

The Chico Voice

CSUEU Chapter 302

REPRESENTED UNITS

- Unit 2: Health Care Support
- Unit 5: Operations Support Services
- Unit 7: Administrative Support Services
- Unit 9: Technical Support Services

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IMPORTANT INFO

Local Chapter:
<http://www.csuchico.edu/chico302/Chico%20302/>

State:
<http://www.csueu.org/>

Write your representatives:
<http://www.capwiz.com/calceat/issues/alert/?alertid=15130991&type=ML/>

LETTER FROM OUR CHAPTER PRESIDENT | by Pat Heath

Welcome back to a new academic year. Seems like yesterday when CSUEU began contract negotiations with the CSU this past spring. But fall is upon us already which brings me to my point.

I want to take this opportunity to give a shout out to very special group of 13 people – your contract Bargaining Team. As you know CSUEU and the CSU have been in contract negotiations since early this calendar year. The process began with CSUEU seeking input from our membership via a comprehensive survey. The response from our campus was impressive and your input was invaluable to the Bargaining Team. Then in February we began the “sunshine process” whereby CSUEU informed management of our proposals.

Since then CSUEU and the CSU have met in various locations throughout the system but not without a struggle. The CSU initially agreed to dates and locations across the state to negotiate but reneged on their promise. Not a particularly auspicious beginning. CSUEU ultimately was forced to file an unfair labor practice thus forcing management to make good on their promise to meet in the locations they initially agreed to.

The next surprise arose when CSUEU asked for a temporary extension of the contract as we neared the June 30th expiration date but management denied our request. A first in 20 years of bargaining! CSUEU requested the extension to ensure all represented employees had the full protection of the contract while bargaining continued. With two exceptions the terms of the expired contract remain in place. Those exceptions are:

- The arbitration provision does NOT survive the expiration of the agreement. Therefore, grievances dealing with events that arise after June 30, 2011, will not be subject to arbitration.
- In the absence of a collective bargaining agreement, the federal Fair Labor Standards Act (FLSA) requires that all overtime hours worked by non-exempt employees be compensated in cash.

Because the CSU did not extend the contract and because they did not pass all their proposals by June 30th, CSUEU filed a group grievance to protect its members. In spite of the questionable actions of management, CSUEU has been transparent in the passage of our proposals and have negotiated in good faith from the start. Following are just a few of the proposals your bargaining team has submitted to management:

- Fix CSU's broken compensation and classification systems
- Stop costly contracting out and the loss of jobs and promotional opportunities
- Address the problem of unreasonable workload
- Promote a healthy and respectful workplace which is free from workplace bullying and respects the balance between work and family

I think we can all agree that our requests are not unreasonable and are in fact essential to a positive and productive workplace.

So far CSUEU and the CSU have reached tentative agreements on the following:

- Articles 15–Leaves of Absence w/Pay
- Article 22–Professional Development
- Article 27–Labor Management Committees

As of this writing contract negotiations still continue without agreement on most proposed articles. And thus far your Bargaining Team has spent over 30 days in contract negotiations with management.



Member Spot Light | Darrell Bartlett

It's hard to summarize everything Darrell Bartlett has done and means to this chapter. We could write a timeline of his career with too-many-to-mention highlights but that would not even come close to a measure of the man. Instead it seems a more appropriate veneration to offer the thoughts of those who have come to know



Darrell as a human being and his work for CSUEU.

Teri Randolph, Bargaining Unit 7 Representative wrote, "After all these years one of our best CSUEU Stewards is retiring! During his many years of service to the CSUEU Darrell has provided support to many of us in our most trying times. He has provided the support and wisdom we have come to expect from our union representatives with the tact, charm, and skill representing the professional he is. CSUEU Chapter 302 Chico will certainly miss Darrell although we do wish him well. Good luck to you in retirement Darrell!"

