AFSCME plans two-day strike on May 21 and 22 at UC medical centers; UC to seek restraining order

The University of California today (May 10) announced it will seek a restraining order against the American Federation of State, County and Municipal Employees union, in response to an announcement from the union that it is asking UC patient care technical and service employees to strike at UC medical centers May 21–22.

Strikes that pose a substantial and imminent threat to public health or safety are illegal under state law. UC believes a strike targeting UC medical centers would pose an imminent threat to public health and safety and would improperly withhold health care from members of the public.

State law also requires that strikes be considered only as a last resort after all other options have been exhausted. UC believes AFSCME has not explored all options in good faith through the bargaining process.

“It is highly inappropriate for AFSCME to threaten services to patients as a tactic in negotiations about pension benefit reforms,” said Dwaine Duckett, vice president for systemwide human resources at UC. “Other UC unions representing 14 bargaining units have agreed to our pension reforms, which also apply to faculty and non-union staff. AFSCME wants special treatment, which is unfair to the rest of the UC workforce.”

UC has been in negotiations with AFSCME since June 2012 over terms of a new labor contract for UC’s 12,500 patient care technical employees. The key issue in the negotiations is the union’s ongoing resistance to UC’s pension reforms, which include:

- Increased contributions toward the cost of pension benefits from both UC and employees (currently 10 and 5 percent respectively, increasing to 12 and 6.5 percent respectively July 1, 2013);
- A new category (“tier”) of pension benefits for employees hired on or after July 1, 2013;
- Revised eligibility rules for retiree health benefits.

Like many other employers, including the state of California, UC is enacting substantive pension reforms to help the university address a $24 billion pension fund liability, and enable it to continue offering employees financially sustainable pension benefits.

“We think our current proposal that includes wage increases and good benefits is very fair, and our pension reforms are similar to what has been implemented for state employees, some of whom are represented by AFSCME,” said Duckett. “AFSCME is demanding its members pay less than other UC faculty and staff for the same benefits, which is unfair to other employees.”
UC is offering a competitive four-year contract for UC patient care employees that includes:

- Up to 3.5 percent wage increase per year for four years. These increases are on top of at least 5 percent increases patient care technical employees received in each of the past two years, at a time when many other UC employees received less or no increases at all.
- Excellent health care benefits now and upon retirement. Retiree health care is a benefit that few public or private organizations nationwide still offer.
- Pension benefits that few public or private organizations nationwide offer
- Good working conditions and a satisfying work environment

Duckett said UC remains open to compromise, but that AFSCME leaders must engage in a substantive way and focus on resolving differences at the bargaining table.

This is not the first time UC has had to consider legal action against a strike threat from AFSCME. In July 2008, the union called on patient care technical employees to strike at all five UC medical centers. UC petitioned the Public Employment Relations Board, the state agency responsible for overseeing collective bargaining for public sector employers, to request a restraining order against the strike on UC's behalf. PERB issued a complaint against AFSCME for bad-faith bargaining and for encouraging employees to strike even though their absence from work would clearly endanger the public's safety. The Superior Court of San Francisco issued a restraining order prohibiting the union's strike.

More about these negotiations: http://ucal.us/PatientCareTechs