

LIBRARY SERVICES SPECIALIST (LSS)
FREQUENTLY ASKED QUESTIONS

1. What is a bargaining unit?

A bargaining unit is a group of related classifications that share a “community of interest.” Factors include, but are not limited to, the nature and level of the work performed; the education, skills and training required; lines of supervision and personnel practices; and the history of employee representation.

2. What is the process for the creation of a new classification or the revision of an existing classification?

Typically, there is a three-step process involved with creation of a new classification or the revision of an existing classification:

- Develop classification standards
- Seek approval of the Public Employment Relations Board (PERB) for the placement of the new/revised classifications in the appropriate bargaining unit
- Bargain with the CSU over the impact of the new/revised classifications

3. How were the proposed Library Services Specialist (LSS) classification standards negotiated?

The California State University Employees Union (CSUEU) represents Library Assistants in Unit 7. In 2000, a group of Library Assistants led by Joan Kennedy (Cal Poly, San Luis Obispo) began to compile a comprehensive survey aimed at revising the LA classification to provide upward mobility and the recognition of increased skills.

In 2003, the CSU notified CSUEU of the need to revise Library Assistant classification standards into a broad classification incorporating skill levels. The CSU proposed the combination of the existing Library Assistant I, II, III, and IV and the Lead Library Assistant II, III, and IV into the new classification. The new class would have four skill levels instead of separate classes. CSUEU supported the creation of the new class because we knew that the recognition of increased skills was long overdue.

It was noted that the role of librarians had become more academic, which elevated Library Assistants to a more paraprofessional role. A series of meetings took place between the CSU and CSUEU, resulting in a new set of standards, the Library Services Specialist classification. The proposed new standards included both the Lead and Library Assistants in the same bargaining unit.

4. How many library assistants work in the CSU?

As of March 2008, there are approximately 512 Library Assistants, represented by CSUEU and approximately 23 Lead Library Assistants, represented by the Academic Professionals of California (APC).

5. When were the proposed LSS classification standards finalized?

The LSS classification standards were finalized in July 2003.

6. Where can I find the classification standards for the new LSS series?

<http://www.polyunion.org/lib/index.html>

7. What happens after an agreement is reached on class standards?

The placement of new/revised classifications in a bargaining unit (“unit modification”) is subject to mutual agreement between unions representing workers in the CSU, CSUEU, and PERB. If employees performing the work specified in the new/revised standards are represented by CSUEU, the approval process is fairly simple. If, however, incumbents are represented by different unions, and no agreement can be reached with respect to unit placement, as was the case with Library Assistants, the parties submit the issue to PERB for resolution.

8. When did CSU seek to place the proposed LSS classification into BU 7?

In February 2004, CSU filed a unit modification petition with PERB seeking to place the newly-created classification Library Services Specialist series into Bargaining Unit 7. CSUEU supported the CSU petition, but APC intervened. The parties were unable to resolve their differences and the matter was set for formal hearing.

9. What did the parties argue at the PERB hearing?

On July 13, 2004, CSUEU and CSU argued that the proposed LSS classification should be placed in BU 7. CSUEU and CSU testified that, due to changes in duties in the work performed in the library, that lead duties had become incidental and impossible to separate out from library assistant duties. They also argued that incumbent LAs should remain in BU 7 and incumbent Lead LAs should be moved into BU 7. APC did not object to or challenge the creation of the proposed LSS classification series, but they argued that the leads should remain in BU 4 and that the LAs should remain in BU 7. They also stated that if PERB supported the notion that all of the classifications belonged in one unit, then they should all be placed in BU 4.

10. What was the outcome of the hearing on the appropriate placement of the LSS classification?

On November 7, 2005, PERB Administrative Law Judge (ALJ) Tom Allen granted the University’s petition to eliminate the Library Assistant I, II, III and IV classifications from Unit 7 and the Lead Library Assistant II, III and IV from Unit 4 and replace those classifications with the new Library Services Specialist classification. He also ruled, however, that the new Library Services Specialist (LSS) classification standards should be placed in APC’s Unit 4. Allen concluded that the new LSS standards would be performing work that is similar to the academic support work in Unit 4, rather than the clerical/administrative work in Unit 7.

11. Did CSUEU appeal the decision of the Administrative Law Judge?

Yes. CSUEU appealed Judge Allen’s decision on December 16, 2005. APC filed a response on January 30, 2006. The CSU did not submit a response.