Scott Dickerson, Bargaining Unit 9 Representative, said, "I have known Darrell for nearly 20 years. He has always been an impressive and calm force in my campus life and a good friend. I always wanted to be more involved with Union activities, but Darrell was extremely wise and able to guide me, into and away from situations, until I was in a better place in my work environment and personal life to be able to dedicate a portion of my time to helping others. Darrell's concern for fellow Union activists and PEOPLE in general is to "take care of yourself first", everything else will work out. "Remember that the Administrator you are talking to is probably a really good person, away from work". I have always been in awe of the way Darrell can stay so calm and even-keeled in almost all situations. Maybe it is the "who gives a _ _ _ _ meter" that he always carries at arm's length, or maybe it is just Darrell.

Darrell has been a mentor in the grandest of scales to me and many others on campus and in the Union. His depth of knowledge and understanding of our Contract is astonishing. Having been on the dark side (management) for a time, it is my opinion that Darrell returned with a greater appreciation of the work done by so many that is recognized by so few.

Thank you Darrell. You are leaving behind shoes that will never be able to be filled. I hope I can make you proud of the work I do after you retire."

Diana Askea, Unit 7 Steward and former Chief Steward, stated, "Darrell is an extremely patient person and good listener. He served on our first Labor Management Committee with me and Bill Patton, and he worked diligently with Labor Relations staff to develop and improve policies so we could actually have processes and guidelines for IRP applications, reclass applications, stipends, bonuses – important because each campus has its own such policies. EM 08-68, which explains how staff should be classified, is primarily Darrell's work.

Darrell always told me that our job as Stewards is to "protect the Contract." He also reminded me that Stewards are volunteers, so handle them with care because they can walk away at any time – something we don't want."

Andrea Mox, Manager, IT Support Services added "I have had the great fortune to know Darrell for all my 22+ years on campus. He was on my hiring committee, so you can thank or blame him for that! Darrell and I have worked closely over the years, and I have appreciated his dedication, humor, practicality, and honesty. Our organization and the campus will definitely miss his smile and laughter, but his retirement is well deserved."

Pat Heath, Chapter 302 President, offered, "I remember the first time I met Darrell. He struck me as a genuinely kind man who was very concerned about my current work situation even though I was a complete stranger. He exuded an aura of expertise with regard to the Contract without being condescending. I knew my case was in capable hands. That was many years ago but it wasn't until recently that I really understood the body of work Darrell is responsible for regarding Chapter 302 and how truly lucky we've been to have had his valuable knowledge and steady hand guiding our chapter. Our Stewards have gained from the 'Bartlett Philosophy' that beyond the Contract, beyond the politics, it's people we are dealing with - something that is all too often forgotten. Watching Darrell in action, whether it be counseling Stewards, representing a case, formulating ideas, or addressing management is a primer on how to be the quintessential Union representative. I only wish I'd had much more time to benefit from Darrell's mentorship. Thank you Darrell and happy retirement!"

Bill Patton, Chapter 302 Labor Relations Representative, in a personal account of his relationship with Darrell wrote, "Darrell can be both obtuse and acute in the same sentence, leaving me like the proverbial puppy with my head cocked and perplexed. But then starts the drilling down and the philosophical begins. This dialectical thought process has always left me wiser, more knowing, and often more frustrated. I wouldn't have it any other way.

Yes, Darrell is inspirational, patient, a good listener, a policy wonk, advocating you keep your health, protect the Contract, and walking around with that damn meter. However, this is a personal account, and at the risk of being maudlin there is no other way to say it; I'd fall on my sword for him and it would be reciprocated. I love Darrell.

Heads Up or Heads Down | by an alert member

No matter how you look at it, the way we do business at the CSU is changing. Everything from position announcements to pay increases has changed and seems to continue to change as we ease into this “administration friendly” era. For example, more staff positions are now advertised as “temporary” instead of “probationary/permanent.” This supposedly allows flexibility in eliminating positions when the money dries up. However, the consistency for this type of determination has some confused.

