

Sacramento

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Government Relations and UCOP, December 2003 Report

The 2003 Legislative Session was a frustrating one. Legislators were almost hypnotically fixed on budget issues, while realizing that, as a practical matter, decisions would be made at the eleventh hour by a very small number of players. Consequently, there were very few hearings worth attending and even fewer bills worth following.

On the latter score we tracked seventeen bills, of which only six related directly to UC. Four of these died between February and April of 2003. A fifth, A.B. 491 (Diaz), followed an interesting course (see below), but at the last moment its author asked that it be moved to the Assembly inactive file, from which it presumably could be resurrected at some later time by the same method.

As it was introduced in February, A.B. 491 was aimed at instructional technology projects and at preventing contract fiascos in the CSU system. In that form it passed easily (57:5) out of the Assembly and went on to the Senate, where, on September 4th in the Higher Education Committee, UC was added to the bill. In the amended version that passed the full Senate by a vote of 25:9 on September 10th, UC and CSU would have been required to have all IT projects or contracts exceeding \$3 million overseen by an auditor provided by the Department of Finance. Systemwide projects exceeding \$20 million would require approval from the Governor, would have to be included in the Governor's budget, and would be

reviewed annually. The bill then returned to the Assembly for concurrence with the Senate amendments, but instead, on September 12th, Assemblymember Diaz asked that A.B. 491 be placed in the inactive file.

Only one of the bills we followed, A.B. 1230 (Hancock), passed the legislature and was chaptered. The bill establishes what is called a "card-check" recognition procedure for exclusive employee representational (collective bargaining) recognition at UC and CSU, in lieu of a secret ballot election. If an employer challenges the legitimacy of a union's claim of majority support within a bargaining unit, a neutral third party may certify proof of majority support using information supplied through a signed petition, authorization cards, or union membership cards. If another organization claims at least 30% support, the third party will then conduct a secret ballot election to determine majority support of the employees. UC opposed this bill, arguing that it would deny employees the opportunity to make a decision in the voting booth free from outside influences, and to have "no representation" as one of the options on the ballot.

Only one other bill deserves to be mentioned here. A.B. 665 (Liu) is a two-year bill which, if passed in a form similar to its present one, will profoundly affect higher education policymaking. It would combine the California Postsecondary Education Commission (CPEC) and the California Student Aid Commission into a new entity, the California Postsecondary Education Policy and Finance Commission. By statute, the new commission would be the principal fiscal and program adviser to the Governor and the Legislature on postsecondary educational policy.

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On November 3rd, we had our now-customary annual meeting with Assistant Vice President—Academic Advancement, Ellen Switkes, and Vice President—Budget, Larry Hershman. From Dr. Switkes we heard that there REALLY ARE NO VERIPs in the works, *but* some campuses are beginning to implement "negotiated recall" agreements with eligible faculty members. She said that UC recently lowered its "normal age of retirement" from 70 to 60. Apparently there is no downside to doing that, and it opens a door that previously was, for all practical purposes, closed. She had nothing to give us in writing on the subject, but we surmise that what may be occurring is a creative application of Regents' Standing Order 103.6. (Online at: www.universityofcalifornia.edu/regents/bylaws/so1036.html)