

Society of Professionals, Scientists, and Engineers

Local 11 – University Professional and
Technical Employees (UPTE),
Communications Workers of America (CWA)
Local 9119, AFL–CIO

SPSE



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FOR IMMEDIATE RELEASE

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UC Tries To Beat Union Effort At Lawrence Livermore With Stall Tactics

The University of California (UC) is refusing to recognize the union which has organized a majority of Skilled Trades employees at Lawrence Livermore Laboratory. The Society of Professionals, Scientists and Engineers – University Professional and Technical Employees Local 11 (SPSE-UPTE Local 11) has been conducting an organizing campaign among Lawrence Livermore employees in an attempt to get union recognition prior to the transition in Lab management from the University of California to the new Lawrence Livermore National Security (LLNS) LLC. Union recognition would allow employees to bargain with UC and/or the new LLNS management for a collective bargaining agreement which would protect their wages and working conditions from unilateral changes by the new management group, and would give employees a voice in the transition.

Lawrence Livermore Laboratory employees are currently UC employees, and labor laws affecting their employment are administered by California's Public Employment Relations Board. When the transition to new management takes place October 1, Lab employees will be considered private sector employees, and the National Labor Relations Board will have jurisdiction over unionization efforts. UC's actions seem intended to stifle employees' legal rights to be represented by pushing the issue of unionization beyond the October 1 change, when they might have to start over again with a new agency.

During the 1980s there were several efforts made to organize Lawrence Livermore employees. In a series of legal decisions, PERB made determinations placing job classes into several different "bargaining units". By June 26, SPSE-UPTE 11 had collected signed cards authorizing union representation from a majority of employees in the traditionally defined Skilled Trades bargaining unit and submitted these to PERB. Under PERB regulations, California public employees can "vote" for union representation by signing authorization cards ("card check") or through a PERB supervised election. The card check option is not available to workers under the NLRB unless the employer also agrees to it.

On July 7, PERB verified that the union had authorizations from a majority of eligible employees. Instead of agreeing to recognize the union and proceeding to negotiate with the represented employees, UC chose to file objections to the unit, seeking to exclude Laborers and include over 100 Machinists, a group which PERB had determined to be appropriately placed with other Technical employees in a Technical bargaining unit.

Despite pressure from the office of Congressman Ellen Tauscher to compromise with the Union and negotiate with Skilled Trades employees, UC has continued to stall. Both parties have met at two settlement conferences called by PERB Regional Director Anita Martinez, and SPSE-UPTE has signaled its willingness to compromise in an effort to reach settlement, but UC has refused to budge. In a further time-delaying tactic, UC is demanding a hearing, although their attorney has yet to provide supporting evidence that would justify calling one. Both UC and the union have to respond this week with justification for their respective positions.

In the meantime, Skilled Trades unit members are frustrated. HVAC Mechanic Brion Leri, a twenty five year Lab employee, summed up the sentiment this way: "Having attended both settlement conferences, it became clear to me that LLNL/UC is stalling to delay the PERB recognition process. Their tactics are transparent and the reasons for appeal weak at best. We have acted on Representative Tauscher's request to resolve this matter before October 1. UC has yet to compromise, and we have."

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