Many, if not all, academic departments who have had a unit 7 vacancy in the last year have been instructed that they can only offer their vacant positions under temporary status. They began with 6 months and 1 day temporary position authorizations, and now more recently, has changed to 1 year temporary appointments. This type of mandate has forced academic colleges and departments to also change how they do business. Everything from temporarily reassigning staff to new positions within a unit to still the conventional advertising; however, not all positions are created (or offered) equally. For example, a position for an ASC I was advertised as a probationary/permanent after a 1 year probationary period. This is the first to be offered in over a year with this sought after status.

After some questioning, it was realized that this was in error and that the position was downgraded to an ASC I from and AA/S, but simply forgot to remove the permanency part. Ok, so that is understandable, just an oversight. So the position is re-advertised, but this time as an ASC II, with a two year temporary status. Doesn't this mean that whoever fills this position will have that position for two years, and then can be awarded permanency after that “temporary probationary” term? Could this be yet another oversight? Interesting how Human Resources could miss such a thing,.... twice. Oh, and did I mention that the open position is under the MPPP that made the “no permanent positions” directive to begin with. Hopefully with some additional questioning this error will be discovered as well.

I guess the summation of this would be either keep your heads up, read the advertisements, ask those questions that affect all of us, or keep your head down and not worry about what is changing around you. Sometimes just plain honest communication is the key. So let's help remind those who may have forgotten that what they do is seen by many and felt by all. 🍷



UPCOMING EVENTS

DECEMBER: Chapter meeting
Fall Turkey Dinner
December 15—11:30
Selvester's Cafe

PRESIDENT'S | CONTINUED FROM PAGE 1

This is over 30 days, mostly on the road, away from family and loved ones. This is over 30 days away from full-time jobs that each holds on various campuses in the system and is still responsible for. This is over 30 days of applying reason and pressure with professionalism and patience. All of this hard work and sacrifice has been made so that each of you is given a fair wage, reasonable working conditions, access to due process, and decent benefits and retirement. The list of what your Union has done for you goes on and on and can be found in your contract. Check it out on the [state CSUEU website](#).

As contract negotiations go on we will keep you apprised of the progress. In the meantime I encourage each of you to visit the [state CSUEU website](#) to review the negotiation history thus far and to fully appreciate what your bargaining team is doing for you.

Thank you to:

- Pat Gantt, CSUEU President, Chico
- Russell Kilday-Hicks, Vice President of Representation, San Francisco
- Tessie Reese, Bargaining Unit 2 Chair, San Diego
- Pam Robertson, Bargaining Unit 2 Vice Chair, Sacramento
- Sharon Cunningham, Bargaining Unit 5, San Diego
- Jose Rico, Bargaining Unit 5, Acting Vice Chair, San Jose
- Michael Brandt, Bargaining Unit 7 Chair, San Luis Obispo
- John Orr, Bargaining Unit 7 Vice Chair, Fullerton
- Rich McGee, Bargaining Unit 9 Chair, San Bernardino
- Alisandra Brewer, Bargaining Unit 9 Vice Chair, Sonoma
- Phillip Coonley, CSUEU Chief of Staff
- Lois Kugelmass, CSUEU Senior Labor Relations Rep/Chief Negotiator
- Teven Laxer, CSUEU Senior Labor Relations Rep.

Keep up the hard work! 🍷

Contract Study and ‘Know Your Rights’

Sessions by Darrell Bartlett

Darrell Bartlett, Chief Steward, recently offered a series of ‘Know Your Rights’ workshops during Thursday lunch hours to all campus staff. Topics included: In Range Progressions, Classification Reviews, the new Position Description form, Reorganization Rights, Managing Workload, and Performance Evaluations. With his many years of experience in serving as Chapter 302 President, Vice President, Chief Steward, and several other ‘hats’, Darrell brought a wealth of knowledge to each topic, was able to answer questions in a thorough manner, and involved his audience in thought-provoking discussions. Pat Heath, Chapter President, said that it was important to ‘capture Darrell’s knowledge’ before he retired. Several staff commented on the usefulness of the workshops. 🍷

Super Mario Strikes Again!

It is the responsibility of each and every employee of the University to support safety by working safely, participating in safety training, and communicating ideas on how to improve safe work practices.

