



United Academics^{AAUP • AFT} UNIVERSITY OF OREGON 101



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Introduction

This booklet is designed to provide background information so that the tenure-track-faculty (TTF), nontenure-track faculty (NTTF), research assistants/associates (RAs) and post docs can better understand United Academics University of Oregon (UA-UO), and learn about the efforts to bring collective bargaining to the instructional and research faculty at the University of Oregon. In doing this, we will answer four questions:

- What do faculty unions look like and how do they work?
- What other comparable universities have unionized faculty and what provisions have these unions negotiated?
- How did this campaign develop and where are we today?
- What is the structure of our national affiliates—the American Association of University Professors (AAUP) and the American Federation of Teachers (AFT)?

What is a faculty union?

A faculty union is a group of academic professionals with common interests who have joined together to more effectively forward their goals.

A strong, effective faculty union empowers our members to:

- Protect our rights;
- Secure benefits;
- Achieve workplace and societal aspirations;
- Represent our interests democratically;
- Improve the institutions in which we work; and
- Advocate for our profession and the people we serve.

How does a faculty union organize?

There is no singular way to organize a union. Each campaign has its own texture, just as each campus has its own culture. There are, however, some milestones that are common to almost all campaigns.

1. **Organizing and Certification**—by establishing an organizing committee to engage faculty in the work of the union, collecting authorization cards for the certification of the bargaining unit, drafting a constitution and bylaws that govern the operation of the union, and submitting the petition for certification to the Oregon Employment Relations Board (ERB) for its approval.
2. **Establishing a Local**—by drafting and approving a constitution and bylaws, electing officers and board members, establishing dues rates, and preparing faculty activists to lead the union.
3. **Negotiating an Initial Collective Bargaining Agreement**—by conducting a survey about bargaining unit issues, selecting and training bargaining team members, researching other higher education collective bargaining agreements, using this information to formulate proposals to bring to the table, and negotiating with the UO administration and representatives of the OUS to reach a tentative agreement that the UA-UO bargaining team recommends to the membership for its approval.
4. **Implementing the Contract**—by conducting contract explanation sessions, ensuring that all the provisions of the contract are being consistently implemented and ensuring the due process of grievances for apparent violations of the contract.

A faculty union is a group of academic professionals with common interests who have joined together to more effectively forward their goals.

What is a bargaining unit?

The bargaining unit is made up of the employees represented by the union for the purposes of collective bargaining. The provisions of any collective bargaining agreement apply to all employees in a bargaining unit, regardless of whether or not they are members of the union.

In the state of Oregon, the exact make-up of a bargaining unit is determined by the Oregon Employment Relations Board (ERB). The ERB determines which employees belong in a bargaining unit by attempting to discern whether the employees constitute an appropriate “community of interest.” The ERB looks at a variety of factors when determining whether a group of employees shares a “community of interest.” The Oregon Public Employee Collective Bargaining Act (PECBA) suggests that “wages, hours and other working conditions of the employees involved, the history of collective bargaining, and the desires of the employees” should be the main factors the ERB uses to determine an appropriate bargaining unit. It has been the tendency of the ERB to use an expansive definition of community of interest and create larger bargaining units.

In the specific case of United Academics (UA-UO), it is our intention to include all teaching and research faculty at the University of Oregon in one bargaining unit. This includes TTF, NTTF, RAs, and postdoctoral fellows. We believe that **all** teaching and research faculty at the UO share a community of interest, and we believe that this ultimately is the bargaining unit that the ERB would certify for this campus.

While hard numbers are not easy to come by, it is likely that a bargaining unit of the faculty would consist of roughly 700 TTF and 1,100 NTTF. The nontenure-track faculty number includes 250 RAs and post-docs.

Initially, the organizers of UA-UO sought to include Officers of Administration (OAs) in the bargaining unit. After several months of talking with both faculty and OAs, it became clear that both groups felt that separate bargaining units would be more appropriate and effective. A series of meetings with OAs in the spring of 2010 confirmed that it was best to think of the faculty and OAs as two separate units. We are currently working to organize the faculty into a union, with a campaign to organize OAs scheduled to begin shortly after the faculty union is established.

Union Dues

All unions require financial resources to achieve their objectives. In addition to covering the basic costs of union representation (negotiating and implementing contracts and processing grievances), most unions also assess dues to support internal organizing programs to keep the local strong. These programs can include membership expansion, training, political action and solidarity and contract campaigns.

