

**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
JHCC	Joint Health Care Committee
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 Association (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 Joint Health Care Committee (JHCC) comprised of union, management, and non-represented employees, meets monthly to discuss system-wide health care issues. **The last Committee meeting was held on February 02, 2013.**
- **The university and UAFT met on March 04, 2013 to finalize the Market Salary Adjustments procedures and criteria for distribution of the remaining FY13 UAFT Market Salary residuals. The parties are working on a memorandum of agreement to finalize the residual distribution amounts and process. There is a residual from the FY13 market pool of \$62,000. Article 7.1 of the collective bargaining agreement outlines the process of distribution of these residual funds. The parties, through a Joint Labor Management**

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- Committee (LMC) reviewed and recommends compression distributions for faculty whose salaries are compressed greater than \$5,000. An MOA is required for outlining the process.**
- **The university, UNAC and campus representatives will meet in April 2013 through the Joint Labor Management Committee (LMC) to discuss the FY14 Market and Merit Increase procedures. Merit increases are an award that do not go to base salary. The process for consideration and recommendations for distribution of merit pay will be made within the scope defined in Article 15.5 of the collective bargaining agreement.**

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 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 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 Petition 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.**

United Academics (UNAC)

- **UAF College of Engineering and Mines:** UNAC filed a Step 2 grievance on June 29, 2012 alleging a violation of Article 16 and 17 of the CBA. UNAC asserts that the university violated the CBA by instructing a faculty member to reimburse the university for honorarium received for outside activity while on a one semester paid sabbatical. The Provost met with the union on July 19, 2012. The university responded to the Step 2 grievance on August 14, 2012. The union requested an extension to December 07, 2012. **The Step 3 grievance meeting with the Chancellor was rescheduled to April 17, 2013.**

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Local 6070

- **UAA Maintenance and Operations:** On November 20, 2012, the union filed a Step 1 grievance alleging that the steps of progressive discipline were not followed when the university suspended a bargaining unit member for dishonesty during an investigation and leaving work without supervisor permission. On January 09, 2013 the grievance was denied at Step 1. **The parties resolved this grievance.**

United Academic – Adjuncts

- No grievances are pending.

Local 1324

- No grievances are pending.

ISSUES BEFORE THE ALASKA LABOR RELATIONS AGENCY

Unit Clarification Petition: On October 17, 2007 UAFT filed an 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 is before the Agency for a decision. On October 04, 2011 the ALRA notified the parties that they wanted briefing 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 still pending.

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

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- recommending that the UAF Chancellor uphold the non-retention decision. The employee filed suit in Superior Court challenging the university's right to nonretain non-probationary employees. 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. The Court accepted the petition and consolidated this case with an Anchorage case raising similar issues but with a different result. Oral argument was held March 28, 2012. A decision is pending.
- **UAA Police Department:** An employee was terminated for cause and simultaneously issued a non-retention notice after writing himself parking tickets which he later destroyed to avoid paying parking fees. 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, and the university cross appealed on the termination for cause. This case has been consolidated for hearing with the Fairbanks case discussed above. Oral argument was held March 28, 2012. A decision is pending.