

## UC Santa Barbara, SETC, 2015-2016 Negotiations

### SETC's "Sunshine" Document:

*The following "concept" proposals represent a preliminary list of those articles of the contract that SETC will propose to change, modify or amend. The submission of this "Sunshine" document is entirely without prejudice to the Union's ability to modify, amend, substitute or withdraw any or all of these proposals depending upon the course of bargaining, discussions with management of these issues and information learned through management responses to Union proposals. In addition, the Union reserves the right to submit additional proposals or possibly, to propose to open additional articles of the contract, as negotiations progress either initially or in response to management proposals on such articles or responses to outstanding information requests, including but not limited to the Union's request for complete set of University personnel policies.*

*Globally, SETC proposes to change all references to the Operating Engineers Local 501 or that Local's outgoing agreement, to "SETC – United." We will not call out each such change.*

Article 2, Duration: To be discussed with management after discussion of compensation issues.

Article 4, Nondiscrimination: Add to the list of prohibited forms of discrimination, discrimination on account of the employee's participation or non-participation in union activities or business and make grievances concerning such discrimination, be subject to arbitration, to ensure a full remedy and because of the unavailability for a remedy for this form of discrimination under the existing University non-discrimination policies.

Article 7, Shift Differentials: Likely proposals to increase the shift differentials.

Article 11, Holidays: Add a personal holiday.

Article 13, Vacation: Discuss with management policy on "Christmas" or Holiday closure.

Articles 14, Work Incurred Injury, 15, Military Leave, 16, Leaves of Absence, 30, Medical Separation, 31, Reasonable Accommodation, to be reviewed for compliance with current law. The Union reserves the right to make proposals to these articles after a review for compliance with the law and as to other issues under consideration.

Article 18, Discipline and Dismissal: The Union is making a thorough review of this article and is likely to propose several changes in the procedure for imposing discipline, e.g., and without limitation, possibly the description of the "just cause" standard, the paragraph dealing with an investigatory leave, possibly further elaboration on the requirement to provide "progressive discipline," the "time out" provision relative to warning notice.

Article 20, Subcontracting: The Union is considering making a proposal on this article, possibly to require reasonable efforts by management to keep or bring work that is subcontracted out in house, (both special projects and maintenance needs and recurring, routine work that may be subcontracted out now, e.g. Carpet laying or floor jobs), and/or possibly including enhanced notice/disclosure and other procedures. Additionally, the Union may propose that where the

Union can demonstrate that doing work in house will result in costs savings to the University, the work shall be performed in house. Exact proposals to follow after the receipt of additional information from, and discussion of this issue with management.

Article 21, Unit Work: The Union will propose a simple definition of “unit work” and a limitation on the unit work that can be performed by supervisors and non-management employees to “*de minimis*” standards.

Article 22, Complaint Procedure: The Union is reviewing this procedure, which it is not familiar with and may make proposals after an explanation of how this procedure operates in practice.

Article 23, Grievance Procedure: The Union is making a thorough review of this article and is likely to propose several changes in the procedure, including, without limitation, how notices are sent to the union, what types of notices are sent, etc.

Article 24, Arbitration: See comments on article 23 above.

Articles 25, 26 & 27: Safety, Safety Meetings and Protective Clothing & Equipment: Will propose regular safety meetings in which safety issues can be discussed and remediated. Likely proposals to increase the clothing and boot allowances.

Articles 33, Union Stewards and 38, Release Time: The Union will make a proposal relative to union release time to permit more release time to represent members and investigate grievances and for meetings convened by management, etc.

Article 34, Labor-Management Relations Meetings: Likely proposals to provide for more routine Labor-Management meetings with LR and operational personnel, and when requested by SETC representatives.

Article 40, Payroll Deduction: The Union likely will propose a “maintenance of membership” clause restricting resignations of membership to certain times, changes or the possible deletion of D and substantial modification of E, the “severability” clause to provide that in the event the “fair share” provisions of HEERA are declared illegal, the parties will meet and confer relative to modifications of the Agreement to replace the stricken text of this article in a lawful way that substantially affords the union with the greatest lawful protections from “free riders.”

Article 44, University Benefits: The Union is considering the possibility of making proposals to avoid the 2013 and anticipated 2016 Tiers of UCRP benefits by increasing contributions beyond the amount otherwise required by UC, per the agreement UC made for certain other UC unions seeking unitary benefits, i.e., no “two tiers.”

Article 45, Training & Apprenticeship: Likely proposal to contribute the same amount that was contributed to the Local 501 Training Trust Fund to an account to be used for training programs selected by the Union.

Article 46, Wages and Awards: Thorough review and obvious proposals to increase wages, shift differentials, shift premiums, Lead-person differentials, etc. Discuss with management creation

of certain “specialists” such as a High Voltage Electrician, a Fire Sprinkler Technician, etc., and provide for premium pay. Change the reference in Art. 46 D to ensure that proposals to increase salaries for selected classifications or shift differentials, on-call rates, or to extend the coverage of such rates, will be subject to meeting and conferring.

Side Letters on Overtime and STM: Supplement the Facilities Side Letter with the draft Housing Side Letter. Discuss with management the uncertain status of the STM Side Letter. Possible proposal to follow.

Side letter re Senior Craft/Zone Leads: The Union reserves its right to make specific proposals on this subject after discussion with management of current practices, etc.