12. What was PERB’s decision?

On January 23, 2007, PERB overturned Judge Tom Allen’s decision to place Library Assistants I, II, III and IV in Bargaining Unit 4. PERB granted CSUEU’s appeal and remanded the case back to ALJ Allen so that additional evidence and testimony could be included in the record.

13. What action did CSUEU and CSU take as a result of PERB's decision?

As a result of changes in technology, as well as changes in the duties and responsibilities of incumbent Library Assistants, CSU and CSUEU decided that it would be best to place the entire LSS classification into Bargaining Unit 9. CSUEU and CSU agreed that there was a far greater community of interest between LSSs and other classifications in Unit 9 than there was with Unit 4 or Unit 7.

14. What action did APC take as a result of PERB's decision?

APC decided that it was in the best interest of all concerned parties that the litigation be brought to an end.

15. What action was taken by the ALJ as a result of PERB's decision?

Judge Allen scheduled a meeting on June 20, 2007, to discuss whether a settlement was possible. He told the parties that if a settlement was not reached, another hearing would be scheduled.

16. What happened at the June 2007 settlement conference?

Pursuant to the terms of the settlement agreement entered into by CSU, APC and CSUEU:

- CSUEU and CSU filed a new Unit Modification Petition which seeks to place the LSS classification in Bargaining Unit 9.
- APC agreed not to contest this Unit Modification Petition.
- CSUEU and CSU requested that PERB hold a hearing on the Unit Modification Petition and issue a decision giving their reasons for the placement of the LSS classification in BU 9.
- Subject to final determination by PERB, incumbent Library Assistants shall be transferred/transitioned/reclassified from BU 7 to the appropriate classification in BU 9.
- Incumbent Lead Library Assistants will have the option of being reclassified into the appropriate LSS classification or remaining in their current classification.
- As Lead Library Assistant classifications are vacated, new hires shall be placed in the appropriate LSS classification in the bargaining unit determined to be appropriate by PERB.
- CSU withdrew their Unit Modification petition which sought to place the LSS classification in BU 7. APC withdrew their Unit Modification petition which sought to place the LSS classification in BU 4. Therefore, the only petition before PERB was the CSUEU/CSU petition to place the LSS classification in BU 9.

In addition to filing the joint Unit Modification petition seeking to place the LSS classification in BU 9, CSUEU and CSU submitted a stipulation of facts and a chart demonstrating why BU 9 was a better fit for the LSS classification than BU 7.

Representing CSUEU during the settlement conference were Christine Thomas, Library Assistant IV at Cal Poly Pomona, Joan Kennedy, Library Assistant III at Cal Poly San Luis Obispo, Teven Laxer, CSUEU Senior Labor Relations Representative, and Nancy Yamada, CSUEU Attorney.

17. What action did PERB take after receipt of the new Unit Modification petition?

The Public Employment Relations Board determined that it was in the best interests of all parties to conduct a formal hearing on the joint Unit Modification petition filed by CSUEU and CSU to place the Library Service Specialist classification series into Bargaining Unit 9.

18. What happened at the Unit Modification hearing in October 2007?

On October 17 and October 25, 2007, the Public Employment Relations Board (PERB) held hearings to determine whether the proposed classification of Library Services Specialist should be placed in Bargaining Unit 9.

Gina Caywood, former Director of Compensation, Information and HR Programs for the Office of the Chancellor, testified that Bargaining Unit 9 includes professional, paraprofessional, administrative and technical employees. This unit includes Analyst Programmers, Information Technology Consultants, Network Analysts, Administrative Analyst/Specialists, Budget Analysts, Graphic Designers, Equipment Technicians, Visual Resource Specialists and other classifications that perform work that is technical and analytical in support of academic programs and administrative functions.

Alisandra Brewer, an Informational Technology Consultant (ITC) at Sonoma State University, Frank Borrelli, an Administrative Analyst/Specialist (AA/S) at CSU Stanislaus and Sheryl Frisch, a Visual Resource Specialist (VRS) at Cal Poly San Luis Obispo, testified about the specific work they perform, which is representative of the 123 classifications currently comprising Bargaining Unit 9.

