from a five-day curtailment could be in the $150 to $200 million range and that pension benefits would not be affected. This is important information (which should be shared more widely), but even so, those savings cannot be contextualized with limited financial information.

We are one UC system, but without complete financial information, it is difficult to accept at face value this proposed program's premise of shared sacrifice. Campuses face different budget deficits and financial reserves; such differences are likely a combination of differential COVID-19 impacts and varying levels of fiscal conservativeness in well-funded years. Thus, a one-size-fits-all approach to curtailment/furloughs is potentially a suboptimal proposition. We must have more transparency on the range of local and systemwide budget deficits and the range of local and systemwide solutions in use or under consideration.

It is also important to note that the COVID-19 crisis has resulted in increased workloads for many faculty and staff. Moreover, employees might already be using accrued leave to offset childcare and other duties. Pairing this increased workload with curtailment/furlough should only be considered after all alternatives are analyzed fully and transparently, and deemed insufficient to address the budget gaps.

Curtailment, Furlough, or Pay Cut?

In normal curtailment, staff can use vacation pay to cover leave. However, in this proposed curtailment, use of vacation pay will depend on one's salary. For academic-year faculty who do not accrue vacation pay, this program is simply a salary cut. Academic-year faculty do work that does not "conform to standard conventions of days," as mentioned in the proposal, and whose labor during the proposed curtailment period will include preparations for winter quarter instruction. For these faculty, whose workload cannot decrease, this curtailment/furlough seems particularly unfair.

Furthermore, there is no information on what the progressive curtailment/furlough structure across salaries would look like. We agree that the lowest paid workers should be shielded as much as possible from financial harm. Even so, faculty or staff in "higher tiers" might still be experiencing material hardships from pandemic realities (e.g., child care, extended family care) that would need to be considered, perhaps through an appeal process.

The proposal also does not mention how it would affect faculty funded by grants or "soft" money (could reductions in pay be offset by grant funding?) or how it would affect undergraduate and graduate student employees, whether paid by core funds or soft money.

Additional Questions and Concerns

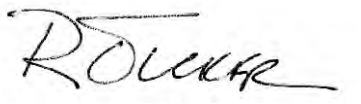
- Are there standard criteria or a process by which campuses would identify and exempt "essential workers" from the program? If exceptions are made, there should be a high bar for highly paid faculty and administrators, otherwise exceptions could be corrosive to a sense of shared responsibility.
- Five days is listed as the minimum curtailment in the proposal, but what is the maximum curtailment permitted? What leeway do campuses have to increase curtailments? While campuses should have flexibility to solve local budget problems, there is possibility for inequities in how campuses apply this program. Again, full budget transparency for each campus with an analysis of alternatives would help put these questions into context.
- How would curtailment/furlough affect faculty merit and promotions processes? How about staff merits?
- How would salary reductions be calculated for faculty who are paid by multiple funding sources?
- Could curtailment jeopardize the ability of international students, faculty, or other employees to meet U.S. residency or work requirements?
- There are concerns that UC Path could not handle this curtailment/furlough efficiently. Indeed, the proposal itself states that curtailment/furlough is contingent on UC Path working properly: "implementation would be contingent upon making all necessary modification to UCPath to avoid unexpected payroll disruptions." This does not inspire confidence in our human resource systems or in pay continuity.

Closing Thoughts
In May 2020, the Davis Division relayed to, and discussed with, our campus administration several budget principles crafted by the Davis Division's Committee on Planning and Budget (CPB). CPB emphasized that we are "experiencing a 1 in 100 year event—we need to think outside the box." Thinking outside the box means pursuing alternatives to blanket austerity. In the words of CPB, while austerity actions "may alleviate temporarily the budgetary stress, their long-term impacts cannot be overlooked. We strongly advise our campus (and statewide) leadership to avoid such blunt cuts to our operations, which will only reduce the quality of our research and teaching and give the false impression that our campus can operate on less funding while expecting the same results. We should not create new problems or holes from which we cannot emerge." The Davis Division and campus administration continue to hold regular budget discussions backed by these principles, from which creative and transparent solutions have emerged. Blanket austerity actions have thus far not been needed.

The Davis Division likewise echoes CPB's sentiment to UCOP and the Systemwide Academic Senate: we are experiencing a rare event, and we need to think outside the box. If alternatives to blanket austerity—borrowing, reserve drawdowns, endowment payouts, state and federal stimulus, and additional items mentioned before—are truly exhausted, then cuts should be strategic and transparent. We should begin by identifying underperforming services and those that do not serve our core missions. Jumping into across-the-board cuts—of which this curtailment/furlough could be only a small, initial starting point—signifies a lack of willingness to identify institutional priorities.

The Davis Division appreciates the opportunity to comment and looks forward to further engagement.

Sincerely,



Richard P. Tucker, Ph.D.
Chair, Davis Division of the Academic Senate
University of California, Davis

c: Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

University of California, Irvine

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October 23, 2020

MARY GAUVAIN
CHAIR, ACADEMIC COUNCIL

RE: PROPOSED CURTAILMENT PROGRAM

The Council on Faculty Welfare, Diversity, and Academic Freedom, Council on Planning and Budget, and Senate Cabinet have discussed the proposed curtailment program for 2020-21.

The Irvine Division of the Academic Senate is strongly opposed to a mandatory systemwide curtailment program for the following reasons:

- The campuses are in very different financial circumstances, as they were before the pandemic. Campuses should be provided with flexibility to manage resources based on their local context and the particular challenges they face.
- While auxiliary and medical center revenues across the system were lower than originally projected due to the pandemic, many campuses, including Irvine, had net positive balance sheets for the 2019-20 fiscal year.
- We anticipate that any extension of the winter administrative recess would be disruptive to instruction, research, and clinical operations at UC Irvine.
- Imposing an extended curtailment period will negatively impact faculty and staff morale. A staff position management program is already in effect, and faculty and staff are taking on additional duties to assist the university in managing various aspects of the pandemic while also managing increased dependent care responsibilities. Further, faculty and staff have supported the campus' rapid transition to remote instruction and operations, and non-represented staff merits were cancelled.
- While few details about the proposed curtailment plan have been provided, it is unclear whether campuses would be given flexibility to allow faculty and staff to stagger "curtailment days" (furlough days) over time. Without this flexibility, employees will be forced to take a significant pay cut in the months of December and/or January with very little notice; this could lead to serious financial hardship.
- It is unclear whether staff, or which tiers of staff, would be permitted to use vacation time to continue being paid during the extended curtailment period. If so, it is unclear whether staff would be permitted to use vacation time not yet accrued as is currently permitted for the three-day annual curtailment period during winter break.

Sincerely,

Jeffrey Barrett, Chair
Academic Senate, Irvine Division

Cc: Joanna Ho, Chair Elect
Robert Horwitz, Vice Chair, Academic Council
Kate Brigman, Executive Director
Gina Anzivino, Assistant Director

University of California, Irvine

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October 26, 2020

JEFFREY BARRETT, CHAIR
ACADEMIC SENATE, IRVINE DIVISION

RE: Proposed 2020-21 Curtailment Program

At its October 14, 2020 meeting, the Council on Planning and Budget (CPB) discussed the proposed 2020-21 curtailment program.

A summary of comments is below:

- The Council finds the plan lacking in necessary details for proper evaluation. For faculty on a 9-month appointment who do not accrue vacation leave, this will effectively be a pay cut but how much is uncertain. Is this five days out of an expected 171 budget days (17 per month over a 9 month appointment), out of the actual number of working days in the service period as defined in the APM (ca. 185-190) or to be consistent with 12 month appointees, over the number of working days in a calendar year? What are the salary tiers? Will this apply to academic appointees with salaries paid by extramural fund sources? Will student employees, graduate or undergraduate, be exempt?
- The Council observed that there is no need for Irvine to participate in a curtailment program and that the savings that the minimum curtailment might generate are modest. CPB strongly urges expanding the flexibility the program offers to individual campuses to include as few as 0 curtailment days, rather than the required minimum of 5days.
- Members observed that faculty have already had to respond to the Covid pandemic by using much of their summer to transition their course to remote learning formats, in essence donating this unpaid time to the university. Staff have already forgone scheduled merits. Asking either group to participate in further salary cuts via the curtailment plan is difficult to justify.
- Members also requested clarification on the anticipated duration of the curtailment. Is this anticipated to be a one-year emergency measure to buy time for campuses to adjust their operating budgets for fiscal 2021/2022, an indeterminate but presumably intermediate term measure until state funding is restored post-Covid, or a permanent change to policy?

The Council appreciates the opportunity to comment.

On behalf of the Council,

Donald Felt Senear

Don Senear, Chair

CC: Kate Brigman, Executive Director, Academic Senate
Gina Anzivino, Assistant Director, Academic Senate
Michelle Chen, CPB Analyst

UCLA Academic Senate

October 26, 2020

Mary Gauvain
Chair, UC Academic Senate

Re: **Systemwide Review of Proposed Curtailment Program**

Dear Mary,

Thank you for providing an opportunity for the UCLA Division of the Academic Senate to opine on the Proposed 2020-21 Curtailment Program. Opinions from the UCLA Faculty Welfare Committee (FWC) and the Council for Planning and Budget (CPB) are appended.

Our review of the program was substantively constrained due to two key factors: a most unusual truncated 2-week timeline, and the vagueness of the proposal itself.

Whereas the bullet-pointed values are admirable, the *Curtailment Plan Details* and *Proposed Features* lack the detail needed to demonstrate how the plan would achieve the aims stated in the values section, and how the plan would be implemented. The effects of the program on the bottom-line implementation of the University's teaching, research, and service missions are unclear. Therefore, it is not surprising that the attached UCLA FWC and CPB opinions posed many important questions that were not addressed by the proposal, and to some apparent contradictions within the proposal.

The CPB review wraps up with "*All of this said, considering all the options curtailment is not without merit, and seemed to be preferable to a formal furlough. It is, however, still an approach that results in a pay cut for faculty and–in most cases–does not result in less work. Faculty are understandably unhappy to be absorbing the bulk of the cut in pay, while receiving no real reduction in their responsibilities. Shared sacrifices might be required by our present or impending budget situations, but it is vital that they be fairly shared. The state has demonstrated a repeated pattern of cutting UC funding during downturns, then failing to restore those cuts during expansionary periods. That pattern has led to employees being understandably wary of any further cuts, even if the financial situation is severe*."

I hope that our response informs discussion and prompts the Office of the President to provide the detail needed to define the impact and quantify the institutional benefit of the proposed Curtailment Program.

Sincerely,

Shane N. White
Chair, UCLA Division of the Academic Senate

cc: Jody Kreiman, Vice Chair/Chair-Elect, UCLA Division of the Academic Senate
Michael Meranze, Immediate Past Chair, UCLA Division of the Academic Senate
Tim Groeling, Chair CPB, UCLA Division of the Academic Senate
Huiying Li, Chair FWC, UCLA Division of the Academic Senate
April de Stefano, Executive Director, UCLA Division of the Academic Senate

UCLA Academic Senate
Faculty Welfare Committee

October 22, 2020

Shane White, Chair
Academic Senate

Re: Proposed Curtailment Program

Dear Chair White,

At its meeting on October 14, 2020, the Faculty Welfare Committee reviewed and discussed the Proposed Curtailment Program. Committee members offered the following comments.

Although members agree with the general concept of the program, they have many questions about the specifics:

1. The difference between curtailment and furlough needs to be better defined, including the impact on retirement plan.
2. Members would like to see what the cost savings were in the past when there were furloughs.
3. Has the cost of adding the curtailments to UC Path been factored in? Processing this would require additional effort. What is the administrative cost for the payroll staff entering the charges?
4. Pay band inequities need to be addressed. Additional details need to be provided.
5. Cuts will affect people differently. Faculty will have at least five non-paid days. Will it be applied equally for the 9-month academic appointment and 11-month academic appointment faculty?
6. What does it mean that "consideration" will be given to faculty who do service, teaching and research? How the consideration will be implemented should be explained.
7. What about the impact on research since faculty cannot take teaching days off? Can faculty supplement "curtailment" days with research money? This may lead to inequity because some grants allow this and other agencies do not.
8. What will happen to in-residence faculty, clinical faculty, and adjunct faculty?
9. What does progressive implementation mean? This needs more detailed explanation.

Committee members request that these comments be shared with administration.

Thank you for the opportunity to review and comment. If you have any questions, please contact us via the Faculty Welfare Committee's interim analyst, Elizabeth Feller, at efeller@senate.ucla.edu .

Sincerely,
Huiying Li, Chair
Faculty Welfare Committee

cc: Jody Kreiman, Vice Chair/Chair Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Interim Analyst, Faculty Welfare Committee

UCLA Academic Senate
Council on Planning & Budget

October 20, 2020

Shane White, Chair
Academic Senate

Re: Proposed Curtailment Program

Dear Chair White,

At its meeting on October 12, 2020, the Council on Planning and Budget (CPB) had an opportunity to review and discuss the Proposed Curtailment Program. Members were also able to comment via email, given the short deadline.

Overall, members were disappointed to find the document was very vague. On a very basic level, it is unclear who will be getting a pay cut and how.

Considering the University has a considerable amount of liquidity, some felt the University should at least consider using that to cover the loss rather than furlough or curtailment at this moment. Others felt that it did make sense to take action sooner rather than later, better preparing for the overall financial situation to worsen significantly in the next few years.

Some members were concerned that the second-to-last bullet point seems to openly contradict two previous statements, i.e. stating earlier that "[e]ssential services to campuses, medical centers and core employee customer service functions that must operate year round will continue during curtailments," and that, "[c]ampuses would identify essential workers who would be exempt from the program ..." but then suggesting in the second-to-last bullet point that "Exempt employees will not be allowed to perform any work during the curtailment period in order to comply with provisions of the Fair Labor Standards Act"). The final statement suggests that these essential workers will not be allowed to work anyway, thus causing the very same disruption that the document pledges to "minimize." It was, however, noted that building the curtailment around the campus shutdown (which had established a reasonable precedent of who would continue to provide essential services when campus was not operating) should simplify the definition of which employees would be counted as essential if the curtailment expanded the shutdown period.

The document explicitly mentions "faculty" and "staff" among the "employees" to participate in the curtailment program (unless those deemed to be exempt), but some were concerned that it never

mentions university officials such as the UC President, Chancellors, Deans, etc. While we assume they will also participate, would restricting the program to their base pay (X+X' in the case of HSCP members) actually capture the stated principle that "Higher-compensated employees will carry a relatively larger percentage of the burden" or actually exclude from the program the largest portion of their paid compensation (e.g., if compensation for serving as Dean of a medical school is mainly through negotiated Y or Z components)?

The document further notes that curtailment expansion comes only after implementing other prudent financial savings measures. What constitutes "other prudent financial savings measures" and how might these vary across the campuses?

The document suggests impacts will be progressive based on income level. Yet higher-compensated employees will supposedly carry a relatively larger percentage of the burden. For this to be the case, the employee would have to have more curtailment days than a lower paid employee, and there appear to be no details specifying this in the document. Assuming there are, in fact, tiers, what will they be and what are the criteria for determining them? Along those lines, what is the rationale for excluding the negotiated Y and Z components of the HSCP? For most on HSCP, Y and Z can constitute considerable amounts. Perhaps the resulting higher total salary person should also carry a relatively larger percentage of the burden. For faculty off-scale and above scale are included; this seems counter to what HSCP people are doing for the curtailment.

Some considered it desirable that the five days of curtailment be chosen by the employee, rather than "curtailment periods" that the campus and OP decide upon.

All of this said, considering all the options curtailment is not without merit, and seemed to be preferable to a formal furlough. It is, however, still an approach that results in a pay cut for faculty and–in most cases–does not result in less work. Faculty are understandably unhappy to be absorbing the bulk of the cut in pay, while receiving no real reduction in their responsibilities. Shared sacrifices might be required by our present or impending budget situations, but it is vital that they be fairly shared. The state has demonstrated a repeated pattern of cutting UC funding during downturns, then failing to restore those cuts during expansionary periods. That pattern has led to employees being understandably wary of any further cuts, even if the financial situation is severe.

Overall, if this is a document presented for discussion at the November Regents meeting, we regard it as an acceptable basis for discussion and debate. However, if it is being presented for an immediate vote with no debate or possible amendment, we would be concerned that adequate consultation has not taken place.

If you have any questions for us, please do not hesitate to contact me at groeling@comm.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu or x62470.

Sincerely,

Tim Groeling, Chair
Council on Planning and Budget

cc: Jody Kreiman, Vice Chair/Chair-Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Principal Policy Analyst, Council on Planning and Budget
Members of the Council on Planning and Budget

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OFFICE OF THE ACADEMIC SENATE
ROBIN DELUGAN, CHAIR, ACADEMIC SENATE
senatechair@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

October 26, 2020

To: Mary Gauvain, Chair, Academic Council

Re: Curtailment Program

The proposed curtailment program was distributed for comment to the Merced Division Senate Committees and the Schools of Engineering, Natural Sciences, and Social Sciences, Humanities and Arts.

The following faculty members and committees opined. Their comments are appended to this memo.

- Senate Vice Chair
- School of Engineering Faculty Member
- Committee on Academic Personnel
- Committee on Academic Planning and Resource Allocation
- Committee on Research
- Diversity and Equity Committee
- Graduate Council
- School of Engineering Executive Committee
- School of Social Sciences, Humanities and Arts Executive Committee
- School of Natural Sciences Executive Committee

At its October 23, 2020 meeting, Divisional Council (DivCo) endorsed forwarding the faculty and committee comments for Academic Council's consideration. In doing so, DivCo wishes to emphasize a few points and seek clarification on several aspects of the proposal. While we appreciate the UC system's attention to addressing the financial impacts of the COVID-19 pandemic on the University of California; providing such a short period for the Senate to review the curtailment proposal negatively impacts effective shared governance. That said, our Division concurred that the proposal requires more detailed information. For example, answers to the questions below would enable us to provide more thorough review and feedback.

1. What are the thresholds for the tiers, and how many faculty would be impacted in each?
2. Is there a maximum curtailment as well as a minimum curtailment?
3. What is the duration of this cost-saving measure?
4. Will the curtailment be progressive to protect vulnerable campus constituents, especially student employees, staff, postdocs, early career faculty and others on the lower end of the income scale?
5. Could the curtailment be spread out so that employees could at least count on a consistent income?
6. For faculty, is the 5 days of curtailment based on a 9-month or 12-month salary?

7. Will research staff (e.g. specialists, postdocs, project scientists) be fully supported on external grant funds be exempt in order to maintain contractual obligations, research productivity, and campus revenue through IDC charges?
8. What principles guide the use of soft money or extramural grants to protect faculty income and campus revenue from IDC charges on summer salary from the cuts?
9. How will the curtailment affect Teaching Assistants, Unit 18 faculty, and others who are covered by union contracts?
10. If campus curtailment means campuses will be shut down for 5 days, what happens to needed access to labs?
11. Can individual campuses be allowed to institute their own, local curtailment programs for a different number of days depending on their budgetary needs rather than be governed under a centralized systemwide plan?
12. What budgetary alternatives could be considered? Were furloughs and salary reductions rejected, and if so, why?
13. What are the plans to compensate those affected when the financial crisis is over?
14. What specific impact will the curtailment program have on the UC Merced community?
15. Will there be transparency and multiple opportunities for feedback and discussion with campus stakeholders about any curtailment plans?

DivCo agrees on the following:

As a matter of principle, a declaration of financial exigency should precede the curtailment program. Employee benefits should be protected, including avoiding long-term impacts on retirement benefits.

Vulnerable campus constituents, especially student employees, staff, post-docs, and faculty on the lower end of the income scale should be protected.

There needs to be transparency about the budget including a discussion of potential funds that could be used to keep the curtailments/cuts to a minimum, and the cost-savings achieved by any curtailment program.

The Merced Division thanks you for the opportunity to comment on this proposal and appreciates the UC leadership's efforts to address the negative budgetary situation.

Sincerely,

Robin M. DeLugan

Robin DeLugan
Chair, Divisional Council
UC Merced

CC: Divisional Council
Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael Labriola, Assistant Director, Systemwide Academic Senate
Senate Office

Encl (10)

From:	Leroy Westerling
To:	UCM Senate Chair
Subject:	Fwd: By October 21, 2020: (Expedited Systemwide Senate Review) Proposed Campus Curtailment Program
Date:	Monday, October 12, 2020 3:32:49 PM
Attachments:	MG-SW-review-curtailment-program.pdf

Dear Chair DeLugan

It's difficult to opine on this proposal given the sparse information provided. For example, without knowing the tiers and how many faculty would be impacted in each, for example.

