

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 28, 2021

The Regents of the University of California met on the above date by teleconference meeting conducted in accordance with Paragraph 3 of Governor Newsom's Executive Order N-29-20.

Members present: Regents Anguiano, Leib, Lott, Makarechian, Reilly, Sherman, Sures, Torres, and Zaragoza

In attendance: Regents-designate Blas Pedral, Pouchot, and Timmons, Faculty Representatives Cochran and Horowitz, Secretary and Chief of Staff Shaw, Chief of Staff and Special Counsel Drumm, Provost Brown, Chief Investment Officer and Vice President of Investments Bachher, Executive Vice President and Chief Financial Officer Brostrom, Chancellors Hawgood, Khosla, Larive, Muñoz, Wilcox and Yang, and Recording Secretary Clark

The meeting convened at 2:00 p.m. with Vice Chair Leib presiding.

PUBLIC COMMENT

Vice Chair Leib explained that the public comment period permitted members of the public an opportunity to address University-related matters. The following persons addressed the Board concerning the items noted.

- A. Karl Lisovsky, UCLA lecturer, spoke in support of continuing lecturers and expressed concern about the unsteady lecturer employment contract. He explained that the continued employment as a lecturer is unpredictable and urged the Regents and President Drake to move towards a merit-based retention and reappointment process for lecturers and to include performance reviews. Mr. Lisovsky stated that he and other lecturers would strike if necessary to secure a sustainable employment contract.
- B. Deborah Gould, UC Santa Cruz associate professor, expressed her solidarity with her teaching faculty colleagues, lecturers whose employment agreement was currently being reconstructed. She noted that hundreds of UC Academic Senate faculty members have pledged to stand with lecturers in efforts to strengthen lecturers' job security and to ensure fair compensation. Ms. Gould shared that over 90 percent of UC Academic Senate faculty members who have signed the lecturer's employment contract pledge would respect picketing if a strike commences in support for lecturers' employment contract needs.
- C. Mia McIver, UCLA lecturer and President of the University Council-American Federation of Teachers (UC-AFT), asked President Drake to settle the UC lecturer contract fairly with enforceability and demanded regular performance evaluations, merit-based retention, consistent workload standards, and sustaining wages. Ms. McIver stressed not wanting to strike and asked UC to enact its commitment to equity by supporting lecturers, who were more likely than tenured faculty to be women and people of color. She urged President

Drake to keep his promise and to ensure that the recently increased UC revenue flow directly to students, faculty, and lecturers.

- D. Aidan Hill, UC Berkeley student, spoke in opposition to the People's Park housing project. Mr. Hill stressed that People's Park is a community gathering space that promotes various community-related projects and helps to provide solutions. Mr. Hill urged the Board not to agree to the housing project because this area is notable for providing free resources to the destitute and serves as a place of refuge for the homelessness community.
- E. Eileen Boris, UC Santa Barbara professor, spoke in support of lecturers represented by UC-AFT lecturers and alleged that the UC labor relations group was undermining the quality of UC instruction by refusing the UC-AFT request for annual performance reviews, while faculty reviews were routine. Ms. Boris commented that many lecturers had the same qualifications and training as professors; they deserved an evaluation to secure their livelihoods, if merited. She stated that Congress was currently considering labor standards as part of funding for higher education. The people of California deserved a University that put instruction first. Ms. Boris urged the Board to lead by example and to lead the nation with a fair contract agreement for lecturers.
- F. Rahul Neuman, UCLA lecturer and member of UC-AFT, stated that he had faith that the Regents would support lecturers' demands for formal performance evaluations, fair reappointment practices, and sustainable wages. Performance reviews were the norm throughout the country, at the California State University, and at community colleges. Mr. Neuman referred to his past working experience and stated that the UC lecturer appointment was the only appointment in his career that did not have a formal performance evaluation process. Many of his lecturer colleagues have left UC employment due to the instability of their contract. Mr. Neuman assured the Regents that lecturers would strike if an agreement was not achieved. Mr. Neuman stressed the important role of lecturers in the quality of a UC education and urged the Regents to support the UC-AFT contract demands.
- G. Constance Penley, UC Santa Barbara professor and President of the Council of UC Faculty Associations, stated that faculty were circulating a pledge of solidarity for their lecturer colleagues which hundreds of faculty members have signed. Ms. Penley expressed embarrassment about how UC labor relations has handled negotiations with UC-AFT, which she stated was at the behest of President Drake. She believed that striking would be the only way for UC lecturers to be taken seriously. She urged the Regents to take action and to settle the contract and agree to reasonable, common sense standards of employment for lecturers.
- H. Terry Shanahan, UC Irvine lecturer, shared that she was concurrently lecturing at California State University, Long Beach (CSULB), where she had a performance evaluation process and feedback every year. She noted that she did not have to reapply for her appointment every semester at CSULB since her performance evaluation determined her continued employment; she asked why such a policy was not implemented at UC. Ms. Shanahan urged President Drake to support lecturers with transparent performance evaluations and rehiring processes, enforceable workload standards, and fair wages. She

