

Human Resources
2001 The Embarcadero
San Francisco, CA 94143

www.ucsfhealth.org

University of California
San Francisco

Via Electronic Mail

February 3, 2022

Nicolas Monteiro
Lead Organizer
AFSCME Local 3299
nmonteiro@afscme3299.org

RE: RFI – Case 2022-127 Information on Allied Universal Services Contract - Response

Dear Nicolas:

This letter is in response to AFSCME's Request for Information submitted via electronic mail on December 21, 2021 (Attachment A) regarding the following request:

Invoices or Other Data Showing Hours Worked, Rates of Pay:

Request: Please let us know when the 2020 and 2021 invoices will be provided.

Response: The Allied Universal Services invoices for Calendar Years 2020, 2021 are being provided via this response.

Offers:

Request: Provide us with UCSF's own analysis of total hours work for each Allied Services contract worker since January 1, 2017 to determine direct employment eligibility.

Response: Beginning in May of 2020, of the Allied workers currently employed at UCSF, the University assessed eligibility for career employment under Article 5 based on the Department's knowledge of hours worked and extended offers of career employment accordingly. The University did not receive any "Conversion from Contract to UC Employee Qualified Individual Forms/Applications" until April 2, 2021 when AFSCME 3299 Internal Organizer Peter Finn provided 11 completed forms to the University.

Contact Information and Extending Offers:

Request: How has UCSF extended offers without having any of the workers' contact information? Please explain, and provide a copy of each of the nine (9) offer letters that are currently pending or have been declined.

Response: The University has extended all offers of career employment via hand delivery of a physical offer letter to qualified individuals while the individuals were on site.

Please clarify which nine (9) pending or declined offer letters are being referenced so that I may find the information directly responsive to your request.

Request: How could it be that UCSF has security guards working on its premises without gathering emergency contact information for them?

Response: The University does not have a practice of systemically gathering contact information, including emergency contact information, from this population as Allied workers are not University employees.

Request: How could it be that the Department of Security Services interviewed 34 candidates on December 7th and did not gather any contact information from those

candidates before or during those interviews?

Response: To the extent that the Union is requesting how the Department of Security Services initially came into contact with the candidates interviewed at the December 7, 2021 job fair without having their contact information, this response will be addressing that process. In advance of the December 7, 2021 job fair, the UCSF Talent Acquisition posted the job fair details online, on websites such as Craiglist, and queried the University's internal applicant tracking system to obtain the contact information for past job applicants to advise of the upcoming job fair. The contact information for those who received offers of employment following the December 7, 2021 job fair is being provided by way of this response. (Attachment C)

Request: I have asked for the date or dates of future job fairs but UCSF has yet to provide this information. Please let AFSCME and all the Allied workers know at least 10 days in advance so that we can let workers know and the workers can make informed decisions.

Response: As of the date of this response, a second job fair has not been scheduled however the University will advise AFSCME, in advance, should a second event be held. Please note, Allied workers have the ability to submit a "Conversion from Contract to UC Employee Qualified Individual Form/Application" to the University at any time.

The Contract Documents:

Request: Please provide all the contract documents requested including all purchase orders, change orders and attachments covering any period of time since January 1, 2020. This request is ongoing – please provide responsive documents through the date of your response and continue to provide any subsequent proposed purchase order/change order or other contract with Allied, as required by Article 5 D.

Response: The University has previously provided the contract with Allied and copies of invoices which are responsive to your request; the invoices for Calendar Years 2020 and 2021 are being provided via this response; the invoices for Calendar Year 2022 will be collected and provided as well.

Contract Documentation Regarding Wage Benefit Parity:

Request: At our Step 2 meeting on September 21, you informed us that UC had not even executed any wage benefit parity agreement with Allied. Assuming an agreement has been executed with Allied since our September 21 meeting, please provide a copy, along with all related internal correspondence and correspondence between the University and Allied about the need to pay parity and/or make affected workers whole.

Response: The University is acknowledging your request for this information.

UCSF Health's Intent to Continue Outsourcing an Unspecified Amount of Work to Allied:

Request: We saw that in your notice of intent to insource the work that UCSF intends to continue to outsource some work to Allied. Please provide a copy of the proposed contract, describe the scope of work, start and end date of the contract, the value of the work over the contract term and during each year of the contract, the asserted justification, and the number of FTEs to be supplied by Allied. Please include a copy of the Wage Benefit Parity appendix or other contract documentation indicating that the vendor has agreed to wage benefit parity rates, along with invoice data, payroll data or copies of paystubs showing it is, in fact, doing so.

Response: The University does not have a proposed contract for continued security services with Allied Universal Services and as such, the University is not in possession of information responsive to this request.

AFSCME reiterates its request for each of the other items from our pending RFI regarding Allied. These items include:

Request: How many FTEs and how many individuals did UCSF Health employ in any Security Officer position and how many FTEs and individuals were staffed by Allied in October 2019? And in October 2020? And in October 2021?

Response to "FTE/individuals employed at UCSF Health as a Security Officer":

The University objects to this question based on relevance. It is not clear how the requested information is related to the Union's representation of its members in relation to this specific vendor contract. Please identify how this request is relevant and necessary to the Union's representation of its members.