We also were anticipating hearing about potential furloughs after the November Regental meeting. Is this in lieu of furloughs, or in addition to them? It's not really possible to assess the financial impact on employees, only considering this measure in isolation.

The potential furloughs were considered more desirable than pay cuts because (1) there was a clear path to avoiding impacts on retirement benefits, and it was not at all certain that it was within the power of the University to avoid those impacts via a policy change if a pay cut was employed, and (2) faculty had the potential to use certain categories of funds to buy out of all or part of furloughs, but that option would not be available in the proposed curtailment.

Faculty may actually have larger expenses at home, given the need for everyone to be at home throughout the workday. So for example, energy and high speed data access costs are already being effectively transferred to faculty from the campus The closure of the ECEC and the expansion of our teaching and service workload, and impacts on research productivity, also impose significant non-monetized burdens on the faculty. Now we are asked to opine on a plan for faculty and staff to shoulder additional unspecified financial burdens for the campus and system with minimal information on the immediate impacts on faculty and staff, nor the long term impacts on retirement benefits.

None of these issues have been addressed in the communication about the proposed curtailment policy. The UC Merced Divisional Council should vote on whether it opposes or endorses the policy, given these circumstances.

I oppose the policy as described, especially given the lack of information.

Regards

LeRoy Westerling
Vice Chair, Merced Division of the Academic Senate
Professor of Management of Complex Systems
Ernest and Julio Gallo Management Program
University of California, Merced
Http://ulmo.ucmerced.edu
209 756 8793

Begin forwarded message:

> **From:** Fatima Paul <fpaul@ucmerced.edu>
> **Date:** October 12, 2020 at 2:19:20 PM PDT

From: Joshua Viers <jviers@ucmerced.edu>
Sent: Monday, October 12, 2020 2:52 PM
To: AS-SenateReview-SA <senatereview@ucop.edu>
Subject: Curtailment program comments

To whom it may concern,

I am writing to register two comments with respect to the proposed curtailment for 2020-2021:

a) This should not adversely affect "soft money" researchers. In previous furloughs, there has been guidance about exempting certain payroll titles that I feel is warranted here. For example, specialists (including junior specialists), academic coordinators, project scientists, and professional research scientists titles are typically 100% funded by extramural funds. Those funds have obligations in terms of expenses and deliverables that are contractually time dependent, which could be compromised by limiting employee time. Secondly, those funds incur reimbursable indirect expenses that are recaptured as a function of actual expenses. If we are limiting our soft money payroll, we are limiting indirect cost return to campuses. I suggest exempting payroll titles that are funded by extramural funds.
b) If paid academic-year faculty time will be reduced, as indicated, a corresponding number of days should be made eligible for summer salary. In other words, at least give us the opportunity to bring in additional extramural funds to close the gap in salary created by this program through self-funded initiative. This approach will have the added benefit of bringing in additional indirect funds to campus coffers.

Thank you for the opportunity to opine,
--joshua viers
joshua viers, phd | assoc dean for research, soe | dir of citris & banatao inst | prof civ & env eng | uc merced | vicelab.net | jviers@ucmerced.edu | +1.209.591.8423

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ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON ACADEMIC PERSONNEL (CAP)
ASHLIE MARTINI, CHAIR
amartini@ucmerced.edu

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MERCED, CA 95343
(209) 228-4369

October 21, 2020

To: Robin DeLugan, Senate Chair

From: Ashlie Martini, Chair, Committee on Academic Personnel (CAP)

Re: Proposed Curtailment Program AY 2020-21

CAP reviewed the proposed curtailment program for AY 2020-21 as generated by the joint Strategic Planning Task Force convened by UC President Drake. CAP wishes to raise the following points:

Faculty in humanities fields often use money from their salaries to support research. CAP is therefore concerned about the impact on these faculty members' research productivity if they are faced with a reduction in pay.

Secondly, given the significant differences between the UC campuses, CAP suggests that the individual campuses be allowed to institute their own, local curtailment programs rather than be governed under a centralized, systemwide plan.

We appreciate the opportunity to opine.

Cc: Senate Office

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ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON ACADEMIC PLANNING AND RESOURCE ALLOCATION
PATRICIA LIWANG, CHAIR
pliwang@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

October 21, 2020

To: Robin DeLugan, Chair, Division Council

From: Patricia LiWang, Chair, Committee on Academic Planning and Resource Allocation (CAPRA)

Re: Systemwide Proposed Curtailment Program 2020-21

CAPRA considered the proposed Curtailment Program from the joint Strategic Planning Task Force at its meeting of October 13, 2020, and has the following comments.

First, CAPRA noted that the document is too vague to allow a full vetting by the faculty. In particular, while the document states that the impacts will be progressive and that there would be a tiered plan, no such plan was evident. Some group of lower paid employees would be allowed to use accrued vacation days for at least some of the curtailment period, while some group of higher paid employees would be required to take at least 5 days off of unpaid leave without using vacation days. How many tiers are there, and what are the cutoffs for these groups of employees? The document seems to imply that higher paid staff and faculty will be "charged" more days than lower paid faculty and staff. How would this work in the context of a campus shutdown?

For faculty (who have no vacation days), the plan will simply be a pay cut. How would this be made progressive so that lower paid faculty and assistant professors will have less of a burden than higher paid professors and senior faculty?

It is our understanding that different campuses may choose to have curtailment for different numbers of days depending on their budgetary needs. Is our understanding accurate? The minimum 5 days of curtailment appear to only provide savings of about 2% of personnel costs. UC Merced has a significant budget shortfall due to both COVID-19 and our multi-year 2020 building project, for which there is significant debt. Will our administration seek to go well beyond the "minimum 5 days" curtailment in an attempt to recapture funds? Will there be transparency and multiple opportunities for feedback and discussion with campus stakeholders?

Overall, the lack of clarity of the document has made it difficult to comment further. Not only are there outstanding issues of how the curtailment could be made progressive, but it is not clear what budgetary alternatives could be considered. Were furloughs and salary reductions rejected, and if so, why?

We thank the administration for the opportunity to opine and would be happy to provide a full analysis of a curtailment plan when we are provided more information.

cc: Senate Office

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ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON RESEARCH
KARA MCCLOSKEY, CHAIR
kmccloskey@ucmerced.edu

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5200 NORTH LAKE ROAD
MERCED, CA 95343

October 21, 2020

To: Robin DeLugan, Chair, Division Council

From: Kara McCloskey, Chair, Committee on Research (COR)

Re: Proposed Curtailment Program 2020-21

CoR has reviewed the proposed Curtailment Program from the joint Strategic Planning Task Force. The committee notes that for the academic-year faculty, the program would be implemented as an equivalent reduction in salary without a corresponding option to exchange vacation days. CoR wonders whether this is fair. Can faculty use grants to cover non-paid days?

We appreciate the opportunity to opine.

cc: Senate Office

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ACADEMIC SENATE, MERCED DIVISION
COMMITTEE FOR DIVERSITY AND EQUITY

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5200 NORTH LAKE ROAD
MERCED, CA 95343
(209) 228-7930

October 21, 2020

To: Robin DeLugan, Senate Chair

From: Committee for Diversity and Equity (D&E)

Re: Systemwide Review: Proposed Curtailment Program

The Committee for Diversity and Equity reviewed, at its meeting on October 19, 2020, the curtailment program proposed by UC President Drake. D&E members felt that it was impossible to provide meaningful input, especially given the brief comment period and the lack of transparency about the impact the proposed curtailment program would have on the UCM campus community. Specifically,

- The proposal refers to a tiered system, yet does not provide an estimate of where the boundaries for the tiers are, or whether the difference in the cost of living might be taken into account.

- The impact of the curtailment program on researchers supported by external funds is unclear—will they also receive reduced salary? Will they be prohibited from working during curtailment, if their pay is not reduced? One D&E member remarked that, when a similar program was implemented in 2009, the largest impact was on campus morale—there was no reduction in workload.

- The timing of the curtailment is left to each campus, which may impact the instructional schedule and increase the potential for further marginalizing at-risk members of our campus community. It is unclear how this will affect graduate students, especially those funded by graduate teaching assistantships. Would a different academic calendar result in them seeing a decrease in pay?

- Overall, would the curtailment be spread out so that employees could at least count on a consistent income? Variations in monthly income can be particularly risky for those living month-to-month, and those on shorter pay periods (such as biweekly or possibly weekly).

- The distinction between academic-year employees and fiscal-year employees would benefit clarification. For example, are Unit-18 lecturers considered fiscal year employees? Unit-18 lecturers have seen an increase in workload with remote instruction, yet subject to yearly contract renewals (unless they have continuing appointment). Requiring them to accept a pay cut in such circumstances is unconscionable. In

addition, since Graduate students and Unit-18 (and Unit-19) employees are represented, it is unclear how they would be affected by the proposed curtailment program.

The Committee for Diversity and Equity appreciates the opportunity to opine. However, the committee is troubled by the short timeline which technically conforms to a shared governance model, without incorporating the intent of shared governance.

cc: D&E Members
Fatima Paul, Executive Director, Senate Office
Senate Office

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OFFICE OF THE ACADEMIC SENATE
HRANT HRATCHIAN, CHAIR, GRADUATE COUNCIL
hhratchian@ucmerced.edu

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5200 NORTH LAKE ROAD
MERCED, CA 95343

OCTOBER 21, 2020

TO: ROBIN DELUGAN, CHAIR, DIVISIONAL COUNCIL

FROM: HRANT HRATCHIAN, CHAIR, GRADUATE COUNCIL HPH

RE: SYSTEMWIDE REVIEW OF PROPOSED CURTAILMENT PROGRAM

Graduate Council (GC) has reviewed the curtailment program proposed by UC President Drake. While GC members appreciated the motions toward transparency, they found it desirable for the proposal to provide more detailed information on the following aspects.

Curtailment, or furlough? Although the proposal is named curtailment, its substance renders itself to be a furlough. During UCM's winter curtailment, faculty pay is not affected, and staff can take vacation days to avoid reduction in pay. This document states that faculty pay will be affected and staff in higher salary tiers will not be allowed to take vacation. This is a furlough, and it is advisable for the President's office to communicate this clearly.

Employees paid from external funds. The proposal needs to clarify whether/how the curtailment applies to employees paid from external funds. It is critical that postdocs, research specialists, and other staff that are funded on external grants are exempted from the curtailments/furloughs. There is often little or no flexibility in the salary payments that are specified in grant budgets. Recently, this challenge resulted in continued payment with no or drastically reduced research activities during COVID-19 closures. Enforcing curtailment/furlough on these employees further harms the output of extramural research (much of which is already at risk due to COVID closures and delays). The curtailment of employees paid on external funds also threatens University revenue and exacerbates the financial strain since IDC cannot be charged on curtailed employees.

Impact on student employees. It is not clear if student employees will also be affected by the curtailment. While the Graduate Council expects that students are exempt, a clear statement to the effect would assuage any anxiety that may arise in students coping with unprecedented challenges of this pandemic era.

Thresholds for the tiers. The proposal envisions a three-tiered system, but remains silent on the thresholds for the tiers, and how they will be determined.

Impact on retirement benefits. While the proposal is cognizant of the potential negative impact on employee retirement plans, it is not clear how such impact may be avoided.

Duration of Curtailment. The proposal states that each campus is expected to designate a minimum of five curtailment days. UC Merced has previously implemented a 5 day curtailment period. Does the systemwide mandate add 5 more days, totaling 10 days, or does the existing 5 day curtailment satisfy the systemwide mandate (except for limitations on the buyout options)? A 10-day curtailment would have serious impacts on the financial wellbeing of all who are not exempt.

***Academic Employee Reduction in Salary*.** For academic-year faculty, it is unclear whether the five-day curtailment (one week) is based on the 9-month appointment, or annualized salary. Is it 1/36th or 1/52th? Given the significant difference, further clarification is warranted. It should also be noted that summer salary funded from external funds could be used to increase University revenue through IDC charges, and expansion of summer salary funded by external grants to cover the curtailment period could be used to increase revenue.

Graduate Council thanks you for the opportunity to opine, and urge the Office of the President to provide further transparency in details and the timing of the proposed program as soon as possible.

CC: Graduate Council
Senate Office

Encl (1)

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SCHOOL OF ENGINEERING

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5200 N. Lake Road | Merced, CA 95343
PHONE: 209-228-4411
FAX: 209-228-4047

October 22, 2020

To: UC-M Academic Senate
From: Catherine Keske, Chair, School of Engineering Executive Committee
Re: Proposed Campus Curtailment Program

Dear Senate Chair DeLugan:

Thank you on behalf of the School of Engineering Executive Committee for the opportunity to opine on the Proposed Campus Curtailment Program.

We recognize that Administration is in a difficult position. In the words of one of our colleagues, we extend sympathy to those who must make these budgeting decisions.

We ask that you consider the needs of staff and early career colleagues who will disproportionately bear the burden of financial cutbacks. As one of our colleagues has pointed out, please consider distributing curtailment periods across multiple time periods, rather than clustering the curtailment around holiday pay periods. For example, five unpaid days during one month has greater impact on employees in the lower pay brackets. Please keep this in mind and consider allowing those individuals to use their vacation time. As a suggestion, consider spreading any pay reduction over several months, at the rate of 1 day per month where the number of months equals the number of curtailment days.

Please keep in mind that reductions in Administration salaries may not have the same lingering impacts as staff salary reductions. Moreover, a reduction in staff hours may directly affect the quality of student academic experiences, particularly for academic and curriculum support, such as the Registrar's office and administering student petitions. Naturally, faculty support (and, likely, productivity) will be reduced if staff availability decreases.

We also believe that allowances should be made for soft money researchers and for faculty to redistribute money from grants to cover their salaries, if possible. Researchers with extramurally funded project have deadlines and work products that are time dependent and cannot simply be put on hold. In addition, these expenditures incur reimbursable indirect expenses which are critical to funding our research mission. With respect to the latter point, we recognize that colleagues in liberal arts and the humanities may not be able to cover their salaries to the same extent as science and engineering. However, this should not be a barrier to faculty who have funds in place, as many have also endured considerable career and family disruption.

Below, please find comments submitted by SoE staff, as well as comments submitted directly to the UC-M Senate by one of our colleagues.

Thank you for your consideration.

Comments, Questions & Concerns by Staff surrounding Pres. Drake's letter and UCM HR's Proposed 2020 21 Curtailment Program:

- "Under the program, all campuses and the Office of the President would be expected to designate a minimum of five curtailment days (excluding holidays) in fiscal year 2020-21." If the minimum would be 5 days, what is the anticipated **maximum** number of curtailment days? Should the expanded curtailment program be implemented, is there a possibility that this will extend into AY22, AY23, AY24, etc.?
- "Depending on the curtailment periods, changes to the academic calendar may be required." How drastic of a change would occur? Are we talking shifting the semester start dates? Final exam week? Any changes to the academic calendar would affect SO many departments, internal deadlines, etc.
- For those who are represented employees, how will an increase in curtailment days work with the unions? Has this/will this be discussed with all bargaining units, some of which still have multiple years left in their current contract?
- For the breakdown in employee income tiers, and where the lowest tier can use vacation days to cover the curtailment and highest tier must take unpaid time off, will it make a difference between non-exempt v. exempt employees, or is gross income the sole factor as to which tier the employee is classified in?
- And finally, should this proposed expanded curtailment program be approved and implemented, if, for whatever reason, it is **not** enough, what are the next actions to take? Furloughs? Layoffs? And how soon? (Unfortunately, people will need to plan as soon as possible.)
- Discussion was to take three days during winter break, but where will the other two days be taken?
- Will we be able to use vacation hours for these additional curtailment days or will it be leave without pay?
- What is the difference between curtailment vs furlough?
- Do we accrue vac and sick leave, credits, etc. in curtailment?
- Depending on which days it falls on, this may impact end of term processing for advising. We typically either start or review petitions to stay on campus the days following returning from winter break. This is a big concern that needs to be addressed in conjunction with the office of the registrar.
- How does this affect requested time off during the winter break time period? Are employees still able to ask for time off and use vacation days?
- Five unpaid days during one-month impacts people a lot, especially those that are in the lower pay brackets. Please keep this in mind. Maybe allow those individuals to use their vacation time.

Faculty Feedback provided directly to Senate:

A. This should not adversely affect “soft money” researchers. In previous furloughs, there has been guidance about exempting certain payroll titles that I feel is warranted here. For example, specialists (including junior specialists), academic coordinators, project scientists, and professional research scientists titles are typically 100% funded by extramural funds. Those funds have obligations in terms of expenses and deliverables that are contractually time dependent, which could be compromised by limiting employee time. Secondly, those funds incur reimbursable indirect expenses that are recaptured as a function of actual expenses. If we are limiting our soft money payroll, we are limiting indirect cost return to campuses. I suggest exempting payroll titles that are funded by extramural funds.

B. If paid academic-year faculty time will be reduced, as indicated, a corresponding number of days should be made eligible for summer salary. In other words, at least give us the opportunity to bring in additional extramural funds to close the gap in salary created by this program through self-funded initiative. This approach will have the added benefit of bringing in additional indirect funds to campus coffers.

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SCHOOL OF SOCIAL SCIENCES, HUMANITIES AND ARTS

UNIVERSITY OF CALIFORNIA, MERCED
5200 N. LAKE ROAD BLDG A
MERCED, CA 95343
(209) 228-7742
FAX (209) 228-4007

21 October 2020

To: Robin DeLugan, Chair, Merced Division of the Academic Senate

From: Susan Amussen, Chair, SSHA Executive Committee

RE: SSHA EC Comments on Curtailment Proposal

The consensus of the SSHA EC and those colleagues from whom we received comments was that the proposal we received was too vague for meaningful opinions. Therefore we offer observations, questions and principles which we believe should guide the system policy. Clearly no one is enthusiastic about a loss of salary, but the process needs to be as transparent and fair as possible. We note that for faculty, since we don't have vacation days, this is a pay cut.

Observations:
At least in SSHA, where we have already have too few staff and have lost one Department Specialist, the staff curtailment/furlough will place an additional administrative burden on faculty, who will do the work which needs to be done.

If curtailment includes campus closures--at a time when access to campus is already limited—it will further impact research productivity.

Questions:

1. What does the "curtailment" mean for faculty? Is 5 days based on a 9 month or 12-month salary?
2. What are the tiers?
3. Is there a maximum curtailment as well as a minimum?
4. Would it be possible to think of this as not a cut, but a temporary loan to the system? What are the plans to compensate those affected when the financial crisis is over?
5. If faculty are required to take a pay cut of 4% or more (depending on income level), is it appropriate to cut instructional time by that same amount? Equally, will the administration reduce expectations of service based on the reduced time we are working? Will CAP offer a proportional reduction in expected scholarly productivity? Or does our pay cut assume we'll just keep working at the same level?
6. What principles guide the use of soft money to protect faculty income from the cut?
7. Will this impact graduate student stipends?

Principles:

1. To the best of our knowledge, there has been no declaration of financial exigency, which should precede this.
2. The proposal suggests that all campuses must do the minimum, but if we are to function as system, we need a maximum, and we also need a clearly delineated process for campus consultation and decisions about how this will be enacted on campus, including a transparent discussion of potential funds that could be used to keep the curtailments/cuts to a minimum.
3. Employee benefits should be protected, including contributions to UCRP. Already faculty have suffered a loss of income in the absence of an adjustment of the salary scales this year. Faculty and campuses are paying heavily for the contribution "holiday" and it is important that we not fall further behind on improving the funding ratio.
4. If this is approved by the Regents, the Merced campus plan needs to be developed in close consultation with the faculty and be transparent about the budget.

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SCHOOL OF NATUAL SCIENCES

UNIVERSITY OF CALIFORNIA, MERCED
5200 N. LAKE ROAD BLDG A
MERCED, CA 95343

21 October 2020

To: Robin DeLugan, Chair, Merced Division of the Academic Senate

From: Harish S. Bhat, Chair, Natural Sciences Executive Committee

Re: Proposed Campus Curtailment Program

NSEC has discussed the proposed curtailment program by email. We find that the current proposal raises several questions:

1. From the point of view of the authors of this proposal, what is the difference between curtailment and furloughs? More specifically: does 5 days of curtailment imply that the campus will be shut down for 5 days? Our faculty have expressed concern that these curtailment days might coincide with days on which they must be on campus for research purposes, i.e., to be present in a lab.

