

Clerical Contract Negotiations – Wednesday, June 29, 2011
101 Walter Library

Present—AFSCME 3800/3801: Phyllis Walker, Andy Carhart, Rick Castillo, Cherrene Horazuk, Kurt Errickson (Staff Rep/Negotiator – AFSCME Council 5), Ginger Nohl, Peter Lunney, Judy Borrell, Doug Sembla, Mary Snyder, Mary Lou Middleton, Polly Peterson.

Absent: Kem Tae Lynch

Present—Management: Sheri Stone (Negotiator – OHR), Valerie Watson, Dorothy Cottrell, Leslee Mason.

Absent: Judith Karon

Start time: 1:01 PM

Kurt Errickson: I propose that we start with introductions, including your name, where you work, and how long you have been at the University.

Sheri Stone: Guess what, I am pretty sure that you have us outnumbered every day.

Kurt Erickson, Business Agent at Council 5, I've worked with the U locals for 4 years

Phyllis Walker, President of AFSCME 3800, Law School, 25 years

Andy Carhart, Population Center, 7 years

Peter Lunney, School of Nursing,

Rick Castillo, Med Area, Department of Surgery, 7 years

Doug Sembla, Med Area, Dentistry, 17 years

Ginger Nohl, Morris/Crookston, 30 years

Mary Lou Middleton, Vice President of AFSCME 3800, Humphrey School of Public Affairs, 27 years

Polly Peterson, Human Resources, 33 years

Mary Snyder, Center for Transportation Studies, 11 years

Judy Borell, UMD,

Cherrene Horazuk, Chief Steward, Humphrey School of Public Affairs, 7 years

Valerie Watson, HR director, Controller Office, 7 yrs

Leslee Mason, Extension, 26 year

Dorothy Cottrell, AHC HR, 11 months

Sheri Stone, OHR, Labor Relations, 3 years

Local 3800/3801 OPENING

Kurt Errickson:

In November of 2008, President Bruininks called for a hiring freeze due to the economy and the fact that the legislature was not giving the University as much money as it did in the past. The Administration said its top goal was to protect the mission of the U – education, research, and patient care. The message to staff was one of sacrifice, that we must all sacrifice.

This was the message from the administration to everyone – the regents, students, staff, the legislature and the people of Minnesota. That everyone at the U – all the key stakeholders – must sacrifice.

In AFSCME, we have sacrificed:

The Regent's Scholarship cut was an attempt to make money from us – to generate revenue from new tuition payments by staff.

Our staffing levels have decreased dramatically. AFSCME had 3200 clerical workers when it was formed, now we are at 1500. On top of that, our union has decreased in size by ten percent since November of 2008, as has the University overall. These numbers are based on data provided to the Union by the University. I can share my sources with you. There have also been sacrifices among some other employee groups. The Academic Professional segment of the P&A employee group has decreased by 648, or 22% since April of last year. These are people who teach, do research and work with patients. The faculty group has decreased in size by 8.5% or 300 positions during that same period.

We sacrificed through our wages. The furlough was hard—it cost us 1.15 %. In order to respond to the budget crisis, we are all participating in sacrifice. During the last round of negotiations, we agreed to freeze our steps and receive a 2 percent general increase only in the second year. After the furlough, that amounted to only .85 %.

You have proposed no steps or general increase again for this contract, and we know that you also want to increase our health insurance premiums and co-pays. One option, the circuit breaker, that was on the table—where no one would have to pay more than 8% of their income for insurance—is off the table. That proposal would have meant that those making less than \$50,000 a year would get a big subsidy on family insurance – which would be very valuable to us.

We have sacrificed. But not everyone has. The facts show that one group has not sacrificed—the Academic Administrative segment of the P&A employee group has not. These are the Directors, Assistants, Assistants to, Associates, Associates to; those types of positions **have lost only 27 jobs** or decreased by only 1.23%, while our members are getting laid off. Among the professional managers – excluding the coordinator title, the group has shrunk from 903 to 900 people since November 2008. They are doing just fine.