Each year an employee is chosen who reaches above and beyond those basic safety responsibilities to assist the campus with providing a safe work environment.



California State University, Chico is proud to announce the recipient of the 2010 Staff Safety Award is Mario Mena. Mr. Mena was nominated for the Staff Safety Award for his ability to identify a potentially unsafe condition and took action to correct it.

On December 5, 2010, Custodial Supervisor Mario Mena arrived at work and was asked if he knew about a tree branch that had fallen in front of Mechoopda Hall. Mr. Mena was advised that the fallen branch was reported in hopes someone would be able to assist with this potentially tragic situation. Mr. Mena, being diligent and pro-active, followed up with the individual on duty to make sure the fallen tree branch had been removed. Unfortunately, when Mario called he was told that the residents could still enter the building and "it was not that bad." It was at that moment true instinct set in and Mario inspected the situation for himself. Once Mario arrived, his first thought was someone should have

come out to remove the tree. The tree was barely hanging on by the rain gutter located at the front entrance of Mechoopda Hall. If the rain gutter was to give way, or a resident was to simply jump and hang from the branch baring their weight, it would have come crashing down. Mr. Mena tried to reach his supervisor, but to no avail. He then grabbed a chain saw and went back to make the situation safer. Mr. Mena removed only what was needed to get the tree off of the rain gutter and onto the ground. He removed a few limbs to clear the entrance for the residents so they could enter and exit safely. He then roped off the area until someone could physically remove the tree. Mario's quick and decisive actions prevented what could have been potential injuries to those entering and exiting the building. Mr. Mena went above and beyond his duties to create a safer environment at CSU, Chico.

Please join us in congratulating the 2010 Staff Safety Award recipient, Mr. Mario Mena. 🙌

Unit Reps

Article 2.29 union representative—The term "Union Representative" as used in this agreement refers to a person who has been officially designated in writing by the union as a union representative.

Any CSUEU steward should be able to answer basic contract questions for you. If you have a serious or unusual situation, that steward can refer you to another certified steward with more experience. All communication is confidential.

NAME	TITLE	UNIT
Askea, Diana	Steward	7
Bartlett, Darrell	Steward	9
Brennan, Kevin	Steward	7
Carter-Hood, Diane	*BUR	5
Corral, Angela	Steward	7
Dickerson, Scott	*BUR	9
Ebel, Carol	*BUR	2
Gantt, Patrick	CSUEU President	9
Harper, Kevin	Steward	5
Heath, Patricia	President	7
Leigh, Mark	Steward	5
Mena, Mario	VP/Chief Steward	5
Patton, Bill	**LRR	
Randolph, Teri	*BUR	7
Roden, Jennie	Treasurer	7
Vermette, Debbie	Secretary	7

*Bargaining Unit Representative (BUR)

**Labor Relations Representative (LRR)

SPOTLIGHT | CONTINUED FROM PAGE 2

The good news on Darrell's retirement is that our friendship will go on after he leaves. We will share good food and drink. Darrell will be good, fair, loving and wise, and I will be a much better person because of him. So here's to you, Darrell. Here's to the Chapter you created. May others Keep the Faith."

Pat Gantt, CSUEU President, added, "It was a gloomy day 20 years ago when some tall lanky guy approached me about the Union. He then kept coming back again and again. He was able to get me to join in short order. He then came back and asked me to help."

We could fill pages with quotes of admiration, humor, and memories of Darrell and it's hard to draw the line but suffice to say, Darrell Bartlett has been one amazing Union activist and one hell of a human being. Thank you Darrell for 30 years of great work at CSU, Chico and nearly as many of tireless and loyal work for CSUEU, Chapter 302. Congratulations on your retirement and best of luck! 🙌

Collective Bargaining | by Michael Briand

The Secretary of State's office has ruled that a group headed by UC Santa Barbara economics lecturer Lanny Ebenstein may begin collecting signatures for three ballot initiatives. Of the three, the most important one would prohibit state government recognition of all public-sector labor unions and would make it illegal to engage in collective bargaining with them.

