CSUEU – CHAPTER 315
CHAPTER MEETING

Wednesday, June 23, 2010, 12:00 PM
Pyramid Annex

11 Pages

OFFICERS PRESENT

Peggy O’Neil-Rosales, President, Richard Duarte, Vice President and Chief Steward. Janine Licausi, Secretary, Denitra Jones, Treasurer, Rosalva Guzman, Bargaining Unit 5 Representative, Toni Kukreja, Bargaining Unit 7 Representative, Matthew Black, Bargaining Unit 9 Representative and Janet Gonzales, Organizing Chair.

OFFICERS ABSENT

Corina Carpiet, Bargaining Unit 2 Representative.

GUESTS

Christopher Graeber, Labor Relations Representative.

HANDOUTS

• Stop the Cuts Commitment Cards.

AGENDA

• The governor’s minimum wage update
• Layoff and Seniority Points Presentation
• June 30, 2010 Furlough Program Ends
• Announce the Winners of the Button Day Contest
• Approval of the minutes from the October 22, 2009, April 22, 2010 and March 18, 2010 Chapter Meetings.

CALL TO ORDER
President O’Neil-Rosales called the meeting to order at 12:00 pm.

**PREVIOUS MEETING MINUTES**

Moved by Janine Licausi and Seconded By Richard Duarte

**MSC** – To approve the minutes from the October 22, 2009 Chapter Meeting as submitted.

Moved by Janine Licausi and Seconded By __________

**MSC** - To approve the minutes from the April 22, 2010 Chapter Meeting as submitted.

Moved by Janine Licausi and Seconded By __________

**MSC** - To approve the minutes from the March 18, 2010 Chapter Meeting as submitted.

**PRESIDENT’S REPORT**

**TREASURER’S REPORT**

**LAYOFF AND SENIORITY POINTS PRESENTATION**

Layoff Bargaining Training

**BUDGET OVERVIEW**

CSU and the California Economy
- Country’s largest and most diverse university system.
- Academic engine graduating 92,000 students in 2009.
- Bachelor’s degree earns twice as much as high school graduate.
- The CSU generates $4.41 in spending forever $1 invested by the State.

CSU is the economic engine of California
- 60% of all California’s teachers graduate from the CSU.
- 65% of the state’s business degrees are from the CSU.
- The CSU produces 64% of the state’s nurses.
- The CSU, it’s students and graduates generated $3.11 billion in tax revenue in 2003.

State support for the CSU has been reduced 44% over the past 20 years.
• In FY 1987/88, 5.2% of the state’s general fund was allocated to the CSU.
• In FY 2007/08, only 2.9% of the state’s general fund was allocated to the CSU.
• If the CSU was still funded at the 1987 level, it would have had $2.4 billion more in state support in FY 2007.

Over the past 40- years, General fund support for the corrections budget has increased by a staggering 125%.

State support for higher education was decreased by 51% over the same period of time.
CSU Budget Review

- Two year budget bill signed February 20, 2009
- The State budget was “balanced with a combination of Budget cuts in the amount of $14.8 Billion, Tax increases in the amount of $12.5 Billion, Federal Stimulus dollars in the amount of $7.8 Billion and Borrowing the amount of $5.4 Billion. In addition, the governor vetoed $.9 Billion.
- The CSU Budget was cut by another $50 million because the state did not receive at least $10 billion in unrestricted federal dollars.

CSU Budget Review

- The February 2009 budget was predicated on the passage of five initiatives which were placed on the May 19th ballot.
- They all failed passage.
- (Prop F has no impact on the budget).

Disproportionate Workload Increase

- Between 1992 and 2007, the number of students has increased by 34%.
- The number of faculty has increased by 46%.
- MPP have grown by a remarkable 59%.
- CSUEU represented employees have increased by only 37%.
Majority of Californians do not support more cuts to Higher Education
- In a poll of 922 likely voters which was conducted in mid April 2009, 65% were opposed to any further cuts to Higher Ed.
- 61% say enough is enough, you cannot keep cutting education and other critical services without jeopardizing California’s future.

CSUEU joins Alliance for the CSU
- CSUEU has joined a growing list of business, government, labor, academic and student leaders who are advocating NO MORE CUTS TO THE CSU BUDGET.
- The Alliance points out that the nation’s largest, most affordable, highest quality system of higher education is vital to the California economy.

Contract Review
- Notice – Articles 2, 24
- Seniority points – Article 24
- Order of layoff – Article 24
- Options in lieu of layoff – Article 24
- Student assistant hours and number of managers – Article 17
- No displacement – Article 3

Determination
- On a campus when the Employer determines that a layoff is necessary because of lack of work or lack of funds, the following procedures shall apply. [24.1]

Reasons for layoff
- Lack of work – the functions of a classification are no longer being performed on the campus.
- Lack of funds – There are insufficient funds to continue services performed by a classification.

