

1-A. 3:09 AM 3/9/08
Mike Rotkin UC-AFT
M.E. [Signature]
Deann [Signature] (UC)

MSL

ARTICLE 1 RECOGNITION

- A. The University recognizes the UC-AFT as the exclusive bargaining agent for matters in the scope of representation for all librarians in the PERB-certified unit (SF-HR-17) at the University of California Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, Santa Cruz campuses, and the Office of the President, excluding employees designated as managerial, supervisory, and confidential and excluding all University of California student employees whose employment is contingent upon their status as students.
- B. The recognized unit may be modified by agreement of the parties pursuant to the rules and regulations of the Public Employment Relations Board. Any approved modification automatically becomes part of this Agreement.
- C. The terms "librarian" or "librarians" in this Agreement, whether specifically stated or not when used, shall refer to librarians who are in the bargaining unit covered by this Agreement. The University recognizes librarians as academic employees.
- D. ~~Any new librarian title shall be subject to meeting and conferring to determine bargaining unit status. If the University proposes to move an individual or a position in the Librarian Series in or out of the bargaining unit, it shall give notice of such action to the UC AFT and, upon request, will meet and confer concerning the impact of the action. regarding the unit status of the individual or the position. If the parties cannot agree on the unit status of the individual or the position, either party may pursue the designated PERB procedures for determining unit status. In cases where the University proposes to remove individuals and/or positions from the bargaining unit, all affected individuals and/or positions shall remain within the unit and covered by all provisions of this MOU until the dispute is resolved.~~

~~If the University proposes to create a new position in the bargaining unit, it shall give notice to the UC AFT and, upon request, will meet and confer concerning the impact of the action regarding the unit status of the new position. If the parties are unable to agree, either party may pursue PERB procedures.~~

- D. If the University establishes a new librarian title/title code, it shall provide written notice to the UC-AFT of the bargaining unit designation at least thirty (30) forty-five (45) days prior to the proposed implementation. If the UC-AFT does not respond within forty-five (45) days from the date of the notice, the University may proceed with implementation.

If the UC-AFT wishes to meet and discuss ~~confer~~ about the new librarian title/title code, the UC-AFT will advise the University within forty-five (45) calendar days from the date of the notice. Within thirty (30) days following the

UC-AFT's request, the University and the UC-AFT shall meet and ~~confer over~~ discuss the unit status of the new titles/title codes. If the parties are unable to reach agreement, any disputes regarding the proper bargaining unit status of such new titles/title codes may be resolved through existing PERB procedures. Bargaining unit assignments made by the University for new titles/title codes shall remain as originally assigned until the parties are in mutual agreement as to a different assignment or until the resolution of the matter through the existing PERB process.

- E. If the University proposes to move a title/title code, position, or individual in or out of the bargaining unit, it shall provide notice to the UC-AFT of such action at least ~~thirty (30)~~ forty-five (45) days prior to the proposed implementation. If the UC-AFT does not respond within forty-five (45) days from the date of the notice, the University may proceed with implementation.

If the UC-AFT wishes to meet and ~~confer about~~ discuss the proposed action, the UC-AFT will advise the University within ~~thirty (30)~~ forty-five (45) calendar days from the date of the notice. Within thirty (30) days following the UC-AFT's request, the University and the UC-AFT shall meet and ~~confer over~~ discuss the proposed action. If the parties are unable to reach agreement, any disputes regarding the proper bargaining unit status of the affected title/title code, position, or individual may be resolved through existing PERB procedures. Proposals made by the University shall not be implemented until the parties reach agreement on the unit status of the affected title/title code(s), position(s), or individual(s) or the matter is resolved through the existing PERB process.

- F. If the University creates a new non-managerial, non-supervisory, non-confidential, non-Librarian Series position in one of the University libraries, and the incumbent in that position is required to hold an MLS, MLIS, MMIS or equivalent library degree, the University will provide the UC-AFT with notice within thirty (30) days following the creation of the new non-Librarian Series position. If the UC-AFT wishes to meet and discuss the new position, the UC-AFT will advise the University within thirty (30) ~~calendar~~ days of the date of the notice. Within thirty (30) days following the UC-AFT's request, the University and the UC-AFT shall meet and discuss the new non-librarian position. If the parties are unable to reach agreement concerning the unit status of the new position, any disputes may be resolved through existing PERB procedures. Bargaining unit assignments made by the University for new non-Librarian Series positions shall remain as originally assigned until the parties are in mutual agreement as to a different assignment or until the resolution of the matter through the existing PERB process.

- E. G If the University proposes to create a new position in the Librarian Series outside the bargaining unit, it shall give notice to the UC-AFT.

~~F. If the University proposes to assign a position for which an MLIS, MMIS or an equivalent degree is required or preferred to a series other than the Librarian Series, the University shall give notice to the UC-AFT and, upon request, shall meet and confer. If the parties are unable to agree, either party may pursue PERB procedures.~~

~~F-G.H.~~ The unit shall INCLUDE:

<u>Title Code</u>	<u>Job Title</u>
3612	Librarian - Career Status
3613	Librarian - Potential Career Status
3614	Librarian - Temporary Status
3616	Associate Librarian - Career Status
3617	Associate Librarian - Potential Career Status
3618	Associate Librarian - Temporary Status
3620	Assistant Librarian - Career Status
3621	Assistant Librarian - Potential Career Status
3622	Assistant Librarian - Temporary Status
3630	Hourly Intermittent Librarian

~~Retired individuals who are recalled to service in Librarian series shall be included in the unit, unless they are excluded pursuant to the provisions of Section H., below.~~

~~G-H. I.~~ The unit shall EXCLUDE:

All management, supervisory, and confidential employees as defined by the Higher Education Employer-Employee Relations Act, and all UC student employees whose employment is contingent upon their status as students.