Dues are also required to pay affiliation fees to our parent organizations. In the case of UA-UO, pro-rata affiliation fees would be paid to AFT, AAUP, AFT-Oregon and the Oregon AFL-CIO. These organizations use these fees to pay for

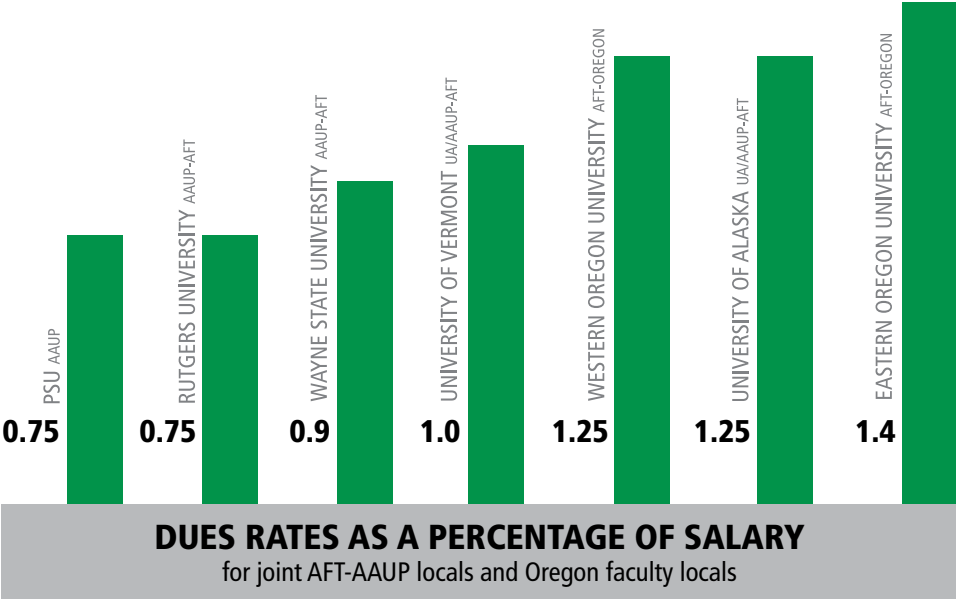
We believe that **all** teaching and research faculty at the University of Oregon share a community of interest.

research, political programs, informational meetings, bargaining assistance and organizing activities.

How dues are assessed—whether a flat dollar rate, a percentage of salary or a combination of the two—and the amount of these rates/percentages are local decisions made by membership of UA-UO. This question is usually addressed when the Constitution and Bylaws are drawn up, either shortly before or after the completion of the certification process. The Constitution and Bylaws will also contain provisions for modifying the dues in the event that, in the future, the membership determines that too much or too little is being collected.

The current projection is that union dues at UA-UO will be around 1% of gross salary. This projection takes into account the costs of a local office, staff and all affiliation fees at the local, state and national levels. It is possible that the leadership of UA-UO may want to recommend a higher level of dues to support more robust programs and/or other activities the members of UA-UO feel are important.

Most AAUP and AFT Higher Education locals assess dues as a percentage of salary. The following is a chart of the dues charged by joint AFT-AAUP locals and the faculty locals in Oregon.



“Certainly all of us are concerned about money these days. Considering just the across-the-board salary increases that TAUP won for all faculty in the bargaining unit, which more than cover the amount that anyone has to pay in dues, the cost is small compared with the many gains in pay, benefits and rights that TAUP has negotiated and defended.”

— ART HOCHNER,
President, Temple Association of
University Professionals (TAUP)

The question often arises as to whether all of the employees covered by a union contract are required to pay dues. The short answer is “no.” The long answer is, of course, more nuanced.

All members of the bargaining unit who join the union pay dues. This is usually done when an employee signs an authorization card instructing the employer to withhold dues from the paycheck and direct the funds to the union. In the case of bargaining unit members who choose not to join the union, many unions negotiate what is called an “agency fee” or “fair share” provision with

the employer. This allows unions to collect a fee from all employees who are legally represented by the union even if they do not become members themselves. These fees can be legally collected only to pay for services that benefit all employees in the bargaining unit, most typically those related to maintaining an office, bargaining the collective bargaining agreement, and enforcing the contract. These fees cannot be used to support political programs or for items that only provide benefit to members of the union.