Right to negotiate
- When the CSU determines that there is a need for implementation of any procedure outlined in this Article, the CSU agrees to immediately notify the Union. The Union may submit a written request to the office of the Chancellor to meet and confer with the Union on the bargaining unit impact. [24.2]

Notice to the Union
- Notice – the term “notice” or “notification” as used in this agreement in Articles 1,3,4,9, 17, 21, 24, and 29 refers to the process of providing formal and official written communication to CSUEU or the CSU. Unless otherwise expressly agreed upon, notice to both CSUEU and CSU shall be made to their respective headquarters
Notice to employees

- Permanent employees laid off due to lack of funds must receive at least 60 days notice prior to the effective date of layoff. If layoff is due to lack of work, at least 90 days notice is required. Notice must be from the President and mailed by certified mail. [24.21]
- Temporary and probationary employees must receive at least 45 days notice [24.20]
- The non-reappointment of a temporary employee does not constitute a layoff.

Classification and skill level

- Layoff shall be within classifications determined by the President. For classifications with skill levels, layoff shall be within the skill level determined by the President. Twelve (12 ) month, 11/12, 10/12 month and academic year positions with the same class title shall, for the purposes of layoff, be considered a single classification. [24.3]

Order of layoffs

- The order of layoff shall be:
  - First, temporary and probationary employees
  - Last, Permanent employees [24.3]
- Temporary and probationary employees in a classification shall be separated or laid off before permanent employees in the same classification. Non-reappointment of a temporary employee does not constitute a layoff. For classifications with skill levels, temporary and probationary employees shall be separated or laid off before permanent employees in the same skill level. [24.3]

Seniority point calculation

- Full time permanent employees shall earn one (1) point of service credit in a given class, or skill level within a class, for each qualifying month of employment. Part time employees holding permanent status shall earn seniority points proportional to the time base served. [24.8]
- For the purpose of computing permanent employee seniority credit, length of service includes continuous time served as a temporary, probationary or permanent employee and is counted from the date of appointment to the current class held, or current skill level held within the classification, consistent with Provision 24.10 below, plus any service in all classes or skill levels of equal or higher rank on the campus, including time spent in non-CSUEU classifications, which has not been interrupted by a permanent separation. [24.9]

Employee options in lieu of layoff

- A permanent employee who has received a notice of layoff may exercise his/her right to elect transfer to any vacancy for which he/she is currently qualified. Such qualification shall be determined in the normal matter. When two (2) or more such permanent employees elect transfer to the same vacancy
in accordance with this provision, the President may select the employee to be transferred on the basis of merit [24.22]

- A permanent or probationary employee who has received a notice of layoff may elect to be transferred or demoted to any classification, or skill level within a classification, in which he/she has served as a permanent employee during the period preceding the layoff, provided there has been no break in service. [24.23]

- A permanent employee at the Chancellor’s office who has received a layoff notice shall have retreat rights to his/her former campus if he/she had gained permanency at that campus. Such retreat rights exist only if the employee’s appointment at the Chancellor’s office was immediately after separation from the campus. [24.24]

- If an employee elects a demotion in lieu of layoff, his/her salary shall be “red circled” in accordance with the red circle rate provisions in Article 20, Salary. [24.25]

**Voluntary Programs to avoid layoff**

- At least sixty (60) days prior to the effective date of a layoff due to a lack of funds, the President shall make available voluntary programs to avoid layoff. At least ninety (90) days prior to the effective date of a layoff due to lack of work, the President shall make available voluntary programs to avoid layoff. When the layoff is due to a lack of work, voluntary programs will only be made available to employees in the classifications affected by the layoff. If there are no employees in the affected classifications other than those notified of the possible layoff, voluntary programs will not be offered. [24.32]

  - Such programs shall include, but shall not be limited to:
    - A Voluntary reduced workload program.

  - A voluntary reduced work time program may reduce the time worked by an employee within the work week or within the work year. The 10/12 or 11/12 pay plan as provided for in this Agreement shall be considered a voluntary reduced work time program. Prior to a layoff, the President shall extend the provisions of the 10/12 or 11/12 pay plan (Article 20, Salary, Provisions 20.15 through 20.25) to employees in classifications undergoing layoff and may extend the provisions of the 10/12 or 11/12 pay plan to employees in classifications not otherwise eligible.

