AB5/CONTRACTING OUT & GATEWAY UPDATES

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WELCOME to BFS Mini Tune-ups

OBJECTIVE:
Online meetings to provide campus staff with a high level perspective and information on both topics of interest and new/upcoming initiatives and policy updates.

PRINCIPLES:

• Sessions are conducted via Zoom and will last no longer than 30 minutes
• Participants will be muted during the session
• Chat questions can be submitted but priority will be given to questions submitted ahead of time at www.bfs.ucsb.edu/coaching
• The Mini Tune-up website will be updated with session details and information
Regents Policy on Contracting Out for Covered Services

POLICY SUMMARY

Regents Policy 5402/AFSCME Article 5
There is a general prohibition on contracting out for services and functions that can be performed by University staff.

“The UC is committed to insourcing Covered Services to the fullest extent possible.” – UC Regents

Policy implemented 1/2020, with a deadline to insource by 2/2021.
Regents Policy on Contracting Out for Covered Services

“Covered Services” (SX or EX jobs):

- cleaning, custodial, janitorial, laundry, housekeeping services
- food services
- grounds keeping
- building maintenance (excluding skilled crafts)
- transportation and parking services
- Security(guard) services
- billing and coding services
- sterile processing
- Hospital/nursing assistant services, medical imaging or other medical technician services
Regents Policy on Contracting Out for Covered Services

Justifications to continue outsourcing may be requested*, but must be:

- Actual emergency (not ongoing needs throughout the year on short notice)
- Quantity or qualification of available employees
- Lease-related services
- Occasional or temporary timeframe
- Unique equipment or location
- Clinical/Registry personnel

*Allow Labor Relations and Procurement at least 4 weeks for this process
Before jumping straight to an exception request, **consider current staffing issues:**

- Can work be performed by existing employees by reassigning duties, changing shift schedules or completing the work on overtime?

- If your department is contemplating layoffs, can employees subject to layoff be reassigned to perform these duties in your department (or another department)?
IMPLEMENTATION GUIDELINES FOR OURSOURCING

• If UC does contract out these services, the vendor must **pay their employees wage rates equivalent to total compensation received by UC employees.**

• Procurement will write a contract (PO’s or Flexcard cannot be used) to include the Wage and Benefit Parity clauses and rates.

• Contracts are subject to annual audits.

• Once working on a UC job, we must provide employment opportunities to supplier’s employees who meet eligibility criteria.
The Regents expect us to shift our thinking and change how we meet the operational needs of the campus.

Focus on HOW to insource the work, not what exception might apply.

**Have a vendor that may be a Covered Service?**
Email us: contracts@bfs.ucsb.edu
We will help your department go through the process.

Or, contact Tara Wise in Labor Relations
Assembly Bill 5 (AB5): Independent Contractors
Assembly Bill 5 (AB5): Independent Contractors

**SUMMARY**

AB5 is a California law that codified how workers should be classified as employees.

The law now stipulates that individuals (including sole proprietors) who provide services in California are presumed to be employees unless proven to be an independent contractor.

Law in effect 1/2020
Assembly Bill 5 (AB5): Independent Contractors

WHY?
The goal of this law is to expand coverage of:

✓ unemployment insurance
✓ workers comp
✓ overtime pay
✓ expense reimbursements
✓ wage and hour laws traditionally available to employees
Assembly Bill 5 (AB5): Independent Contractors

HOW WILL UCSB COMPLY?

- All new Gateway vendors that have identified themselves as individual/sole proprietor/single-member LLC on their W-9 will be added to a supplier class titled “Individual/Sole Proprietor”. This is visible to departments.

- All orders stopping in Procurement will be reviewed for compliance with AB5.

- We have over 900 suppliers in Gateway this may apply to – consider who your suppliers are and review for compliance.
Assembly Bill 5 (AB5): Independent Contractors

RESOURCES

AB5 Worksheet to help make the determination
Melinda Crawford in Employment Services helps departments with determinations
Or email contracts@bfs.ucsb.edu
Gateway Approvals Via Email

- Set up 4-digit approval code in your User Profile under “Update Security Settings”.
- When email notice is received click into the document to approve.
- To take action, key in approval code to verify identity.

- Demo

- See instructions posted on our website: Here

- Send questions to the Help Desk: gatewayhelp@bfs.ucsb.edu
Gateway/Jaggaer Mobile App

• Download App to Smart Device – Apple or Android
• Add device to Gateway User Profile under “App Activation Codes” to obtain registration code and create password
• Shop, approve, create receipts and manage attachments

• Demo

• See instructions posted on our website Here

• Send questions to the Help Desk: gatewayhelp@bfs.ucsb.edu
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CLOSING - BFS Mini Tune-ups

NEXT STEPS:

Visit the Mini Tune-ups website to:
• View our session blog updates
• Sign up for future sessions and submit questions
• Submit suggestions for future topics

www.bfs.ucsb.edu/coaching
Thank You!

WRAP UP