Christine Thomas, a Library Assistant (LA) III at Cal Poly Pomona, Joan Kennedy, an LA III at Cal Poly San Luis Obispo and Jennifer O'Neal-Watts, an LA III at Sacramento State University, testified about changes in technology over the past twenty to twenty five years and how their work has evolved from clerical to technical and analytical over that time period.

CSU and CSUEU argued that the Library Services Specialist classification fit into Unit 9 because the work is technical and paraprofessional in nature, like Unit 9 classifications.

19. What was the outcome of the Unit Modification hearing?

On January 24, 2008, PERB ruled that the proposed LSS classification should be placed in BU 9 because the LSS classification shared a "community of interest" with other BU 9 classifications.

20. What is the next step?

The next step is for CSUEU and CSU to negotiate over the *impact* of the placement of the LSS classification in BU 9. The CSU has sent the union an initial proposal which is described below. CSUEU's bargaining team will be meeting soon to discuss the CSU's proposal and develop our response. Our bargaining team will include several Library Assistants: Joan Kennedy (SLO), BU 7 Vice-Chair Jennifer O'Neal-Watts (Sacramento), Joseph Corica (East Bay) and Christine Thomas (Pomona), as well as CSUEU Deputy Director for Bargaining Dennis Dillon (Northridge), BU 9 Chair Rich McGee (San Bernardino), BU 9 Vice Chair Rocky Waters (Humboldt), BU 7 Chair Annel Martin (San Bernardino) and Chief Negotiator Teven Laxer (CSUEU staff). While it would be inappropriate to discuss our bargaining position before we formally respond to the CSU, our members deserve more than the status quo for this significant transition from BU 7 to BU 9.

21. What is the CSU's initial bargaining proposal?

Below is a summary of the CSU's initial bargaining proposal, which was received by CSUEU on February 18, 2008:

- Implement the LSS classification effective May 2008.
- Move incumbent employees into the new series pursuant to the following Road Map:
 - Library Assistant I ▶▶▶ LSS, Level I
 - Library Assistant II ▶▶▶ LSS, Level II
 - Library Assistant III ▶▶▶ LSS, Level III
 - Library Assistant IV ▶▶▶ LSS, Level IV
 - Lead Library Assistant II ▶▶▶ LSS, Level II
 - Lead Library Assistant III ▶▶▶ LSS, Level III
 - Lead Library Assistant IV ▶▶▶ LSS, Level IV
- Maintain the same salary ranges for the LSS classification as the current LA series.
- Give Lead Library Assistants the option of moving to new series, within 60 days of implementation date.
- Lead Library Assistants who choose to move into the LSS class will not have any change to their temporary, probationary or permanent status. Time worked performing Lead LA duties will count for seniority purposes.
- The President may waive probation and grant permanent status to any Lead LA who is voluntarily reclassified and has had a timebase of 50% or greater for more than two years.
- If a Lead Library Assistant elects to remain in a Lead LA classification, the position will be filled with the appropriate Unit 9 classification once the position is vacated.
- Until bargaining over LSS implementation is completed, there will be no changes to the status quo.
- Once LA and Lead LA classifications are vacated, these classifications will be abolished.

22. What issues can we bargain over with the CSU regarding the implementation of the LSS classification?

Seven subjects are within the scope of bargaining:

- (1) the transfer of work from one class to another;
- (2) retitling of classifications;
- (3) all matters related to salaries, including salary range to which newly created classifications are assigned and any changes in salaries or salary ranges of existing classifications;
- (4) reassignment of employees from existing classifications to different or newly created classifications;
- (5) allocation of positions to classifications;
- (6) the grouping of classifications into occupational groups;
- (7) and the effects, if any, on terms and conditions of employment of those classification decisions within the employer's exclusive prerogative, including the creation of new classifications to perform functions not previously performed, the abolition of classifications to cease engaging in functions previously performed, and the revisions of job specs. [Alum Rock, 1983, PERB Decision 322, 7 PERC 14184, 5 PERC 12121]

23. What is the bargaining process?

Bargaining over the impact of a new/revised classification follows the same laws and regulations as all other bargaining under the Higher Education Employer-Employee Relations Act (HEERA). If no agreement is reached, the statutory impasse procedures of mediation and fact-finding are used. If the

impasse procedures are exhausted without an agreement being reached, the CSU has the right to unilaterally implement a new or revised classification. This process has only been used once with CSUEU-represented employees. In 1996, the CSU unilaterally implemented the Information Technology (IT) series at the same time they took away steps and imposed open ranges and performance pay.

