



# STATE EMPLOYEES TRADES COUNCIL **UNITED**

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EXECUTIVE BOARD MEMBERS:

April 28, 2014

UPS NEXT DAY AIR

**Carl Kimberlin**  
Business Manager/CEO  
CSU Los Angeles

**John A. Swarbrick**  
Associate Vice Chancellor, Labor Relations  
Human Resources  
401 Golden Shore, 4<sup>th</sup> Floor  
Long Beach, CA 90802-4210

**Ken Sanchez**  
President  
CSU Fullerton

**Chris Sprofera**  
Vice President  
San Diego State

Dear John:

**Linda Chang**  
Chief Financial Officer/  
Webmaster  
CSU Fullerton

This is to give you notice that SETC-United desires to re-open Article 24, Salary, to negotiate modifications of the salary schedule and for a GSI for the next fiscal year. Again, we reiterate this is for modifications of Article 24 only, as provided for by Article 24.4.

**Gary Kestel**  
Recording Secretary  
San Jose State

Please acknowledge receipt of this notice at your earliest convenience.

**Arnold Aguilar**  
Executive Board Member  
UC Los Angeles

Sincerely,

**Tracy Hanamoto**  
Executive Board Member  
UC Los Angeles

**Carl Kimberlin**  
Business Manager

**William Heaps**  
Executive Board Member  
UC San Diego

Cc: **Kevin Downes**  
**Ken Sanchez**  
**Chris Sprofera**  
**Gary Kestel**  
**Linda Chang**  
**Matt Ross**  
**Jennifer Keating**

**Brian Maloney**  
Executive Board Member  
UC Irvine

**Joe Mendoza**  
Executive Board Member  
CSU Fresno

**Dave Hagstrom**  
Executive Board Member  
San Francisco State

**James Boothe**  
Executive Board Member  
CSU San Bernardino

**Vacant**  
Executive Board Member  
UC Merced

**Bob Salerno**  
Statewide Safety Steward  
CSU Los Angeles

**Human Resources**  
401 Golden Shore, 4<sup>th</sup> Floor  
Long Beach, CA 90802-4210

[www.calstate.edu](http://www.calstate.edu)

**Rene Castro**  
Director of Collective Bargaining  
Tel no.: (562) 951-4508  
Fax no.: (562) 951-4890

May 9, 2014

Mr. Carl Kimberlin  
State Employees Trades Council - United (SETC)  
6366 Commerce Blvd. #346  
Rohnert Park, CA 94928

Re: Your letter dated April 28, 2014 to reopen Article 24 (Salary)

Mr. Kimberlin,

I am acknowledging receipt of your letter dated April 28, 2014 concerning SETC-United's desire to reopen Article 24 (Salary) for the 2014/2015 fiscal year pursuant to Article 24.4 of the agreement. Similarly, pursuant to Article 32.3, please be aware that the CSU desires to reopen Article 25 (Benefits) for the 2014/2015 fiscal year.

Please contact me to arrange a mutually convenient date and time to meet and confer on these matters.

Sincerely,



Rene Castro, Ed. D.  
Director of Collective Bargaining

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# LEONARD | CARDER

REPRESENTING UNIONS, WORKERS, AND BENEFIT PLANS

LEONARD CARDER, LLP  
1330 Broadway, Suite 1450  
Oakland, CA 94612  
Telephone: (510) 272-0169  
Fax: (510) 272-0174  
www.leonardcarder.com

File No. 523-1

May 22, 2014

Via U.S. Mail and email [rcastro@calstate.edu](mailto:rcastro@calstate.edu)

Rene Castro, Ed. D.  
Director of Collective Bargaining  
California State University  
Office of the Chancellor  
401 Golden Shore, 4<sup>th</sup> Floor  
Long Beach, CA 90802-4210

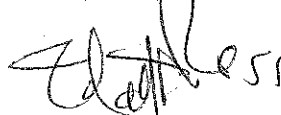
Re: CSU's Notice of an Intention to Reopen Article 25 (Benefits)

Dear Dr. Castro:

This letter is to acknowledge receipt of your May 9 letter to Carl Kimberlin, stating the University's intention to reopen the contract under Article 25 (Benefits). The deadline to re-open on that subject under Article 32 of the contract was April 30. Accordingly, SETC's position is that the contract is NOT open for the negotiation of changes to benefits under Article 25. That said, the Union always is willing to discuss with the University any changes in the contract management might want to propose, conceivably, to facilitate something else that is within the scope of a contract re-opener or the negotiations of a proposed unilateral change. Indeed, the Union may well raise issues or possibly, make proposals, on topics other than wages and salaries in the re-opener negotiations. But to be clear, SETC's consideration of proposals by management relative to benefits and Article 25, and conceivably, the Union's making of counter-proposals relative to such topics, is entirely without prejudice to SETC's legal position that the contract is not open for the re-negotiation of benefits.