2. Does the curtailment apply to graduate students and postdoctoral scholars? This is not explicitly mentioned in the proposal.

3. Several faculty interpret the proposal as one in which their pay will be reduced by 5 days' worth of salary, without any actual reduction in duties. If this is the intended proposal, then why not state this clearly for the sake of transparency and honesty?

4. It appears that staff can use sick or vacation days to avoid a pay cut. Can faculty avoid a pay cut by charging extramural grants for an extra 5 days of salary?

NSEC appreciates the opportunity to opine.

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CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

JASON STAJICH
PROFESSOR OF MICROBIOLOGY & PLANT PATHOLOGY
RIVERSIDE, CA 92521-0217
TEL: (951) 827-6193
EMAIL: JASON.STAJICH@UCR.EDU

October 26, 2020

Mary Gauvain, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: [Systemwide Review] Proposal: 2020-21 Curtailment Program

Dear Mary,

The UCR Senate is pleased to provide the attached package of standing committee feedback on the proposed 2020-21 curtailment program. While I will refrain from reiterating the contents of the attached memos, I should emphasize that the Executive Council discussed this proposed program and recognizes the need to make cuts due to the budget; however, members were in agreement that this plan needs more clarity particularly regarding equity among campuses, the amount of money the program will save, and the impacts it will have on diversity.

Sincerely yours,

Jason Stajich
Professor of Microbiology & Plant Pathology and Chair of the Riverside Division

CC: Michael LaBriola, Assistant Director of the Academic Senate
Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate

UC RIVERSIDE

Academic Senate

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Hai Che, Chair
Committee on Research

Re: 20-21. SR. Curtailment Program

The committee on research reviewed the 20-21 Curtailment Program. The committee felt that the program needed clarifications regarding exceptions when concerning Vivarium or essential labs, salaries supported by grants, and potential impact on retirement plans. Additionally, the committee would like to know how future cuts will be implemented or if the curtailment days can be staggered rather than consecutively. The committee would also like more concrete details or specific totals on the 5-day curtailment and why this five-day timeframe is a sufficient cost saving measure. The program document is also vague on the potential negative impacts on faculty of different ranks.

From a non-research perspective the committee would also like clarification regarding the impact on faculty during appraisal periods.

UC RIVERSIDE Academic Senate

COMMITTEE ON DIVERSITY, EQUITY, & INCLUSION

October 20, 2020

To: Jason Stajich
Riverside Division Academic Senate

From: Xuan Liu, Chair
Committee on Diversity, Equity, & Inclusion

Re: *[Systemwide Review]* Proposal: 2020-21 Curtailment Program

The Committee on Diversity, Equity, and Inclusion (CODEI) discussed the Proposed 2020-21 Curtailment Program at its October 15th meeting. The Committee believes the proposal does not contain sufficient information to comment adequately on its potential impact on campus diversity, equity, inclusion.

UC RIVERSIDE Academic Senate

COMMITTEE ON ACADEMIC PERSONNEL

October 20, 2020

To: Jason Stajich, Chair
Riverside Division Academic Senate

From: Yinsheng Wang, Chair
Committee on Academic Personnel

Re: [Systemwide Review] Proposal: 2020-21 Curtailment Program

CAP discussed the university's proposed 2020-2021 curtailment program. CAP recognizes the financial difficulty faced by our institution and the needs for cost saving. CAP, however, voiced some concerns about the proposed program:

The information provided in the current proposal is rather vague and limited, thereby rendering it difficult for CAP to fully gauge the impact of this program on merit and promotion of faculty and CAP's evaluation of these files in the future.

CAP noted that the current COVID-19 epidemic has already had a substantial impact on faculty research, teaching and service, and as a consequence their merits and promotions. The proposed curtailment will confer additional financial burden on faculty, which will likely compromise faculty morale and in some cases, affect retention of our best faculty.

UC RIVERSIDE Academic Senate

COMMITTEE ON FACULTY WELFARE

October 20, 2020

To: Jason Stajich
Riverside Division Academic Senate

From: Patricia Morton, Chair
Committee on Faculty Welfare

Re: [Systemwide Review] Proposed 2020-2021 Curtailment Program

The Committee on Faculty Welfare met on October 13, 2020 to consider the proposed campus Curtailment Program for 2020-2021 as outlined in the letter and document from President Michael Drake, dated 10/10/20.

The Committee has many questions prompted by the incomplete and vague nature of the proposal. The proposal lacks details about crucial elements of the plan that have the potential to impact faculty severely. FWC views this plan as a poorly-conceived program to cut faculty salaries without corresponding reduction in duties. We wonder why the University is not using its $10 billion short-term investments pool to address unquantified economic challenges, instead of reducing faculty salaries and imposing curtailment days.

We object to the lack of transparency regarding the details and pose the following questions, which we believe must be answered and conveyed to University's stakeholders before any such plan is implemented.

What is the target dollar amount expected to be saved by the proposed curtailment program? Will the target vary by individual campuses and units? How are the targets set?

How will the income tiers be determined? Who will set the income tiers? Will they apply to all employees, including staff and faculty, or will they be specific to the type of employment status?

How will the reduction in academic-year faculty salaries be determined? On a per diem basis? As a percentage of salary? Another method?

How will the reduction in salary or increase in curtailment days impact retirement benefits? What types of changes would be made to the University of California Retirement Plan and other policies? Is a Capital Accumulation Provision such as was implemented in the 1990s one of the options?

Is it possible to modify UCPATH adequately and in a timely manner to ensure there will be no payroll disruptions?

What is the total number of vacation hours held by fiscal-year academic faculty? Can they be voluntarily redistributed?

How will this program affect undergraduate and graduate student employees, teaching assistants, postdoctoral fellows, and other non-faculty academic employees, including those belonging to unions?

UC RIVERSIDE Academic Senate

GRADUATE COUNCIL

October 21, 2020

To: Jason Stajich, Chair
Riverside Division

From: Amanda Lucia, Chair
Graduate Council

Re: 2020-21 Curtailment Program

The Graduate Council reviewed the proposal for the 2020-21 Curtailment Program and agreed more review time is needed to provide meaningful feedback.

The proposal states "Unless otherwise exempted, all staff and fiscal-year academic personnel would participate in the program." and "For academic-year faculty, the program would be implemented as an equivalent reduction in salary (based on the salary tiers established under the program) but would not result in additional paid or unpaid time off." It is unclear who exactly is bearing this burden – will upper level administration also participate in the curtailment? Is the burden being distributed equitably?

The proposal states “We will only move forward with a curtailment expansion after implementing other prudent financial savings measures.” It would be helpful to know what the ‘other prudent measures’ are.

It was unclear to the Council why a new process is being designed when UC already has a furlough program in place. Why are time and resources being devoted to reinventing the wheel? It would be helpful to see a discussion of why curtailment is superior at this time to other mechanisms for salary savings.

Lastly, the Council was deeply concerned that campuses and their respective committees were given such a short time period with which to review and discuss this measure. Such action seems to be an attempt to bypass legitimate consultation and discussion.

UC RIVERSIDE

Academic Senate

COMMITTEE ON DISTINGUISHED TEACHING

October 21, 2020

To: Jason Stajich, Chair
Riverside Division

From: Susan Straight *Susan Straight*
Chair, Committee on Distinguished Teaching

Re: Systemwide Review of Proposed Curtailment Program

As the committee composed of Distinguished Teaching professors and charged with recognizing teaching excellence, we have concerns regarding how the proposed "curtailment" plan will impact teaching at the University:

First, although the proposal explicitly states that the curtailment would be scheduled to minimize impacts on teaching, the reality is that any curtailment will negatively impact teaching. Faculty are spending extraordinary amounts of time adapting their courses to remote learning, making it much harder to accomplish other research and service duties. The anticipated forthcoming teaching assistant (TA) reductions will reduce the quality of instruction further and exacerbate the workload on faculty and the remaining TAs. Curtailment will further reduce the time faculty have for teaching and their other departmental duties.

Second, the economic stress of curtailment will distract faculty from their teaching mission. For junior faculty, many polled expressed strong desire for amortization of the curtailment over the long term rather than experiencing a sharper economic hardship of curtailment in a single month. Also, many faculty expressed very strongly that lecturers not be part of an extended curtailment at all, even if it means that some full-time faculty take a larger pay cut. Faculty pointed out that the job security of lecturers is already a deep concern, and "curtailment" would affect lecturers adversely.

Some more senior faculty may have service credits which exceed the maximum for retirement salary, as expressed as a percentage of the highest three consecutive years' salary. If 2020-21 would be the third of the highest paid years for those faculty, they might reasonably consider retiring at the end of the year, saving the campus significant salary expense starting in 2021-22. If the curtailments reduce their 2020-21 base salary, however, the option becomes less attractive and is complicated by guessing how and when that base salary might recover to pre-COVID levels. Factors like this should be included in the specifics of stated goal of avoiding negative impacts to retirement benefits, since it both protects employees near retirement and because the salary savings resulting from retirements may help protect more recent faculty hires and the innovative teaching

they bring to the university. UCOP should consider polling long-serving faculty to gauge likely outcomes, using long-term retirement rate statistics.

Finally, it must be pointed out that proposed curtailment plans for staff are unknown at this time, but staff are already asked to work longer hours, especially during COVID, and have been charged with running multiple departments due to staff shortages and reduced positions. Any proposal that requires staff to either forfeit pay for five days, or to use vacation days to avoid that “curtailment” in pay, would constitute a severe hardship.

UC RIVERSIDE | UNIVERSITY OF CALIFORNIA College of Natural and Agricultural Sciences
Executive Committee

October 22, 2020

To: Jason Stajich, Chair
Riverside Division

From: Theodore Garland, Jr., Chair, Executive Committee
College of Natural and Agricultural Science

Re: Systemwide Review - Report Review: Proposal: 2020-21 Curtailment Program Agenda

The Committee supports the intention of the Program, i.e., the tiered system protecting the lower-paid people on our campuses.

The Committee notes that the Proposal lacks detail about key issues needed in order to be able to make informed comments on this proposal. The proposal lacks clarity in both the implementation and, importantly, the budget impacts on UCR. Regarding implementation, it was unclear if each employee would choose their own curtailment days, or are curtailment days imposed on the whole campus?

The difference between curtailment, furlough and pay reduction is not clear. The documents implies that the effective pay cut is not likely to become permanent, and that there would be no impact on retirement benefits, if curtailment versus the other mechanisms is used to achieve the personnel cost reductions in light of budget reductions. But the language “The University would seek changes to the University of California Retirement Plan or other policies, as needed, to avoid negatively impacting employee retirement benefits” does not mean that those changes are assured.

Furthermore, the proposal states at least 5 additional curtailment days, and the Committee is concerned about how many days it will actually be at UCR, and where that curtailment cost savings would be recovered – at the campus or Systemwide. The Committee was concerned that UCR might impose more curtailment days that other campuses, and also that the budget savings would not accrue directly to UCR. This is especially concerning because UCR is underfunded. Information was lacking about what amount of a projected budget shortfall at UCR could or would be addressed through a Curtailment program.

UC RIVERSIDE | UNIVERSITY OF CALIFORNIA | Academic Senate

October 22, 2020

To: Jason Stajich, Chair
Riverside Division

From: Katherine Kinney, Chair
Committee on Planning and Budget

RE: Proposed Curtailment Program

The Committee on Planning and Budget discussed President Drake's Proposed Curtailment program at our regular meeting on October 20.

The Committee agrees with President Drake that the "scope and scale" of the financial challenges makes short-term reduction in payroll costs a potentially useful and perhaps necessary response, especially if it relieves pressure to reduce faculty and staff lines through attrition and layoffs.

The time period for review did not allow us to come to consensus on all issues, so we offer the following questions and concerns:

1) Is an actual curtailment being proposed, or is this a furlough by another name? If so, why? According to the proposal, curtailment refers to a period of leave without pay in which operations and thus work are greatly reduced. We ask for clarification on the degree to which work as well as pay will be curtailed.

2) We suggest the proposal include metrics be put into place to track the losses incurred as a result of curtailment. For faculty this could include: diminished research and publication productivity, decreased contact and instructional time for students, diminished university and professional service, loss of time for writing grant proposals, etc.

3) The question of applying curtailment to instructional days is a complex one, which elicited different responses from the members of the committee. One group believes that there needs to be realistic commitment to applying curtailment to instructional days if, as seems very likely, the workload of teaching faculty, especially lecturers and adjunct faculty, will almost certainly increase. Cancelling even one day of instruction would be a recognition of the seriousness of this step. More importantly, a reduction of instructional days is not the only negative impact, nor necessarily the most serious one, students will experience. Other members see instruction as the faculty's primary responsibility, which should be protected as long as possible. There is also the danger that applying curtailment to instruction days would start a downward spiral: students may request refunds on tuition; Sacramento would have to cut budgets even deeper, and so on.

4) The majority of the committee supports the proposal's tiered approach. A minority expressed the concern that a tiered approach could be misused to open a pathway for targeting faculty selectively based on other metrics and other measures. From this perspective, it is suggested that curtailment should be applied equally across the board so that no one or no group can be selectively targeted. Other members believed that the tiered approach should be strengthened. Faculty do not accrue vacation time and so cannot use it to mitigate impact at any salary range. Therefore, should junior faculty be exempt, or placed in a separate "tier" given their greater vulnerability to an interruption of their career trajectory? How will lecturers and adjunct faculty be affected?

5) The proposal emphasizes flexibility, requiring every campus to institute five additional curtailment days with the option of designating more. Policy guidance on how and when curtailment days will be created will guarantee employees and units can prepare for the reductions. We are most concerned that no endpoint for the program is defined in the proposal. Flexibility is one thing, but an open-ended ability to increase the number of curtailment days is difficult to support. We recommend including a sunset date for the program that would require new action to extend curtailment beyond a specific point in time.

UC RIVERSIDE Academic Senate

COMMITTEE ON PHYSICAL RESOURCES PLANNING

October 22, 2020

To: Jason Stajich, Chair
Riverside Division

From: Ben Bishin, Chair
Committee on Physical Resources Planning

Re: Systemwide Review: Proposal 2020-21 Curtailment Program

The Committee on Physical Resources Planning reviewed the Proposal 2020-21 Curtailment Program. Members responded with the following:

Some members oppose the curtailment program while others are open to curtailment as part of a strategy to address the budget issues.

Curtailment will have a detrimental impact on maintaining physical resources as planning would be interrupted by the apparent ad-hoc taking of curtailment days by many people who "do not conform to standard conventions of days “at work” or “off work.”

From a broader view, this seems like an appropriate approach to consider given the massive cuts the university is facing. But given the current lack of specific proposed curtailments it is hard to assess what the adverse impacts on physical resources might be.

It seems as though many of those directly affected would not be expected to actually curtail activities (e.g., academic faculty) who would just take this curtailment in the form of salary cuts. For those workers, the proposal seems to lie outside the committee's jurisdiction. This aspect of the plan would seem to lie outside of the committee's jurisdiction given the undefined portions of the plan.

The document states that “Campuses would identify essential workers who would be exempt from the program” presumably because their work is important. However, later it is stated that “Exempt employees will not be allowed to perform any work during the curtailment period in order to comply with provisions of the Fair Labor Standards Act (FLSA).” These two statements seem to conflict each other.

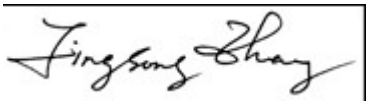
Will each campus be responsible for how to implement the curtailments? Who will be exempt, etc., but the process by which each campus will make these decisions (e.g., presumably some working group or groups would be formed?) is also not stated in the proposal.

UC RIVERSIDE Academic Senate

COMMITTEE ON PREPARATORY EDUCATION

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Jingsong Zhang, Chair 
Committee on Preparatory Education

Re: Systemwide Review: Proposal 2020-21 Curtailment Program

The Committee on Preparatory Education reviewed the amended Proposal 2020-21 Curtailment Program. Members responded with the following:

The committee notes that in order to "curtail" staff wages and workdays it requests a commensurate adjustment to deadlines, paperwork, and all the other support that will impact students, especially to all the procedures for preparing and admitting students. If staff take five unpaid days without some leniency given to the deadlines and amounts of work they will actually administer, then the curtailment will negatively affect students and prospective students. The curtailments need a supporting context.

The committee also notes that any forthcoming curtailments for faculty be similarly contextualized. If waged staff are being asked to stop working for five days, then the same principle should be applied to faculty. Since faculty are not typically able to simply stop ongoing research, teaching, and service obligations, those who propose these curtailments should lessen faculty responsibilities, the expectations for their productivity, and so on, commensurate with any proposed curtailments. Curtailment implies that there will be a reduction in responsibilities or workload. It is unclear how that will work for faculty. The proposal does not seem open to a curtailment of teaching responsibilities or even University service, so it seems that the faculty can only curtail their research. Yet, that could have negative consequences to faculty's career progress. This proposal needs further development.

The proposal is vague. Its aim is to allow campuses to save money through salary savings, but significant details are lacking. Will 11-month faculty be permitted to use their vacation days while 9-month faculty, with no vacation, have no option but unpaid days? How would the accounting be handled? What would the estimated savings be? Would this impact quarter system campuses differently than the semester system campus, with our shorter winter break?

“For academic-year faculty, the program would be implemented as an equivalent reduction in salary (based on the salary tiers established under the program) but would not result in additional paid or unpaid time off.” Can academic-year faculty use their research grants to pay the 5-day curtailment or compensate the portion of salary loss/reduction? Please consider that academic faculty’s job function in research/teaching/service never stops with or without curtailment. If the curtailment does not reduce faculty teaching/service, it essentially asks to jeopardize faculty research programs and student training/mentoring or keep working without pay.

What does it mean “based on salary tiers”? The same percentage of cut for everyone or different percentage for each person? How is that determined to ensure transparency, fairness, and accommodation of family needs of disadvantaged/vulnerable faculty groups?

The committee is also concerned that a fundamental reason underlying the financial distress of UCR is the inequitable distribution of money to campuses by UCOP. Our campus would be more likely than other campuses to need to recoup salary savings from personnel. One of the impacts will be to further exacerbate the salary inequities between our campus and others, not to mention the impact on our students.

UC RIVERSIDE

Academic Senate

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Alejandra Dubcovsky, Chair
Committee on Library and Information Technology

Re: Systemwide Review of Proposed Curtailment Program

The Committee on Library and Information Technology initiated an initial discussion of Re: Systemwide Review of Proposed Curtailment Program at their October 15, 2020 meeting and cited several concerns relating to the Committee's charge of Library and Information Technology.

Report was very vague and unclear making it both hard to read and evaluate. It suggested adding a number of curtailment days to select Staff members (with the number determined by a salary tier) and a reduction of salary for the Faculty (again with the percentage determined by a salary tier). There were no specifications regarding these salary tiers or how they would be determined. We needed some more information on what an "equivalent reduction" would mean for academic-year faculty (i.e. what does a 5-day curtailment equate to in terms of salary %). Moreover, it is not clear from the report how some of these measures actually save money. The expected savings from the plan should be presented as a fraction of the total budget-deficit.

The proposal for Staff curtailment dates would affect each UC campus differently. The UCR Library is deeply understaffed, with over 35% of its subject field librarian positions already vacant. Between 2009 and 2012, the Library permanently lost 52 of its 155 positions. Collection budget was reduced from $6.6 million to $4.15 million per year. It continues to lag behind the other UC libraries, even though it provides resources to more students. The library staff has worked tireless to meet the needs and demands of the university with increasingly shrinking staff and resources. These cuts would further exacerbate the inequalities among the UC's.

	Berkeley	Davis	Irvine	UCLA	Riverside	San Diego	Santa Barbara

Professional Staff	258	76	69	174	42	130	43
Support Staff	114	58	106	201	53	113	94
Student Assistants	132	29	28	101	22	47	41
Total Materials Expenditures	$21,588,999	$8,860,434	$9,093,617	$18,479,203	$4,166,138	$8,024,138	$6,044,229
Total Library Expenditures (minus benefits)	$59,041,585	$22,127,010	$22,727,972	$59,149,679	$13,016,768	$30,672,107	$20,508,706

Graph Credit to Steven Mandeville-Gamble, University Librarian

Similarly, UCR Technology Information is deeply understaffed and overworked. when compared to other UC's. In a Central IT Staffing Comparison of ratios of ladder-rank faculty + students to central IT staff, by campus, it showed 83/1 (UC Santa Cruz), 97/1 (UC Irvine), and 181 (UC Riverside). UCR is already requiring IT staff to serve twice as many students per staff member.

