

Labor and Employee Relations
211 Butrovich Building
P.O. Box 755140
Fairbanks, Alaska 99775-5140
(phone) 907-450-8230
(fax) 907-450-8231
(web) <http://www.alaska.edu/labor/>



Upper Division
Labor and Employee Relations--Anchorage Office
1815 Bragaw #209C
Anchorage, Alaska 99508
(phone) 907-786-6142
(fax) 907-786-6139

University of Alaska
Statewide System of Higher Education
Office of Human Resources

August 14, 2008

United Academics
3211 Providence Drive, PSB-202
Anchorage, Alaska 99508

University of Alaska Federation of Teachers, Local 2404
3211 Providence Drive, PSB-214
Anchorage, Alaska 99508

via facsimile: (907) 786 - 4095, (907) 786 - 6491

Re: UNAC - UAFT bargaining Unit Issues - Upper Division Dispute

Dear Carl, Trish, Tim and Jane:

In an ongoing effort to resolve the upper division bargaining unit dispute between UAFT and UNAC, the University met with UAFT this spring to hear their concerns regarding the dispute. In preparation for that meeting the University identified and shared with UAFT its interests in this dispute, which include:

- Final, tri-lateral resolution of this long-running dispute;
- Maintaining the flexibility and efficiency inherent in being able to use qualified, regular faculty to teach both upper and lower division courses;
- Protecting the functions and purposes of the employer and academic integrity by reserving to the University the discretion to determine which classes/courses/programs are offered and the qualifications required to teach;
- Ensuring stability by avoiding frequent unit changes and litigation.

In light of that discussion, and after reflection on the University's interests, the University has recrafted its proposal of October 18, 2007 and is presenting a new proposal for simultaneous consideration by both unions. The changes are designed both to clarify the proposal and to increase stability and flexibility for all parties.

It does not serve the public or University interest to hire temporary faculty to teach upper division courses when UNAC faculty are unable or unavailable to teach such courses as part of their regular workload. Likewise it is not in anyone's interest to change bargaining units because of minor and temporary shifts in workload.

As a result, the proposal now contains grandfather, limited retention in unit, and transfer provisions for each unit. The proposal is primarily intended to deal with the upper/lower division issues that have arisen and, except as specifically stated, is not intended to alter other portions of the unit definitions.

University Discussion Proposal – August 14, 2008:

1. To grandfather in UAFT:
 - a) Counselors currently placed in UAFT, who were hired before July 1, 2008, and whose principal assignment is at one of the three MAUs; or
 - b) Faculty currently placed in UAFT, who were hired before July 1, 2008, whose principal assignment is at one of the three MAUs, and who have at least a two year history of regularly teaching upper division courses. (The University has identified approximately 39 UAFT members in this category.)
2. To retain in UAFT faculty currently placed in UAFT who do not meet the requirements of #1; but who:
 - a) Have a principal assignment (other than vocational technical instruction) at one of the three MAUs; and
 - b) Are assigned to teach no more than two upper division courses per year, excluding summer session assignments, up to a maximum of two consecutive years of upper division assignments.
3. To transfer to UNAC faculty currently placed in UAFT who:
 - a) Do not meet the requirements of #s1 or 2;
 - b) Have a principal assignment at one of the three MAUs other than vocational-technical instruction; and
 - c) Accept assignment of two upper division courses per year, excluding summer session assignments, for more than two consecutive years.
4. To grandfather in UNAC faculty currently placed in UNAC, who were hired before July 1, 2008, and:
 - a) Whose reporting line is in the UAF School of Education with a principle assignment at an extended site;
 - b) Whose principle assignment is in the UAF SFOS; or
 - c) Whose principal assignment is at one of the three MAUs in other than vocational-technical instruction, and who have at least a two year history of teaching exclusively lower division courses. (To date, the University has identified 5 UNAC faculty members in this category.)
5. To retain in UNAC faculty currently placed in UNAC who:
 - a) Do not meet the requirements of #4;
 - b) Have a principal assignment at one of the three MAUs, other than vocational-technical instruction; and

- c) Are assigned to teach exclusively lower division courses for no more than two consecutive years, excluding summer session assignments.
6. To transfer to UAFT faculty currently placed in UNAC who:
 - a) Do not meet the requirements of #s 4 or 5;
 - b) Have a principal assignment at one of the three MAUs; and
 - c) Accept a teaching workload consisting exclusively of lower division courses for more than two consecutive years, excluding summer session assignments and
 - d) Do not have a research assignment as part of their historical duties.
 7. Except as provided herein, to otherwise enforce current unit definitions, including:
 - a) retaining in UAFT faculty whose principal assignment is at extended sites and who may teach upper division courses at those sites; and
 - b) retaining in UNAC faculty whose principal assignment is at one of the three MAUs, with a bipartite workload, who do not teach exclusively at the lower division level.
 8. Nothing in this document shall be construed to alter the University's right to assign courses, or make initial unit assignments in accordance with this agreement and the unit definition.
 9. For purposes of this agreement:
 - a) A year shall consist of a 12 month period starting with the first day of the applicable Fall semester.

This proposal is not intended to entirely re-write the existing recognition clauses, but is intended as a point of discussion to resolve the current dispute in assignment of upper division to UAFT. If further discussion along these lines appears productive, the University is willing to provide data to determine how many faculty in various categories would likely be affected. The University is moving ahead with a request to the ALRA for a Unit Clarification Petition but is willing to continue discussing resolution with the unions while that action is pending.

Sincerely,

Kris Racina

Kris Racina