



University Council-American Federation of Teachers
Representing Faculty, Librarians & Academic Researchers of the University of California

July 23, 2009

Peter Chester
Labor Relations
UCOP
300 Lakeside Drive, 12th Floor
Oakland, CA 94612

Dear Peter:

Pursuant to our meeting this past Monday, I am writing with requests for information for both the IX and LX units in regard to Lynn Boland's letters to myself and Bob Samuels dated July 17, 2009.

I want to reiterate once again that UC-AFT is not obligated to bargain with the University over the salary reduction and furlough plan and we are not commencing any such process by submitting this request. As we discussed with you, Howard, and Myron, we are asking these questions in order to receive the information that is necessary for our union to decide whether to enter into bargaining over the salary reduction and furlough plan.

I. Questions re: IX Unit – Non-Senate Faculty

1. In her letter of July 17, 2009 proposing that the Salary Reduction and Furlough Plan be made applicable to the IX unit, Lynn Boland states that the University is prepared to meet with UC-AFT "regarding any alternative plans you propose that will yield the same or similar cash savings as the Salary and Furlough Plan adopted by The Regents."

- a. What does "same or similar cash savings" mean here?
- b. Is there a specific dollar amount of savings that must be realized or is the University willing to accept alternative proposals in some kind of target range ("same or similar") for the IX unit?
- c. If there is a specific dollar amount of savings, what amount is equivalent to "the same or similar cash savings" that the University expects to yield from the Salary and Furlough Plan for the IX unit?
- d. If there is a target range, what are the specific dollar amounts that are equivalent to "the same or similar cash savings" that the University expects to yield from the Salary and Furlough Plan for the IX unit?

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- e. If there is a specific dollar amount of savings that must be realized in any alternative plan, what is the basis for the calculation of this number?
- f. If there is a target range for the amount of savings that must be realized in any alternative plan, what is the basis for the calculation of these numbers?

2. In her letter of July 17, 2009 proposing that the Salary Reduction and Furlough Plan be made applicable to the IX unit, Lynn Boland states that “if we are unable to agree on The Regents’ proposed plan or an alternative cost savings approach, the University will move forward to implement additional layoffs and/or reductions in time related to the declaration of a financial emergency.”

If UC-AFT and the University are unable to agree on The Regents’ proposed plan or an alternative cost savings approach, what are the University’s exact plans for “additional layoffs and/or reductions in time” for members of this unit? Please provide:

- The names of the unit members who will be affected;
- The campus and program locations that will be affected;
- A list of the specific courses that will be cancelled and/or shortened;
- The dates on which these layoffs and/or reductions in time will be implemented.

3. As noted above, Boland’s letter of July 17 speaks of “*additional* layoff and/or reductions in time related to the declaration of a financial emergency.”

Please provide a full accounting of all Unit 18 bargaining unit members at all locations who have *already* been laid off or reduced in time from the level of their appointments in AY 2008-09.

For all of these members, please provide the specific details of the layoff and/or reduction-in-time that will be implemented during AY 09-10, including the name, campus location, program, and courses taught by the affected member. In addition, please provide the costs savings realized by the University through these actions (dollars saved through reductions of percentage appointments).

4. How would the Furlough/Salary Reduction described in Regents’ Item J2 (hereinafter “the Plan”) be implemented for Unit 18?

In Attachment B to the Plan, the operation of the Plan is described as follows: “Included Employees will have their work time reduced by a specific number of furlough days to be taken throughout the Plan term as discretionary days off and/or during closure days, if any, as determined by their campus or location.”

Please give specific example of how the Plan would be applied to the great majority members of Unit 18, whose work assignment consists entirely of their instructional duties.

For example, would NSF be expected to offer fewer hours of class time or be available for fewer office hours? Will the University shorten term calendars? If there are full campus closures on specific days, will this mean that classes will not meet on those Closure days?

5. At our informal meeting on January 20, 2009, we were informed by Howard Pripas and yourself that the University intends to credit furlough days under the proposed Plan as vacation days.

If furlough days are credited as vacation days, how will the University deal with employees who do not accrue vacation, such as almost all members of the IX unit?

II. Questions re: LX Unit – Professional Librarians

1. In her letter of July 17, 2009 proposing that the Salary Reduction and Furlough Plan be made applicable to the LX unit, Lynn Boland states that the University is prepared to meet with UC-AFT “regarding any alternative plans you propose that will yield the same or similar cash savings as the Salary and Furlough Plan adopted by The Regents.”

- a. What does “same or similar cash savings mean here?
- b. Is there a specific dollar amount of savings that must be realized or is the University willing to accept alternative proposals in some kind of target range (“same or similar”) for the LX unit?
- c. If there is a specific dollar amount of savings, what amount is equivalent to “the same or similar cash savings” that the University expects to yield from the Salary and Furlough Plan for the LX unit?
- d. If there is a target range, what are the specific dollar amounts that are equivalent to “the same or similar cash savings” that the University expects to yield from the Salary and Furlough Plan for the LX unit?
- e. If there is a specific dollar amount of savings that must be realized in any alternative plan, what is the basis for the calculation of this number?
- f. If there is a target range for the amount of savings that must be realized in any alternative plan, what is the basis for the calculation of these numbers?