The point is that UC Riverside (especially compared to other UC's and compared to other Libraries and IT Services) is stretched very thin. These proposed cuts and furloughs (which is what these curtailments truly are) would deeply affect already overburdened services within an already overtaxed institution.

UC RIVERSIDE Academic Senate

COMMITTEE ON MEMORIAL RESOLUTIONS

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Thomas Perring 
Chair, Committee on Memorial Resolutions

Re: Systemwide Review of Proposed Curtailment Program

The UCR Senate Committee on Memorial Resolutions appreciates the opportunity to comment on the proposed curtailment program. We applaud the basic values of the Office of the President to take a measured approach, protect jobs, develop a plan based on income level, spread the impact over all campuses and locations, and maintain flexibility.

First it is clear that UC has suffered tremendous economic loss in the Covid shutdown, but it is not clear what reserves the University has to apply to the crisis. We refer to a letter sent to Chancellor Wilcox on September 22, 2020, from the Board of the Riverside Faculty Association. In that letter, there is reference to the University being financially well-positioned, having sufficient "rainy day" funds to weather tough economic times. Whether they are sufficient enough is unknown and the financial situation of the University and of each campus should be clearly stated. Otherwise, it will be difficult to get system-wide buy-in.

Our comments to the curtailment proposal are:

1. While it was stated that curtailment periods would not adversely affect instruction or clinical operations, and there could be exemptions for "medical/clinical staff, or staff deemed essential for the health and safety of students and employees, such as staff needed for COVID deep-cleaning of facilities," we point out that there also are critical research programs underway, some of which depend on live plants and animals that must be cared for daily. You note in the considerations that "it will be challenging for some employees to take full advantage of curtailment days due to the nature of their work obligations." We want to emphatically state that shutting down some programs is not just challenging, but would be devastating to the research. Our recommendation is that definition of "essential workers" be defined by Departmental units who know their research programs best.

2. We support the tiered aspect of the program as higher paid employees can weather a 5 day pay cut while lower paid employees cannot. Of course, the details will determine the fairness of the program. We also note that within any pay category (even high ones) employees may have

circumstances where a 5-day pay cut could cause undue hardship. Therefore there should be a petition process for employees who have valid reasons to be exempt from the pay adjustment.

3. While not part of the proposed plan, employees in the high-pay categories may be inclined to support a fund for lower paid employees. Details would have to be worked out, but it is worth considering.

UC RIVERSIDE

Academic Senate

COMMITTEE ON COURSES

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Ming Lee Tang, Chair
Committee on Courses

Re: Proposed Curtailment Program

The Committee on Courses reviewed the proposal for a curtailment program and understand the need for a minimum of an extra five days of curtailment for the fiscal year 2020/2021. However, the Committee noted concern that the proposed curtailment from December 21 to 23, 2020 would be extremely disruptive as departmental enrollment managers, the Registrar's office and faculty would not be available to process student grades and respond to appeals and questions. This is the result of the December 21 deadline for Fall 20 grade submissions, which is immediately after the conclusion of finals week on December 18. Enrollment in Winter 2021 classes hinges on fulfilling prerequisites satisfied in Fall 2020, which is in turn dependent on final exam scores being entered by the December 21 deadline. The Committee recommends that if curtailment must be imposed from December 21 to 23, that the burden fall only on administrators, staff and faculty not directly involved in instruction or the support of UCR's teaching mission.

School of Medicine
Division of Biomedical Sciences
Riverside, CA, 92521

October 22nd, 2020

To: Jason Stajich, Ph.D., Chair, Academic Senate, UCR Division

From: Declan McCole, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

Subject: SOM FEC Response to the Proposal on *2020-21 Curtailment Program*

Dear Jason,

The SOM Executive Committee reviewed the Proposal: on *2020-21 Curtailment Program* submitted by the UC President Michael Drake. The FEC acknowledges that while this is a measured response, the difficulties of the financial situation of the UC will require a certain amount of 'hurt' to be experienced by all campuses and faculty. We applaud the very conscious efforts to explain that this is a discussion document and not a dictate.

The following discussion points were raised:

- We endorse the tiered approach.
- The document is vague and open-ended by design. There was concern that acceptance of a five-day curtailment introduces 'a floor' rather than 'a ceiling' of unpaid time off.
- There was also concern as to how will research core facilities personnel be affected as this will have potential unforeseen impacts on multiple faculty and lab staff.
- Additional clarity on potential impacts on retirement/pension plans would be welcomed.

Yours sincerely,

Declan McCole

Declan F. McCole, Ph.D.
Chair, Faculty Executive Committee
School of Medicine

UC RIVERSIDE Academic Senate

COMMITTEE ON EDUCATIONAL POLICY

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Stefano Vidussi, Chair
Committee on Educational Policy

RE: Proposed Curtailment Program

The Committee on Educational Policy reviewed the proposal for a curtailment program and the general sentiment of the Committee is that the proposal provides insufficient details on how the proposed program will in fact be implemented so as to guarantee the proposed goal of a reduction in salary so that the highest paid faculty receive the largest percentwise reduction in salary. Members support the idea that the proposed reductions are temporary; permanent reductions would have a very negative effect on retirement income, although it has been observed that a timeframe in the proposal for the implementation of these measures would be useful. Concern is noted that if salary cuts are enforced, they should be distributed along the Academic year so that not to cause a sudden significant drop in monthly income, which would disproportionally affect employees with lowest salaries. Members support the idea that curtailment days should be chosen strategically so that they do not adversely affect instruction; for instance, in order to avoid excessive workload for the staff during the regular terms, curtailment in mid-summer may minimize negative impact. Some members recommended that changes to the academic calendar should not reduce the length of instruction. Additionally, some members observed that the curtailment of any administrative activities that support education and student services must be specified and is likely to have some negative effects. In general, the expectation is that any curtailment is likely to directly or indirectly cause a negative impact to the quality of instruction and scholarly activity, especially keeping in mind that the passage to distance instruction is extremely time consuming.

UC RIVERSIDE Academic Senate

COMMITTEE ON INTERNATIONAL EDUCATION

October 23, 2020

To: Jason Stajich, Chair
Riverside Division

From: Heidi Brevik-Zender, Chair
Committee on International Education

Re: Systemwide Review: Proposal: 2020-21 Curtailment Program

The Committee on International Education reviewed the Proposal: 2020-21 Curtailment Program at their October 22, 2020 meeting and note that the document is vague. The committee has the following questions/feedback:

1) How is curtailment different from furlough in relation to benefits?
2) What is the maximum curtailment period?
3) Is the curtailment program temporary (just for this academic year) or is this going to occur for several years?
4) The committee would like clarification if the curtailment is in addition to the 10-15% budget cuts already being asked of departments.
5) What is meant by "Depending on the curtailment periods, changes to the academic calendar may be required"?
6) Efforts to ensure that higher-compensated employees shoulder a greater burden are warranted and having a plan that is progressive and tiered is appreciated.
7) Compensating faculty impacted by curtailment with sabbatical credit would be appreciated.

UNIVERSITY OF CALIFORNIA
UC RIVERSIDE | School of Business
A. GARY ANDERSON GRADUATE SCHOOL OF MANAGEMENT

October 22, 2020

To: Senate

From: School of Business Executive Committee

Re: [Systemwide Review] Proposal: 2020-21 Curtailment Program

The School of Business Executive Committee discussed the above document. During the discussion, some concerns were raised, which are detailed below:

1. The document specifies a minimum of five curtailment days but does not specify a maximum period of curtailment, raising concerns about the number of curtailment days that employees in higher-income tiers may be faced with, given the expectation of a progressive curtailment program.

2. While the curtailment program talks about avoiding a negative impact on employee retirement benefits, there were concerns about how the lower salary resulting from curtailment would impact the pension of a soon-to-be retiring employee, whose pension would be based on the highest salary drawn over 36 contiguous months of service.

UC RIVERSIDE UNIVERSITY OF CALIFORNIA
Marlan and Rosemary Bourns College of Engineering

Marlan and Rosemary Bourns College of Engineering
446 Winston Chung Hall
900 University Avenue
Riverside, CA 92521

October 25, 2020

TO: Jason Stajich, Chair
Academic Senate

FROM: Philip Brisk, Chair
BCOE Executive Committee

RE: Systemwide Review of Proposed Curtailment Program

Dear Jason,

On October 15th, the BCOE Executive Committee reviewed the proposed campus curtailment program for the 2020-21 academic year. Despite structural deficits due to lower per-student funding from UCOP compared to peer UCs over the long term, UCR has achieved the same levels of academic excellence, and in addition, has achieved the distinction of being the number-one university in the nation for social mobility. UCR is facing long-term challenges that are unique to its position; curtailment may provide short-term help, but does not address UCR's current budgetary situation, and does not address the ultimate crisis on the horizon, which is that academic units are presently facing 10-15% cuts in their budgets that may decimate both the teaching and research mission of the University.

The general sentiment of the Committee was that the proposal was unnecessarily prescriptive: we are all aware that budget cuts are on the horizon, but it is unclear why it would not be preferable for each UC Campus to chart its own path, leveraging existing shared governance structures between the Administration and Senate Division. While extended curtailment is a worthwhile option to consider, and may be the correct choice for some, if not all UC campuses, the decision is best made locally in accordance with the mission and finances of each individual campus. Each campus should be afforded the opportunity to be strategic and to look at the strengths, weaknesses, and needs of specific programs, and to develop creative new revenue scenarios for the immediate and distant future. Rather than prescribing curtailment as mandate, a more palatable alternative would be to specify upper limits on what Chancellors can do.

- The Committee recognizes the need for budgetary adjustment in the fact of COVID-19, but it seems premature to start making structural adjustments:
- It is challenging to predict the anticipated duration of the pandemic and whether or not society will be able to eventually adjust.
    - Why is curtailment being proposed now as a short-term measure, as opposed to making a more substantive longer-term plan?
    - We want to make sure that we do not handicap ourselves long-term over a problem that many not fully materialize.
- How much money is projected to be saved through curtailment?
- Why is no substantive information about budgets provided?

Additionally, the Committee would like to advise that some aspects of a blanket curtailment may be counterproductive from a budgetary perspective. Several BCOE constituents pointed out that UCR temporarily froze construction in response to the 2008-2009 economic downturn; the net result was that UCR actually lost money due to the overhead of temporarily stopping and restarting construction projects after just a few weeks. No activity should be curtailed unless there is reason to believe that financial savings can be accrued.

Beyond that, many aspects of what is being proposed in the memo are exceptionally vague; as such, it is not possible to adequately evaluate and provide substantive feedback on the technical details of the proposal. The following comments, questions, and recommendations reflect an earnest attempt to understand the curtailment proposal, and highlight issues that the Committee, considered to be particularly relevant:

- It is not possible to evaluate the proposal without knowing the following:
    - What will be the cutoffs for salary tiers?
    - Who may and may not use accrued time?
    - Who will make the determination and how will it be made?
    - Will the determination process be top-down or will it involve shared governance?

- How are income levels determined?
    - This is particularly challenging when assessing faculty income, due to there being multiple salary scales as well as off-scale salary.
    - It is unclear whether or not this proposal would affect the rate that faculty are paid during the summer, e.g., through extramural research grants.
    - The Negotiated Salary Trial Program (NSTP) creates an additional set of challenges that have not been thought through. NSTP for 2020-2021 has already been negotiated, and legally cannot be changed for the year.
        - Would faculty receiving NSTP be exempt from curtailment?

- Curtailment is by definition temporary; a reduction is salary is by definition permanent. With respect to faculty salary, it is unclear if what is being proposed here would be implemented as a reduction in salary or as furloughs.
    - Furloughs are preferable, as they ensure that summer salary and negotiated salary are not affected.

- Will curtailment impact healthcare in any way?
    - This includes any of the UC-negotiated healthcare plans, not just UC Care.

- <u>Researchers on soft money positions who are funded exclusively by extramural grants should not be curtailed!</u>

While the BCOE Executive Committee represents the Faculty, the Committee recognizes that staff issues are critical to university operations. The Faculty has the following concerns:

- It is not possible to evaluate the proposal without knowing the following:
    - Who will determine which curtailment schedules do or do not "adversely affect instruction or clinical operations?
        - Many staff perform functions that are critical outside of the dates that comprise the quarter, including during the Winter and Spring breaks.
    - What is the timeline to make the determination?
    - What is the time period in which curtailment is expected to be used?
        - By the end of the fiscal year?
        - Within 12 months?

- A minimum of five days of additional curtailment was proposed. What is the rationale for this specific number?

- Concentrating curtailment days to a specific month will create significant hardships for all employees (not just faculty) who do not have savings to draw upon.
    - Curtailment of 1 day per month over five months would be much easier to withstand compared to curtailment of 5 days within a single month.
    - This is especially true during the Holiday season, where family-related expenses typically increase.
    - As much advance notice as possible of any specific curtailment decision will help employees plan for reduced income.

October 23, 2020

TO: Jason Stajich, Chair
Riverside Division

FROM: Lucille Chia, Chair Lucille Chia
CHASS Executive Committee

RE: Review of Proposed Curtailment Program

The CHASS Executive Committee's discussion included the following points. This memo would have been longer if it had been able to address specific details about the curtailment, but such details are absent in the proposal we reviewed. It is very difficult to give full feedback with limited information.

"Curtailment" as described in the proposed program sounds very much like "furlough" in earlier times when the UC system faced financial difficulties. Moreover, "The proposed curtailment program . . . intended for consideration and discussion. A final decision will come after a 30-day period of consultation with internal UC stakeholders." This 30-day period seems rather short, and we feel that to know possible options considered in these already near-final decisions would have made our deliberations more meaningful.

Important details **not** clarified or specified include:

1. The minimum curtailment period is set at 5 days, but what is the maximum? For how long would this longer curtailment be in effect? Will this be a system-wide decision, or one for each campus to determine? Will this curtailment affect time in service, which ultimately affects retirement?

2. The curtailment program would be progressive based on income level, based on a tier-plan. What are the tiered cut-off points? Since this is an important aspect of the program, the impact of the progressive approach needs to be defined for employees.

3. Curtailment is explained as a period of leave, typically unpaid, instituted in connection with the suspension of certain operations for defined periods of time. What are the targeted areas of shutdown? How does this include those in a remote status? How does this affect campus operations? Does curtailment refer to a block of time or two days a month (effectively a furlough)? Will curtailment periods occur each quarter?

"Depending on the curtailment periods, changes to the academic calendar may be required." Please clarify.

4. The full curtailment plan must clarify the short-term and long-term effects for UC employees. For instance, just one sentence in the proposal addresses retirement, but it is very vague and unclear as to how the employee's retirement would be protected.

5. "*We will take a measured approach*. We will only move forward with a curtailment expansion [oxymoron?] after implementing other prudent financial savings measures." **What are these?**

--"Reference to salary" and "pay" below are intended to refer to base pay and similar forms of regular pay and stipends. . ." What about both before- and after-tax deductions and employer-paid benefits? How will these be affected by the curtailment?

6. The staff and faculty will be affected differently by any proposed "curtailment," but these differences are not clearly stated in the proposal.

--Employees will be required to take a minimum of 5 curtailment/furlough days, with the number of required days increasing according to pay scale. Without any draft of what that rubric might look like, we have no idea as to the maximum number of days some employees would be required to take. Many staff would be vulnerable to unadjusted expectations about their responsibilities, and their curtailment days might well be spent working to meet those responsibilities.

--Faculty would be subject to pay cuts that would be based on pay-per-day in accordance with salary tiers that have not been clearly defined. Moreover, given the complex time requirements of faculty teaching, research, and service (as in "shared governance") responsibilities, reduction in pay would not be commensurate with any reduction of expectations for faculty work. Thus, the sentence "It will be challenging for some employees to take full advantage of the curtailment days due to the nature of their work obligations" states the obvious with a dollop of obfuscation.

--Faculty members have been encouraged to proceed with going up for merits, promotions, and other personnel actions, which require much effort and time compiling their e-Files. How will the curtailment affect these personnel actions?

7. Finally, brutal honesty compels us to point out, yet again, that while the proposal implies that the curtailment measures would be spread out evenly across all UC's, this further exacerbates the vast differences among the ten campuses. UCR is far more deeply understaffed and under-resourced than UCLA, UC Davis, or UC Irvine. Asking UCR to make the same cuts or the same percentage of cuts would put even more strains on a strained institution.

UC RIVERSIDE
School of Public Policy

School of Public Policy
University of California, Riverside
INTS 4133 | 900 University Ave
Riverside, CA 92521

TO: Jason Stajich, Chair
Riverside Division

FR: Richard M. Carpiano, Chair
Executive Committee, School of Public Policy

RE: [Systemwide Review] Proposal: 2020-21 Curtailment Program

Date: October 23, 2020

The Executive Committee of the School of Public Policy reviewed the Proposal document for the 2020-21 Curtailment Program ("Proposal: 2020-21 Curtailment Program"). Overall, members noted that, as detailed in the proposal document, the lack of specific details made it difficult to evaluate and provide sufficient feedback. Notably, some unclear details included the number of days beyond the minimum of five and the lack of identification of salary tiers.

UNIVERSITY OF CALIFORNIA, SAN DIEGO UCSD

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October 22, 2020

Professor Mary Gauvain
Chair, Academic Senate
University of California
1111 Franklin Street, 12th Floor
Oakland, CA 94607

Re: Proposed Curtailment Program

Dear Professor Gauvain,

The 2020-2021 UC Curtailment Program proposal was distributed to San Diego Divisional Senate standing committee chairs and discussed at the October 19, 2020 Divisional Senate Council meeting. Despite the very short turnaround necessary to provide our feedback to the systemwide Senate on this very important topic, the following Divisional committees reviewed the proposal: the Committee on Privilege and Tenure, the Committee on Committees, the Committee on Academic Information Technology, the Committee on Planning and Budget, the Committee on Campus and Community Environment, the Committee on Preparatory Education, the Committee on Research and the Committee on Diversity and Equity.

Four major themes emerged.

1. Because each campus entered the current fiscal crisis in different financial positions, the program should provide flexibility for campuses to tailor the program to best suit each campus' unique financial needs. A one-size-fits-all approach would not be optimal. For example, each campus should be given the authority to determine the appropriate number of curtailment days, with no minimum specified.
2. The information regarding the impact of the program on future retirement benefits was not definitive, and we would like a binding commitment that the program will not result in reduced retirements for participants.
3. The amount of savings to be generated from the program should be estimated and published.
4. There were insufficient details for faculty to properly assess the program.

Faculty reviewers raised a number of questions.

- What is the difference between a furlough and curtailment?
- What is the time frame?

- What other budget reductions are being implemented, and is this program truly necessarily?
- Can UCPath handle the program in general, and in particular, the Health Sciences Compensation Plan Y and Z components?
- What are the actual cut-offs for the salary tiers? Would they be determined at the campus level?

A faculty reviewer raised the following concern: *Those faculty who are scheduled to work over the holiday in health care facilities will see no cuts – will this lead to a surge in request to work over the holidays followed by a surge in post-holiday vacations?*

The same reviewer questioned whether the proposed program violated APM 730(18)(a-b), Leaves of Absence/Vacation and APM 720-4, Leaves of Absence/Holidays.

- APM 730(18): *Vacations are subject to the following provisions: a. Regularly scheduled days off and University administrative holidays shall not be charged against vacation time. b. Periods of academic recess are not regarded as vacation.*
- APM 720-4: *Official holidays for both academic-year and fiscal-year appointees are those administrative holidays annually in the University Calendar. Periods of academic recess are not regarded as holidays. For both academic-year and fiscal-year appointees periods of academic recess are only recess from meeting formal classes. They are not recess from research, committee and other administrative duties, or other University obligations.*

The Committee on Academic Information Technology suggested that IT personnel be exempt from the program due to the essential work that IT personnel perform in keeping the campus infrastructure functional and secure, and in support of online teaching. In addition, retention is a concern. Other faculty commented that lab equipment and maintenance needs to be taken into consideration.

