

May 20, 2005

**UC STATEMENT REGARDING THE MAY 26 UPTE STRIKE ON BEHALF OF  
RESEARCH SUPPORT (RX) AND TECHNICAL (TX) UNIT EMPLOYEES**

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Numerous rulings by the Public Employment Relations Board (PERB) hold that any strike in advance of the completion of the full bargaining process, which includes declaring impasse and participating in a mediation and fact-finding process, is presumptively illegal.

Because UPTE called this strike before the parties have even declared impasse to negotiations, the University believes this strike is not only unlawful and unprotected under the Higher Education Employer-Employee Relations Act (HEERA), but also clearly demonstrates bad faith bargaining by the union.

Because at least one other UC union has indicated its intent to join in “sympathy” with UPTE, the University has sent letters to union leaders reminding them of their legal obligation to adhere to the no-strike provisions in their contracts and to the law of the State of California. In fact, PERB already issued a formal complaint against the California Nurses Association for joining other UC unions in a 2002 strike against the University. Details are available at [http://atyourservice.ucop.edu/employees/policies/labor\\_relations/index.html](http://atyourservice.ucop.edu/employees/policies/labor_relations/index.html)

One of the barriers standing in the way of an agreement is the issue of wages, and the union’s financially unrealistic demands for salary increases. The University has offered a wage package substantially equivalent to the wage package contained in the AFSCME Service agreement. Unfortunately, even though UPTE declared a strike for May 26, 2005, the union leadership is unwilling to meet with University officials in the days immediately preceding May 26<sup>th</sup>. This indicates a lack of desire by the UPTE leadership to reach a settlement prior to the strike.

UPTE is demanding:

- Guaranteed across-the-board increases
- A merit program over and above the range adjustments provided by the Governor’s Compact (an additional 1.8% per year)
- Equities that cost at least 7% in addition to range adjustments

These demands are in excess of the recent AFSCME settlement with the University.

The bargaining record shows that the University has bargained fairly and in good faith throughout these negotiations.

All UC campuses and medical centers will take appropriate steps to help ensure that University operations and service to students, patients, and others will continue with as little disruption as possible.

Employees without previously arranged absences or medical verification who do not report to work on Thursday May 26, 2005 will be considered to be on an unauthorized absence and will not be paid. Disciplinary action may be taken in certain situations.

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