Official Minutes

**Board of Regents**

**Emergency Meeting of the Full Board**

February 5, 2010

AUDIOCONFERENCE

**Regents Present:**

Cynthia Henry, Chair

Fuller Cowell, Secretary

Carl Marrs, Treasurer

Erik Drygas

Kenneth Fisher

Mary K. Hughes

Robert Martin

Mark R. Hamilton, Chief Executive Officer and President, University of Alaska

**Regents Absent:**

Timothy C. Brady, Vice Chair

Ashton Compton

Patricia Jacobson

Kirk Wickersham

**Others Present:**

Roger Brunner, General Counsel

Beth Behner, Chief Human Resources Officer

Michelle, Rizk, Associate Vice President, Budget

Kate Ripley, Director, Public Affairs

Jeannie D. Phillips, Executive Officer, Board of Regents

**I.** **Call to Order**

Regent Henry called the meeting to order at 12:15 p.m.

**II. Adoption of Agenda**

**PASSED**

**"The Board of Regents adopts the agenda as presented.**

**I. Call to Order**

**II. Adoption of Agenda**

**III.** **Executive Session regarding Collective Bargaining**

**IV. Acceptance of Collective Bargaining Agreement between the University of Alaska and the University of Alaska Federation of Teachers (UAFT), American Federation of Teachers Local 2404**

**V. FY11 University of Alaska Federation of Teachers (UAFT) Budget Amendment**

**VI. Adjourn**

**This motion is effective February 5, 2010."**

**III. Executive Session regarding Collective Bargaining**

Regent Cowell moved, seconded by Regent Drygas, and passed with Regents Cowell, Drygas, Fisher, Hughes, Marrs, and Henry voting in favor that:

**PASSED**

**"The Board of Regents goes into executive session at 12:15 p.m. Alaska Time in accordance with the provisions of AS 44.62.310 to discuss matters the immediate knowledge of which would have an adverse effect on the finances of the university related to collective bargaining. The session will include members of the Board of Regents, President Hamilton, General Counsel Brunner, and such other university staff members as the president may designate and will last approximately 15 minutes. This motion is effective February 5, 2010.”**

The Board of Regents concluded an executive session at 12:33 p.m. Alaska Time in accordance with AS 44.62.310 discussing matters the immediate knowledge of which would have an adverse effect on the finances of the university. The session included members of the Board of Regents, President Hamilton, General Counsel Brunner, and other university staff members designated by the president and lasted approximately 20 minutes.

**IV. Acceptance of Collective Bargaining Agreement between the University of Alaska and the University of Alaska Federation of Teachers (UAFT), American Federation of Teachers Local 2404**

Regent Martin moved, seconded by Regent Cowell, and passed with Regents Cowell, Drygas, Fisher, Hughes, Marrs, Martin, and Henry voting in favor that:

**PASSED**

**"The Board of Regents accepts the collective bargaining agreement between the University of Alaska and University of Alaska Federation of Teachers (UAFT) for the term of July 1, 2010 through December 31, 2010. This motion is effective February 5, 2010."**

POLICY/STATUTORY CITATION

Board of Regents' Policy 04.11.02.B – Exclusions and Agreements, states:

No collective bargaining agreement shall be binding upon the board without prior approval of the entire agreement by the board.

Alaska Statute 14.40.170(a)(2) provides:

The Board of Regents shall . . . fix the compensation of the president of the university, all heads of departments, professors, teachers, instructors, and other officers; . . .

Alaska Statute 14.40.170(b)(1) provides:

The Board of Regents may . . . adopt reasonable rules, orders, and plans with reasonable penalties for the good government of the university and for the regulation of the Board of Regents.

The Alaska Supreme Court has stated:

Through legislative enactments, the University enjoys a considerable degree of statutory independence. Not only does the board of regents have the constitutional authority to appoint the president of the University, formulate policy and act as the governing body of the institution, but the legislature has specifically empowered it to fix the president's compensation and the compensation of all teachers, professors, instructors and other officers . . .

RECOMMENDATION

Pursuant to this policy and legal authority, the university administration has tentatively agreed upon a successor contract with the University of Alaska Federation of Teachers union. The members of the union have already ratified this contract. Chief Human Resources Officer Behner summarized the agreement.

Pursuant to AS 23.40.215, the monetary terms of this collective bargaining agreement are subject to initial approval/disapproval and annual funding by the Alaska Legislature.

**V. FY11 University of Alaska Federation of Teachers (UAFT) Budget Amendment**

Regent Martin moved, seconded by Regent Drygas, and passed with Regents Cowell, Drygas, Fisher, Hughes, Marrs, Martin, and Henry voting in favor that:

**PASSED**

**“The Board of Regents approves the revised FY2011 operating budget request to include additional general fund in the amount of $1,540,400 and university receipt in the amount of $537,500. This motion is effective February 5, 2010.”**

The University of Alaska is requesting an amendment of $2,077,900 ($1,540,400 general funds and $537,500 university receipts) to cover the FY11compensation increases for the University of Alaska Federation of Teacher (UAFT). The contract with the UAFT union was still under negotiation when the University of Alaska’s FY11 budget request was submitted to OMB, thus no request was submitted for UAFT.

**VI. Adjourn**

Regent Henry adjourned the meeting at 12:37 p.m.