

UC Curtailment Program: Recent Changes Are an Improvement, but Concerns Remain

A couple of weeks ago, UC announced a proposal under consideration that would “curtail” paid work days for staff at all campuses; they have since issued guidelines that make curtailment less burdensome on unrepresented staff. The new guidelines permit lower paid staff to use accrued leave for all or part of the unpaid curtailment days.¹ We believe this is due in large part to the responses to the initial curtailment proposal from both union and non-union staff. Our action made a difference!

The UCAPN remains concerned about the curtailment program:

- 1. Many staff have used up their leave days already or need them now more than ever.** With pandemic-related issues around various personal and family needs, many of us will not have the option of using accrued leave to cover the curtailment pay loss. Many of us have also used up the federal leaves under the FFCRA, which will expire at the end of the year.
- 2. UC unrepresented staff have already sacrificed.** Unlike the staff who are represented by unions, our merit pay raises are frozen for this year. Our pay was already falling behind staff at similarly situated universities and the cost of living. Many of us are having a hard time paying our bills.²
- 3. UC has other, more equitable ways of addressing budget shortfalls.** UC claims that it has suffered a total of more than \$2.2 billion in revenue losses and unexpected costs since the start of the pandemic, in addition to a \$300 million cut in state funding. Analysis shows, however, that a significant portion of the losses are reductions from projected revenues at medical centers. The medical centers are still profitable, just less so since the pandemic began. UC has received hundreds of millions of dollars from the CARES Act stimulus and other federal sources for its actual losses. For any remaining budget gaps, the university has more than \$10 billion in liquidity, additional billions of low-interest borrowing it could do in the spring, and many millions more in potential savings available from refinancing existing debts. All of these options dwarf any

savings UC could hope to achieve from a curtailment program. Currently the UC Office of the President (UCOP) estimates a saving of only \$132.6 million from the proposed curtailment. Only \$27.6 million savings would come from the three lowest tiers, where most of us fit in. Even if these numbers are accurate, the over \$10 billion UC that has in liquidity is more than 75 times the amount of the \$132 million in savings.

What is Curtailment?

According to UC, “curtailment refers to a period of leave, typically unpaid, instituted in connection with the suspension of certain operations for defined periods of time, including but not limited to periods of time for energy/cost savings; transitional, seasonal, or holiday periods in the academic calendar; or the occurrence of emergency situations that adversely affect normal university operations.”³ In other words, a mandatory unpaid day off.

What are the key elements of the current curtailment proposal?

- A final decision on the curtailment plan will be made following a 30-day consideration period. Given that timeline, this program will most likely be brought to the UC Regents for a vote during their November 17-19 meeting.
- All campuses and the UCOP would be expected to designate a minimum of five curtailment days (excluding holidays) in fiscal year 2020-21. This means that a campus could designate more and a number of campuses are opting to do so.
- A campus can designate when the curtailment

dates will take place and is not confined to the holiday period.

- UC claims the program would be “progressive” in the amount of paid and unpaid time off used by a given employee during the minimum five days of curtailment, with higher-paid employees shouldering more of the cost. Employees would be grouped in salary tiers, with a different combination of paid and unpaid time off applying to each tier.
- Employees in the lowest tier would be permitted to use accrued vacation days for at least five days of the curtailment period. Employees with insufficient vacation accrual balances would be permitted to use vacation credits prior to their actual accrual. Higher-earning employees would be permitted to use accrued vacation or other leave for a portion of the curtailment period to varying degrees based on their income level. Employees in the highest tier would be required to take at least five curtailment days as unpaid time off and cannot use accrued vacation or other paid time off.
- The proposal also states that “for employees without adequate paid time off, the university would grant a grace period to cover the time until paid time off is accrued.”
- Campuses would identify essential workers who would be exempt from the program – e.g. medical/clinical staff; staff deemed essential for the health and safety of students and employees, such as the staff needed for the deep-cleaning of facilities.
- The university would seek changes to the University of California Retirement Plan or other

Potential Salary Tiers and Required Unpaid Curtailment Days:

Earnings Tier	Unpaid Curtailment Days	Percent of Annual Earnings	Projected Savings
\$59,000 and below	0	0.0%	\$0.0M
\$59,001 to \$89,000	1	0.4%	\$10.0M
\$89,001 to \$118,000	2	0.8%	\$17.6M
\$118,001 to \$176,000	3	1.1%	\$50.6M
\$176,001 to \$234,000	4	1.5%	\$30.9M
\$234,001 and above	5	1.9%	\$24.5M
Total		0.9%	\$132.6M

policies, as needed, to avoid negatively impacting employee retirement benefits.

Are all UC staff covered?

Just like our merit pay freeze, it appears that the staff under a union contract won’t face the same circumstances from expanded curtailment. This is because under California law UC is required to negotiate with its unions over the effects of these decisions. Some union contracts include language that ensures their members can use paid leave accruals during curtailment periods. It’s also yet another example of why we need to gain collective bargaining rights and a union.

What can I do to weigh in on the curtailment program?

The curtailment program still only under consideration. Now is the time for us to contact the UC Regents to let them know how we feel about the curtailment and its impact on us. To contact the UC Regents, go to <http://ibt.io/nocutsatUC>. If we make our voices heard, we can make a difference.

You have the right to speak out, including voicing your opinions to the Regents, without the fear of retaliation (although you should not do so using university time or resources). Please use your personal email address to communicate with the Regents and identify yourself as a UC employee. Speak to your organizer if you have concerns about a specific situation.



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1 <https://ucnet.universityofcalifornia.edu/news/2020/10/consultation-continues-on-possible-systemwide-curtailment-program.html>
 2 https://teamster.org/wp-content/uploads/2020/07/Report_UC_Barely-Getting-By.pdf
 3 <https://hr.ucdavis.edu/news/exploring-expanded-curtailment-program>