Some faculty reviewers urged that soft-funded personnel be exempt from the program, because the budget cuts are to state funding, not extramural funds, and pointed out that UC would lose the indirect costs funding. Other reviewers raised issues of equity if given sections of the community, such as soft-funded positions, are allowed to "buy out". Other reviewers pointed out that soft-funded personnel are always at risk of losing their funding, and thus, state-funded personnel are generally advantaged in that regard.

Finally, reviewers commented that for many academic personnel, there is no reduction in work and that a "salary cut" might be a more accurate description of the program.

Sincerely,

Steven Constable
Chair
San Diego Divisional Academic Senate

cc: Tara Javidi, Vice Chair, San Diego Divisional Academic Senate
Ray Rodriguez, Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, UC Systemwide Academic Senate

UCSF Academic Senate

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Sharmila Majumdar, PhD, Chair
Steven Cheung, MD, Vice Chair
Pamela Ling, MD, Secretary
Jae Woo Lee, MD, Parliamentarian

October 26, 2020

Mary Gauvain, PhD
Chair, Academic Council
Systemwide Academic Senate
University of California Office of the President
1111 Franklin St., 12th Floor
Oakland, CA 94607-5200

Re: Comments on the Curtailment Proposal

Dear Mary:

COVID-19 has caused a global economic crisis that has already had a profound impact on both California and UC, resulting in business closures, job losses, and has driven millions of Californians to seek unemployment and other assistance. Although California is doing better than some other states in restricting the viral spread, it is likely that the fall and winter will see increased cases and hospitalizations, further impacting UCSF's clinical activities, leading to additional declines in revenue. UCSF has thrown itself into fighting this pandemic, both as a health care provider, as a research enterprise, and as a force for mobilizing testing, contract tracing, and public health outreach, which should not be impeded by curtailment. More importantly, UCSF, along with UC's other medical centers will need to preserve its clinical personnel (both faculty and staff) if and when COVID-19 hotspots do inevitably re-emerge in the State as the pace of business and other economic activities increase.

While the UCSF Division of the Academic Senate can appreciate the need for the UC system to save money during this time, and is not directly opposed to cost-saving measures, **we feel the campuses should maintain a significant amount of flexibility in this regard.** At UCSF, our campus and medical center have already instituted and hiring and salary freezes.

The UCSF Senate has carefully and thoughtfully reviewed the proposed Campus Curtailment Program, and grounded many of its comments in Academic Council's Memo on 'Mitigating Negative COVID-19 Impacts' and Principles for Managing the COVID-19 Financial Crisis. Towards the end of providing Council with a comprehensive review, the UCSF Senate has garnered 15 responses from the following standing committees and faculty councils: APB, Clinical Affairs Committee (CAC), CAP, CEP, CFW, CoC, Courses (COCOI), COR, Senate Equitable Recovery Task Force (ERTF), Equal Opportunity Committee (EQOP), Graduate Council (GC), R&J, School of Dentistry Faculty Council (SODFC), School of Medicine Faculty Council (SOMFC), and School of Nursing Faculty Council (SONFC). UCSF's responses are divided into the following categories:

- *Educational Mission*: Impact on course delivery and preparation, as well as associated negative impacts on students who will continue working during any curtailment.
- *Research Mission*: Deleterious impact on extramurally-funded researchers; UCSF requests exemption for grant-funded researchers and/or PIs. UC will also lose directs and recover less indirect costs.
- *Faculty Morale* (including salaries, career advancement);
- *Equity Concerns*: There are concerns that this proposal will have a disparate impact on URM and women faculty (as well as staff);
- *Clinical Activities and Revenue*: A curtailment would further restrict revenue and UCSF's ability to respond to the ongoing pandemic.
- *Disparate Impacts on Smaller Schools & Departments*: At UCSF, this proposal will probably have a disparate impact on both the School of Dentistry (SOD) and the School of Nursing (SON). Flexibility is therefore requested.
- *Lack of Clarity of the Proposal & Framework*, along with additional questions.

Educational Mission

CAP, CEP, COCOI, ERTF, Grad Council, the SODFC, and the SOMFC all expressed serious concerns about the impact of the curtailment program proposal on UCSF's educational mission. Indeed, it goes without saying that educators were among those impacted the most during UC's 2009 furlough program; the UCSF Division urges caution so this does not happen again. In particular, CEP remarked that the timing of the furloughs and seeks to ensure that the proposal considers the potential impact on all of our students and learners. Additionally, it remains unclear if the curtailment periods are being thought of in terms of grouped days – like during the winter closure – or if they would be spread out throughout the fiscal year. Spacing the days throughout the academic year might alleviate the financial pressure on those impacted and make it easier to adjust already compressed instruction and clinical schedules. Teaching effort is not only in the classroom, it is the behind the scenes preparation work, as well as ongoing monitoring of students (COCOI). **The UCSF Division also recommends, as was the case in the 2009 furloughs, that student employees, including postdoctoral, graduate and undergraduate employees, health sciences trainees and postdoctoral fellows will be exempt**. (CAP, Grad Council) Graduate Council adds that while students from the Professional Schools have set winter breaks, which this curtailment could elongate, Graduate Division students do not have these same breaks. On the other hand, support staff are forced to take mandatory time off. Subsequently, they will not be available to graduate students for various types of support (including mental health). This includes, but is not limited to, student life staff, including mental health staff, and program administration staff.

Within UCSF's Schools, the impact of the curtailment could be even more severe. SOMFC members asks If clinical services are curtailed/furloughed, what are the students on those rotations to do? If curtailments commenced, the SOD would have to close down clinic for furlough. If faculty furlough during clinic closures, that is always the peak time for course and education-related activities as it is the end of the quarter. Forcing faculty to take time off during clinic closures will cause a delay in course and education-related matters. However, even more importantly, a curtailment could result in the loss of accreditation for the SOD. The school already has been cited by CODA as providing inadequate clinical experience to students. Any additional loss of clinical or instructional time will move SOD farther away from the goal of providing students' more experience and removing our CODA citation. (SODFC)

Research Mission & Grant-Funded Faculty

COR is joined by most of the UCSF Senate's standing committees in advocating that faculty funded by extramural grants be exempted from a curtailment program (APB, CAP, CFW, CoC, ERTF, EQOP, SODFC, SOMFC, SONFC, and R&J) In making this recommendation, we note that grant-funded faculty were exempted in the 2009 UC furloughs.[1] COR articulated that sponsored research activities generate revenue for the University as extramural funding agencies pay direct and indirect costs including, but not limited to salary support. Curtailment would result in a reduction of direct costs charged to extramural grants and would reduce the amount of indirect cost recovered by the University. Indeed, faculty funded by external grants would only be returning money to their funders. (CFW) Moreover, these reductions run the risk of making our faculty less competitive for grants going forward. Curtailment does not save state funds, and will further jeopardize the research progress which has been impacted severely already by COVID-19. (SODFC)

Faculty Morale

CFW aptly observes that faculty researchers are already struggling to get their research and labs back on their feet to continue their work. Curtailing these faculty would send the message that their work is not valued and is not understood (see above). These faculty are required to find funding to support their work in both good and bad financial times, often without University support. Making them curtail their work as a performative act of solidarity hurts grant-supported faculty, hurts the University, and would lead to a new low in faculty morale. Many of these faculty have obtained new funding and shifted their research priorities to focus on improving health and disease understanding related to COVID. Faculty and staff are already strained by the pandemic. Adding curtailment days needlessly strains a system already grappling with patient backlogs and reduced capacity. **Many of our committee comments echo CFW's sentiments on faculty morale, making it one of our most important objections to the proposed curtailment plan.** (APB, CEP, COR, & ERTF) As compensation concerns play a significant role in overall faculty satisfaction, **the UCSF Division also recommends allowing determination of income tiering to low, high, and highest categories on a division by-division basis. Adopt a plan for salary adjustment to Health Sciences Compensation Plan participants that may include "X and X1" and "Y and Z".** Negotiated Y reflects expected clinical, research, and service contributions, and Z reflects clinical productivity in excess of expectation; both are sensitive to prevailing market conditions. (ERTF)

[1] See Regents Item J2 for the July 15, 2009 Regents meeting (https://www.ucsf.edu/sites/default/files/legacy_files/j2_0.pdf), p. 10, second bullet, under 'Fairness & Consistency.'

Equity Concerns

The UCSF Division is especially concerned with the disparate impact of a curtailment program on under-represented minorities (URMs) and women faculty. EQOP specifically asks for more detailed modeling for how URM/UIM faculty are affected under this proposal, as well as provisions to protect these groups, given the fact that they may likely have already been affected disproportionately by COVID-19. Likewise, CFW comments on the gender inequities wrought by this pandemic, particularly when one considers the increased child and dependent care responsibilities, which have made working particularly difficult. For example, a child with a runny nose can force a clinician to cancel three days of patient care duties. Finally, while the SONFC acknowledges that while the current proposal includes language of equity and of protection of lower income tier employees, more information is needed regarding the proposed salary tiers, for instance, at which point faculty and staff would be included under "lowest income tier."

Clinical Activities & Revenue

It is critical that UC Health be able to provide care to Californians in the ongoing pandemic. Clinicians are already under stress from patient backlogs, reduced capacity, the shift to telemedicine, surge planning, PPE shortages, and the risks of providing care when a deadly and highly contagious virus is circulating in our communities. Health care providers and their supporting staff should be able to continue the necessary work of recovery without further curtailment. As hospitalizations increase, and some clinicians are quarantined, there is the possibility that UCSF may need to draw upon those clinicians who are not principally engaged in COVID-19 care. Beyond providing essential care to Californians, it is also a financial lifeline for the University. Clinical work generates revenue, and UCSF faculty need support to do the work that generates that revenue. (CAC, CEP, CFW, CoC, R&J, SODFC, & SOMFC)

Disparate Impacts on Smaller Schools & Departments

UCSF's School of Dentistry (SOD) has been especially hard-hit by the pandemic, with many Dentistry faculty being laid off already. If faculty are furloughed at any other time other than the three weeks of defined clinic closures that SOD already has, the School will have to close down clinics and lose significant clinical revenue. This is the opposite intention of trying to earn clinical revenue to resurrect the SOD financially. (SODFC)

Within the School of Nursing (SON), several departments were forced to lay off most of their staff as a result of the last fiscal crisis of 2009. Despite the economy improving, over a decade later, those positions have never been fully restored. Consequently, what was supposed to be a short-term solution left permanent damage to these departments. Therefore, any curtailment (or furlough) program should address and mitigate against the short-term consequences that resulted from the last round of furloughs in 2008/2009, specifically those affecting staff numbers.

Lack of Clarity of the Proposal & Framework

The current proposal offers a poor framework, and lacks clarity, for achieving its stated goals. (APB, SONFC, & R&J) the proposal lacks critical details for determining thresholds for low/med/high pay categories to provide substantive feedback. (APB) R&J sought additional clarification on the following details, which require further clarification:

- Definition of "Essential": The proposal does not define "essential," and R&J is concerned that "essential" can be narrowly or broadly interpreted. R&J encourages the University to give each campus the latitude to individually define essential workers and apply curtailment to best serve the individual campus needs.
- Inconsistent use of "Exempt": The proposal uses the term "exempt" inconsistently. On p. 2, bullet point 5 and bullet point 6, the proposal suggests an exemption system that is specific to curtailment. On p. 3, bullet point 1, the proposal references "exempt employees" which R&J understands refers to a more general category of employment.

Thank you for the opportunity to provide feedback on this important proposal. If you have any questions, please let me know.

Sincerely,

S. Majumdar

Sharmila Majumdar, PhD, 2019-21 Chair
UCSF Academic Senate

Enclosures (15)
Cc: Steven Cheung, MD, Division Vice Chair
Paul Volberding, MD, Academic Planning & Budget Chair & Equitable Recovery TF Co-Chair
Kathleen Liu, PhD, Clinical Affairs Committee Chair
Sandy Feng, MD, PhD, Academic Personnel Chair
José Gurrola, MD, Educational Policy Chair
Jill Hollenbach, PhD, MPH, Faculty Welfare Chair
Janice Tsoh, PhD, Committee on Committees Chair
Elena Nedelcu, MD, Courses of Instruction Chair
Marguerita Lightfoot, PhD, Research Chair
Errol Lobo, MD, PhD, Equal Opportunity Chair
Roland Mullins, PhD, Graduate Council Chair
Katherine Yang, PharmD, Rules and Jurisdiction Chair
Gwen Essex, RDH, MS, EdD, Dentistry Faculty Council Chair
Matthew Amans, MD, Medicine Faculty Council Chair
Kristen Harknett, PhD, Nursing Faculty Council Chair

UCSF Academic Senate

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Academic Planning & Budget
Paul Volberding, MD Chair

October 22, 2020

TO: Sharmila Majumdar, UCSF Academic Senate Chair

FROM: Paul Volberding, Academic Planning & Budget Chair

RE: Systemwide Review of the Proposed Curtailment Program

Dear Chair Majumdar:

The Academic Planning & Budget Committee (APB) has reviewed the UC proposal for a Systemwide Curtailment Program in fiscal year 2020-2021, which was circulated during the week of October 12, 2020. APB would like to provide the following comments response.

Proposal Framework
The current proposal offers a poor framework for achieving its stated goals. APB can appreciate the need for the UC system to save money during this time. However, a requirement for all faculty--specifically grant-supported and clinical faculty--to take unpaid leave fails to accomplish this and requiring "lower income tier" staff to burn through their vacation leave is detrimental and unfair. More generally, the proposal lacks critical details for determining thresholds for low/med/high pay categories to provide substantive feedback.

Compounded Harms upon Faculty
The proposed measures fail to account for faculty who have already been subjected to local cost-saving measures by their campus (*i.e.,* UCSF's hiring and wage freeze) and/or layoffs within their respective schools/depts. For example, UCSF's School of Dentistry has already been forced to lay off several faculty and staff since June, resulting in a shortage of available faculty for leading pre-clinics/clinics. To add furloughs on top of that would be an extreme hardship.

Grant Supported Faculty
Personnel whose salaries are funded from external sources should not be included under this plan. Forcing grant-supported faculty and staff to not work and not receive pay fails to provide any benefit to the University. In fact, this plan could force the University to remit funds. Research projects--and by extension research funds--may be restricted to a specific timeline that prevents the funds from being extended. In turn, funds that could not be used in time would have to be returned.

Revenue Generating Faculty
Any faculty and staff who generate revenue should be able to continue generating revenue regardless of whether that work is considered “essential.”

Vacation Accruals
Higher salaried positions should be permitted to use accrued vacation time. Those accruals function as a strain on the budget, whereby allowing higher salaried employees to draw down their individual accruals could provide additional relief to the overall budget. Alternatively, those with high vacation accruals could also donate them to staff who do not have time accrued. At the very least, employees should be given a choice between using vacation time or leave without pay for curtailment.

Thank you for the opportunity to comment on this important proposal.

Sincerely,

Paul Volberding, MD
Chair, Committee on Academic Planning and Budget
UCSF Academic Senate
2020-2021

UCSF Academic Senate

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Clinical Affairs Committee
Kathleen Liu, M.D., Ph.D., M.A.S., Chair

October 22, 2020

Sharmila Majumdar, Ph.D.
Division Chair
UCSF Academic Senate

Re: Systemwide Review of Proposed Curtailment Proposal

Dear Chair Majumdar:

The Committee on Clinical Affairs (CAC) writes to advocate for allowing the clinical work of UCSF and other health science campuses to continue operating with as few limitations as possible.

It is critical that UC Health be able to provide care to Californians in the ongoing pandemic. Clinicians are already under stress from patient backlogs, reduced capacity, the shift to telemedicine, surge planning, PPE shortages, and the risks of providing care when a deadly and highly contagious virus is circulating in our communities. Health care providers and their supporting staff should be able to continue the necessary work of recovery without further curtailment.

The University's clinical work is critical for the health of Californians, and it is critical for the financial health of the University. Curtailing the health system curtails the University's financial recovery, and the Clinical Affairs Committee urges the University to avoid placing systemwide impediments on the delivery of care during this crisis.

Sincerely,

Kathleen Liu, M.D., Ph.D., M.A.S.
Clinical Affairs Committee Chair

UCSF Academic Senate

To: Senate Chair Majumdar
From: Committee on Academic Personnel
Re: UC Systemwide Review of Curtailment Program
Date: October 16, 2020

The Committee on Academic Personnel (CAP) has reviewed the Curtailment Proposal provided by UC Systemwide. Committee members discussed the proposal at their October 14, 2020, meeting and recommend the following:

If curtailments are to be instituted at each UC Division, UCSF CAP members advocate:

- This only apply to UCSF employees who are not on federal or foundation grants, or non-state funds.
- UCSF employees who are "in training" – fellows, residents, post-docs and graduate students – should also be exempt from curtailments.
- If curtailments are to be instituted, CAP members strongly recommend that departments honor the hiring and salary freezes. The optics of furloughing current employees, while hiring new ones, opens UCSF up to criticism.

Committee members appreciate the opportunity to review this document, and look forward to a robust UCSF discussion on this topic.

The Committee on Academic Personnel

Sandy Feng, MD, PhD, Chair	Surgery
Steve Hetts, MD, Vice Chair	Radiology
Anne Chang, MD	Medicine
Andrew Posselt, MD	Surgery
Frank Szoka, PhD	Bioengineering
Margaret Wallhagen, RN, PhD, FAAN	Physiological Nursing
Torsten Wittmann, PhD	Cell & Tissue Biology
Pedram Aleshi, MD	Anesthesia
Vaikom Mahadevan, MD	Medicine
Richard Souza, PhD, PT	Physical Therapy

Alison Cleaver, Associate Director
UCSF Academic Senate
Alison.cleaver@ucsf.edu

UCSF Academic Senate

http://senate.ucsf.edu

October 20, 2020

Sharmila Majumdar, Ph.D
Chair, UCSF Academic Senate

Re: Committee on Educational Policy Comments on the Systemwide Review: Proposed Campus Curtailment Program

Dear Chair Majumdar,

The UCSF Committee on Educational Policy (CEP) discussed the Proposed Campus Curtailment Program and have the following concerns and questions.

The committee understands that we are in unprecedented times and under significant pressure given the impact of the COVID-19 pandemic. Regarding the Proposed Campus Curtailment Program, we would like to share the following concerns. We are collectively apprehensive about the significant worsening of faculty morale and satisfaction of all working at UCSF. As many of the faculty and staff have taken on new, unanticipated roles, the proposed furlough or a combination of furlough/progressive salary reduction based on tiered plans holds potential to significantly worsen the current morale. Many full-time faculty are already sharing the heavier burdens of the clinical coverages and didactic teaching, often while adapting to novel methods with limited resources. While several members felt the five-day curtailment seemed reasonable and appropriate to preferentially impact higher financial tier faculty/staff in order to protect lower paid faculty/staff, it is unclear if such requests are likely to increase and over what timeline. Faculty with heavier clinical loads are likely to be less impacted financially, however faculty who have a primary teaching role potentially stand to be greatly impacted. Several of our committee members noted that during the previous furlough in 2008-2009, faculty with primary education positions represented the group to bear the brunt of that curtailment.

Our Committee on Educational Policy remains concerned regarding the timing of the furloughs and seeks to ensure that the proposal considers the potential impact on all of our students and learners. Additionally, it remains unclear if the curtailment periods are being thought of in terms of grouped days – like during the winter closure – or if they would be spread out throughout the fiscal year. Spacing the days throughout the academic year might alleviate the financial pressure on those impacted and make it easier to adjust already compressed instruction and clinical schedules.

Related to these concerns are the following questions:

1. Will this curtailment request for academic year 2020-2021 come before the outcome of the election? Will subsequent funding or lack of funding to states and medical centers – and whatever the next four to six months represent in relation to the Pandemic – become the first of additional requests for curtailments in academic year 2021-2022? We have been advised that the financial savings for UCSF with this curtailment will not generate sizable funds, however if we push back on this smaller request for curtailment, might it result in a more sizeable curtailment request in the future?

2. Does the furlough's design of at least five days (and possibly more) allow faculty to apply for temporary UI (unemployment insurance) benefits from Federal and State? Do we know how the Federal funding to CA and UC system will be if the 2nd stimulus package passes before or after the November election? Perhaps the furlough or curtailment program's details should be made after knowing the State funding situation to the UC system.

3. In light of the Supreme Court decision on allowing the census to end early, does this have the potential to impact funding to UC as a downstream effect of undercounting the population?