Most local unions find a fair share provision to be a benefit to the long-term health of the union, but whether or not to bargain for a fair share provision is a decision that would need to be made by the members of UA-UO.

UA-UO Mission Statement

This mission statement was drafted by UA-UO faculty leaders and adopted by the Organizing Committee in the spring of 2010. This statement not only informs the campus community of what we hope to achieve, but also provides guidance for the campaign as we move forward:

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Recognizing that working conditions for faculty and staff are the learning conditions for students and that union representation and collective bargaining are proven, crucial mechanisms for enhancing that connection by improving salaries, benefits, working conditions and job security, **United Academics-University of Oregon (UA-UO-AAUP/AFT) is committed to:**

1. Obtaining collective bargaining representation and the ability to negotiate an enforceable collective bargaining agreement that best represents the collective efforts of bargaining unit members and the University of Oregon.
2. Advancing the University of Oregon's mission as a public research university that serves its students and the people of Oregon, the nation, and the world through the creation and transfer of knowledge in the liberal arts, the natural sciences, and the professions.
3. Working to protect and improve the quality of education, research and service at the UO and promote access to public higher education.
4. Ensuring that every faculty member (tenured and nontenured), librarian, researcher and officer of administration has a respected individual voice in determining our working conditions and in making the decisions that affect the future of the university.
5. Making the promise of shared governance in the academic realm a reality by backing it with the power of collective bargaining to demand institutional transparency regarding information, decision-making processes and implementation procedures in the allocation of resources affecting our working conditions.
6. Using collective bargaining to preserve the principles of academic freedom, free speech and inquiry that provide the foundation for the academic community that constitutes a great university.

What other institutions have faculty unions and what have they negotiated?

Faculty/staff unionization is not uncommon at public colleges and universities. In fact, higher education faculty comprise one of the more densely unionized professions. One question that many UO faculty members have asked is, “What other research universities are unionized?”

When answering this question, we must first explain fundamental differences between the public and private sector related to collective bargaining. Unionization of faculty and staff at private colleges and universities falls under the jurisdiction of the National Labor Relations Board (NLRB). Various Supreme Court decisions and determinations of the NLRB have significantly limited the ability of full-time tenure-track faculty and graduate employees to engage in collective bargaining. As a result, there are no collective bargaining units of graduate employees and few units of full-time-tenure-track faculty in the private sector. There has been, however, some organizing activity in the private sector by academic staff and adjunct/part-time faculty. Overall, however, legal barriers have precluded extensive collective bargaining activity in the private sector.

In addition to these barriers, faculty and staff at public colleges and universities in more than 20 states face similar legal barriers to unionization because these states either have no laws permitting public employees to exercise their rights to unionize or, worse, have laws on the books that explicitly exclude public employees from unionizing.

Where these barriers don’t exist, many comparable institutions, as defined by both the Carnegie Classification System and membership in the Association of American Universities, have unionized.

Approximately 200 universities in the U.S. are classified as “Research High” or “Research Very High,” according to the Carnegie Classification System. The University of Oregon is included in the “Research High” classification. Contingent and tenure-track faculty at over half of these institutions face legal barriers to unionization, but they have unionized at more than 75% of the remaining universities where they do have the right to organize. Included in this list are the following universities and the constituency groups that are organized:

Higher education faculty comprise one of the more densely unionized professions. One question that many UO faculty members have asked is, “What other research universities are unionized?”

WHAT OTHER RESEARCH UNIVERSITIES ARE ORGANIZED? (Institution and constituency)

- City University of New York**
Tenure-Track Faculty/Contingent Faculty/
Academic Staff/Graduate Employees
- Florida State University**
Tenure-Track Faculty/Graduate Employees
- Michigan State University**
Contingent Faculty/Graduate Employees

- Rutgers University**
Tenure-Track Faculty/Contingent Faculty/
Academic Staff/ Graduate Employees
- San Diego State University**
Tenure-Track Faculty/Contingent Faculty/
Graduate Employees
- SUNY Buffalo**
Tenure-Track Faculty/Contingent Faculty/
Academic Staff/Graduate Employees

WHAT OTHER RESEARCH UNIVERSITIES ARE ORGANIZED? (Institution and constituency, continued)