2. In her letter of July 17, 2009 proposing that the Salary Reduction and Furlough Plan be made applicable to the LX unit, Lynn Boland states that “if we are unable to agree on The Regents’ proposed plan or an alternative cost savings approach, the University will move forward to implement additional layoffs related to the declaration of a financial emergency.”

If UC-AFT and the University are unable to agree on The Regents’ proposed plan or an alternative cost savings approach, what are the University’s exact plans for “additional layoffs” for members of this unit? Please provide:

- The names of the unit members who will be affected;
- The campus and library locations that will be affected;
- The dates on which these layoffs and/or reductions in time will be implemented.

3. Boland’s letter of July 17 speaks of “*additional* layoffs related to the declaration of a fiscal emergency.”

Please provide a full accounting of all Unit 17 bargaining unit members at all locations who have *already* been laid off due to the University’s present shortfall in state funding.

For all of these members, please provide the specific details of the layoff, including the name, campus location, library location and statement of responsibility of the affected member. In addition, please provide the costs savings realized by the University through these actions (dollars saved as a result of layoff).

4. How would the Furlough/Salary Reduction described in Regents’ Item J2 (hereinafter “the Plan”) be implemented for Unit 17?

In Attachment B to the Plan, the operation of the Plan is described as follows: “Included Employees will have their work time reduced by a specific number of furlough days to be taken throughout the Plan term as discretionary days off and/or during closure days, if any, as determined by their campus or location.”

Please give specific details as to how the Plan would be implemented for members of Unit 17. For example, would each employee have the ability to schedule their own furlough days? Will furloughs always be in increments of eight (8) hours?

5. How will library supervisors adjust workload expectations for members of Unit 17, if they take furlough days in accordance with the proposed Plan?

6. At our informal meeting on January 20, 2009, we were informed by Howard Pripas and yourself that the University intends to credit furlough days under the proposed Plan as vacation days.

If furlough days are credited as vacation days, how exactly will the University implement this sort of program for the LX unit? For example, will furlough days simply be added to the existing

vacation balance? How will this affect unit members who may be at the vacation cap specified in the MOU? Will the terms of the MOU re: vacations (Article 20) be applicable to furlough days?

III. Questions re: Pension and other Benefits Applicable to both IX and LX Units

1. Item J2 indicates at several points that the proposed Plan will protect employee UCRP retirement benefits. Attachment B gives specific details about the actuarial estimates of the cost of maintaining pensions benefits at pre-salary reduction levels and also discusses the employer and employee contributions to UCRP that will be lost to the pension fund due to the Plan.

Please provide a copy of the Segal Company's report on the actuarial impact of the Plan that is cited as the source of the information provided in Section VII of Attachment B. Also, please describe the exact steps that will be taken by the Regents to amend the UCRP to protect retirement benefits so that UCRP benefits are not negatively impacted by the furlough/salary reduction plan.

2. Will any other employee benefits in addition to UCRP be affected by the Plan? For example, will eligibility for particular medical cost bands be calculated on the pre- or the post-furlough salary? Will payments for disability be calculated on the basis of the pre- or the post-furlough salary?

IV. Questions Re: General Design of the Furlough/Salary Reduction Plan

1. Regents' Item J2 states that the Plan is expected to generate an estimated \$184.1 million in General Funds savings and a total of \$515.5 million from all fund sources. All of the \$184.1 million in General Funds savings will be directed toward alleviating the two-year \$813.2 million state funding shortfall.

The University thus expects to realize \$331.4 million in non-General Fund savings.

How does the University intend to allocate the \$331.4 million in estimated savings from non-General Fund sources? Please provide a specific accounting of how these funds will be spent in AY 2009-10.

2. Attachment B states that Included Compensation for Plan purposes includes base pay and similar form of regular pay and stipends, except as otherwise exempted.

- a. What sort of bonus pay is excluded from this definition of Included Compensation? Please provide a summary of the various bonus pay systems at the University that are not included in the definition of Included Compensation set forth this Plan.

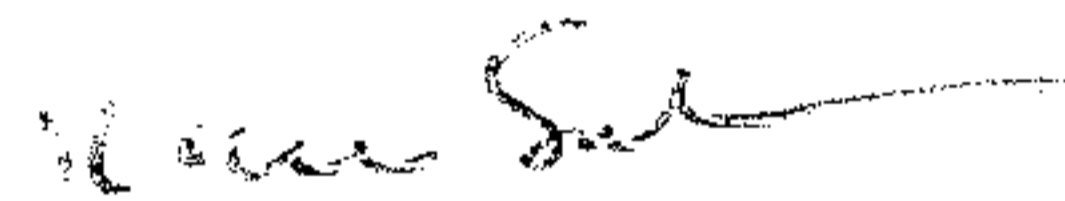
- b. For each bonus plan described pursuant to the paragraph above, please provide a specific accounting of the bonus pay awarded to individual employees in FY 2008-09. In addition, please provide the base pay of each individual employee.

Please provide this information in the following format: name of bonus plan, name of employee, amount of bonus pay, and amount of base pay.

Thank you in advance for your prompt attention to this matter. Thanks as well for your offer to facilitate the provision of this information. If any of this material requires further clarification, please let me know.

Again, UC-AFT wishes to be clear that this request for additional information is meant to allow the union make informed decisions as to the possible alternatives outlined in Lynn Boland's letters of July 17, 2009. It should not be construed as the commencement of any sort of bargaining process.

Best regards,



Karen Sawislak
Executive Director, UC-AFT