Thank you for taking CEP's concerns and questions into consideration.

Sincerely,

José Gurrola II, MD
Chair, Educational Policy
UCSF Academic Senate
2020-2021

UCSF Academic Senate

https://senate.ucsf.edu

Committee on Faculty Welfare
Jill Hollenbach, PhD, MPH, Chair

October 22, 2020

Sharmila Majumdar, PhD
Division Chair
UCSF Academic Senate

Re: Systemwide Review of Proposed Curtailment Proposal

Dear Chair Majumdar:

Led by its dedicated faculty, UCSF has thrown itself into fighting this pandemic, both as a health care provider, as a research enterprise, and as a force for mobilizing testing, contract tracing, and public health outreach. UCSF's work is essential, and it should not be impeded by curtailment.

The Committee on Faculty Welfare (CFW) writes to advocate for campus control over programs that address the University's budget shortfalls. UCSF and other health science campuses are different from the general education campuses in many important ways that affect the practicality and potential impact of the Proposed 2020-21 Curtailment Program.

Curtailing the work of UCSF faculty is not only bad for faculty morale at a time when they have risen to the occasion to combat the pandemic, but it is unlikely to save the UC system money and could ultimately cost money. The majority of UCSF faculty generate clinical revenue for the University or support their own research and salaries through grants and gifts that are accompanied by overhead costs supporting the University.

The University should not curtail faculty who are supported by grants and gifts. It would be impractical and harmful to do so. The University of California would not realize any financial savings by requiring faculty who are supported by grants to curtail their work and return money to their funders. In fact, the University could lose money if the University curtailed grant-supported research and had to return direct and indirect costs to funders.

Faculty researchers are already struggling to get their research and labs back on their feet to continue their work. Curtailing these faculty would send the message that their work is not valued and is not understood. These faculty are required to find funding to support their work in both good and bad financial times, often without University support. Making them curtail their work as a performative act of solidarity hurts grant-supported faculty, hurts the University, and would lead to a new low in faculty morale. Many of these faculty have obtained new funding and

shifted their research priorities to focus on improving health and disease understanding related to COVID.

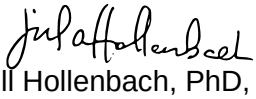
Similarly, curtailment should not cut back the clinical work of UCSF. UCSF should be able to continue providing health care to Californians without curtailment. The work is essential for patients, and it is also a financial lifeline for the University. Clinical work generates revenue, and UCSF faculty need support to do the work that generates that revenue.

CFW recognizes the severity of the financial crisis facing the University, but budget cuts should be designed to maximize savings and minimize harm. The “Proposed 2020-21 Curtailment Program” does not seem like it is designed for a health science campus like UCSF where so much of its work is revenue generating and supported by outside funders. CFW advocates for local control over budget cuts. This would allow UCSF to design a budget proposal that works best for UCSF and ultimately for the University at large.

UCSF has been part of a huge effort to fight COVID-19 by providing quality care despite shortages and surges, working to stop the spread of the disease, and doing research to find vaccines and treatments. A proposal to curtail that work instead of celebrating and redoubling it hurts faculty morale. Faculty and staff are already strained by the pandemic. Child and dependent care responsibilities have made working particularly difficult. A child with a runny nose can force a clinician to cancel three days of patient care duties. Adding curtailment days needlessly strains a system already grappling with patient backlogs and reduced capacity.

We believe that there should be no cuts to programs or people funded by sources outside of the state, and there should be no cuts to programs or people who are revenue-generating. We would advocate that decisions about budget cuts and any curtailment program should be made at the campus level so that the cuts, however difficult, are tailored to the realities of the campus. At UCSF, the reality is that the entire campus needs to be dedicated to fighting COVID-19 and fueling the University of California’s recovery.

Sincerely,



Jill Hollenbach, PhD, MPH
Committee on Faculty Welfare Chair

UCSF Academic Senate

https://senate.ucsf.edu

Committee on Committees
Janice Tsoh, PhD, Chair

October 22, 2020

To: Sharmila Majumdar, PhD, UCSF Academic Senate Division Chair

From: Janice Tsoh, PhD, Committee on Committees Chair

Re: Systemwide Review of Proposed Curtailment Program for 2020-2021

Dear Chair Majumdar,

The Committee on Committees (CoC) has reviewed the proposed Campus Curtailment Program for 2020-21 as a part of systemwide Senate review. CoC provides the following response to the Curtailment Program.

For research faculty and staff who are funded by contracts and grants, there should be consideration and flexibility in participation, particularly when the source of funding support is not being impacted or reduced during the timeframe of focus, and when such mandated unpaid time-off can adversely impact on deliverables, productivity, and salaries.

If the campuses, and especially UCSF, are financially in a tough spot, to furlough any faculty member who is bringing in clinical revenue only hurts the financial well-being of that institution. Especially in the context of a pandemic, where all clinical faculty ought to be considered essential care workers. They are a necessary part of the COVID response and represent the financial stewardship of the institution. Furloughs of clinical faculty is something that CoC actively stands against.

CoC would also like to understand what the details of the tiered salary cuts are, and how much leeway individual departments would have to adjust for various departments. If the proposal is to head into a climate where the highest revenue-generating faculty receives the highest salary cut, then that will not play out well towards how incentives are generated within the institution.

Thank you for the opportunity to respond to this Proposed Curtailment Program.

Sincerely,

Janice Tsoh, PhD
Chair, Committee on Committees
2020-2021

Committee on Courses of Instruction
Elena Nedelcu, MD, Chair

October 22, 2020

Sharmila Majumdar, UCSF Academic Senate Chair

Elena Nedelcu, Committee on Courses of Instruction Chair

RE: Systemwide Review of the Proposed Curtailment Program

Dear Chair Majumdar:

The Committee on Course of Instruction (COCOI) reviewed and discussed the 2020-2021 UC Systemwide curtailment program proposal, which was deliberated during the COCOI meeting on October 13, 2020 and further discussed following the meeting. COCOI Members have comments to submit in response.

This committee recognizes that it is a difficult time across all University of California Campuses. Upon reading and further examining the proposal, COCOI has found issues that need addressed. It is imperative that the University will continue to support faculty, students, staff, and the community.
In furtherance of this objective, COCOI has spoken on following:

- One concern is, recent hiring freezes have impacted both faculty hiring as well as some support staff. This has already led to workload shifts-but the work is still there to be done.
- Adding curtailments just shifted to non-curtailment time. Teaching effort isn't only in the classroom, it is the behind the scenes preparation work, as well as ongoing monitoring of students.
- Members expressed that language re: use of vacation time, is unclear and needs further explanation.
- Curtailments could affect the calendar of scheduled meetings for COCOI, as well as the workload for courses being reviewed, in turn this could delay course decisions as well as courses meeting deadlines to appear in the course catalog.
- COCOI members commented they would prefer furloughs to a salary cut.
- While COCOI understands it is unfortunate that due to economic conditions the University has had to come up with the curtailment program. COCOI members would understand the need to do so in order to distribute harm evenly and protect jobs.
- Members inquired as to how would this be impacted if at all in case a stimulus plan is approved by congress and signed by the president with significant money for state governments?
- Another additional concern is how the proposed policy changes will apply across different UCSF campus affiliations that have different funding sources for faculty and staff salaries (e.g., ZSFG, VA, etc.).

COCOI would like to thank you for taking the time to read our letter on this proposal and we appreciate your examination of our comments.

Sincerely,

DocuSigned by:
Elena Nedelcu
0125108D9ADB43D...

Elena Nedelcu, MD Chair COCOI
UCSF Academic Senate

UCSF Academic Senate

http://senate.ucsf.edu

October 22, 2020

Professor Sharmila Majumdar, PhD
Chair, UCSF Academic Senate

RE: Proposed Campus Curtailment Program for 2020-21.

Dear Chair Majumdar,

Thank you for this opportunity to provide feedback and submit comments regarding the proposed campus curtailment program for 2020-21.

We understand that the stated purpose of the proposed curtailment is to "achieve workforce-related savings while minimizing the impacts to employees, protecting lower-wage employees."

While we recognize and support the need for a progressive and flexible response to financial challenges, our concern is that a mandatory minimum of five curtailment days (excluding holidays) in fiscal year 2020-21 could inhibit our ability to complete sponsored research activities and would actually result in additional, unnecessary loss of revenue for the University.

Sponsored research activities generate revenue for the University as extramural funding agencies pay direct and indirect costs including but not limited to salary support. Curtailment would result in a reduction of direct costs charged to extramural grants and would reduce the amount of indirect cost recovered by the University. Moreover, these reductions run the risk of making our faculty less competitive for grants going forward.

This curtailment program would result in low morale among research faculty who are responsible for their fiscal health without University financial support, and thus already subjected to economic risks.

Sincerely,

Marguerita Lightfoot, PhD
Chair, Committee on Research
UCSF Academic Senate
2020-2021

UCSF Academic Senate

http://senate.ucsf.edu

Equitable Recovery Task Force
Paul Volberding, MD, Co-Chair

October 22, 2020

TO: Sharmila Majumdar, UCSF Academic Senate Chair

FROM: Paul Volberding, Equitable Recovery Task Force Co-Chair

RE: Systemwide Review of the Proposed Curtailment Program

Dear Chair Majumdar:

The Equitable Recovery Task Force (ERTF) has reviewed the UC proposal for a systemwide curtailment program in fiscal year 2020-2021, which was circulated during the week of October 12, 2020 and would like to submit the following comments in response.

The global pandemic has disrupted University operations and compounded financial challenges brought forth by years of State underinvestment. However, in its response to this difficult moment, the University must ensure that its plan will not jeopardize its core missions nor disenfranchise the people who dedicate their careers to supporting UC's academic, research, and administrative operations.

The University of California is a wonderful system of ten vibrant divisions, each with a unique assortment of undergraduate, graduate, and professional education, research, and service activities. Naturally, the funding sources to support those activities vary considerably among the divisions. Given the heterogeneity of activities and sources of funding across the divisions, the University would be best served by maximizing flexibility of each division to implement its own responsive budget reduction plan. While each division will undoubtedly take painful steps to mitigate budget gaps in order to maintain University solvency, all will do so with the primary objective of minimizing damage to students, employees, and programs.

In furtherance of this objective, we believe that the Office of the President can best assist divisions in the following manner:

- Commit to divisional flexibility without prescribed requirements to meet budget reduction targets.
- Support a systemwide exemption for faculty/staff whose salary and benefits are supported entirely by non-State funds or whose work is essential to a core mission of the University, from the curtailment day program.
- Articulate rationale and method in determining budget reduction targets to the divisions.
- Allow determination of income tiering to low, high, and highest categories on a division-by-division basis. Adopt a plan for salary adjustment to Health Sciences Compensation

Plan participants that may include “X and X’ ” and “Y and Z”. Negotiated Y reflects expected clinical, research, and service contributions, and Z reflects clinical productivity in excess of expectation; both are sensitive to prevailing market conditions.

ERTF is thankful for opportunity to comment on this important proposal and we appreciate your consideration.

Sincerely,

Paul Volberding
Co-Chair, ERTF
UCSF Academic Senate

UCSF Academic Senate

http://senate.ucsf.edu

Equal Opportunity Committee
Errol Lobo, MD Chair

October 22, 2020

TO: Sharmila Majumdar, UCSF Academic Senate Chair

FROM: Errol Lobo, Equal Opportunity Committee Chair

RE: Systemwide Review of the Proposed Curtailment Program

Dear Chair Majumdar:

The Equal Opportunity Committee (EQOP) has reviewed the UC proposal for a Systemwide Curtailment Program in fiscal year 2020-2021, which was circulated during the week of October 12, 2020. EQOP members have several concerns regarding this proposal and would like to provide the following comments in response.

EQOP acknowledges the extreme financial crisis brought on by the COVID-19 pandemic and the need for the University of California to be proactive in addressing and mitigating the consequences. However, the University must ensure that its chosen plan will not jeopardize its core missions nor disenfranchise the people who dedicate their careers to supporting UC's academic, research, and administrative operations.

In its current form, the curtailment program proposal lacks critical and necessary details without which the Senate cannot be expected to provide a meaningful review. Therefore, EQOP wishes to highlight the following questions and points of concern:

Externally Funded Faculty
At the very least, the proposal should distinguish between faculty/personnel who are externally funded versus those who are funded through the University. This should also include a framework for addressing faculty with more than one source of funding (i.e., research funding and clinical funding)

Campus Discretion
Every campus should have final discretion over how to implement furloughs/curtailment, if at all.

URM/UIM Modeling Data
There should be more detailed modeling for how URM/UIM faculty are affected under this proposal, as well as provisions to protect these groups, given the fact that they may likely have already been affected disproportionately by COVID-19.

Separately, EQOP would like to note its deep concern regarding the highly expedited timeline for each division to review, discuss, and comment on this proposal. Such a process is counterintuitive to the goals of shared governance and functionally deprives Senate faculty their right to provide informed comment on this important matter.

Sincerely,

Errol Lobo, MD, PhD
Chair, Equal Opportunity Committee
UCSF Academic Senate
2020-2021

University of California
San Francisco

R. Dyche Mullins, Ph.D.
Professor
Cell. and Molec. Pharmacol.

Investigator
Howard Hughes Medical Inst.

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415•476•5233

E-mail:
dyche.mullins@ucsf.edu

October 20, 2020

Sharmila Marjumdar, PhD
Chair, UCSF Academic Senate

Re: Graduate Council Comments on the Systemwide Review: Proposed Campus Curtailment Program

Dear Chair Marjumdar,

The UCSF Graduate Council met on Thursday (10/15/20), and discussed the Proposed Campus Curtailment Program. We put forth that the individual campuses should be given the latitude to implement curtailments in a manner that best meets the needs of the campus. That being said the Graduate Council does not support curtailments at UCSF. The time it would take to determine who is essential, would offset any potential gain in salary reductions.

Additionally, while students from the Professional Schools have set winter breaks, which this curtailment could elongate, Graduate Division students do not have these same breaks. If staff are forced to take mandatory time off, they will not be available to graduate students for various types of support. This includes but is not limited to: student life staff, including mental health staff, and program administration staff. Given that graduate students most likely will not be traveling this winter, it would beneficial for them to be able to use this time to work, be in labs, and have continued support from staff.

Ultimately the UCSF campus needs the flexibility to keep staff on campus who are essential in meeting the needs of our students.

Thank you for your attention,

R. Dyche Mullins
Chair, UCSF Graduate Council

UCSF Academic Senate

https://senate.ucsf.edu

Committee on Rules and Jurisdiction
Katherine Yang, PharmD, Chair

October 22, 2020

Sharmila Majumdar, PhD
Division Chair
UCSF Academic Senate

Re: Systemwide Review of Proposed Curtailment Proposal

Dear Chair Majumdar:

The Committee on Rules and Jurisdiction (R&J) writes to express its concern about the "Proposed 2020-21 Curtailment Program." R&J appreciates that the proposal is an outline rather than a detailed proposal, but the absence of details makes it difficult to provide substantive comments.

The Academic Senate is meant to be a partner in the governance of the University. The Proposed 2020-21 Curtailment Program is missing details that would give the Senate, its Divisions, and its committees a more meaningful opportunity to comment and participate in shared governance.

R&J believes the Systemwide Senate and its Divisions should be involved in shaping the details of the University of California's Curtailment Program and be given an opportunity to comment on a more complete plan. To facilitate improving the proposal, R&J raises the following issues and questions for you to address with the Academic Council.

1. **Salary of Grant-Funded Faculty and Staff:** Faculty and staff who are supported by grants should not be subject to curtailment. Requiring these faculty and staff to be curtailed would not financially benefit the University of California and would harm those faculty and staff without commensurate benefit to any other entity.

2. **Health System Campuses:** R&J is concerned about how curtailment could impact the UC campuses that have health systems. The proposal notes in a fifth bullet point on page 2 that "[c]ampuses would identify essential workers who would be exempt from the program – e.g., medical/clinical staff[.]" This small reference to the large enterprise providing health care to people across California in the middle of a global pandemic did not give R&J confidence that the UC Health system could continue to operate without disruption. UC Health should be able to operate with as few limitations as possible because its work is critical to the health of Californians and the revenue generated by UC Health is critical to the University's economic recovery.

3. **Definition of "Essential":** The proposal does not define "essential," and R&J is concerned that "essential" can be narrowly or broadly interpreted. R&J encourages the University to give each campus the latitude to individually define essential workers and apply curtailment to best serve the individual campus needs.

4. **Inconsistent use of "Exempt":** The proposal uses the term "exempt" inconsistently. On page 2, bullet point 5 and bullet point 6, the proposal suggests an exemption system that is specific to curtailment. On page 3, bullet point 1, the proposal references "exempt employees" which R&J understands refers to a more general category of employment. This requires further clarification.

Sincerely,

Katherine Yang, PharmD
Committee on Rules and Jurisdiction, Chair

UCSF Academic Senate

To: Senate Chair Majumdar
From: School of Dentistry Faculty Council
Re: UC Systemwide Review of the Curtailment Program Proposal
Date: October 21, 2020

The School of Dentistry Faculty Council reviewed the Curtailment Program as proposed by the UC System during the week of October 12, 2020. Upon review of the provided document, SOD FC members had these questions and responses:

- The UCSF School of Dentistry (SOD) Clinical faculty are relatively "highly" paid and probably are in the highest tier, and hence shouldering more burden. At the moment, clinical faculty morale is low, having already experienced due to attrition and other factors, a ten percent reduction in faculty numbers. As there does not seem to be a foreseeable end to this quarantine, proposing a path of curtailment is not a strong position to propose.
    - These same SOD faculty have a great deal of educational debt, and make less at UCSF than they would in private practice, so furloughs may lead to increased faculty attrition.
- If curtailments commenced, SOD would have to close down clinic for furlough days unless they occur during the three weeks of defined clinic closures that SOD already has (two in December, one in June).
    - If faculty furlough during clinic closures, that is always the peak time for course and education-related activities as it is the end of the quarter. Activities such as grading projects, submitting grades, updating CLE websites for each course, launching the following quarter all take time that faculty do not have. Forcing them to take time off during clinic closures will cause a delay in course and education-related matters.
- If faculty furlough any other time, the school will have to close down clinics and lose significant clinical revenue. This is the opposite intention of trying to earn clinical revenue to resurrect the school financially.
- The school already has been cited by CODA as providing inadequate clinical experience to students. Any additional loss of clinical or instructional time will move SOD farther away from the goal of providing students' more experience and removing our CODA citation.
- Faculty and staff who are paid from extramural funds (including non-federal funding) should not be curtailed or furloughed, as this would reduce the overhead paid to the university. Further it does not save state funds, and will further jeopardize the research progress which has been impacted severely already by COVID-19.

Alison Cleaver
Associate Director
UCSF Academic Senate
Alison.cleaver@ucsf.edu

UCSF Academic Senate

https://senate.ucsf.edu

School of Medicine Faculty Council
Matthew Amans, MD, Chair

October 22, 2020

Sharmila Majumdar, PhD
Division Chair
UCSF Academic Senate

Re: Systemwide Review of Proposed Curtailment Proposal

Dear Chair Majumdar:

The School of Medicine Faculty Council (SOMFC) writes to request clarification about the "Proposed 2020-21 Curtailment Program" provided to this council along with a letter dated October 10, 2020 from UC President Michael Drake.

The Council writes to raise the following questions to pass along to Academic Council:

1. How is curtailment different from furloughs?
2. What is the maximum duration of curtailment, and could that differ among the UC campuses?
3. What are the compensation tiers that will be used to make the plan progressive?
4. Will UCSF Health be exempt from the curtailment program so it can continue providing critical care to Californians and continue generating revenue for the University?
5. How will this affect UCSF clinical faculty at affiliate sites like Zuckerberg San Francisco General Hospital and the San Francisco VA Health Care System?
6. How will this affect UCSF research faculty whose income is entirely drawn from extramural grants?
7. Will faculty and staff be able to donate time off to others?
8. Will everyone be able to select different curtailment dates or will curtailment occur at a specific time?
9. How will curtailment/furloughs impact the educational mission of UCSF? If clinical services are curtailed/furloughed, what are the students on those rotations to do?

The Council also writes to emphasize that any curtailment program must allow clinical care to continue without interruption. If curtailment is necessary, giving employees as much time as possible to arrange schedules and plan is critical.

