

AGENDA

COMMITTEE ON COLLECTIVE BARGAINING

Meeting: 8:30 a.m., Tuesday, March 26, 2024
Munitz Conference Room—Closed Session
Government Code §3596(d)

11:30 a.m., Tuesday, March 26, 2024
Glenn S. Dumke Auditorium—Open Session

Christopher Steinhauser, Chair
Jack Clarke, Jr., Vice Chair
Larry L. Adamson
Julia I. Lopez
Lateefah Simon

Open Session—Glenn S. Dumke Auditorium

- Consent**
1. Approval of Minutes, *Action*
 2. Approval of Minutes, *Action*
 3. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 4, Academic Professional of California (APC), *Action*
 4. Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 10, International Union of Operating Engineers (IUOE), *Action*

**MINUTES OF THE MEETING OF THE
COMMITTEE ON COLLECTIVE BARGAINING**

**Trustees of the California State University
Office of the Chancellor
Glenn S. Dumke Auditorium
401 Golden Shore
Long Beach, California**

January 30, 2024

Members Present

Christopher Steinhauser, Chair
Jack Clarke, Jr., Vice Chair
Larry L. Adamson
Julia I. Lopez

Wenda Fong, Chair of the Board
Mildred García, Chancellor

Public Speakers

Public comment took place at the beginning of the meeting's open session, prior to all committees.

Chair Steinhauser called the Committee on Collective Bargaining to order.

Approval of the Consent Agenda

The minutes of the November 24, 2023 meeting were approved as submitted.

Agenda Item 2, Ratification of the Tentative Agreement with Bargaining Unit 1, Union of American Physicians and Dentists (UAPD), was approved as submitted.

Chair Steinhauser adjourned the meeting of the Committee on Collective Bargaining.

**MINUTES OF THE MEETING OF THE
COMMITTEE ON COLLECTIVE BARGAINING**

**Trustees of the California State University
Office of the Chancellor
Glenn S. Dumke Auditorium
401 Golden Shore
Long Beach, California**

March 4, 2024

Members Present

Christopher Steinhauser, Chair
Jack Clarke, Jr., Vice Chair
Larry L. Adamson
Julia I. Lopez

Wenda Fong, Chair of the Board
Mildred García, Chancellor

Chair of the Board, Wenda Fong, convened the committee on Collective Bargaining to consider the ratification of various collective bargaining agreements.

Chair Steinhauser called the Committee on Collective Bargaining to order.

Public Speakers

Public comment took place at the beginning of the meeting's open session. One speaker presented.

Approval of the Consent Agenda

Agenda Item 1, Ratification of the Tentative Agreement with Bargaining Unit 6, Teamsters Local 2010, was approved as submitted.

Agenda Item 2, Ratification of the Tentative Agreement with Bargaining Unit 3, California Faculty Association (CFA), was approved as submitted.

CB
Agenda Item 2
March 24-27, 2024
Page 2 of 2

Agenda Item 3, Ratification of the Tentative Agreement with Bargaining Unit 4, Academic Professionals of California (APC), was approved as submitted.

Chair Steinhauser thanked the negotiation teams for coming to an agreement that will serve all stakeholders in the system. Chair of the Board, Wenda Fong, also thanked the teams for their participation in the negotiation.

Chair Steinhauser adjourned the meeting of the Committee on Collective Bargaining.

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 4, Academic Professionals of California (APC)

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

The initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 4, Academic Professionals of California (APC) will be presented to the Board of Trustees for adoption. The proposals are attached to this item.

Recommended Action

The following resolution is recommended for ratification:

RESOLVED, by the Board of Trustees of the California State University, that the initial proposal for a successor collective bargaining agreement between the California State University and Bargaining Unit 4, Academic Professionals of California (APC), is hereby adopted.

**The California State University's
Initial Collective Bargaining
Proposals**

Between

**The Board of Trustees
Of
The California State University
And
Bargaining Unit 4
Academic Professionals of California**

March 2024

**Bargaining Unit 4
2024 Successor Agreement Negotiations
California State University Bargaining Proposals**

ARTICLE 1 – Recognition

- Review and amend classifications as appropriate.

ARTICLE 2 – Definitions

- Update definitions to reflect any substantive changes elsewhere in the Agreement.

ARTICLE 5 – Reconsideration Procedure

- Review and amend the reconsideration procedure to increase efficiency and effectiveness.