expressed support for a strike if an agreement could not be met to support lecturers' requests and values.

- I. Matthew Butner, UC Davis lecturer, member of UC-AFT stated that there was a lack of transparency and certainty regarding rehiring and this uncertainty forced many lecturers to seek other additional opportunities. Mr. Butner alleged that President Drake was not supportive of UC lecturers, who sought appropriate evaluations and compensation for the work they contribute to the University. Mr. Butner was prepared to strike if the UC-AFT contract was not agreed upon.
- J. Marissa Diaz, UC San Francisco nurse and member of the California Nurses Association (CNA), stated that the UC medical community provides amazing care for the most vulnerable patients in California. Over the past year, staffing levels were such that nurses were not able to provide the best quality care for patients. This could result in dangerous situations for patients. She felt that the University did not have a commitment to supporting its medical staff. Ms. Diaz asked what the University would do to address these concerns.
- K. Richard Ellis, UCLA lecturer, called upon the Regents and President Drake to take responsibility for the tactics used by the Office of the President in its dealings with UC-AFT. Mr. Ellis shared that he had witnessed an obfuscating, demeaning, and destabilizing approach, a strategy which exploited the precariousness of lecturers' employment. Mr. Ellis believed in the transformative potential of a UC education, in which lecturers played a formative part. Lecturers were not replaceable people. To support UC lecturers and the students they mentor was not only a pedagogical imperative, but also an ethical one.
- L. Kyle French, UC Davis nurse, spoke of the danger of chronic short staffing at UC medical centers. She was troubled by UC Davis Health management responses to this issue, calling efforts by staff to shed light on unsafe staffing levels a bargaining stunt. Units throughout the hospital had been working understaffed for months since the beginning of the COVID-19 pandemic, but had continued to provide excellent care nonetheless. Nurses provided the care that had won awards celebrated by the UC Davis Health administration. Ms. French enumerated some of the exceptional challenges and burdens that nurses had been facing during the pandemic. She urged UC leadership to ensure adequate, safe staffing to support high-quality patient care.
- M. Arlene Banaga, UC Berkeley staff member, expressed concern about return to work policies. UC systemwide and campus leadership have publicly supported work from home flexibility for staff as long as business needs are met. Ms. Banaga reported that requests by staff across the system for flexibility were being rejected and employees must return to campus with minimal explanation. She cautioned that this might affect staff retention. Flexibility had improved staff productivity. Ms. Banaga asked President Drake and the chancellors to encourage supervisors to allow staff to continue working from home if their job duties did not require them to be on site and requested a mediation process to facilitate discussions between management and staff about remote work.

The meeting adjourned at 2:25 p.m.

Attest:

Secretary and Chief of Staff