

**UNIVERSITY OF ALASKA
LABOR and EMPLOYEE RELATIONS REPORT**

Acronyms commonly used in reporting Labor Relations activities:

UAFT	University of Alaska Federation of Teachers
CBA	Collective Bargaining Agreement
LMC	Labor-Management Committee
Local 6070	Alaska Higher Education Crafts and Trades Employees – Local 6070
MAU	Major Academic Unit (UAA, UAF, UAS)
JHCC	Joint Health Care Committee
UNAC	United Academics
ALRA	Alaska Labor Relations Agency
ULP	Unfair Labor Practice Charge

LABOR - MANAGEMENT COMMITTEES/EVENTS

- The university, Local 6070 and campus representatives have been meeting on an as-needed basis to address issues of interest to the MAUs and identify processes to resolve any concerns.
- The Joint Health Care Committee (JHCC), comprised of union, management, and non-represented employees, meets monthly to discuss system-wide health care issues. The committee's most recent meeting was held on August 18, 2011.

GRIEVANCE and ARBITRATION HIGHLIGHTS

University of Alaska Federation of Teachers (UAFT)

- **UAF College of Rural and Community Development:** The union filed a Step 2 grievance alleging that the university violated Article 9.1 of the CBA by placing two new faculty members at an extended site into the United Academics bargaining unit rather than into the UAFT unit. The university responded to the union on November 11, 2009, recommending that the substance of the grievance be reviewed and determined by the ALRA as part of the unit clarification

UNIVERSITY OF ALASKA
LABOR and EMPLOYEE RELATIONS REPORT

- proceeding. The grievance is being held in abeyance pending the outcome of the ALRA proceeding.
- **UAF College of Rural and Community Development:** Two faculty members filed a Step 2 Grievance alleging that the university violated Article 2 of the CBA by stifling their academic freedom and removing creative activity from their annual workloads. The Step 2 meeting was held on August 31, 2010 and the Chancellor issued a decision on September 08, 2010. Resolution efforts were unsuccessful on May 10, 2011. The grievants asked that the dispute be moved to arbitration. The arbitration is scheduled for Friday, November 04, 2011 in Anchorage.
 - **UAA School of Nursing:** The union filed a Step 2 grievance alleging that the university violated Article 5.1.A of the CBA by unilaterally changing the assignment of several nursing faculty members from Bipartite Vocational to Bipartite Academic. The university provided its position statement to the union on December 15, 2010. The parties held a Step 2 meeting on May 6, 2011. The Chancellor denied the grievance on June 16, 2011. The union's appeal to Step 3 is due September 09, 2011.

United Academics (UNAC)

- **UAA College of Arts and Sciences:** UNAC has filed a Step 1 grievance alleging that the university failed to take prompt action with regard to divisive conditions in the Art Department which resulted in the "creation and maintenance of a physically and mentally unhealthy environment." A Step 1 grievance meeting has been held and the grievance was denied. The grievance was not advanced to Step 2.
- **UAA College of Arts and Sciences:** UNAC has filed a Step 2 grievance alleging procedural violations in respect to disciplinary action taken against a faculty member. The Step 2 grievance meeting was held on August 15, 2011. The Provost denied the grievance on August 23, 2011. The union's appeal to Step 3 is due September 7, 2011.
- **UAA College of Health (formally College of Health and Social Services):** UNAC filed a Step 2 grievance alleging that the university failed to maintain standards of civility and professionalism. This grievance is currently being held in abeyance.

**UNIVERSITY OF ALASKA
LABOR and EMPLOYEE RELATIONS REPORT**

Local 6070

- **UA System:** The union filed a Step 3 grievance on behalf of the entire bargaining unit claiming violation of the CBA with respect to performance evaluations. The university denied the grievance at Step 3 following multiple resolution discussions. The union advanced the grievance to arbitration on March 12, 2010. Selection of an arbitrator has been on hold while resolution discussions regarding the evaluation process move forward. The union withdrew this grievance.

United Academic – Adjuncts

No grievances are pending.

ISSUES BEFORE THE ALASKA LABOR RELATIONS AGENCY

Unit Clarification Petition: On October 17, 2007, UAFT filed an unfair labor practice charge (ULP) with the Alaska Labor Relations Agency (ALRA) alleging that the university violated the CBA by its placement of new faculty with upper-division teaching assignments into the UNAC bargaining unit. In response, the university filed a unit clarification petition. On August 25, 2009, the ALRA accepted the university's Petition for Unit Clarification and placed the unfair labor practice complaints in abeyance pending the determination of that petition. The ALRA hearing began on April 5, 2010 and lasted until April 22, 2010. Post hearing briefs and response briefs were filed and the issue is before the Agency for a decision.

ASEA Unfair Labor Practice: On April 19, 2011 the Alaska State Employees Association filed an unfair labor practice charge (ULP) with the Alaska Labor Relations Agency (ALRA) alleging that the university violated the Public Employment Relations Act (PERA) by interference, coercion, and restraining exercise of employee organizing rights. On April 20, 2011 the ALRA stated it would conduct an investigation. The university sent its response to ASEA's allegations on May 4, 2011. ASEA filed a response to UA's response on June 27, 2011.

EMPLOYEE RELATIONS HIGHLIGHTS

- **UAF Community and Technical College (formerly Tanana Valley Campus):** A non-exempt employee at Tanana Valley Campus was non-retained pursuant to Regents' Policy and University Regulation. The employee grieved the issue and requested a hearing. After motion practice, the hearing officer issued a dispositive order on September 21, 2008, canceling the hearing and recommending that the UAF Chancellor uphold the non-retention decision. The

**UNIVERSITY OF ALASKA
LABOR and EMPLOYEE RELATIONS REPORT**

employee filed suit in Superior Court challenging the university's non-retention rights. The judge issued a preliminary order adverse to the university. The university's request for reconsideration was denied and the university subsequently filed a petition for review with the Alaska Supreme Court on November 12, 2010.

- **UAA Police Department:** An employee was terminated for cause and simultaneously issued a non-retention notice. The employee filed a grievance, and a hearing was held in March. The hearing officer recommended upholding the termination and the chancellor agreed. The employee filed an administrative appeal on July 21, 2009. The judge reversed the cause termination but upheld the non-retention. The employee submitted a request for rehearing which was denied by the judge. The employee has appealed the matter to the Alaska Supreme Court. Opening briefs have been filed.
- **UAF Athletics Department:** An employee was laid off and subsequently grieved the layoff and filed an internal discrimination claim. A hearing is on hold pending an investigation into the discrimination.
- **UAF Financial Services & Business Operations:** An employee was issued a layoff notice as a result of a departmental re-organization. A grievance was filed by the employee asserting that the university failed to follow the layoff regulations in selection for layoff and in providing alternatives to layoff. A hearing was conducted following which the grievance was denied by the Chancellor. This matter has been settled.