SUNY Stony Brook

Tenure-Track Faculty/Contingent Faculty/
Academic Staff/Graduate Employees

Temple University

Tenure-Track Faculty/Graduate Employees

University of Alaska

Tenure-Track Faculty/Contingent Faculty

University of California-Berkeley

Contingent Faculty/Graduate Employees

University of California- Los Angeles

Contingent Faculty/Graduate Employees

University of California- Santa Barbara

Contingent Faculty/Graduate Employees

University of Cincinnati

Tenure-Track Faculty

University of Connecticut

Tenure-Track Faculty

University of Delaware

Tenure-Track Faculty

University of Hawaii

Tenure-Track Faculty/Contingent Faculty

University of Massachusetts

Tenure-Track Faculty/Contingent Faculty/
Graduate Employees

University of Michigan

Contingent Faculty/Graduate Employees

University of Vermont

Tenure-Track Faculty/Contingent Faculty

Wayne State University

Tenure-Track Faculty/Contingent Faculty/
Academic Staff/Graduate Employees

Another comparable group of institutions with which the UO is affiliated is the Association of American Universities (AAU). The AAU consists of 63 member institutions (61 in the U.S. and two in Canada). Of the 61 institutions in this country, 35 are public universities and 26 are private. Among the public institutions, 11 are located in states that either do not have enabling legislation that allows faculty and staff to engage in collective bargaining or has a law that explicitly prohibits faculty and staff from collective representation. Of the 24 remaining institutions, 18 of them have unions representing all or part of the instructional employees of the university.

At three of the AAU Institutions, all academic staff and faculty (including graduate employees) are unionized:

- Rutgers, The State University of New Jersey
- Stony Brook University-State University of New York
- University at Buffalo, The State University of New York

It is instructive to note that the three institutions listed above were admitted to the AAU well after each of them unionized.

At 15 additional AAU Institutions, there are collective bargaining units that represent one or more higher education constituency:

- Michigan State University
- University of California, Berkeley
- University of California, Davis
- University of California, Irvine

- University of California, Los Angeles
- University of California, San Diego
- University of California, Santa Barbara
- University of Florida
- University of Illinois
- University of Iowa
- University of Kansas
- University of Michigan
- University of Oregon
- University of Washington
- University of Wisconsin

What have these other unions negotiated?

The local unions that represent tenure-track and contingent faculty negotiate collective bargaining agreements that safeguard due process, regulate salaries and working conditions and protect academic freedom. Among the provisions that negotiators have bargained at places like Rutgers, the State University of New York (SUNY), the University of Michigan and Wayne State University include the following:

Employment Stability/Security

The lecturers unions at the University of Michigan and the University of California, as well as the adjunct faculty union at Wayne State University have won multi-year contracts for their members. Before the contingent faculty at these institutions unionized, they were subject to the same term-to-term appointments as are most of the NTTFs at UO.

Improvements in Shared Governance

Rutgers AAUP/AFT negotiated improvements in the ability of nontenure-track faculty to participate in University Senate deliberations.

Compensation

Rutgers AAUP/AFT has negotiated a salary and benefits package that is among the highest at any public AAU institution.

Family Friendly Policies

Rutgers AAUP/AFT improved its work/family benefits with a paid parental leave provision for parents of either gender, including same-sex partner, for newborn or adopted children. This benefit was added to the six weeks of paid leave for recuperation of the birth mother.

Protecting the Economic Interests of Members

UUP-SUNY and Rutgers AAUP/AFT have successfully defended salary increases in difficult economic times and have been successful in blocking the arbitrary implementation of furloughs.

How did we get to where we are today?

Interest in faculty/staff unionization has been evident on the University of Oregon campus for decades. There was an unsuccessful attempt to organize the faculty in the 1970s. Following these efforts, the graduate employees formed the Graduate Teaching Fellows Federation (GTFF), which was certified in 1976 to represent 1,300 Graduate Teaching Fellows. In addition, the Service Employees International Union (SEIU) has represented the classified staff at the UO since 1970s.

More recently, in 2007, a small group of faculty activists contacted the AAUP and the AFT to seek additional information about unionization. Following this show of interest, the AFT commissioned a scientific survey of full- and part-time faculty. The results of this survey indicated a solid degree of support for collective bargaining at UO. Throughout 2008, faculty at UO and representatives from the AAUP and AFT continued looking into the feasibility of unionization.