The battles over collective bargaining during the past few months in states like Ohio and Wisconsin reflect the deep-seated hostility of many Americans toward anything connected with government. Yet a USA TODAY/Gallup Poll conducted at the height of the protest in Wisconsin found that 61 percent would oppose a law in their state similar to Wisconsin's.

The United States has recognized the right of workers to unionize and bargain collectively since 1935, when Congress passed the National Labor Relations Act. But the NLRA only applies to employees of for-profit companies. Allowing public employees to bargain collectively has always been controversial.

Historically, the chief argument for prohibiting public employee unions from bargaining collectively is that their employer, the general public, can't negotiate directly with their employees. Instead, "administrative officials" must do so on the public's behalf. Anything officials agree to in negotiations, though, would limit the public's political authority. A collective agreement that commits the public to accepting things like salary schedules and pensions does just that.

This is a weak argument. In a republic like ours, the public exercises its will through elected legislatures. As a practical matter, legislatures have to delegate many policy details and actions to unelected officials. (That's why the federal government and all state governments have executive branches.) The legislature sets policy by enacting laws and authorizing administrators to establish regulations and to take actions that will give full effect to the legislature's intent. If the public has no control over appointed officials, it's because the public has scant control over its elected representatives, to whom officials must answer.

It's not that officials can't negotiate on the public's behalf—it's that legislators who oppose collective bargaining don't want them to. Elected representatives are divided over the question of collective bargaining, and left to their own devices appear incapable of resolving their differences. If the legislature could agree on principles and priorities, they could easily direct administrative officials to negotiate from a position that reflects the shared interests of all the stakeholder groups they represent.

The deeper point is that collective bargaining will remain anathema to many members of the public, and hence to many legislators, until the public understands its own interest in a constructive and sustainable relationship that makes possible mutually beneficial labor agreements.

Sadly, though, legislators today respond most readily to the voices that speak most loudly to them—including, not least of all, the voices of their campaign contributors. If the public as a whole does not speak more persuasively and insistently than the various interest groups that seek to pressure legislators, the inevitable divisions among those groups will continue to prevent the legislature from treating collective bargaining as a legitimate political practice.

The implication is that, at least over the long run, the audience for public employee unions' efforts to communicate the reasonableness of their demands should be the public itself, not the legislature. Although it's more convenient to target elected officials, ultimately it's unlikely to accomplish more than keep us from losing ground faster than we would if we did nothing at all. The legislature as a body will never accept the legitimacy of collective bargaining with public employee unions until the public as a whole directs it to do so.

And that means we must convince the public that public employee unions are reasonable, essential, and legitimate. Our fellow citizens are our real employers. It is they with whom we must open a democratic dialogue about the protections that all employees deserve. 🙌

Workplace Bullies

by Diane Carter-Hood



We are hearing about it in the news more and more. Lawsuits filed by parents to protect kids, new laws and legislation enacted to address it. It's called BULLYING. Sadly kids turn to suicide as a means to stop the continual harassment of bullying. But it's not just happening on the schoolyard.

Bullying is becoming a workplace epidemic. In a recent national poll, 37% of the American work force is now dealing with, or have dealt with bullying in the past. The damage it causes to the "targeted" employee and general workplace morale is obvious.

So what is workplace bullying? Webster's dictionary defines a bully as: a person habitually cruel to others who are weaker. Bullying can manifest in very subtle ways. Even teasing can become bullying when it is repetitive or there is intent to hurt or embarrass someone. It can be done through phone calls, texting, or emails. The old idea of face-to-face confrontation has been supplemented by new ways of harassment.

So what can we do? First, do not tolerate it! You don't have to be the victim to report it. Often people think it's the other person's problem. Or they are afraid of retaliation because they "tattled". Tell your supervisor or manager. Or tell a Union Steward who can help you take the rights steps to end the harassment.