24. Why were Lead Library Assistants initially placed in BU 4 and why were Library Assistants initially placed in BU 7?

In 1981, PERB placed Supervisory Library Assistants in BU 4. PERB determined that their library work was “technical,” involved “non-instructional academic support,” and generally required “a level of expertise...above that typically required of clerical workers.” At that time, neither BU 7 nor BU 9 had been established. In 1982, the Library Assistant classification was placed into BU 7 as a result of a consent agreement of all interested parties.

25. Has the LSS series been implemented yet?

- No. The LSS classification will be implemented after the bargaining process has been completed. Incumbent LAs remain in their current classifications and current bargaining unit until such time as bargaining is completed.

26. Exactly what, if anything, will this new series do for us?

- The new series better describes what most of our jobs reflect - - increased technological skill levels. Although the LSS classification series was drafted several years ago, the classifications continue to become increasingly technologically oriented.

27. How will this affect our salary? Will there be a salary adjustment?

- As we stated above, the CSUEU bargaining team will negotiate with the CSU over the impact of the new series. One of the issues to be negotiated is the salary ranges for the new LSS series, and the placement of incumbent Library Assistants within those salary ranges.
- The union’s bargaining team will include Library Assistant representatives who have been involved with the development of this series for many years.
- We are hopeful that salary adjustments will be negotiated to benefit ALL employees in this new classification.

28. Is there any chance of having the salary schedule reviewed for this new classification?

- Yes. Salary ranges for the LSS classification are within the scope of bargaining. When we were negotiating the classification standards in 2003, HR personnel told us that the existing spread of 50% in the LA classifications needed to be expanded. This does not necessarily translate to an increase in our base pay, but it means that we would have more potential for movement within the salary ranges.

29. How will this affect my current classification if I have limited educational qualifications?

Could I be downgraded?

- The new series does not have an educational requirement. The entry level LSS I “normally would be obtained through the completion of a high school education or equivalent certification plus two to three years of related library and/or clerical experience or an equivalent combination of experience and education.” This is the only place that education is mentioned.
- CSUEU will demand that no employees are harmed (e.g., demotion) as a result of the implementation of the LSS series.

30. What will we gain by being placed into Unit 9?

- Unit 9 better reflects the changes in our job duties as LAs. The work performed by classifications in Unit 9 typically requires specialized training and involves paraprofessional, professional and/or a higher level of technical work.
- Since the specific work done by LAs requires higher levels of technical skills to do the work, our new classification does fit better in Unit 9.
- LSS incumbents in skill levels 2, 3 and 4 perform complex technical tasks in specific functional areas.
- LSSs will continue to be represented by CSUEU.

31. When we move to BU 9, will I still be eligible for overtime compensation?

- Yes. The LSS classification standards do not mention FLSA exempt status, nor does the CSU's initial bargaining proposal.

32. Please describe the composition of Bargaining Units 4, 7 and 9.

- **BU 4.** The work performed by classifications in this unit primarily involves working directly with students and/or providing/supporting student-related services and activities. As in Unit 9, most classifications require specialized training and/or education and are professional or paraprofessional in nature. Examples include: Student Services Professional, Credential Analyst, Evaluator, Extended Education Specialist, and Placement Interviewer.
- **BU 7.** The work performed by classifications in this unit typically supports general campus operations and/or administrative functions. Classifications in this unit typically fall into the following categories of work: clerical or administrative support, general support work involving standard operations, non-exempt technical work. Examples include: Mail Clerk, Stock Clerk, Duplicating Machine Operator, Parking Officer, Payroll Technician, Accounting Clerk, Drafting Technician, and Buyer.
- **BU 9.** The work performed by classifications in this unit typically support campus administrative functions and operations, but numerous classifications also provide support services to academic programs which involve services to students, faculty and staff. Classifications in this unit typically require some specialized training and/or education, or involve paraprofessional, professional and/or higher-level technical work. Examples include: Instructional Support Technician, Laboratory Assistant, Performing Arts Technician, Research Technician, Equipment Technician, Accountant, Administrative Analyst/Specialist, Visual Resource Specialist, Broadcast Engineer, Analyst/Programmer, Network Analyst, and Media Production Specialist, and Realtime Captioner.

33. Is there a website I can access to find out more about Unit 9?

- <http://csueu9.blogspot.com/>