Sincerely,

Matthew Amans, MD
School of Medicine Faculty Council Chair

UCSF Academic Senate

http://senate.ucsf.edu

School of Nursing Faculty Council
Kristen Harknett, PhD, Chair

October 22, 2020

TO: Sharmila Majumdar, UCSF Academic Senate Chair

FROM: Kristen Harknett, SONFC Chair

RE: Systemwide Review of the Proposed Curtailment Program

Dear Chair Majumdar:

The UCSF School of Nursing Faculty Council (NFC) has reviewed the UC proposal for a Systemwide Curtailment Program in fiscal year 2020-2021, which was circulated during the week of October 12, 2020. Given the short time frame for gathering information and soliciting input, this response does not reflect all questions and concerns that our faculty may have. We will look forward to more details on plans and would appreciate the opportunity to provide further input once more information has been shared.

On behalf of the School of Nursing faculty, the NFC would like to share the following questions and concerns:

- The proposal should be clear about what "curtailment" means. If this program is a furlough program, then it should be called a furlough program for greater transparency and understanding. Faculty were asked to respond to a vague and incomplete proposal that ultimately raised more questions than it answered. There should be direct communication with all impacted faculty and staff using accessible and well-defined terminology.

- Faculty and staff whose salaries are funded from external sources should not be included under this plan. However, it is equally important that educators are not made to suffer the brunt of these cuts (as was the case in 2008/2009)

- Faculty request clarification as to the number and distribution of curtailment days being proposed for the 2020-21 year. Faculty also would like more information on how UC contributions to benefits and retirement could be affected under this program and about the potential workload implications of curtailment days.

- The proposal should include data regarding the expected yield from a curtailment day requirement, as well as details about how and where that savings will be applied, how long the program will last, and the actual impact on salary.

- While the current proposal includes language of equity and of protection of lower income tier employees, more information is needed regarding the proposed salary tiers, for instance, at which point faculty and staff would be included under "lowest income tier".

- Any curtailment (or furlough) program should address and mitigate against the short & term-consequences that resulted from the last round of furloughs in 2008/2009, specifically those

affecting staff numbers. For example, several departments in the SON were forced to lay off most of their staff as a result of the last fiscal crisis. Despite the economy improving, over a decade later, those positions have never been fully restored. Consequently, what was supposed to be a short-term solution left permanent damage to these departments.

- A systemwide curtailment program will likely result in disproportionate impacts upon smaller depts/schools. It is imperative that each division be granted the necessary flexibility to ensure that the negative impacts of this program are evenly and equitably shared according to each campus' needs.

Thank you for the opportunity to comment on this important matter.

Sincerely,

Kristen Harknett, PhD
Chair, School of Nursing Faculty Council
UCSF Academic Senate
2020-2021

UC SANTA BARBARA

Academic Senate
Susannah Scott, Chair
Shasta Delp, Executive Director

1233 Girvetz Hall
Santa Barbara, CA 93106-3050
http://www.senate.ucsb.edu

October 26, 2020

To: Mary Gauvain, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division

Re: Proposed Curtailment Program

The Santa Barbara Division distributed the Proposed Curtailment Program document widely to its councils and committees for review and comment. Comments were received from the Council on Planning and Budget (CPB), Council on Faculty Welfare and Academic Freedom (CFW), Undergraduate Council (UgC), Graduate Council (GC), Council on Research and Instructional Research (CRIR) and its Committee on Information Technology (CIT), Committee on Diversity and Equity (CDE), Committee on Academic Personnel (CAP), Committee on Admissions, Enrollment, and Relations with Schools (CAERS), Committee on Courses and General Education (CCGE), the Charges Officer and Charges Advisory Committee, Privilege and Tenure (P&T), and the Faculty Executive Committees of the College of Letters and Science (L&S FEC), College of Engineering (COE FEC), College of Creative Studies (CCS FEC) and the Gevirtz Graduate School of Education (GGSE FEC). The Committee on International Education, and the Committee on Rules, Jurisdiction, and Elections, opted not to opine.

We acknowledge the significant budgetary challenges facing the UC system and the urgent need to act, as well as the desirability of a systemwide response to the budget crisis. However, the strong, uniform sentiment of the councils and committees of the Santa Barbara Division is that the proposal is poorly developed and strikingly vague. In the absence of such basic details as the rationale for pursuing curtailment instead of other salary savings options, or instead of non-salary-based options; actions the UC is already taking or could take to reduce costs and/or increase revenue; concrete figures regarding the magnitude of the current budget problem and projections of potential budget savings via the curtailment mechanism; and implementation arrangements, the proposal lacks the necessary detail for any of us to make informed judgements. The Santa Barbara Division does not endorse the proposed curtailment program in its current form.

We are concerned that the implementation of the new curtailment plan would set a dangerous precedent for imposing salary cuts without the need for demonstrating or officially declaring a financial emergency, and without proper consultation and agreement. To allow individual

campuses to impose salary cuts by way of curtailment would diminish our ability to function as a university system, rather than an independent collection of campuses. Similar concerns would arise if the implementation of curtailment varies widely on different campuses, including the possibility that individual locations may not participate.

Furthermore, several of our Senate councils and committees express grave concern that the Office of the President may consider this review as constituting appropriate Senate consultation; we do not agree that it satisfies the need for Senate review, due to the lack of important details in the proposal. It is imperative that the university develop and distribute a transparent, comprehensive proposal, and allow adequate time for review and comment by the Academic Senate, prior to any future implementation. In the interim, we offer the following questions and comments which we expect will inform revisions or alternative proposals.

Many of the groups that opined raised important general questions about the implementation of the proposed plan, summarized herein. Would the new plan be implemented on a campus-by-campus basis, or would it be consistently applied across the system? Does the university plan to set an upper limit on the number of curtailment days? Would health benefits be affected, and if so, how? Over how many months would the salary reduction be distributed? How would the salary reduction be calculated? What are the proposed salary bands? For each band, what would be the approximate reduction in salary? Would summer salary and other supplements be affected by the curtailment plan and if so, how? Would faculty with contracts, grants, or other funding, e.g., endowments, be permitted to use such funds to make up the difference? Would the plan apply to staff and faculty who are supported entirely by grant funding? Could some employees volunteer to give up a portion of salary or time to offset others? Would employees be allowed to work for other entities while they are on curtailment, as is permitted under furlough? What would be the timeline for implementation? What standards or benchmarks would be used to determine when the period of 'extra curtailment' will end, and academic salaries (among other changes) returned to pre-pandemic levels? How, if at all, would student employees, teaching assistants and graduate student researchers be affected by this plan? For staff, what salary tiers would determine how many curtailment days, if any, they could take as vacation days? Would represented employees be affected by this plan in the same way as non-represented employees? Is the alternative to curtailment layoffs? Even with curtailment, are future layoffs or furloughs a possibility? These are all key questions whose answers are necessary to the Senate's evaluation of the proposal. More specific questions and concerns are listed below, organized by category.

<u>UC and Campus Budget Impacts</u>

Our CPB inquires in particular about the "ways in which university leaders are engaging with the public and with the state and federal governments to explain the financial situation and to solicit funding", and how the curtailment would "alleviate concerns about the impacts of a reduction in UC's permanent budget." CPB, CFW, and P&T, among others, raise numerous questions specific to the budget, how the curtailment plan would result in savings, and how those savings would be allocated. In order for the Academic Senate to perform a meaningful analysis of the proposed plan, the Office of the President would need to provide reviewing

agencies with information regarding the estimated size of the budget deficit, both structural and short term, other efforts that have been undertaken to reduce costs or to increase revenue, and the projected cost savings that would be achieved through implementation of the program.

CPB also refers to alternative budget reduction strategies, some of which have been used by the university in the past, such as incentivized retirement programs, drawing from the line of credit to cover the budget shortfall, or repaying the lost salary over time so that the university would be effectively taking a loan from the staff and faculty.

Retirement Impacts

Several groups pose questions about the plan's impact on the retirement program, asking how a curtailment, which results in loss of salary, would affect the retirement system. Specifics include whether the program would impact how employees accrue retirement credit, and whether it would affect retired faculty and staff. Our CAP inquires about the meaning of the statement, "The University would seek changes to the University of California Retirement Plan or other policies, as needed, to avoid negatively impacting employee retirement benefits." Although the potential impacts are unclear in the proposal, CAP preemptively recommends that retirement fund contributions be maintained according to the full salary levels, as they were during the previous furlough, and "urge[s] that the salary used to calculate final retirement be the full salary as if it were not reduced." Similarly, P&T "welcomes plans to ensure that retirement savings are not affected by a temporary curtailment."

Differential Impacts on Vulnerable Groups

Our CDE raises concerns, echoed by several other groups, about the ways in which the "program could have differential, inequitable impacts on campus constituents, many of whom are already underrepresented groups on our campus." These include, but are not limited to: faculty of color and female faculty members, lecturers, employees on visas who cannot supplement their income with other work, and staff members who lack adequate vacation time due to pandemic-related needs.

The reviewing agencies express strong support for a plan that would minimize or avoid a salary reduction for the lowest paid faculty and staff, particularly given the high cost of living in the Santa Barbara area. Lecturers and lower-paid faculty do not receive vacation time, and would essentially receive a pay cut without a corresponding reduction in their workload. P&T and CRIR comment on the potential for negative impacts on untenured faculty and lecturers, with the former noting concern for junior faculty "many of whom — as recent arrivals — lack social networks and therefore are likely to incur significant expenses associated with childcare." CFW feels strongly that faculty and staff, particularly non-tenured faculty and lecturers who are often in more vulnerable economic situations, should not bear the same "curtailment" burden as more established senior faculty and administrative staff at managerial levels and above. CCS FEC encourages "administration to do as they have with students and publicize existing resources for employees while creating new ones to lessen the impact of pay disruptions on

top of already precarious circumstances in light of remote K-12 schooling, health concerns, etc."

Several groups express unease about the pay periods in which the curtailment might apply. P&T raises a concern about implementing the plan mid-year, which could result in the concentration of the salary reduction across a lower number of pay periods. If applied during just one or two pay periods, CDE notes that the curtailment would have a devastating impact on "lower-paid faculty and staff who may not be able to cover their bills during this time." The GGSE FEC agrees and asks whether employees could space out the curtailment days to make it more affordable. The CCS FEC emphasizes the need to give employees ample time to plan for a disruption in income.

Another consideration related to differential impacts is the potential for some locations to seek exemptions from participating in the curtailment program. CAERS notes that allowing some locations to opt out would only create greater disparities between the campuses. Similar inequities, though to a lesser extent, could result from allowing individual campuses to set the number of curtailment days.

Impacts on Students

Both the Undergraduate and Graduate Councils express concern about how the curtailment could impact students. Any curtailment imposed on graduate student employees would exacerbate their struggle with the high cost of living in the areas in which the UC campuses are located. If not subject to curtailment, teaching assistants could still be unduly affected. Given the proximity of the likely curtailment period to the fall quarter grading deadline, remaining course-related responsibilities could be shifted to assistants as faculty curtail their time. The workload of teaching assistants is governed by academic personnel policy and the labor contract, and any significant shift could create an undue burden for students and violate existing agreements.

Curtailment could affect units that provide academic and support services for students at a key time for campuses on the quarter system. Our UgC notes that in the days immediately following final exams and the grading period, undergraduate advisors in the departments work to guide students on their upcoming program of study and address course scheduling issues, and advisors in the colleges counsel students on grades that affect their academic standing, course articulation, the need for course repeats, and the submission of petitions. Thus, students could be refused access to the resources they need to make informed decisions about the winter quarter, when they are already experiencing a high level of stress. Related to this are possible limitations on access to campus psychological counseling services, which are already stretched thin.

UgC and CAERS comment on the potential repercussions of the curtailment on undergraduate admissions, given the extremely heavy workload related to application processing. Based on historical data, the Office of Admissions estimates that during the likely curtailment period, their permanent and temporary staff will review nearly 24,000 applications. GC notes related

concerns for staff who work to prepare materials for the graduate recruitment season. The GGSE FEC points out the potential for a negative impact on the Registrar's Office during this time. In order to operate effectively, these offices would require some flexibility in the implementation of curtailment days.

Similarly, CIT "urges examinations of exemptions from and prioritization of curtailment that reflect the current circumstances under which the University is operating." The Committee notes that information technology services are critical when "the vast majority of the University's faculty, staff, and students are working, teaching, and attending classes remotely." They emphasize that any disruption of these capabilities would have a much broader impact now than under regular circumstances.

Long-Term Impacts

There is widespread concern among the councils and committees that the implementation of the new curtailment plan would set a dangerous precedent for imposing salary cuts without the need for a declaration of financial emergency, and without proper consultation and agreement. To permit the use of curtailment in this new way would allow individual campuses to impose curtailment as a regular salary savings mechanism, which would risk the protections that are provided by taking a systemwide approach following documented procedures.

Several groups observe an increase in faculty and staff workload resulting from the pandemic, and call attention to the strongly negative effects that a curtailment would have on employee morale at a time when stress levels are already high. CPB and the COE FEC express concerns about how the salary reduction might affect faculty recruitment and retention, especially as the campus, and the university more broadly, are undertaking many initiatives to increase faculty diversity within the context of racial justice. By extension, impacted faculty recruitment and retention have the potential to affect graduate student recruitment and retention.

In sum, the Santa Barbara Division recognizes the University of California's significant budgetary challenges and appreciates the aim to minimize impacts to lower paid employees and to protect UC jobs. However, the Proposed Curtailment Program is unacceptable in its current form. The faculty strongly recommend that it be withdrawn and reconsidered, and if pursued, resubmitted for Systemwide review with adequate time for consideration and response.

UNIVERSITY OF CALIFORNIA, SANTA CRUZ

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October 26, 2020

Mary Gauvain, Chair
Academic Council

RE: Proposed Campus Curtailment Program

Dear Mary,

The Santa Cruz Division has reviewed and discussed the proposed campus curtailment program for 2020-21 designed to assist the system in addressing the financial challenges of the COVID-19 pandemic. Our committees on Affirmative Action and Diversity (CAAD), Academic Personnel (CAP), Educational Policy (CEP), Faculty Welfare (CFW), and Planning and Budget (CPB) have contributed specific commentary. The UC Santa Cruz Division acknowledges the need to reduce overall expenses during this time of economic uncertainty, and appreciates the program's stated value that impacts of the proposed plan will be progressive based on income level in order to protect the most vulnerable among us, including Assistant Professors. However, our Division has surfaced myriad concerns, both with the known and unknown elements of the proposal, which lacked underlying data to justify and contextualize the effect of the proposed curtailment days. And while it is encouraging to hear of UCOP's commitment to maintaining the quality of instruction across the campuses, it is difficult to see how the curtailment program would not adversely impact instruction.

The proposed program does not have an intended start date and we recommend that this be clearly articulated. Noting that five curtailment days is the floor and not the ceiling of the total number of curtailment days that may be enforced, we recognize that many employees may need to plan well in advance for a decrease in pay. Many employees have already seen their household finances deteriorate substantially in the past few months from factors such as themselves or their partners/spouses having to reduce working hours to care for children, and/or having their partners/spouses losing their jobs in this economic crisis. For some whose savings are already strained, further cuts may necessitate radical measures to make ends meet, including making changes to housing, and we should not forget our colleagues whose homes were lost or damaged by the historic wildfires in California. For such employees, having as much advance warning as possible is crucial so that they have adequate time to make the changes they need to make, and minimize the impact that any housing move has on their job performance. As such, a worst case estimate of how many curtailment days there will be this fiscal year, or salary reduction for faculty, should be provided for each income tier as soon as possible. Also, all UC employees deserve a

candid assessment as to whether the curtailment/salary reduction is likely to continue for one or more years beyond the current fiscal year.

We note that there are real differences in potential impacts on staff and faculty, and these differences could be summed up by the distinction between curtailment (staff) and salary cut (faculty). While the proposal indicates that staff are able to use a combination of paid and unpaid leave to cover the curtailment period, it is not at all clear that the ambiguous cost savings to the university are worth the significant cost in staff morale should this proposal go forward, not to mention the financial burden it would impose on those who earn the least. In contrast, since faculty do not accrue paid leave in the same manner as staff, the proposed curtailment appears in actuality to be a salary cut or a furlough for faculty. The proposal acknowledges that faculty workload does not conform to the standard conventions of days on or off work. How then, are faculty expected to meet the proposed five-day curtailment in the absence of clear workload equivalencies? There is also no detail on how the plan will affect non-Senate and student teaching staff, almost all of whom are represented by unions. How can TAs and Lecturers meet obligations without directly impacting our quality of instruction?

In order to determine how the proposed curtailment fits into the overall strategy, the Division would like to know what other measures the university as a whole is considering, along with curtailment, to meet the budget shortfall. The proposal states that the purpose of the curtailment is to reduce personnel cost in order to maintain financial solvency of the UC. *What are the expected savings from the curtailment, and what fraction of the annual UC deficit could it cover?* In addition, it would be good to know if there is a specific budgetary shortfall that would be addressed by this curtailment program and how (if at all) curtailment differs from furlough. Faculty are facing the current pandemic with an increased workload from transferring classes online and adjusting to home offices. In this context, knowing more about the overall strategy would make the program more transparent and would likely garner more support. We believe the UC should engage in an act of transparency about the devastating impact of these budget cuts, especially on first-generation students, students of color, disabled students, and others who do not have the economic means to supplement these losses.

While we appreciate the desire for "shared action," we do not all experience the university the same way and so the burden of sharing can fall disproportionately on the most marginalized in our community, many of whom are underpaid on our campus. We also have concerns about how the curtailment program could be detrimental to students who are first-generation, low-income, and disabled as a result of a reduction in resources and services offered by staff and faculty.

The proposed plan references "employee salary tiers" and "essential workers." Could UCOP clarify what salary tiers are being considered, who is deciding those tiers, when they will be made public, and if there is any consideration being given for the high cost of living in many of the communities in which campuses are located? Have there been any discussions at UCOP to forego curtailment for those employees deemed to be in the "lowest tier" or to establish an exception process for employees who would be heavily burdened by this program? In terms of the "essential workers who would be exempt from the program," who and how will essential workers be defined?

The proposed plan states, "For academic-year faculty, the program would be implemented as an equivalent reduction in salary (based on the salary tiers established under the program) but would not result in additional paid or unpaid time off." To clarify, does this mean a reduction in salary but no reduction in

responsibilities? If so, then this is a prime example of how the University of California cannot maintain the "core mission and purpose" without necessary funding. We believe it is unacceptable and unethical to require or expect faculty to perform uncompensated labor.

UC Santa Cruz faculty have raised concerns about previous campus furloughs and the fact that faculty could not realistically take furlough time off. Faculty were essentially expected to continue the same level of work for less pay. Bullet 7 under Proposed Features appears to suggest that this curtailment program would work much the same way. During the furloughs of 2008, it was difficult for faculty to compartmentalize paid work. However, members noted that with remote instruction and work, more and more Zoom meetings and email are creeping into parts of the workweek and weekends that might normally be devoted to teaching prep and research. As such, instead of merely noting the inherent difficulty of curtailment for faculty in the Considerations section, we recommend that explicit language about establishing and managing expectations for faculty on furlough days should be included (e.g., not scheduling/attending online work meetings, minimizing emails, etc.).

During the 2008 furloughs, faculty with grants were allowed to pay back furloughs with grant money. As compliance with large-scale granting agencies and the federal government is needed, we recognize that this may currently not be an option. However, this option should be researched and clarified in the final form of this program proposal.

The reduction in salary is stated to be based on the salary tiers established under the program. What is not clarified in the proposal, however, is how exactly this reduction will be calculated. Although the impacts are set to be progressive based on salary, members noted, for example, that a 10% cut to an administrator making over $200,000 does not mean nearly as much as a 7% cut to a junior faculty member earning $80,000 and living in an expensive community like Santa Cruz. Further inequities might be created by the difference between faculty who are on a 12-month contract and faculty who are on a 9-month contract, as the latter do not accrue vacation days that, under the plan, can be used for covering curtailment. It is unclear whether and how off-scale salary and/or stipends, such as those associated with faculty administrative appointments (e.g., department chair), would be included in the calculation for overall reduction, or in the calculation to determine the level of impact based on income level as noted in the stated values? The details of the plan need to be made more explicit before it could be approved.