Early in 2009, faculty and staff at UO requested that the AAUP and AFT assist them in an organizing drive. As was the case with two other AAUP/AFT joint organizing efforts (at the Universities of Alaska and Vermont), the leaders of this campaign selected United Academics as its name. UA-UO opened an office, hired professional organizing staff, commissioned an updated survey of interest in collective bargaining (that continued to show strong support), and began working with faculty to gain certification of a collective bargaining unit at the University of Oregon.

Following the formation of UA-UO, everyone recognized the need to familiarize the faculty at UO with how faculty unions work at other institutions of higher education around the country. During the past year, the campaign has prepared materials to inform the faculty about higher education collective bargaining and has sponsored speakers from Rutgers University, the University of Florida and Wayne State University so they could share their union experience. In addition, colleagues from other unionized campuses in Oregon, including Portland State University and Western Oregon University, also visited UO. Some faculty have received organizing and collective bargaining training at AAUP and AFT conferences. The campaign is now ramping up activities and initiating a more visible phase of the project with a monthly issue-based focus.

The structure of the AAUP/AFT

Now that we know in general what a faculty union would look like, we can now explore what the AAUP and AFT bring to this endeavor. AAUP/AFT is a coalition of the leading voices for academic freedom and tenure and a major union representing more than 175,000 faculty and staff across the U.S.—providing us with the experience, credibility, and resources to embark on this effort.

AAUP Structure

Founded in 1915, the AAUP's purpose is to advance academic freedom and shared governance, to define fundamental professional values and standards for higher education, and to ensure higher education's contributions to the common good.

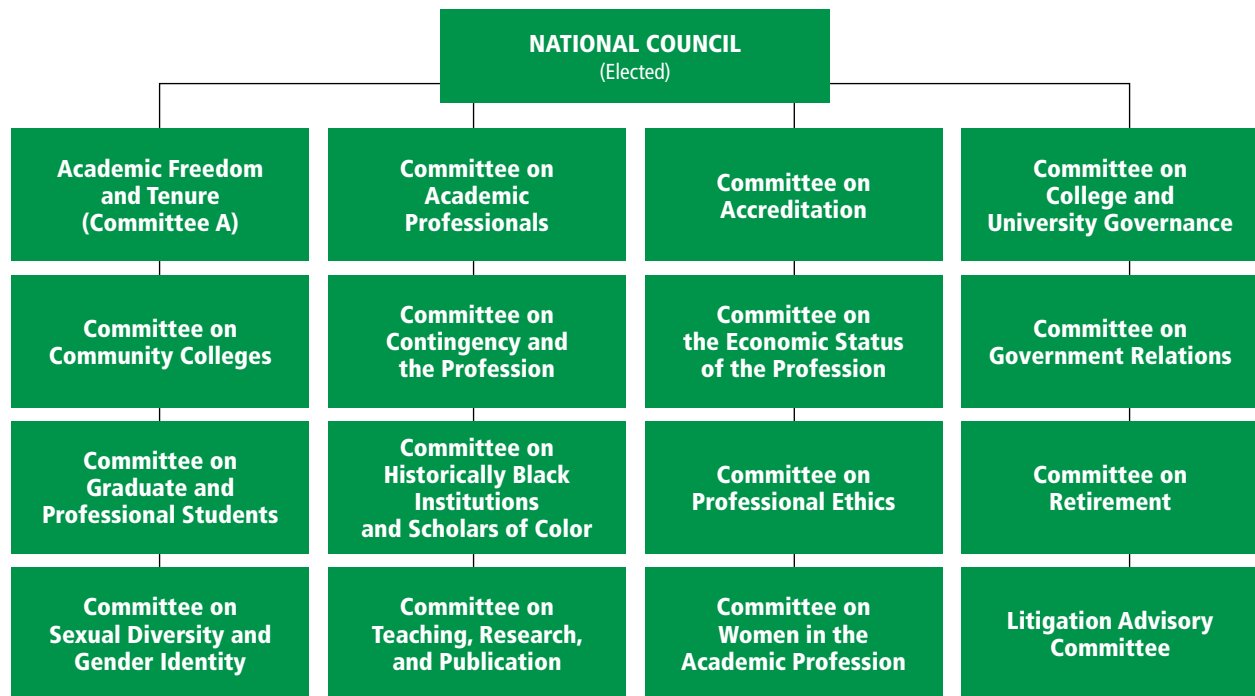
Charts outlining the AAUP's organizational and governance structure can be found on pages 10–11.