We are also studying wages and the picture is not clear because the data the University provided the union is fuzzy. President Bruininks told the world that the University's professional and academic staff was taking a 1.15 % pay cut. But instead 482 people received pay raises—24% of managers got pay raises—well above what everybody else received! We got .85% as did many of the other employee groups. These managers received an average of 3.73 percent - worth \$1.2 million per year. \$1.2 million is worth 22 clerical jobs, directly supporting faculty and working with students. In terms of a general increase, \$1.2 million is worth 2 percent to the clerical bargaining unit – 1 percent to UM AFSCME as a whole.

Again, while AFSCME suffers, management appears to be doing just fine.

My question for the University is as follows. The University has misled the taxpayers, the public, workers, students, and parents. They said that everyone at the University is sacrificing. There is one group that been spared—professional management—even prospered while others sacrifice. If you are interested in fairness, logic, transparency, and having an open and honest relationship, then these facts are crazy. How can you tell everybody that the entire organization has sacrificed when management workers so clearly has not? If you are trying to maintain the status quo, and want to allow top managers to profit at the expense of the low end workers, students, the research mission, and patient care - then it makes perfect sense that the University would lead people on.

Which is it? Which answer is the right one?

We have a new president and administration and now is the time to make important and difficult decisions. Is this situation crazy? I think it is crazy. I don't think there is a deliberate pattern of obfuscation – but what if there is? How long can it really last? Maybe the administration thinks they can get away with it. Maybe they're thinking, I can give my friend a raise—we play golf on Saturday. We already have the Star Tribune talking today about the bloated administration. We have seen P&A grow from 400 to 5,000 employees since the early 90s. Finally, the regents are talking about laying off administrators.

And the media, the regents and others don't even have the complete picture. But they will, because we will tell them. We will let the community know because we want people to have real facts when they decide the fate of this institution. The organization cannot survive by misleading the public. We will share our research with the regents, members, the papers, students, and the taxpayers.

In the long run, even if you wanted to, you couldn't mislead the public and the U's stakeholders. In the end they will learn the truth. It is time to come clean with everyone. It is time to share the sacrifice in this budget crisis. You, as representatives of the University, have an opportunity to make things right. We have given more than our fair share. It has to come from somewhere else. We have seen our coworkers laid off and suffer. You can't ask us for a pay freeze and a step freeze. You can't throw public workers under a train to make a show of sacrifice. Academic Administrators have to sacrifice too. How did you find \$1.2 million for raises? Those who have the least feel it more. We think that we can work together to level the playing field. It is time to make the right decision and level the playing field. Show some respect for our workers who have given so much.

PROPOSAL PRESENTATION:

Having said that, I have two documents for you. The first is a summary of our proposal in plain English. The second is a strike-through on specific language. I'd like to go through the plain language version. Then please share your proposal. Then, we can decide if our time may best be spent going through the technical write-through.

Sheri: We may not have to go through the strike-through.

Kurt: In each year of the agreement there will be a raise equal to the rate of inflation. We haven't seen an increase due to inflation for a long time and we think that now is the time. Our members are losing their houses. My figure shows that inflation is over 4%.

Steps: The exclusion on step increases expires on June 30, 2011. We want to unshade the appropriate words in the contract.

Furlough: The furlough was extremely painful for members. Please award employees a payment equal to the money lost due to the furlough based on a calculation of the average wage for the unit on December 31, 2010.

Increased Duties: More and more work is rolling down the ladder to our workers. It is a huge strain. We have people fitting 50 hours of work into a 40 hour work week. This proposal is one way to compensate employees for that.

Salary Grids: Things have been tough for awhile. We need a remedy or compensation for the setbacks. Pressure builds up without raises. It has been a long time in the wilderness (the last contract).

Sheri: I think I missed something here.

Kurt: We would like to see a new step instituted at the top on the range. There is not a lot of hiring going on at the first two steps in the range. We have few people at the top of the range. This is not a very costly request.

Healthcare Reform Legislation: I am not sure how this affects the agreements. I think that there are changes to be made to conform to Federal law. We will look at it from our side of the table and ask that you do the same.

Regent's Scholarship: Our workers cannot afford the 25% bite. Do we really need the revenue from clerical workers? Regent's Scholarship is a big incentive for people to come to and stay at the University. The University profits from the Regent's Scholarship with a workforce that is happier, more educated, self-actualized—this helps the University.