Remember, the bully will try to downplay or ridicule you and your work. Don't play their game. Stay professional and level-headed. Know your own worth. Know your rights. 🙌

The University's Position Classification Plan: Yes, There is One! | by Darrell Bartlett

We are all aware of ongoing department and work group reorganizations. Not only does budgetary pressure result directly in loss of positions, but scarcity results also in institutions questioning the status quo. Can we work smarter and more efficiently? Are we providing optimum services? Do we need to do everything that we do?

But what about the process of change? Is the management at CSU Chico capable of managing change effectively? That is yet to be proven. Chapter union leadership is getting better at monitoring change and holding management accountable. We do have some tools that we can use for this. But we need everyone's vigilance to bring questions to the fore.

It is timely to be aware of a well-written Presidential Executive Memorandum that speaks to the process. Not only is it a good treatise on the general contractual rights of employees during times of change, but it also speaks to good management practice.

It is Executive Memorandum 08-068, dated October 03, 2008 by Paul J. Zingg and is titled the Position Classification Plan (the EM). It is available at the [President's website](#). In this article, I am not going to outline the entire EM, but rather, highlight what I believe are key provisions of the EM, as regards to reorganization. Bolded or underlines emphasis is mine.

First I want to point out that this document is written for the President and approved by the Cabinet.

CABINET APPROVES THE ATTACHED DOCUMENTATION FOR IMMEDIATE IMPLEMENTATION.

This means it is management's document, and we can use this document to encourage thoughtful planning.

The EM starts with an overview of classifications including the importance of the position description, the review process and the appeal process. It then speaks to the importance of the Position Description, then speaks to reorganization.

Position Description

The position description is the official statement of duties and responsibilities assigned to a position. If an employee believes that his/her job duties have significantly changed, s/he should, in a timely manner, request an updated position description. Any time a written position description is changed, a copy must be submitted to Staff Human Resources and placed in the employee's personnel file.

A written position description ensures clarity of assignments and assists in communication between manager and employee. Each position description should be signed by both the employee and manager.

Reorganization Plans

Deans, Directors and Vice Presidents who wish to reorganize their unit/s must consult with the Chief Staff Human Resources Officer (or designee) if staff positions are involved, before the implemen-

tation begins. This is essential to ensure that discussion occurs regarding the potential impact the reorganization may have on the classification of various positions within the unit. As responsibilities and reporting lines are altered, classifications may be impacted. If and when Staff Human Resources determines that organizational changes may have an major impact on a represented position(s) the applicable local union representative(s) will be notified of the organizational changes.

Temporary Assignments to Higher-Level Duties

Prior to assigning additional, perhaps higher level duties to an employee, managers should contact Staff Human Resources to discuss the impact of the higher level duties on the classification of the employee. Each staff collective bargaining agreement contains provisions regarding temporary reassignment. These provisions must be properly followed to assure the temporary nature and length of the assignment and appropriate classification and compensation. In advance of the assignment of new duties and in the interest of fairness, it is important to consider whether a pool of eligible employees exists who might be interested in the opportunity.

Responsibilities

It is the responsibility of Vice Presidents to assure that the MANAGERS in their divisions carry out their responsibilities:

- To allocate human resources to most effectively meet university goals and plans.
- To assign duties and responsibilities to all positions under their direction, making certain that new or additional assignments do not affect the classification level of a position unless consideration has been given to a possible reclassification.
- To become familiar with the duties assigned the positions under their direction and to recognize when significant changes in an employee's duties and responsibilities occur.
- To forward Employee Request for Classification Review forms and related documents to Staff Human Resources in a timely manner. If the manager does not submit the Request to Staff Human Resources within 30 days, the employee may file the Request directly with Staff Human Resources.
- To be receptive to discussion when an employee expresses concern about the classification of his/her position.
- To use the assistance of Staff Human Resources before restructuring jobs or implementing reorganization plans in order to minimize the potential for creating inequities in classification.
- To sign only after fully reading, reviewing and verifying the content of the forms and related documentation, ensuring all information is accurate and complete.

These are just the highlights of a very significant document. We encourage each of you to give this document a read through. And stay in touch! 🙌