

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

Acronyms commonly used in reporting Labor Relations activities:

ALRA	Alaska Labor Relations Agency
CBA	Collective Bargaining Agreement
LMC	Labor-Management Committee
MAU	Major Academic Unit (UAA, UAF, UAS)
ULP	Unfair Labor Practice Charge
<u>Unions:</u>	
Adjuncts	United Academic – Adjuncts
Local 1324	Fairbanks Fire Fighters Union (UAF Fire Fighters)
Local 6070	Alaska Higher Education Crafts and Trades Employees
UAFT	University of Alaska Federation of Teachers (Community college and extended campus faculty)
UNAC	United Academics

(BOLD text indicates updated information)

LABOR - MANAGEMENT COMMITTEES/EVENTS

The university and UAFT have not met since May 07, 2013.

The university and UNAC representatives have not met since April 2013.
The Joint Health Care Committee meets on a monthly basis.

GRIEVANCE and ARBITRATION ACTIVITY

University of Alaska Federation of Teachers (UAFT)

- **UAF College of Rural and Community Development:** The union filed a Step 2 grievance on October 02, 2009, 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

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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 proceeding. Grievance timelines are being held in abeyance pending the outcome of the Unit Clarification decision and appeal before ALRA.

- **Statewide Office of Labor and Employee Relations:** UAFT filed a Step 2 grievance on July 25, 2012 alleging the university violated Article 1.3.A of the CBA by demanding that the union agree in writing to pay all costs associated with a request for information prior to providing them with the information. The union further alleges that the university violated the implied duty of good faith and fair dealing. The parties met on March 04, 2013, and continue to work to resolve the matter.
- **UAA College of Arts and Sciences:** UAFT filed a step 2 grievance on September 18, 2013 alleging the University violated Article 5.1 when they assigned a workload in violation of the CBA. The union further alleges that the university violated the implied duty of good fair and fair dealing. **The parties have rescheduled the step 2 grievance meeting for March 03, 2014.**

United Academics (UNAC)

- No grievances are pending.

Local 6070

- Local 6070 filed a Step 2 grievance on November 08, 2013 alleging the university violated Article 10.4B of the CBA by positing a vacancy for a UAA Local 6070 position incorrectly on the University website. The university's response was due November 22, 2013. **On November 21, 2013 the University responded and Local 6070 has withdrawn the grievance.**

United Academic – Adjuncts

- **United Academic- Adjuncts filed a Step 1/Step 2 grievances on November 19, 2013 alleging the university violated Article 6.2, Article 7.21, and Article 10. The union alleges the university violated an adjunct's rights by discussing a student concern with the adjunct. The university timely denied the grievance. The union did not advance the grievance to Step 3.**

FFFU Local 1324

No grievances are pending.

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ISSUES BEFORE THE ALASKA LABOR RELATIONS AGENCY

Unit Clarification Petition: On October 17, 2007, UAFT filed an Unfair Labor Practice (ULP) charge 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 ULP complaints in abeyance pending the determination of that petition. The ALRA hearing began on April 05, 2010, and lasted until April 22, 2010. Post hearing briefs and response briefs were filed and the issue was before the Agency for a decision. On October 04, 2011, the ALRA notified the parties that they wanted briefings on the appropriateness of one unit of non-adjunct faculty at the university. File briefs were submitted to ALRA on December 21, 2011. **The ALRA issued its final decision and order on December 18, 2013, granting UA's petition as modified. On January 17, 2014, UAFT appealed the ALRA's decision to Superior Court. Further, UAFT requested a stay of the ALRA Decision pending appeal.**

Unfair Labor Practice: On May 31, 2013, Local 6070 filed an ULP with the (ALRA) with regard to an employee initiated reclassification action at UAA. The ULP contains 37 allegations. The university responded on July 1, 2013 to ALRA. The university believes the ULP is without merit. The parties are waiting for ALRA to schedule the hearing.

Unfair Labor Practice: On October 30, 2013 United Academics Adjuncts, Local 6054, APEA/AFT, filed an ULP with the ALRA alleging the university refused to bargain in good faith. The university believes the ULP is without merit **and a response was filed on December 13, 2013. A decision is pending. (See section on negotiations below for more detail on status of bargaining.)**

Petition for Declaration of Impasse/Order to Engage in Mediation: On January 8, 2014 the Alaska Higher Education Crafts & Trades Employees, Local 6070 petitioned the ALRA for a declaration of impasse and an order to engage in mediation. Negotiations have been on-going since September 11, 2012. On January 29, 2014 Local 6070 agreed to ask the ALRA to hold the petition in abeyance and the parties have agreed to jointly request mediation services from the Federal Mediation and Conciliation Services (FMCS). The ALRA has agreed. (See section on negotiations below for more detail on status of bargaining.)

NEGOTIATIONS

LOCAL 6070: The university started negotiations with Local 6070 on September 12, 2012. The CBA expired on December 31, 2012, but continues in force until superseded by a new Agreement. The parties have reached tentative agreement on eight of fifteen articles. The UA has taken the position of last and final on two additional articles. Consequently five articles remain outstanding. Negotiating sessions were conducted on November 6, 7, and 8, 2013. At the conclusion of negotiations on November 8, 2013 the

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union chief spokesperson announced they would not return to the negotiating table until sometime in January 2014. Attempts by the UA to resume negotiations sooner and with specificity were not fruitful. **The parties returned to the negotiating table on January 7, and January 8, 2014. On January 8, 2014 the union walked out of negotiations and contacted ALRA stating they were at impasse and requested mediation. (See prior note regarding ALRA proceeding.)**

United Academics (UNAC): The CBA expired on December 31, 2013. The University began negotiations with UNAC on September 23, 2013. **A tentative agreement was successfully reached on December 11, 2014. The union membership ratified the contract on January 18, 2014 and the Board of Regents approved the contract on January 23, 2014.**

United Academics - Adjuncts (AAUP-AFT) (UNAD): The CBA expired on December 31, 2013. Preliminary scheduling discussions with the union were not productive. **The first negotiation session occurred on October 16, 2013 where the union continued to insist on negotiating on weekends in Juneau. The UA has taken the position that it will negotiate at mutually acceptable times and places generally accepted to mean normal business hours at business locations. The union has filed an Unfair Labor Practice with the ALRA. The parties continue to communicate in an effort to reach a compromise. The parties returned to the table on January 7 and have negotiated three times since October. Tentative agreement has been reached on 11 of 21 articles. The parties have additional negotiation sessions scheduled for February. The parties are working constructively and making progress.**

EMPLOYEE RELATIONS HIGHLIGHTS

Kenai Peninsula College: An employee was issued a notice of intent to terminate employment for cause following inappropriate behavior, dishonesty and other misconduct. The employee requested a hearing. The hearing was held on November 14 & 15, 2013 and now awaits the recommendation by the hearing officer and subsequent chancellor's decision.