Job Security: This is very important to our members. This was negotiated in 1991, before the economy failed. We are seeing shrinking bargaining units. The University expects to make a 70 million dollar cut. We know that when there have been layoffs, the clerical workers have been the first to go. The first year after the hiring pause, clericals dropped 10%. P&A staff have a lengthier layoff process.

Sheri: Non-renewal—it is a different process.

Kurt: We are not super confident that the University is going to do exigency layoffs for P&A. We are talking about security for our members. Job security is most important.

Hiring Priority: Why are we hiring externally into the bargaining unit when members are on the layoff list? If someone is on the layoff list, don't post—just bring them back.

We call for an agreement where temporary positions are eliminated first in a job classification before layoffs occur in that job classification. If you are doing a layoff in the medical school, which is a collegiate unit, then any temps in that classification in that unit would have to go first. Human resources will screen only current bargaining unit employees for positions until the priority period has expired. I think that this is language in the Teamster's contract.

Polly: It is the practice.

Kurt: Elimination of Selection Criteria—such a bone of contention. We have so many grievances/arbitrations out there about it. People have anger and hard feeling and feel abused by the process. For the purposes of layoff (bumping and recall), employees will be assumed qualified for all positions within their job classification, within previously held job classifications, and within job classification at lower levels of the same job family. A job class is a job class. This has been a real problem for us. The bumping criteria have been consistently abused by the employer. Making it right is not going to cost the employer anything. We need to know that if we get laid off, we are going to get a fair shake.

Definition of a Layoff: We need the definition to change. Any reduction in hours below a worker's appointment shall be considered a layoff. I would look for someone in the same job class in my department, then unit wide, then geographical area wide.

Vacancies: If there are vacancies, the employer will offer vacancies to laid-off employees first. If there is a vacancy in a previously held job class, I would go into that position. Put laid off people in the vacancy. Why hire someone new? Why do we need to post positions when people are getting laid off?

No Subsequent Probation: Why do people want to work for the union? It is for the protection. Just cause is the most important thing in our contract for many of our members. We have seen people fired for trivial performance issues. I passed probation once; I don't need to go on probation again. Supervisors should not have that much control over their staff.

University-Wide Bumping: If there is no bump available at the levels of the department or collegiate/administrative unit, the laid-off employee may bump the least senior person University-wide within the geographic area. People don't want to bump someone that they have been sitting next to for 20 years. It makes them sick, especially when there are employees who have only been at the U for a few weeks. Bump the least senior person university wide within the geographic area. This safeguards the careers of the University's most senior staff.

Collegiate and Administrative Unit: You are contractually obligated to let us know when you make a change to the collegiate and administration unit, but you do not. The listing of collegiate/administrative units will also include a listing of departments. These lists shall not be subject to unilateral change by the employer. Academic Administration can subvert the contract by making these changes. We think that this is abusive. The right thing to do is to have some stability. We want a list of departments for each unit so we'll know exactly what the bumping procedures will be.

Improve job security language.

Dignity and Respect in the Workplace: We did a survey. We had a 40% response rate, almost half of the respondents, of 2900 emails there were over 1000 respondents. Over half said that they had witnessed or been a victim of bullying. We have had a lot of discussions with the University about bullying. We'll share our definition with you. We keep hearing from the employer that bullying is not a problem because we never hear about it. Bullying happens all the time. People have to be held accountable to treat others respectfully—to not push people around. In our members' relationships with faculty, students, administration, and each other, these bullying issues are real and serious. As we keep getting no raises, getting more work, the stress level goes up and so does bullying.

Flexible Scheduling: Departments will look favorably upon flexible scheduling requests, including telecommuting options.

Employee Resignations: A resignation shall be final only when it is in writing. Employees should have five days to reconsider. Sometimes a worker is having a bad day—they blow up. They might regret it later. Give them five days to reconsider.

Grievance Procedure: Move the whole hearing officer up one level. For example: 1st step = head of unit or manager of equivalent rank, 2nd = dean, 3rd = provost/vice-president or equivalent. It seems like an empty meeting (non-productive) when the supervisor is the first step. The process is not as effective as it needs to be. We think that by making this change, we can get an objective set of eyes and ears and with the authority to make a decision and make it stick. We think that moving the grievance hearing process up a notch will forestall further conflict. Coaching: We would like some contract language to work the problem solving process into the coaching process. We would like to have a message for managers that there is another tool to help solve problems.

