

Side Letter

This Side Letter agreement is entered into between the University of California and the UC-AFT as of January 1, 2013, and is intended to cover members of the Librarian Bargaining Unit (LX). Its provisions shall go into effect upon ratification of this Side Letter agreement by the UC-AFT and the signature of Vice President, Human Resources, Dwaine B. Duckett. The University and the UC-AFT acknowledge that, notwithstanding the ratification of this Side Letter, the 2012 Successor Negotiations shall continue unless and until a Successor Agreement is reached or the impasse procedures are exhausted.

- 1) The parties acknowledge that the University's obligation to conduct a merit program for represented librarians shall be governed by this Side Letter. –Article 14 (Salary) A 4 in the current LX MOU is no longer in effect and shall not be included in a Successor Agreement. As a result, any successor MOU resulting from the current negotiations shall not contain language regarding the annual merit program that is inconsistent with the provisions of this Side Letter.
- 2) In any year in which the University conducts the annual merit program for eligible non-represented academic employees it will include eligible LX unit librarians in such merit program. The effective date of the merit increases for represented librarians (ordinarily July 1st) shall be the same as the effective date for merit increases provided to the non-represented academic employees.
- 3) The provisions set forth here and in #4 shall remain in full force and effect for a period of seven (7) years following the effective date of this Side Letter Agreement. Beginning July 1, 2012 and in any subsequent year, up through fiscal year 2019-20, in which LX unit librarians participate in the annual merit program, the provisions set forth in Article 15, Benefits shall remain in full force and effect regardless of whether the contract itself is in effect or expired. For purposes of illustration, when the University includes LX unit librarians in the annual merit program effective July 1st, the University shall be able to implement open enrollment changes pertaining to health, welfare and retirement benefits that ordinarily go into effect the following January 1st. With respect to the continued application of Article 15 Benefits, the UC-AFT has relied on information and representations provided by the University prior to the ratification of this Side Letter Agreement detailing the elements of certain post-employment benefit changes slated to go into effect on July 1, 2013.
- 4) In any year in which the University does not conduct the regular academic merit program per #2 above, the University shall notify UC-AFT as soon as practical that no merit increase shall be provided during the following fiscal year. In such following fiscal year, the University shall meet and confer, if the AFT so requests, over changes proposed to health, welfare and retirement benefits.
- 5) LX unit librarians who received positive merit reviews in 2011-12 shall be paid as follows:
 - a. LX unit librarians eligible to participate in the 2011-2012 merit program in which eligible non-represented librarians received their merit increases effective July 1, 2012, shall receive concomitant increases no later than the first monthly pay date no later than 90 days following notice of ratification of this Side Letter Agreement.
 - b. LX unit librarians who receive an increase pursuant to #5a shall receive a lump sum payment reflecting an effective date of the merit increase of July 1, 2012. Such lump sum payment

shall be paid out in the first full pay period following 90 days from the date of ratification of this Side Letter Agreement. In order to receive a retroactive lump sum payment a librarian must be on the active payroll as of the date of ratification by the union membership. The University will use its best efforts to implement the retroactive payments as soon as practical.

- 6) The Memorandum of Understanding between the University and UC-AFT, which expired on September 30, 2012, shall be extended through and including August 31, 2013, unless a Successor Agreement is ratified prior to that date.
- 7) Furthermore, the parties agree that such Successor Negotiations will focus on possible modifications to the Librarian Salary Scales. The parties acknowledge that the salary scale for the Assistant title and the lower steps of the scale for the Associate title are issues of mutual concern.



Peter Chester, Director Labor Relations
University of California



Mike Rotkin, Chief Negotiator
UC-AFT

1-8-13

Date

January 8, 2013

Date