Response to "FTE/individuals staffed at UCSF Health by Allied": This information has already been provided to the Union, it may be found in the invoices produced on December 17, 2021 and in the invoices for Calendar Years 2020, 2021 as provided in this response.

Request: Annual spend that the University has paid to Allied Universal Security for each calendar year since 2019.

Response: This information has already been provided to the Union, it may be found in the invoices produced on December 17, 2021 and in the invoices for Calendar Years 2020, 2021 as provided in this response.

Request: For each of the workers who have received offers of employment, please identify the day the worker became eligible for direct employment, the day UCSF extended an offer, whether the individual accepted or rejected the offer, and their date of hire, if any.

Response: This information was provided to the Union on October 30, 2020 and December 17, 2021; the dates of hire are captured in the monthly FTP data provided at the systemwide level. The requested information for those extended offers of career employment since the issuance of the December 17, 2021 response is here:

- [REDACTED]: Offer extended via hand delivery on December 17, 2021; offer was accepted; date of hire is pending but will be reflected in the FTP file upon completion.
- [REDACTED]: Offer extended via hand delivery on December 17, 2021; offer was accepted; date of hire is pending but will be reflected in the FTP file upon completion.

Request: What is the hourly rate of pay that Allied is currently paying security officers supplied to work at UCSF Health?

Response: The University is not the employer of these individuals and does not have this information; the invoices previously provided to the Union, and provided via this response, include what appears to be the hourly rate of pay provided to Allied workers however the University cannot confirm whether or not there are other payments made, or benefits provided, to these workers.

Request: What hourly rates of pay has Allied paid security officers supplied to work at UCSF Health since February 2020? Please identify each rate and when it changed, if at all.

Response: As stated above, the University is not the employer of these individuals and does not have this information; the invoices previously provided to the Union, and provided via this response, include what appears to be the hourly rate of pay provided to Allied workers however the University cannot confirm whether or not there are other payments made, or benefits provided, to these workers.

Request: Please provide a copy of each QI form in UCSF/UCSF Health's possession that has been submitted by or for any Allied-supplied security officer.

Response: The Union is already in possession of this information; the University has not received any "Conversion from Contract to UC Employee Qualified Individual Forms/Applications" directly from the Allied workers which it has not already provided to the Union.

Request: What actions, if any, has the University taken in response to seeing Allied's hourly rate of pay on those QI forms?

Response: The University is not aware of any direct action, the University's focus has been to extend offers of employment to those who meet the criteria outlined in Article 5 or have applied for open positions.

Request: If UCSF/UCSF Health has done a compliance audit of Allied Universal in relation to Regents Policy 5402, Article 5 of the CBA, or Article 19 and/or 39 of the terms and conditions of purchase, since February 2020, please provide it. If UCSF/UCSF Health has requested that Allied Universal perform an independent audit, please provide all related correspondence and the verification submitted by Allied to the University.

Response: The University is not aware of an audit nor is the University aware that this is required under the AFSCME EX or SX Contract Articles 5- Contracting out,

Article 19- Medical Separation, or Article 39- Staffing Committee.

If you have any questions, I can be reached at Kristen.mart@ucsf.edu.

Thank you,

Kristen Mart

Kristen Mart
Labor and Employee Relations Consultant

Cc: Shelley Patton, Director, Labor and Employee Relations
Kelly Sheridan, Manager, Labor and Employee Relations
Sam Sandhu, Consultant, Labor and Employee Relations
Gina Abrams, Consultant, Labor and Employee Relations
Omar Price, Consultant, Labor and Employee Relations

Attachments:

Proof of Service

- A. Request for Information dated December 21, 2021
- B. Allied Universal Services invoices for Calendar Years 2020, 2021
- C. December 7, 2021 Job Fair Applicant Contact Information

PROOF OF SERVICE

I, Seva Cuevas, declare that I am over the age of eighteen years, not a party to this action, and I am employed in the county of San Francisco, State of California. My business address is 2001 The Embarcadero, San Francisco, CA 94143

On February 3, 2022, I served the attached letter regarding
RFI – Case 2022-127 Information on Allied Universal Services Contract - Response

to the parties listed below by the checked applicable method or methods: +

- placing a true copy thereof enclosed and delivery by the **United States Postal Service** following ordinary business practice with postage or other costs prepaid
- placing a true copy thereof enclosed and delivery by **Next Business Day Delivery** following ordinary business practice with postage or other costs prepaid
- personal delivery (hand delivery)
- electronic mail delivery (e-mail)

Name and Address of the parties served:

Attention: UCSF Mail <ucsf.mail@afscme3299.org>
Nicolas Monteiro

AFSCME - Local 3299
American Federation of State, County, Municipal Employees
1360 Ninth Avenue #240
San Francisco, CA 94122

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 3, 2022, at San Francisco, California.

Seva Cuevas

Name (Printed or Typed)

Seva Cuevas

(Signature)

Digitally signed by Seva
Cuevas
Date: 2022.02.03
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