ARTICLE 8 – Union Rights

- Review and amend current contractual provisions relating to union rights and to increase efficiency in supplying data.

ARTICLE 9 – Concerted Activities

- Clarify rights and responsibilities in the event of concerted activities.

ARTICLE 10 – Grievance Procedure

- Review and amend the grievance procedure to increase efficiency and effectiveness.

ARTICLE 11 – Personnel File

- Review and amend provisions concerning retention of documents related to reprimands.

ARTICLE 12 – Corrective and Disciplinary Action

- Review and amend current contractual provisions relating to corrective action.

ARTICLE 13 – Appointment

- Review and amend current contractual provisions in relation to the appointment of an employee.

ARTICLE 14 – Probation and Permanency

- Review and amend current contractual provisions relating to change in position.

ARTICLE 17 – Assignment/Reassignment

- Review and amend current contractual provisions relating to assignment and reassignment.

ARTICLE 19 – Sick Leave

- Clarify current contractual provisions relating to documentation of sick leave.

ARTICLE 20 – Leaves of Absence With Pay

- Review and amend current contractual provisions relating to leaves of absence with pay.

ARTICLE 21 – Non-Discrimination

- Review current language in light of operative and evolving law and any applicable recommendations from the Cozen O’Conner assessment and the California State Auditor’s report.

ARTICLE 22 – Leaves of Absence Without Pay

- Review and amend current contractual provisions relating to leaves of absence without pay.

ARTICLE 23 – Salary

- Make proposals to amend the provisions relating to salary.

ARTICLE 24 – Benefits

- Review and amend current contractual provisions relating to employee benefits.

Attachment A

CB - Agenda Item 3

March 24-27, 2024

Page 4 of 4

ARTICLE 28 –Hours of Work

- Review and amend current contractual provisions relating to hours of work.

ARTICLE 32 – Work Environment

- Review and amend current contractual provisions relating to the work environment, including employee parking.

ARTICLE 33 – Layoff

- Review and amend current contractual provisions relating to layoff and re-employment procedures.

ARTICLE 34 – Duration and Implementation

- Make proposals on the duration of any successor Agreement.

APPENDICES AND SIDE LETTERS

- Review all Appendices and Side Letters, and make proposals to amend, retain, or delete as appropriate.

The University reserves the right to add, modify, or delete proposals for any/all Articles during the course of negotiations, in accordance with applicable laws.



February 28, 2024

Via Email Only: jjelincic@calstate.edu

Mr. Joseph Jelincic
Assistant Vice Chancellor, Collective Bargaining
401 Golden Shore, 4th Floor
Long Beach, California 90802-4210

Re: APC's Sunshine Proposals

Dear Mr. Jelincic:

In this letter you will find APC's "sunshine proposals" as required by HEERA. Please understand these proposals were derived from those issues our bargaining unit members identified as important.

As you review this letter it is important to know the general descriptions provided are an overview of the Union's position on each enumerated article. This list does not demonstrate any proposal's priority or a definitive list of Articles APC may open during bargaining. Instead, these concepts should be viewed as a means of framing a process in which the Parties work collaboratively to improve the working conditions of all of APC's bargaining unit employees.

APC hereby proposes modifications to the current collective bargaining agreement in the following areas:

- Article 2, Definitions
 - Define Lead Worker.
- Article 13, Appointment
 - Ensure the use of the appropriate classification standards.
 - Provide for greater permanent employment opportunities.
 - Include appropriate employee representation on hiring committees.
 - Allow for qualified employees to be interviewed for open positions.
 - Grant hiring preference to current employees.

Attachment B

CB - Agenda Item 3

March 24-27, 2024

Page 2 of 3

- Affirm the right of employees to transfer accrued vacation when moving between campuses.
 - Provide a meaningful mechanism to address classification issues.
- Article 14, Probation and Permanency
 - Affirm the President's right to reduce employee probationary periods.
- Article 16, Professional Development
 - Provide clarity for courses for which release time is available.
 - Seek equity for employees pursuing doctoral degrees.
 - Provide for additional educational opportunities.
- Article 17, Assignment/Reassignment
 - Provide a minimum notice requirement for reassignments.
 - Strengthen the Union's jurisdictional boundaries.
 - Clarify when and where employees can be reassigned.
- Article 18, Evaluation
 - Clarify the information to be used during the evaluation process.
- Article 20 Leaves of Absence with Pay
 - Enhance the definition of those considered immediate family for the administration bereavement leave.
 - Increase the number of day available for parental leave.
 - Address reproductive loss leave.
- Article 23, Salary
 - Provide for General Salary Increases in each year of the contract.
 - Ensure pay equity for periods when salaries were stagnant.
 - Provide for a Service Salary Step Increases for eligible bargaining unit employees.
 - Provide salary increases for "Lead" workers.
 - Update the duration of the various bonus programs.
 - Continue the transfer of Merit Bonus monies into the Budget Shortfall Mitigation Bonus (BSM).
 - Clarify the eligibility date for the Budget Shortfall Mitigation Bonus (BSM).

