



OFFICE OF THE VICE PRESIDENT
HUMAN RESOURCES

OFFICE OF THE PRESIDENT
300 Lakeside Drive, 10th Floor
Oakland, CA 94612-3550

April 24, 2019

Via Email

Mike Miller
International Representative
UAW 5810

Dear Mike:

With the establishment and an agreement on the composition of the Academic Researchers bargaining unit (RA) along with PERB's certification that the UAW 5810 has majority support, the next phase is to bargain the first agreement.

In accordance with HEERA provision §3595, the University is required to post its initial proposals in order to sunshine the proposals and provide an opportunity for the public to comment prior to the commencement of bargaining.

In order to establish a collective bargaining agreement, the University is proposing to add the following non-economic articles:

- **Recognition** – list the titles included in the bargaining unit;
- **Severability** – standard provisions for a collective bargaining agreement;
- **Waiver** – standard provisions for an academic collective bargaining agreement, including having applicable parts of specified policies and procedures, e.g., specified APM, PPSM, Presidential, and Regental policies, continue to apply;
- **Past Practice Not Covered By Agreement** – practices and policies now existing, not raised in the bargaining process and not in conflict with the MOU, may remain in effect.
- **Management and Academic Rights** – standard provisions for an academic collective bargaining agreement;
- **Academic Responsibility** – standards of conduct and responsibilities, including integrity in research;
- **Labor Management Meetings** – process for meeting during the life of the agreement;
- **Release Time** – process for releasing bargaining team members to participate in bargaining;
- **Union Access** – provide clear rules regarding applicable restrictions to the work site, particularly in laboratories;
- **Duration** – specify the length of the Agreement and specific terms regarding opening the Agreement for successor negotiations;

- **Description of Unit Titles** – description of the duties that correspond to the titles identified in Article 1 — Recognition and the term of appointments;
- **Corrective Action and Dismissal** – procedures for when the University has to take disciplinary action up to and including dismissal of researchers;
- **Personnel Files** – denote where files are kept, what information is contained in a file, and the procedure for gaining access to files;
- **Health and Safety** – procedures for when health and safety issues arise;
- **Layoff and Reduction in Time** – notice, reasons for layoff, and severance provisions;
- **Medical Separation** – procedures for when medical separation issues arise;
- **Non-Discrimination in Employment** – protected classifications and procedures for when discrimination claims arise;
- **Reasonable Accommodation** – procedures for reasonable accommodation;
- **Resignation and Job Abandonment** – procedures for resignations and for dismissal when a researcher abandons position;
- **Work Incurred Injury or Illness** – procedures for when a researcher is injured on the job.

Conditional Proposals: provided the University and the UAW agree to a No Strikes article, the University will agree to propose Grievance and Arbitration Procedure articles.

- **Grievance Procedure** – a three-step process for industrial jurisprudence;
- **Arbitration Procedure** – a binding hearing process through a third party neutral. The University will propose a separate arbitrability hearing with one arbitrator and if arbitrable, a different arbitrator shall hear the merits;
- **No Strikes** – an agreement for labor peace during a settled and closed agreement.

The University proposes to add the following economic articles to the agreement:

- **Salary** – annual increases (if any) for the unit;
- **Merit Review Process and Evaluation Criteria** – a process and criteria for obtaining individual merit increases and promotions;
- **Benefits** – the current benefits program for academic and staff employees, including specific health benefits and retirement benefits, where applicable.

The University proposes to add the following ancillary economic articles to the agreement:

- **Sick Leave** – sick leave benefits;
- **Vacation** – vacation leave benefits;
- **Leaves** – other leave benefits;
- **Holidays** – holiday calendar;
- **Parking and Transportation** – maintain location specific programs.

The University reserves the right to add, delete, or modify its proposals as bargaining progresses. The University also reserves the right to consolidate some of the above referenced articles into articles

specific to the different academic title series in the unit. Given the differences between some of the academic titles series, consolidation may make more sense.

The sunshine process will take place on May 1st and May 13th at the Office of the President, 300 Lakeside Drive – 10th floor in Oakland, CA from 10:00 a.m. – noon on both dates.

The first bargaining session will commence on May 14th at UCLA at 10:00 a.m.

Sincerely,



Nadine Baron Fishel
Chief Negotiator
University of California

C: Peter Chester
Amy Lee
Patty Donnelly
UC Bargaining Team