Bargaining Unit 9 Council Report

Overview of topics discussed: Current status of full-contract bargaining, Board of Trustees Meetings now on the Internet, Loss-prevention software to be installed, state-wide, on December 1st, exempt employee work hours, classification issues and meet-and-confer updates.

Unit 9 Council Members attending: Rich McGee, Chair, Susan Smith, , Vice-Chair, , Rose Greeff. Ken Jones, Rocky Waters, Ricardo Uc, Gus Leonard, Christina Valero, Matthew Black

Guests: Matthew Kay

Introduction from the Chair

Our terms on the Unit 9 council are more than half completed, with elections coming next year. How do we develop the next generation of activists? The majority of the council are "Long Term" CSU employees, we all must consider how to develop interest in the Union, and mentor those activists who will come after us.

Due to a recent vacancy, Matthew Kay from Sac State has been appointed as the Unit 9 representative on the classification committee. Thanks, Matt, for agreeing to take on this important role!

Bargaining

Full contract bargaining is now in the planning stages. If anyone has suggestions, additions or changes to contract language, please get this back to the chair within the next few weeks, as the time remaining for this is very short.

All bargaining sessions, except for the caucuses, are open to the membership, and each of you are encouraged to attend. Even if you spend only a lunch hour observing bargaining, it really helps when you see the "give and take" which is such a part of full-contract bargaining. Since this is a full-contract bargaining cycle, we don't yet know what articles we will want to bargain over, and we haven't yet seen any information from the CSU about their choice of articles, either. Our "sunshine proposal" will be due early next year, and will be posted and distributed as we are legally required to do.

Once bargaining begins, we will be actively seeking employees willing to speak on key topics. The bargaining team can discuss the articles, but the CSU really does appear to pay more attention when they hear the voices of campus employees explaining why a particular article is important to them.

Board of Trustees Meetings

The monthly CSU Board of Trustees meeting is now being broadcast live on the Internet, plus recorded and saved for later viewing. The website and monthly schedule can be found at the CO's website http://www.calstate.edu/bot/agendas/. Watching these meetings on-line is actually better than attending them at the Chancellor's Office – the audio is clearer, and the camera zooms in close enough to allow you to identify the speaker. It's worthwhile to listen to in the background while you perform other tasks, as the information you learn from these meetings can be extremely useful.

Loss-Prevention Software

The CSU has spent over $400,000 to purchase 40,000 copies of a data-loss prevention software package. This software, called "IdentityFinder" (Vendor: http://identityfinder.com), will be installed state-wide on most computer workstations starting December 1st.

Several members of the bargaining team held a meet-and-confer about this software in late October. The following is a summary of what was discussed and agreed upon. The process of codifying this agreement, in writing, is currently underway.

- The CSU has the right to install this software on any workstation/server which is owned by the state.

- Each campus ISO office will determine which workstations/file servers this software is to be installed on. The focus will be on those machines which potentially could contain "sensitive data" (Social security numbers, driver license information, birthdates and credit card information only)

- This software shall only be used to identify what is called "Level 1" data, as defined by the State Administrative Data Processing Manual. It will not be used to search for any other data, files, keywords, etc.

- The campuses will notify and train users prior to this software being installed on their workstations.

- This software will not scan e-mail messages, or capture any live data.

- If a campus wishes to purchase modules to enhance the capabilities of the IdentityFinder software (Such as SQL database or e-mail scanning), the Union shall be notified and given an opportunity to meet and confer over the effects of that module.

- The end-user will be allowed to initiate a private scan, and deal with the results (Delete, edit, encrypt or leave the data intact) prior to the campus performing a centralized scan. This provides a grace period for all users to remove un-necessary sensitive data on their system remaining from prior work tasks.

- Only the end-user or the ISO can initiate a software scan. No inventory of files, documents, etc. is created, and any sensitive data discovered will be "masked off" in the reports produced by this software. This means an ISO manager may see only the last few digits of a SSN, not the entire number.

- Each campus ISO will, on an annual basis, maintain an inventory of all systems containing sensitive data, in response to audit requirements.

Exempt employees – Work hours vs. core hours

According to the law, and our contract, "For exempt classifications, there are no fixed, minimum or maximum hours in a workday or workweek." (Article 18.7). However, due to a state arbitration decision, the courts have ruled that an employer can set "core hours" for exempt employees. Some CSU managers are misinterpreting the meaning of this, and are telling their employees that "our core hours are 8 am to 5 pm, and you must be here during those hours". If you hear of this occurring on your campus, please notify the Unit 9 Council, and file a grievance on it. Core hours are just that – core, the essential part. Telling an exempt employee to be here for the entire day at a pre-assigned time equals fixed hours. An example which has been successfully used at some campuses is to ask the manager "If you take a core body conditioning class, does it exercise all your muscles?" Our contract is only good when it is properly enforced, and enforcement is up to each one of us.

Wrap-Up

The October 2013 Bargaining Unit 9 Council meeting concluded with a brief discussion of career vs. expert classifications, the status of the Unit 9 classification clean-up project, which is nearly completed, and a review of some of the technical meet-and-confers we've had over the past few months including campus cellular telephone polices, as well as video surveillance on the campuses. Remember: An arbitrator has ruled that video surveillance is now a mandatory subject of bargaining, so we have a right to both request information about campus video surveillance systems, as well as to request a meet-and-confer when such a meeting is warranted.

Respectfully submitted,

Rich McGee
Chair, CSUEU Bargaining Unit 9