- Provide a meaningful mechanism to address In-Range Progression (IRP) issues and ensure a minimum percentage increase for those receiving an IRP.
- Article 26, Vacation
 - Increase vacation accrual rates.
 - Clarify the vacation approval process.
- Article 28, Hours of Work
 - Clarify working hours while travelling on University business.
- Article 32, Work Environment
 - Require a timely response to employees who raise workplace health and safety issues.
 - Ensure parking rate increases are implemented in a fair and consistent manner.
- Article 34, Duration
 - This proposal is designed to complement the Union's salary proposal.

In furtherance of reaching an agreement the Union reserves the right to add or remove proposals as necessary to the Parties reach an amical resolution to the bargaining process.

Finally, we look forward to receiving the University's proposals and to beginning what we hope will be a collegial and productive experience.

Very truly yours,

Lee O. Norris

Lee O. Norris,
Labor Relations Manager

cc: APC Bargaining Team
Stefanie Gusha
Steve James

COMMITTEE ON COLLECTIVE BARGAINING

Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 10, International Union of Operating Engineers (IUOE)

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

The initial proposals for a successor collective bargaining agreement between the California State University and Bargaining Unit 10, International Union of Operating Engineers (IUOE) will be presented to the Board of Trustees for adoption. The proposals are attached to this item.

Recommended Action

The following resolution is recommended for ratification:

RESOLVED, by the Board of Trustees of the California State University, that the initial proposal for a successor collective bargaining agreement between the California State University and Bargaining Unit 10, International Union of Operating Engineers (IUOE), is hereby adopted.

**The California State University's
Initial Collective Bargaining
Proposals

Between

The Board of Trustees
Of
The California State University
And
Bargaining Unit 10
International Union of Operating Engineers,
Stationary Engineers, Local 39**

March 2024

Bargaining Unit 10
2024 Successor Agreement Negotiations
California State University Bargaining Proposals

ARTICLE 1 – Recognition

- Review and propose amendments relating to classifications as appropriate.

ARTICLE 2 – Definitions

- Update definitions to reflect any substantive changes elsewhere in the Agreement.

ARTICLE 7 – Concerted Activities

- Review and propose amendments relating to prohibited activities as appropriate.

ARTICLE 8 – Non-Discrimination

- Review current language in light of operative and evolving law and any applicable recommendations from the Cozen O’Conner assessment and the California State Auditor’s report.

ARTICLE 9 – Grievance Procedure

- Review and propose amendments relating to the grievance procedure to increase efficiency and effectiveness.

ARTICLE 12 – Overtime

- Review and propose amendments relating to overtime and call-back provisions as appropriate.

ARTICLE 13 – Holidays

- Review and propose amendments relating to holidays as appropriate.

ARTICLE 15 – Leaves of Absence with Pay

- Review and propose amendments relating to leaves of absence with pay as appropriate.

ARTICLE 16 – Leaves of Absence without Pay

- Review and propose amendments relating to leaves of absence without pay as appropriate.

ARTICLE 17 – Appointment

- Review and propose amendments relating to appointments as appropriate.

ARTICLE 20 – Personnel Files

- Review and propose amendments relating to retention of documents related to disciplinary action as appropriate.

ARTICLE 21 – Employee Rights

- Review and propose amendments relating to employees’ rights and responsibilities as appropriate.

Article 22 – Assignment/Reassignment

- Review and propose amendments relating to assignment and reassignment as appropriate.

ARTICLE 24 – Salary

- The CSU will make proposals to amend the salary provisions.

ARTICLE 25 – Benefits

- Review and propose amendments relating to employee benefits as appropriate.

ARTICLE 30 – Layoff

- Review and propose amendments relating to notice requirements as appropriate.

ARTICLE 31 – Duration and Implementation

- The CSU will make proposals on the duration of the successor Agreement.