  - Leaves of absence without pay in accordance with Article 16, Leaves of Absence without pay, of this Agreement. [24.32]

**Reemployment Rights/Opportunities**

- The President shall enter the names of laid-off permanent employees on a reemployment list by class, or by skill level within a classification, in order of seniority. An employee’s name shall remain on the reemployment list until he/she returns to a position in the same class or skill level within a classification, held at the time of layoff and at the same timebase previously
held. In no case shall a name remain on the reemployment list for more than five (5) years. [24.29]

Reemployment Offers
- Position vacancies in a class, or skill level within a classification, for which there are names of qualified individuals on the reemployment list shall not be filled without first making an offer of reemployment to those on the list. If an individual on the reemployment list declines two (2) such offers, he/she waives his/her reemployment rights. An individual on the reemployment list may request inactive status for up to one (1) year. [24.29]

Rights after Reemployment
- An employee reemployed under the conditions of this Article shall retain permanent status rights, service credit (subject to Public Employees’ Retirement System (PERS) regulations), salary steps, sick leave, and seniority credit he/she held at the date of layoff. [24.30]

Job Clearinghouse
- The CSU shall provide a job clearinghouse to advise and inform employees in classifications, or skill levels within classifications, undergoing layoff of employment opportunities at other campuses. The services of the clearinghouse shall be available upon request to permanent employees in receipt of notice of layoff or former permanent employees on a reemployment list. A campus may not fill a vacancy without ascertaining whether such an employee or former employee has applied. If such an employee has applied for a vacancy, his/her application shall be considered. [24.31]

Student Assistants and Managers
- The campus must freeze the number of student positions and the number of administrators in a department who are performing any bargaining unit work. No additional student positions or administrators performing bargaining unit work may be hired while employees are on layoff. [17.13]

No displacement
- When the Employer deems it necessary in order to carry out the mission and operations of the campus, the Employer may contract out work provided that the contracting out does not displace bargaining unit employees. “Displacement” includes layoff, demotion, involuntary transfer to a new classification, involuntary transfer to a new location requiring a change of residence, and involuntary time base reductions. [3.2]

Layoff Notification
- CSU formally notifies CSUEU headquarters as soon as layoffs are necessary – this triggers the Union’s right to request impact negotiations.
- CSU notifies permanent employees of layoff at least 60 days in advance if there is lack of funds.
• CSU notifies permanent employees of layoff at least 90 days in advance if there is lack of work.
• CSU notifies temporary and probationary employees of layoff at least 45 days in advance.

Layoff Process
• Layoff is by classification on the campus.
• Temporary and probationary employees are laid off before permanent employees in a classification.
• Permanent employees are laid off in seniority order – last hired, first to be laid off.
• Options in lieu of layoff must be offered to affected employees and to others in the same classification.

Options in Lieu of Layoff
• Retreat to a prior permanent classification. *(Could trigger layoffs in that classification)*
• Filling another vacant position on campus.
• Reductions in time base or hours of work.
• Job sharing (based on time reductions by others on campus)
• Leaves of absence.

Return to work provisions
- Employees have a right to return to work in restored positions on campus for up to five years.
- Employees have the right to be considered for positions on other campuses (job clearinghouse).
- Employees may continue to participate in fee waiver while on the layoff list.

When they pile on the work…
• The labor contract is still the law, budget crisis or not!
• Your job evaluation should not suffer due to workload.
• Student workers are not allowed to take bargaining unit jobs away.
• Your job duties should be within your job classification.

Our advice in these hard times…
• Always act professionally, never be insubordinate. Call a steward if there is a problem.
• Revise your job description to include all assigned tasks. *(Could be used to request a reclassification later!)*
• Do not work unpaid hours!
• Take your breaks and lunch!
• Go home on time!
• Take care of yourself and your family!
Develop an Action Plan!
- Denial and anger are natural!
- Finding work – develop a job search action plan.
  - Inventory and review your qualifications and skills, format them into a resume
  - Plan your time and use time management
  - Practice job interviews through mock interviews
  - Person to person networking is a key! Network with family, friends, professional contacts, church members
  - Build up a full resume or portfolio sit with such services as LinkedIn.

Creating Financial Stability
- Create a financial action plan – Assess monthly payments, income/assets, lower your household expenses, stop credit purchases
- Apply for Unemployment Insurance Immediately – Magic words “Laid off for lack of work or funds”

Keeping a roof over your head
- Your mortgage or rent payment should be your top priority – Pay it first!
- Use mortgage or renter assistance programs as needed, this is what they are designed for!

Putting Food on the Table
- The average family normally spends 25-33% of their income on food
- Plan ahead, use coupons, shopping lists
- Plant a vegetable garden.
- Apply for food stamps
- Use local food banks

Managing utilities
- Check into budget payment plans – switch to a level payment plan that keeps your bill the same each month.
- Reduce utility usage – conserve where possible.
- Inquire if you are eligible for energy assistance programs.

Stay Insured
- Make a list of all policies and agents
- Call agents to discuss lowering premiums.
- Discuss with HR how long your healthcare coverage will extend – plan physicals and tests before deadline.
- Look into COBRA

What can we do to help each other?
- Money saving tips?
- Food banks, sharing vegetables
• Clip coupons – even those you won’t use and offer to others.
• Other ideas?

**ADJOURNMENT**

Adjourned by consensus at 1:00 PM.

Respectfully submitted by Janine Licausi, Secretary

The minutes are a draft and not yet approved.