AFT Structure

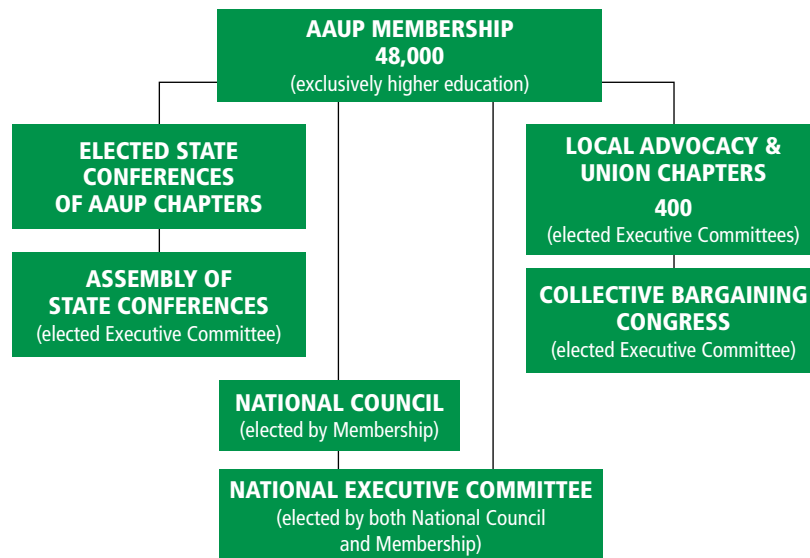
Established in 1916, the mission of the American Federation of Teachers, AFL-CIO, is to improve the lives of our members and their families, to give voice to their legitimate professional, economic and social aspirations, to strengthen the institutions in which we work, to improve the quality of the services we provide, to bring together all members to assist and support one another and to promote democracy, human rights and freedom in our union, in our nation and throughout the world.

Charts outlining the AFT's organizational and governance structure can be found on pages 12–13.

AAUP ORGANIZATIONAL CHART



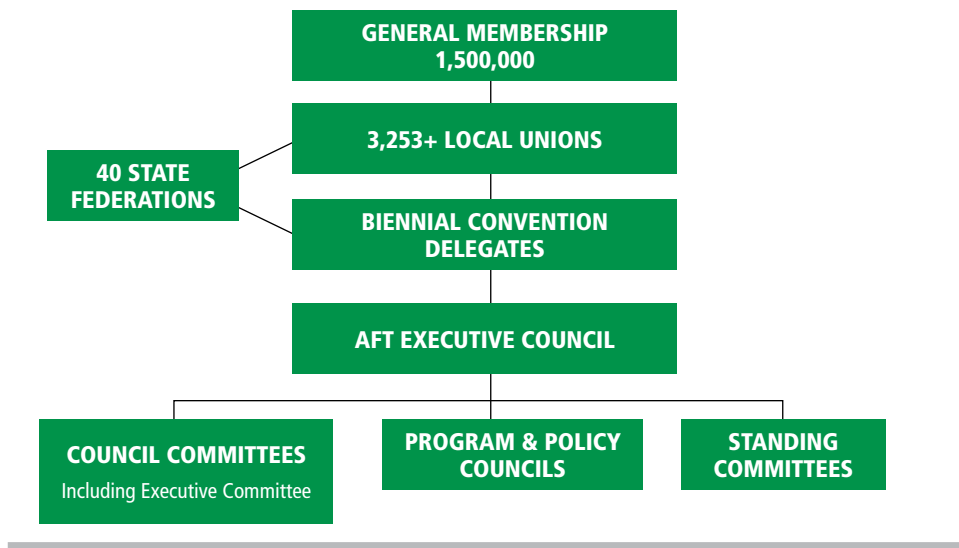
AAUP GOVERNANCE STRUCTURE



AFT ORGANIZATIONAL CHART



AFT GOVERNANCE STRUCTURE



To learn more

To get additional information about any of the topics above, there are several other sources of relevant material:

Website: www.uauoregon.org

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