Appendices and Side Letters

- The CSU will review all Appendices and Side Letters, and make proposals to amend, retain, or delete as appropriate.

The University reserves the right to add, modify, or delete proposals for any/all Articles during the course of negotiations, in accordance with applicable laws.



Stationary Engineers - Local 39

INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO

BART FLORENCE
BUSINESS MANAGER-SECRETARY

March 7, 2024

Sent Via U.S. Certified Mail
#7022 3330 0002 1252 1386
And via email: sgusha@calstate.edu

Stefanie Gusha
Sr. Director, Collective Bargaining
California State University
401 Golden Shore, 4th Floor
Long Beach, CA 90802-4210

Dear Ms. Gusha,

This letter is to notify you of the Union's desire to re-open Article 24 and 25 (Salary and Benefits) of the bargaining unit agreement between the California State University (CSU) and International Union of Operating Engineers, Stationary Local 39 (Local 39).

Per Article 24.4(c) of the current bargaining unit agreement, Local 39 is requesting to re-open negotiations as defined by this article. I've included the referenced article below for your review:

24.4 A General Salary Increase (GSI) is a percentage increase applied to the individual salary rates of all bargaining unit members and to the Salary Schedule as provided in 24.3 above.

This letter is to also provide you with the Union's sunshine proposals, which are included below:

Article 6 – Contracting Out

The Union intends to review and propose amendments relating to contracting out as appropriate/necessary.

Article 11 – Hours of Work

The Union intends to review and propose amendments relating to hours of work as appropriate/necessary.

Article 12 – Overtime

The Union intends to review and propose amendments relating to overtime and call back as appropriate/necessary.

Article 14 – Vacation

The Union intends to review and propose amendments relating to vacation accruals and schedules as appropriate/necessary.

Attachment B

CB - Agenda Item 4

March 24-27, 2024

Page 2 of 3

Article 22 – Assignment/Reassignment

The Union intends to review and propose amendments relating to out-of-classification assignments, classification review and new/revised classifications as appropriate/necessary.

Article 24 – Salary

The Union will propose a fair and equitable wage increase for all bargaining unit employees, which will reflect, at minimum, the increased cost of living of the surrounding area.

Article 25 – Benefits

The Union will propose improvements to various benefits that would provide for a more equitable benefit package to other CSU labor groups.

Article 27 – Apprenticeship Program

The Union intends to review and propose amendments relating to the apprenticeship program as appropriate/necessary.

Article 28 – Training & Development

The Union intends to review and propose amendments relating to training and development as appropriate/necessary.

Article 29 – Health & Safety

The Union intends to review and propose amendments relating to health and safety as appropriate/necessary.

Local 39 reserves the right to add to, modify, or delete proposals during this course of negotiations, in accordance with applicable laws. To prevent delay in convening negotiations, Local 39 requests that the above-mentioned Articles be added to the next CSU Board of Trustees meeting.

According to the MOU that the parties agreed to in negotiating our successor collective bargaining agreement (CBA), CSU was to commence a classification and compensation study for the bargaining unit within ninety days of ratification of the CBA, which was fully ratified by the parties effective November 9, 2021. In addition, CSU was to endeavor to complete the studies no later than the start of Fiscal Year 2022/2023. I've included the referenced MOU below for your review:

The CSU shall commence a classification and compensation study for all classifications covered by the IUOE CBA within ninety (90) days of ratification of this CBA. The CSU shall endeavor to complete the classification and compensation study no later than the start of Fiscal Year 2022/2023. CSU will provide IUOE with notice and a draft copy of any proposed changes to classification and qualification standards and/or compensation for Unit 10 classification(s). IUOE may demand to bargain over any reasonably foreseeable impacts within sixty (60) days of the notice.

As of current, Local 39 has not received any information or updates regarding these studies. To allow Local 39 to be better prepared for negotiations, can you please provide me with the status of the CSU initiated classification and compensation studies at your earliest opportunity?

Please contact me with proposed meeting dates/times at your earliest opportunity. I'd appreciate receiving an update to the above-mentioned studies prior to commencing negotiations.

If you have any questions, you are welcome to reach me via phone: (415) 861-1135, or by email: cpark@local39.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Y. Park'.

Chung Y. Park
Business Representative

cc: Joseph Jelincic, Assistant Vice Chancellor, Collective Bargaining - Labor and Employee Relations, via email: jjelincic@calstate.edu