Also troublesome is the fact that a reduction in pay can greatly affect those nearing retirement. The proposal states that the "University would seek changes to the University of California Retirement Plan or other policies as needed to avoid negatively impacting employee retirement benefits." Members questioned what specific remedies or changes in this regard the University is considering, and what the cost of those changes would be, given the need to reprogram the systems that calculate retirement benefits. How is UCOP going to seek changes to the retirement plan and somehow insure that those changes will not impact benefits? How exactly is this a cost-saving measure?

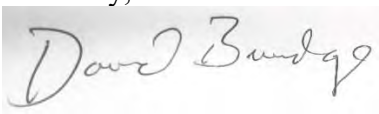
The UC Santa Cruz Division contends that a proposal for a program that will affect every UC employee should be explicit and clearly articulate program details, calculations, and goals in order to garner broad support. As noted above, the current proposal leaves far too many questions unanswered and, in particular, does little to address the inherent work of faculty, or issues that arose for faculty during previous furloughs. As such, and without answers to these questions, the Division is unable to support such a proposal in its current form, though we concede that cost-saving measures will need implementation at the local campus

level. We contend that leaving these decisions to the campus leaderships, in consultation with their respective Senate counterparts, is likely to right-size necessary responses to the ongoing effect of state divestment in higher education, which have been exacerbated by the COVID-19 pandemic. The proposal, in its current form, appears as a one-size fits all approach that ignores local circumstances of each campus. Salary tiers, for example, require scrutiny in their local context as some campuses are located in places with an exceptionally high cost of living. The UC Santa Cruz Division is concerned about the degree to which the impacts on university employees will be experienced differently. There is also a lack of clarity about the relationship between the implementation of the UCSC administration's recently-announced winter curtailment and the proposed systemwide curtailment under review here. In particular, will the three extra curtailment days already announced by UCSC count towards the five-day curtailment in the UCOP proposal?

Lastly, even though not referenced in the proposal, we would like to inquire if there are any proposed plans by UCOP to reduce the budget allocations for campus policing.

The Division appreciates the time and commitment of our colleagues in generating the joint Strategic Planning Task Force which recommended this action and necessitated this review. We thank you for the opportunity to opine and understand the need for the truncated review timeline.

Sincerely,



David Brundage, Chair
Academic Senate, Santa Cruz Division

cc: Elizabeth Abrams, Chair, Committee on Affirmative Action and Diversity
Junko Ito, Chair, Committee on Academic Personnel
Tracy Larrabee, Chair, Committee on Educational Policy
Nico Orlandi, Chair, Committee on Faculty Welfare
Dard Neuman, Chair, Committee on Planning and Budget

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October 27, 2020

MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL

RE: Curtailment Proposal

Dear Mary,

The University Committee on Faculty Welfare (UCFW) and its subject-matter expert task forces on health care and investment and retirement, along with the University Committee on Planning and Budget (UCPB), have reviewed the curtailment proposal circulated by President Drake, and we have many comments.

We are deeply aware of the crisis gripping the University of California system caused by the COVID-19 pandemic and its attendant effects on both the state budget and the operations of our campuses and medical centers. The decisions we have made already, as well as those we will make in the months to come, will have potentially long-lasting effects on the UC and its ability to maintain our status as a world class research university while preserving the values of excellence, access, and affordability for our undergraduate and graduate students. It is with that background that we are responding to the "Proposed 2020-2021 Curtailment Program" and the accompanying cover letter by President Drake of October 10, 2020. Our conclusions are based on a reading of that plan as well as by a joint meeting of UCPB, UCFW, and TFIR with representatives from the CFO's office and AP on October 23, 2020, information provided on the Senate/Administration budget call (also on October 23), and a rich discussion among and between the members of our committees and associated task forces (HCTF and TFIR). With that in mind, we offer the following sets of recommendations:

1. The proposed curtailment plan should be rejected at this time. In the meetings on October 23, we were informed that the proposed plan would save the UC somewhere between $40 and $130 million for 2020-2021. The higher figure would only be realized if we applied the plan to all UC enterprises, including those not relying on state funds. Given the complexities and potential inequities of such an approach, the lower figure of $40 million, which would only apply the plan to core state-funded operations, seems much more plausible. Moreover, since bargaining would be required for represented employees, it seems likely that the final figure would actually be less than $40 million (on a total UC payroll of approximately $13 billion). This is a trivial amount of savings when compared to the costs and risks of implementing such a program. These costs would include staff time at UCOP, the campuses, and the UCPath center. In addition, damage to the morale of staff and faculty who have struggled and sacrificed to keep the university

functioning in these difficult times would be significant. Given the long-standing issues with UCPath, every single employee would have to carefully scrutinize their paycheck to ensure that no errors had been made. Any such errors (and the history of UCPath virtually guarantees these would occur) could gravely affect lower paid employees and would pose a public relations nightmare for the UC. All of this to realize a savings that would amount to less than 10% of the projected $400-$500 million losses for 2020-2021 and approximately 0.3% of total UC payroll does not seem justifiable.

We recognize that some UC campuses face real financial challenges. This plan, however, does not offer a realistic financial solution to those challenges and imposes unnecessary pain and complications. This plan might exacerbate financial inequality since some campuses might use the salary savings to further bolster their cash reserves.

UC faculty and staff have already made many sacrifices in response to the pandemic. We have foregone pay increases while working many more hours to deliver quality remote instruction on short notice. Many clinical faculty and staff have worked tirelessly for months, many under dangerous circumstances, to respond to COVID-19 patient care. Hundreds of UC researchers have shifted their research focus in order to develop innovative testing, tracing, and therapeutic solutions to COVID-19. Adding a pay cut to these already large sacrifices discounts all of the work employees have done to help UC deal with the pandemic.

We recommend that rather than imposing such a plan at this juncture that UCOP work with affected campuses on bridging strategies for 2020-2021 as deemed necessary. We further note that enacting any pay cuts or curtailments while holding more than $10 billion in STIP reserves sends a very mixed political message. We therefore suggest that all free reserve funds, including unrestricted endowment funds, be used before enacting any pay cuts.

Should this crisis magnify in 2021-2022 to the point that systemwide action is required, we recommend that a full range of options, including pay cuts and furloughs, be considered alongside curtailment. We recognize the negative connotations attached to furloughs and pay cuts, but the fact is that the current proposal, while labeled "curtailment," actually includes de facto furloughs for staff over a certain pay band (as they would have to take unpaid days off without even the choice of which days as in the 2009-2010 furloughs) and de facto pay cuts for faculty. Referring to this proposal as simply curtailment is thus misleading and undermines confidence in the administration. Relying solely on curtailment as a strategy also may have unintended consequences, particularly for student employees (as outlined below in 2D).

2. Should the President decide to adopt the current proposed plan for 2020-2021 despite our objections, we have a number of more specific concerns about its implementation.

   A. We were informed in the joint meeting of October 23 that OGC believes that this plan may be imposed without the need for a declaration of "Extreme Financial Emergency" as outlined in Regents Standing Order 100.4 (qq). The rationale for this appears to be that curtailment is an existing process at UC campuses and therefore no additional authorization is needed. However, as outlined above, in practice this plan entails furloughs for staff above a certain pay band and pay cuts for nine-month faculty (who do not accrue vacation days). The relevant standing order states that:

      "The President of the University shall have authority, consistent with legal requirements, to implement *furloughs and/or salary reductions*, on terms that the President deems necessary,

for some or all categories of University employees, *upon Declaration of Extreme Financial Emergency*, as specified below."

While we do not have access to OGC's legal reasoning, a common sense reading of the order makes it clear that furloughs and salary cuts are tied to such a declaration. Simply declaring all lost wages to be the result of "curtailment" does not change the facts on the ground and attempts to insist otherwise do not engender confidence in the administration and may open the university to embarrassing and potentially costly legal action.

Moreover, setting the precedent that the President can unilaterally cut faculty salaries absent such a declaration threatens the existence of the merit and promotion process that is at the heart of our personnel system and one of the sources of our continued faculty excellence. Should this plan be applied, it *must* be only *after* a Regental declaration of Extreme Financial Emergency as well as a Regental adoption of changes to the retirement plan documents to maintain full pension contributions as described in part E below.

B. As written, this plan would allow campuses to choose to apply more than the minimum specified five curtailment days. No maximum number is specified, which, by itself, opens up the possibility of very unevenly tiered application of this plan across campuses. Even more alarmingly, we were informed at the October 23 joint meeting that there is not currently a requirement that campuses extending past five days would have to abide by the terms outlined in this proposal (including its progressive aspects and holding employees harmless with respect to their pension). Apparently, the only requirement for campuses wishing to impose additional curtailment is approval by systemwide HR. This combination poses a grave threat to both the unity of the UC system and faculty governance. We urge in the strongest possible terms that if any version of this proposal were to be approved that campuses wishing to extend past the minimum five days *must* abide by a consistent set of terms that ensure progressive application of the plan and protection of the pension. Such plans should only be approved by OP after there is substantial and well-documented consultation with the campus faculty Senate. We also reject the notion that campus administrators can unilaterally reduce faculty salaries on a campus-by-campus basis. Setting this precedent would fundamentally undermine the systemwide faculty scales.

C. While we see that the curtailment proposal could save UC a relatively small amount in 2020-2021, applying the curtailment to faculty and staff fully funded from external sources could end up losing money. To begin with there is no savings to UC from curtailing these employees. Either unspent money would need to be returned to the granting source or no-cost extensions to contracts would need to be executed. These no-cost extensions are not automatic and require UC faculty and staff time to justify and execute.

As written, the plan is ambiguous regarding cuts to employee salaries that derive in full or in part from non-state funds. Mandating cuts to employee salaries that derive in full or in part from non-state funds would not contribute to UC cost savings, would reduce morale, and would potentially disincentivize faculty from seeking extramural funding.
Faculty who are fully funded from external funds (e.g. many "in residence" faculty) already have weaker tenure protection than faculty funded from state core funds. If they are unable to raise enough money to fund their laboratories and salaries, they can be terminated from UC. Subjecting these faculty to a curtailment that will likely end up costing UC money is clearly a bad idea. This point is not new, and indeed faculty and staff who were fully funded from external sources were not subject to the 2009-10 furloughs.

In addition to externally funded faculty and staff, it is very likely that represented employees will not consent to be subject to curtailment. This leads to a situation where some employees doing very similar jobs would face curtailment while others would not. This will certainly create additional morale problems on top of those already caused by the COVID pandemic disruptions

D. Any curtailment plan must fully exempt student employees (undergraduate and graduate). While the rhetoric around this plan regarding its progressive aspects is laudable, by relying on the language of curtailment, as opposed to furloughs, we may be exposing student employees to unintended harm. The currently articulated mechanism for holding lower income employees harmless is to allow them to use their vacation days to cover the curtailment. However, it is our understanding that many part-time student employees do not accrue vacations days or other time off sufficient to cover this curtailment. While this does not directly affect faculty, it would be reprehensible if we were to force student workers who often depend on these jobs to stay afloat to take a pay cut simply because the UC wants to use this curtailment workaround rather than a more straightforward furlough or pay cut that could automatically exempt them.

E. Pension and health care benefits for active and retired employees must be maintained. In the midst of a pandemic health care is critical, and it would be foolish to try to save money by increasing the burden on employees who need health care. It is also critical to maintain full contributions to the UC pension systems. Failure to do this will permanently scar employees who worked through the pandemic with lower pension benefits. This implies that employee and employer contributions to both the defined benefit and defined contribution plans must be maintained at levels consistent with pre-curtailment salary levels. We understand that maintaining these contributions during any curtailment will require action by the Regents to amend the pension plan rules as they did in 2009. We are concerned that these required Regental amendments may not be in place before the curtailment is started, and this risks the ability to maintain full pension benefits. We are also concerned that implementing any curtailment in UCPath will make it very difficult to properly account for service credit and salary credit during the curtailment period. Finally we want to strongly support continuing full funding policy contributions to the defined benefit pension plan. Under current actuarial assumptions failure to make these full contributions is equivalent to taking a loan from the defined benefit pension assets at a 6.75% interest rate. This rate is much higher than current borrowing rates or rates that we could earn on short-term investments, so it would be foolish to not make the required payments.

Summary

We urge rejection of this curtailment proposal. It does very little to solve financial problems caused by the pandemic and the state budget cuts, but it will certainly create many administrative problems and harm employee morale. We recognize that there is considerable uncertainty about the UC's future financial position, and we welcome the opportunity to work with the administration to craft equitable and efficient policies for dealing with our current and future problems.

Thank you for helping advance our shared goals.

Sincerely,

Shelley Halpain, UCFW Chair

Sean Malloy, UCPB Chair

David Brownstone, TFIR Chair

Lisa Ikemoto, HCTF Chair

Copy: UCFW, HCTF, TFIR, UCPB
Hilary Baxter, Executive Director, Academic Senate
Robert Horwitz, Academic Council Vice Chair

UNIVERSITY COMMITTEE ON ACADEMIC COMPUTING
AND COMMUNICATIONS (UCACC)
David Robinowitz, Chair
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October 26, 2020

MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL

Re: President's Proposed Curtailment Program for 2020-21

Dear Chair Gauvain,

UCACC would like to reinforce the comments of the UCSD Committee on Academic Information Technology (CAIT) and UCSB's Committee on Information Technology regarding the President's Curtailment Program Proposal.

In considering the potential impact of the president's plan, it will be critical to consider the delivery and function of information technology (IT) services across the institution. UCACC members suggest that UC employees who provide IT support be considered for classification as essential workers in any curtailment program. During this time of distance education, distance research, and ongoing cybersecurity threats, the provision and support of telecommunication and computing services is even more important to the core mission of the University. IT services are crucial to all aspects of university operations, including administrative systems (benefits, admissions, retirement, etc.), online teaching, research productivity, healthcare provision, and student success. Any disruption could have significant and long-lasting consequences.

In structuring the curtailment plan, there should be careful consideration of exemptions when needed to ensure optimal services, and fair treatment of workers in IT. UCACC also suggests that there be some flexibility to allow those IT workers who desire and are able to participate in the curtailment program to do so.

Sincerely,
/s/
David Robinowitz, Chair
University Committee on Academic Computing and Communications

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UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)
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October 22, 2020

MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL

RE: PROPOSED CURTAILMENT PROGRAM FOR 2020-2021

Dear Mary,

We realize the program details are in development and thus not fully yet known, and appreciate UCOP getting a plan out for input as soon as possible. We also realize the realities of a budget shortfall. However, we suggest UCOP consider the following:

1. It is unclear **when** (i.e., which pay periods) faculty and staff should expect a reduction in salary.

2. A definitive statement that **retirement** contributions and pensions would not be affected by the curtailment would be appreciated.

3. It is unclear who would and who would not be affected by the curtailment, and which **components and contributions of one's salary** would be affected. For example, would salary contributions coming from clinical revenue, federal or foundation funding, or other non-state sources incur a cut?

4. This curtailment program will impact **morale** at a time of heightened stress for so many faculty and staff. Many UC employees are currently working from home, many have amplified childcare or elderly care responsibilities throughout the day, every day, and stress stemming from a host of political, economic, healthcare, and medical uncertainties. If this program does not satiate the budget shortfall, is it worth the cost to the morale of our most valuable asset: our faculty and staff?

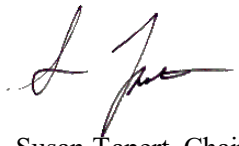
5. Faculty will be **working harder**, yet may be unable to achieve the same levels of performance as in normal times. This may impact files and advancements across all campuses, and we should not be penalizing faculty further via salary cuts. While curtailment may reduce systemwide costs, the work that faculty and staff need to do remains the same. Curtailment does not mean that faculty and staff are being asked to do less—rather, they are being given fewer days(or a pay reduction) to do the same amount of work.

6. If this curtailment program is implemented, how will this program affect the **merit and promotion process**?

7. It would be helpful if the **difference between a curtailment and a furlough** could be elucidated.

Thank you for the opportunity to comment on this matter. Please don't hesitate to contact me if you have any questions.

Sincerely,



Susan Tapert, Chair
UCAP

UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION, DIVERSITY, AND EQUITY (UCAADE)
Javier Arsuaga, Chair
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Oct 30th, 2020

MARY GAUVAIN
CHAIR, ACADEMIC COUNCIL

RE: UCAADE Response to proposed Curtailment

Dear Mary,

On behalf of the University Committee on Affirmative Action, Diversity, and Equity (UCAADE) please find enclosed our concerns with the curtailment program proposed by the UC Administration. While our committee members fully endorse the concerns raised by their respective campuses, we here emphasize concerns in reference to the impacts of the curtailment program on underrepresented minorities at the University of California. We strongly believe that the proposed curtailment program **may lead to the loss of an entire generation of women faculty and faculty of color.**

1) Women faculty and faculty or color have been disproportionally affected by the COVID-19 pandemic, we believe the curtailment program will have additional effects that may be devastating. New studies have shown that the COVID-19 pandemic has had a dramatic impact on women, faculty of color and on faculty caring for young children; these studies also show that programs such as the proposed "curtailment program" may impose unbearable burden in these faculty members which may result on their separation from the UC system. The literature shows that lack of support and family concerns are some of the top factors that women and faculty of color report as key reasons for departing academia. Lecturers and staff members face similar situations.

We suggest the administration to consider specific actions to ensure that the curtailment program minimizes its effects on women and faculty of color. These include: (1) develop policies that are not gender neutral; (2) allocate flexible funds to support research programs (3) delete start-up expiration dates; (4) flexibility on time to tenure/promotion.

2) Women faculty and faculty of color will suffer compounded effects of the curtailment program and the deferral of tenure and/or promotion. Allowing faculty to defer their promotion and/or tenure cases is key for retention. Unfortunately, this measure widens disparities. For instance, a calculation by our colleague Prof. H. Rose (UCD) shows that one-year deferral in tenure has a cumulative effect of more than $40,000 in salary during the career of a faculty member. Deferral of tenure/promotion and the economic effects of the curtailment create a sense of lack of advancement which is a common cause for women and minority faculty for leaving academia.

We propose that salary increases at the time of promotion/tenure are made retroactive to the initial scheduled time for tenure/promotion.

3) If the curtailment program is going to go in effect, other models that minimize the burden on women faculty, faculty of color and those on Visas should be considered.
The curtailment model proposed by the administration should be reconsidered since women, faculty of color and faculty on Visas make a large proportion of newly hired faculty, lectures and non-senate faculty. We propose that if the curtailment program is going to go into effect then it should minimize the effects on these populations.

Oure recommendations are the following:

i) the current model does not take into account the cost of living in different regions within California.

ii) An example of a more equitable model proposed by our colleagues at UCR is shown in the table

Salary tier in thousands	% earnings	Savings	
< 59	0.0%	$	-
59 - 89	0.1%	$	2,500,000.00
89 - 118	0.5%	$	11,000,000.00
118-176	1.0%	$	46,000,000.00
176-234	2.0%	$	41,200,000.00
> 234	2.5%	$	32,236,842.11
		$	132,936,842.11

iii) Evidence of rapid growth in the number of senior management on the campus level abounds. Necessary reductions in overall spending should consider and model the effect of reducing the overall size of administration before salary cuts for faculty are considered. UCOP should be asked to model these reductions alongside proposed curtailment schedules in order to assess where greater efficacy might be found. Past recessionary periods (early 1990s and post-2008) led to destructive and long term declines in faculty numbers, prestige, and morale. UCOP stands on the verge of making the same mistake for a third time. Alternate possibilities should therefore be considered.

iv) Curtailment must not exempt grant-supported faculty and those on "soft" funding sources. Past discussions of furloughs and salary reductions have inevitably been accompanied by comments from particular categories of faculty documenting why they should be exempt from said reductions. Often these are quite logical--reducing salaries in some areas causes an overall revenue loss in recovered funds. However, given the uneven distribution of faculty across fields by race and gender, any exemptions to a proposed curtailment program must include an analysis of disproportionate effects of these exemptions.

5) The curtailment program will be detrimental to students
As a result of the curtailment program we would expect a reduction in resources and services offered by staff and faculty (which in many occasions are provided by women and faculty/staff from underrepresented minorities). Studies based on the last economic crisis show that measures such as the curtailment program negatively affect morale, create emotional exhaustion and have a detrimental effect on the organizational climate. As a consequence, we believe that the proposed curtailment

program will have detrimental effects on services provided to students, specially to first-generation, low-income, and disabled students, hence jeopardizing their careers.

Sincerely,

Javier Arsuaga
Chair, UCAADE

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