

February 14, 2025

Via email

Cheryl Lloyd
Vice President, Systemwide Human Resources and Chief Human Resources Officer
Office of the President
University of California
1111 Franklin Street, 5th Floor
Oakland, CA 94607

Re: Notice of Three-Day Unfair Labor Practice Strike

Dear Ms. Lloyd:

UPTE CWA 9119 hereby gives notice of its intent to engage in a strike, as well as engage in picketing activity, by members of the Healthcare Professionals (HX), Research Support (RX), and Technical Employees (TX) bargaining units in protest of the University of California's unfair labor practices. The strike will be for a period of 72 hours at all University of California locations including its medical centers and clinics, student health centers, and campuses, and includes all HX, RX, and TX bargaining unit employees.

The strike is called to protest the University's unfair labor practices, including its interference with union access rights and speech, refusal to bargain over access, and interference with UPTE's unfair practice strike at UCSF. Among other things and as detailed in Unfair Practice Charge Nos. SF-CE-1437-H and SF-CE-1498-H:

- UC enacted new access restrictions that are overbroad and interfere with UPTE members' rights to leaflet, picket, and engage in other expressive activity, including unreasonably limiting the locations where workers can leaflet, picket, or demonstrate, vague and overbroad restrictions on "disruption," limiting the size of signs, illegal prior restraints on expressive activity, and prohibiting tables and other "structures;"
- UC has announced these changes even though the parties have not completed bargaining, and it has refused to bargain over the changes to access rules and limits on expressive activity;
- UC unilaterally forced employees to work during UPTE's November 20-21, 2024 unfair practice strike at UCSF, falsely telling them they were "enjoined" or that UPTE had agreed that they should work, even though UPTE had not agreed to exempt them from the strike; and

UNIVERSITY PROFESSIONAL & TECHNICAL EMPLOYEES510-704-8783
Fax: 510-704-8065

info@upte.org

2855 Telegraph Ave.
Berkeley, CA 94705

upte.org

- UC abused UPTE's exemption from the strike of a limited number of on-call employees by preemptively requiring them to report to work and using them to perform non-urgent work.

Strike Duration

The strike and picketing will commence with all shifts that start after 12:00am (00:00) at the beginning of Wednesday, February 26, 2025 and last through Friday, February 28, 2025. Workers whose shifts start after 12:00am (00:00) at the beginning of Wednesday, February 26 will not report to work until after the strike is over. Employees who are in the midst of their shifts at that time will continue working through the regular end of their shifts and will not leave mid-shift.

The strike will conclude with all shifts starting after 11:59pm (23:59) at the end of Friday, February 28, 2025. Striking workers whose shifts start on or after 12:00am (00:00) at the beginning of Saturday, March 1, 2025 will report to work at the beginning of their regularly scheduled shifts on Saturday. Striking employees who are scheduled to work shifts that start on or before 11:59pm (23:59) at the end of Friday, February 28 will remain on strike through the regular end of those shifts and will not report to work mid-shift.

Exemptions from the Strike

If a location is affected by a disaster causing a rapid surge in medical treatment needs in the region, the strike will be called off at that location.

UPTE has also created a Patient Protection Task Force to assist in providing additional HX staffing if unmet emergent staffing needs arise during the strike. UPTE will provide the University with additional information about the Patient Protection Task Force under separate cover.

UPTE has repeatedly asked UC to provide information on its strike contingency planning and the availability of replacement workers, but UC has refused to do so, resulting in UPTE filing Unfair Practice Charge No. SF-CE-1481-H. Yet the University has a significant number of replacement and non-bargaining unit personnel available, including contract workers UC regularly employs to perform UPTE bargaining unit work and strike replacement workers available through outside vendors. Additionally, before it can seek to enjoin any employees because UC claims their absence will substantially and imminently threaten public health or safety, the University must take all necessary steps to reduce services and take advantage of coverage options, including by reducing the patient census at medical centers; cancelling or rescheduling elective procedures; using supervisors, managers, and non-striking personnel to work during the strike; and contacting all companies or other entities that are able to provide replacement employees or services, and contracting with them for replacement employees and services.

In light of these circumstances, UPTE believes the University can meet all emergent needs during the course of the strike without any UPTE-represented employees working during

the strike. However, if the University believes that a discrete number of positions should be staffed by UPTE members during the strike because the work cannot be rescheduled and the positions cannot be filled by others, UPTE reiterates that the University should immediately provide the following information also requested on January 28, 2025:

1. For each medical center, documents reflecting any reduction in patient census for strikes that took place between January 1, 2018 to the present. The documents should reflect the extent to which each medical center reduced patient census prior to the November 2024 strike.
2. Provide all polling data for UPTE-represented CLSes, Pharmacists, and Poison Control Pharmacists that UC received prior to the November 2024 strike.
3. By classification, provide the number of UPTE-represented UCSF Pharmacists, CLSes, and Poison Control Pharmacists that voluntarily crossed the picket line on each day of the November 2024 strike.
4. Provide final strike request and replacement numbers for all HX-unit classifications from Aya, Huffmaster, or any other strike replacement vendor for any strike from January 1, 2018 to the present.

This information would inform discussions about potential exemptions, if any, from the strike.

Notice of Unconditional Return to Work

UPTE, on behalf of all employees who engage in strike activity as provided in this notice, hereby provides notice that striking employees will unconditionally return to their positions and will work at their regularly scheduled hours beginning with all shifts that commence on or after 12:00am (00:00) at the beginning of Saturday, March 1, 2025.

Sincerely,



Dan Russell
President, UPTE CWA 9119

Cc: Melissa Matella
Matt Teaford
E. Kevin Young
UC Chancellors
UC Medical Center CEOs