Sincerely,

LEONARD CARDER, LLP



Matthew Ross

cc: Carl Kimberlin  
Linda Chang  
Ken Sanchez

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WITH OFFICES IN SAN FRANCISCO AND OAKLAND



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REPRESENTING UNIONS, WORKERS, AND BENEFIT PLANS

LEONARD CARDER, LLP  
1330 Broadway, Suite 1450  
Oakland, CA 94612  
Telephone: (510) 272-0169  
Fax: (510) 272-0174  
www.leonardcarder.com  
File No. 523-181

June 3, 2014

**Via U.S. Mail and email [rcastro@calstate.edu](mailto:rcastro@calstate.edu) and [jswarbrick@calstate.edu](mailto:jswarbrick@calstate.edu)**

Rene Castro, Ed. D.  
Director of Collective Bargaining  
California State University  
Office of the Chancellor  
401 Golden Shore, 4<sup>th</sup> Floor  
Long Beach, CA 90802-4210

John Swarbrick, Associate Vice Chancellor  
CSU, Labor & Employee Relations  
401 Golden Shore  
Long Beach, CA 90802

Re: SETCU's Request for Re-Opening of Wages

Dear Dr. Castro and John:

I write to follow up on SETC's request for a re-opening of wages. I will call you, Dr. Castro, this week to schedule a time for our first meeting which SETC requests as soon as possible. Could you confer, decide on your bargaining team and take a look at dates in June? SETC also has a proposal for CSU that we want to discuss at our first meeting.

As you know, it has been seven years since the last wage increase for the skilled trades unit with only the 1.3% increase for SETC personnel. This has led to serious morale issues and a perception that SETC-represented personnel are under-compensated and have lost ground to the private sector as well as to other unions and unrepresented employees. While it may be that private sector wages also have flattened, we doubt that but if that is so, the Union needs to take that into account.

The best way for both sides to get out in the open the facts as far as how SETC-represented employees now compare to trades employees' wages/salaries in the private and public sectors, is for the University to refresh the 2008 Mercer study. As you know, that study compared SETCs rates of compensation to other public and private sector employers to provide a fair means of comparison and to test out against objective facts the Union's claim that their members are underpaid and management's insistence that they are not. SETC therefore proposes that the CSU subsidize the cost of a "re-fresh" of the 2008 Mercer study, and that it be undertaken at once. To minimize the cost of this, SETC further proposes we limit the entities surveyed to only those surveyed in the earlier study and that the "refresh" survey look at the same data, i.e., use the same points of comparison with the same entities surveyed by Mercer in 2008. Agreement on this would eliminate contention about the design of the study and yield a

true comparison between 2008 and 2014, as well as *substantially* reducing the cost. Please give some thought to CSU contracting with Mercer to update their 2008 study with new data for the same entities surveyed in 2008.

Apart from that, the Union requests the following items of information for our initial meeting or soon thereafter.

1. Please provide charts or other documents providing a full explanation of salary and wage increases given to unrepresented employees including Facilities managers and supervisors, since 2008, together with effective dates.

2. Please provide a report on the state of the CSU budget in light of the May revision to the State's budget.

3. Please provide a report on the funding and budget for Facilities Management at each campus including the budget for capital improvements, major and minor cap jobs, and all other categories of funding for construction and/or maintenance of facilities, at each campus or CSU work location, (e.g., the Chancellor's office), having its own budget.

4. Relative to CSU's state funding requests and proposed budgets, the Union's belief is that while most of its members are frozen in the lower rungs of the wage progression ladder, when CSU formulates its projected labor costs and develops its proposed budgets for Facilities and Housing, it uses as the labor rates for the formulation of its budgets and requested funding, the highest step, rung or progression in a series for each classification. Please clarify your practice in this area and provide whatever funding or budget requests for Facilities and Housing which show what labor rates in aggregate and in particular for each classification, CSU used for the purpose of formulating a budget and funding request for Facilities and Housing.

5. How much money is there in the revised budget, for Facilities and Housing maintenance and major/minor capital improvement projects? Please list budgets, per campus. How much did the Chancellor's Office request for Facilities, and Facilities salary increases?

6. Several SETC members including Carl Kimberlin, remember that the CSU used to put out a publication called the "Orange Book." It dealt with expected levels of manning per square feet and similar information. Please provide a copy.

7. Please ask all of the campuses to provide up-to-date lists of contracted work performed within the last three years and pending or current lists, including projects underway or scheduled to begin in this or the next fiscal year. These lists take a different form or format at each campus, but basically, SETC is asking for lists of all major, minor or JOC contracted jobs, and all other jobs falling under different categories of funding or funding sources other than those listed herein, for the last three years. Again, and importantly, this includes jobs that are currently scheduled or projected to begin in this or the next fiscal year, and regardless of funding source or the type of job. (Major cap as well as minor cap, etc.).

*Dr. Rene Castro and John Swarbrick*

*June 3, 2014*

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8. Please ask all of the campuses to provide the exact hourly rates/salaries for each SETC member in each Department at each CSU campus. To be clear, we're not asking just for the salary ranges but the exact salary for each SETC member, listed by name but sorted by classification, please. Please also indicate what "step" or level they are compensated at in the wage progression or step increases.

9. Please ask all of the campuses to provide up-to date seniority lists or complete information on each employee's date of hire for every employee in every department, and at every campus or work location represented by SETC-United.

10. Please provide and/or ask all of the campuses and work locations to provide, a complete set of employee handbooks and all other personnel or policies and procedures in effect at each campus, both system-wide polices and campus or department-specific, policies.

11. Please provide whatever wage or salary surveys or data and information gained from such wage/salary surveys relative to the wages, salaries and benefits of trades employees at other public or private businesses or institutions, that CSU has conducted or has access to.

12. If CSU intends to conduct such a salary or wage survey for trades persons, please explain your plans and the details of the survey.

13. If CSU does not have any surveys or salary data by which it can compare SETC's wages/salaries with other employers, please explain what are the relevant factors for determining appropriate possible increases in wages or salaries? How does the CSU determine its levels of compensation for non-trades employees, for managers and campus administrators, for example? What data do you use or look at, for fixing the wages of unrepresented employees?

Sincerely,

LEONARD GARDER LLP



By: Matthew Ross

cc: Carl Kimberlin, Linda Chang  
Bargaining Committee

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