

**MANAGEMENT COMMUNICATION
HX BARGAINING
CONTRACT EXPIRATION AND THE STATUS QUO**

On September 30, 2024, the Agreement between UC and UPTE, representing Health Care Professionals (HX) employees, expired.

Upon the contract expiration, there is a transition to the status quo of terms and conditions of employment for represented employees. The status quo period requires the University to maintain the same wages, hours and terms and conditions of employment for represented bargaining unit employees that existed at the time the contract expired.

Many of these "status quo" conditions are reflected in contract language, but some are not. Thus, once a contract has expired, the University cannot change anything related to wages, hours and terms and conditions of employment without giving notice to the union and negotiating the change. That includes things like: changes in hours, changes in sick leave procedures, changes in performance evaluation procedures, etc.

UC's position is that the current terms and conditions for employees in the HX bargaining unit will continue, with special notes for selected Articles of the current contract(s) as follows:

Article 2 – Access - With respect to union rights contained in this Article, the University will continue to offer use of e-mail for grievances as the contract currently provides, to allow the use of meeting rooms according to local access rules, new employee orientation as currently provided at each location, and use of the telephone, according to the current contract. Existing release time arrangements for designated union representatives shall remain in place, and new requests for release time should be granted (or denied) in accordance with the contracts.

Article 3 – Arbitration Procedure - There will be no employee or union access to the arbitration process for those grievances which arise after the expiration of the contract. However, individual employees who are dismissed or suspended for more than five days may elect to access the local "post-deprivation" procedures in lieu of arbitration.

Article 6 – Corrective Action, Discipline and Dismissal -The notice obligations to the union as provided under this Article continue.

Article 7 – Union Dues Deduction - The University will continue existing practices for beginning and ending payroll deductions.

Article 8 - Grievance Procedure - The grievance procedure will continue as the terms and conditions of employment for employees. The University will provide paid leave for grievance representatives as described in the contract.

Article 11 - Hours of Work –The University will continue provisions of compensatory time-off for overtime payment (CTO) where it currently exists.

Article 13 - Layoff and Reduction in Time - The notice obligations to the union as provided in this Article continue. Also, the severance benefits continue as part of the status quo.

Article 15 - Leaves of Absence for Union Business - The University will continue to offer according to the current contract.

Article 24 – Parking – Parking rates may not be changed without express agreement from the union.

Article 31-Reclassification Review – If you are contemplating assigning significant new duties to, or requesting a reclassification for an HX position, please contact your labor relations manager as we cannot reclassify employees unilaterally.

Article 32 – Release Time for Bargaining – The University will continue to honor current requests for release time for bargaining, and new requests for release time should be granted (or denied) in accordance with the contract.

Article 40 – UC Health and Welfare Benefits - The University will continue to treat bargaining unit employees as eligible for benefits subject to any changes to benefits that are consistent with the status quo. Changes in benefit costs will be subject to notice and meet and confer obligations.

Article 41 – UC Retirement and Savings Plan - The University will continue to treat bargaining unit employees as eligible for existing retirement and savings plans. Changes in benefit costs or new benefit programs will be subject to notice and meet and confer obligations.

Article 44 - Work Rules – Generally, changes in work rules post contract expiration need to be bargained. If you are planning to change a work rule, please contact your labor relations manager who will advise you how to proceed.

This list describes the main issues about terms and conditions that are affected by the contract expiration.

Having an expired contract and being in the status quo period can be a difficult situation for management. However, not everything related to wages, hours and terms and conditions of employment is subject to bargaining. Some of these issues are beyond the scope of bargaining, and they continue to remain within management's prerogative during the status quo period. The obvious include, but are not limited to: decisions about reorganizing services; decisions about the organization of activities or programs, decisions about hiring, discipline, termination, layoff, decisions that go to the mission of the University, etc.

While certain management decisions are beyond the scope of bargaining, the effects of those decisions may be negotiable.

If you have any questions about what you can and cannot do during the status quo period, please consult with Labor Relations before implementing changes of the nature described above.