Notice of Disciplinary Meeting: We are having trouble getting stewards to all the investigative and disciplinary meetings. Please notify the chief steward within 48 hours of investigatory meetings in the metro—72 hours outside the metro. We need the lead time. Disciplinary meetings are very important to AFSCME. We want to support our workers.

Sheri: Where do you not have stewards?

Cherrene: We have stewards on the campuses except for Rochester. Not in other places. I have gotten calls from people an hour before an investigatory meeting. It is the prerogative of the supervisor to reschedule if a steward is not available.

Sheri: How often do you get notified of meetings? Do managers ever include you on the e-mail even though they don't have to?

Cherrene: Only three times in the last three years.

Kurt: Vacation: Employees may, at their discretion, cash-out one week of vacation per year, in addition to their current rights set forth in the agreement.

Sick Leave: Employees will accrue sick leave at the rate of 3.75 minutes per hour. Sick leave may be used for grandchildren. A lot of our members are helping their kids take care of their kids. It is common in the public sector for employees to take care of their grandkids. Bereavement leave will stand alone as a paid-time off benefit, not counted against sick leave. It is not that common. It is respectful.

Family Medical Leave: Employees may receive more than 12 weeks of Family Medical Leave. We feel that putting that in the contract would be a good reminder to supervisors.

Parental Leave Benefit: This is very important to our members. It is an issue that has been painful for employees for a long time. We have shorter parental leave benefits than other groups. The majority of our members are women. Six weeks of parental leave makes sense. Support workers as they care for their families.

Seniority for Rehired Employees: Employees rehired into the bargaining unit will have reinstated their unused sick leave and vacation rate. That is what the Civil Service staff has. Get credit for seniority.

Negotiation: University of Minnesota staff attending negotiations as part of the Union bargaining committee shall do so on time paid by the employer. It is respectful. The labor/management relationship is important. We think that it is logical to extend this right to employees.

Continuing MOUs: All current MOUs and side letters will continue.

Sheri: We have no caucus room today. We'll ask questions. Who can we contact?

Kurt: Myself, Phyllis, Cherrene

Sheri: It will give us time to go through to match them up. Thank you.

We, too, have a proposal. The University appreciates AFSCME's comments and positions. I am not going to debate the University's intention or non-intention to mislead employees or taxpayers. We are working together on data collection. I agree that the data is fuzzy. I am working on getting as accurate data as we can. The University is working on less money. The Board of Regents has approved a preliminary budget because we are still up in the air as far as what the state is going to do. We still need to function with our budget allotment. Our proposal is much shorter. Kurt has alluded to one or two of the items on our proposal—wages and step increases.

1. Temporary suspension of step increases and no general increase.
2. Insurance: I don't have a detailed insurance proposal right now. We are hoping to come back w/one shortly.
3. Article 6—temporary appointments. Clarify what happens to temporary posted positions. You'll see the actual language is the strike trough.

3 B 2 and 3 B 3 can be confusing and we want to clarify the language. We are proposing a duration of two years.

I have one MOU. There are a couple that have an end date on them. The U is proposing that those MOUs be eliminated.

4. Elimination of MOU—conducting of union business MOU page 86. The history of this MOU, this language was negotiated into the contract in 1997. Either the union president or chief steward would be given a 50% leave to conduct union business so that the University could have stability in scheduling. The University would have some ability to say yes or no to conducting union business over the 50%. The president or chief steward has agreed to do their union stuff in the afternoon. PELRA's language says that given a reasonable notice, the supervisor can agree to allow more than 50%. We are paying for 50% and not getting stability of scheduling. The Union says that they were following PELRA to the letter. We feel that at this point the University is not receiving the agreed upon ability to say no to a request outside of the 50%.

Kurt: Your interpretation is that Chief Steward or President gets 50% time. Are you referring to Chief Steward and President? Or any union member?

Sheri: Only the President and Chief Steward. The supervisor may not grant the leave.

That is the end of our proposal.

Kurt: We don't have any questions at this time. What do you want to do?

Sheri: We will look at the material outside of the public forum. We will ask you, Phyllis, or Cherrene questions.

Kurt: We are meeting next week?

Sheri: Yes. If you have any questions, you can contact me. E-mail me. If you leave me a voice mail, send me an e-mail to tell me to check my voice mail.

Thank you.