

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

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**Acronyms commonly used in reporting Labor Relations activities:**

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

**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. Committee Meetings were held on December 21, 2011 and January 18, 2012.
- The university, UAFT and campus representatives convened the first Joint Labor Management Committee (LMC) for Market Salary Adjustments on January 11-12, 2012 in Anchorage. The Committee will meet to review/analyze salaries, determine relevant data and procedures for the distribution of the FY13 UAFT Market Salary Increases.

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**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 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 was held in Anchorage on November 04, 2011. The parties submitted closing arguments to the arbitrator on December 12, 2011. The Arbitrator ruled in favor of the University.
- **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 appealed the decision. to Step 3. The University notified the Union on September 15, 2011 and moved the grievance to arbitration. The parties met on October 25, 2011 to strike arbitrators. The arbitration is scheduled for May 8-9, 2012 in Anchorage.
- **UAA Mat Su Campus:** The union filed a Step 2 grievance alleging the university violated Article 9.1.A. of the CBA. The union objects to the University's unilaterally decision to remove a faculty from the bargaining unit due to his supervisory duties. The University provided additional materials to the Union on December 15, 2011. The union withdrew the grievance on December 16, 2012.

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**United Academics (UNAC)**

- **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 Step 2 grievance was denied by the Provost. The decision was issued on January 9, 2012.
- **UAF International Arctic Research Center:** UNAC filed a Step 2 grievance on January 6, 2012 alleging that the university violated just cause, due process, and disciplinary investigation, (Article 11.1 and Article 11.2) when it issued an notice of inquiry to a faculty member without notifying United Academics. The step 2 grievance meeting is scheduled for January 31, 2012.

**Local 6070**

- **UAF Power Plant:** On August 15, 2011 the union filed a Step 1 grievance alleging UA violated just cause, due process and progressive discipline when it suspended an employee for sleeping while on shift. On August 30, 2011 UA denied the Step 1 grievance. The union filed a Step 2 grievance on September 08, 2011. The Step 2 grievance was denied September 30, 2011. The union filed a Step 3 grievance October 13, 2011. A hearing was held on October 27, 2011. The hearing officer reduced the discipline from suspension to a letter of reprimand. A letter of reprimand was given to the employee on December 12, 2011. APEA withdrew their grievance on December 19, 2011.
- **UAF Power Plant:** On September 20, 2011 the union filed a Step 2 class action grievance alleging all maintenance employees in the Power Plant should receive a .50 an hour premium pay. UAF HR requested six (6) extensions, and did not resolve the grievance at step 2. The grievance was advanced to step 3 on January 4, 2012. The union made an extensive information request on January 6, 2012. A step 3 resolution meeting was held on January 17, 2012. The parties were unable to reach a resolution. LER's written response is due to Local 6070 on January 31, 2012.

**United Academic – Adjuncts**

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 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. On October 04, 2011, notified the parties that they wanted file briefs on the appropriateness of one unit of non-adjunct faculty at the University. File briefs were submitted to ALRA on December 21, 2011. A decision is pending.

**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 04, 2011. ASEA filed a response to UA's response on June 27, 2011. On November 09, 2011 ASEA filed a motion to amend the ULP. The amendment alleges defamation, refusal to provide a response to information in Excel format and alleges Staff Alliance as a company union. On December 09, 2011 ASEA filed a second motion to amend the ULP. The second motion alleges UA obstructed delivery of mail to UAF employees. A response to the ULP amendments are due in mid- January 2012.

**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 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,

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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.