

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

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

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

**(BOLD text indicates updated information.)**

**LABOR - MANAGEMENT COMMITTEES/EVENTS**

- The university, Local 6070 and campus representatives are 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. The last Committee meeting was held on December 14, 2012. **JHCC Town Meetings were held in Fairbanks on January 17, 2013; Anchorage on January 18, 2013 and Juneau on January 23, 2013.**

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- The university, UAFT and campus representatives met on December 10 and 11, 2012 to discuss the Market Salary Adjustments procedures and criteria for distribution of the remaining FY13 UAFT Market Salary residuals. **The parties plan to meet in February 2013 to finalize the residual distribution amounts and process.**
- **The university, UNAC and campus representatives will meet in February 2013 in a Joint Labor Management Committee (LMC) setting to discuss the FY14 Market and Merit Increases procedures.**

**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 2, 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 are working together to try and resolve the matter.**

**United Academics (UNAC)**

- **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 a notice of inquiry to a faculty member without notifying the union. The Step 2 grievance meeting was scheduled for January 31, 2012. The university provided a response on February 15, 2012. The union executive board and grievance committee met to discuss the university's Step 2 response. The union filed a Step 3 grievance on March 8, 2012. The Step 3 Chancellor's resolution meeting was held on March 28, 2012. The parties were unable to come to a resolution, and the Chancellor provided a Step 3 response to the union on April 25, 2012. **After several failed resolution attempts the parties resolved the grievance through a Memorandum of Agreement (MOA) on December 10, 2012.**

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- **UAA College of Arts and Sciences:** UNAC filed a Step 1 grievance on February 17, 2012 alleging a violation of the evaluation process. The Step 1 hearing was held on March 9, 2012. The union had requested an extension as the parties work toward resolution. **A resolution has been reached by the parties.**
- **UAF College of Engineering and Mines:** UNAC filed a Step 1 grievance on June 15, 2012 alleging a violation Article 7.2 of the CBA and that the university failed to follow the workload determination process as outlined in the CBA. **The parties have resolved the grievance.**
- **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 is scheduled for February 7, 2013.**
- **UAF College of Rural and Community Development:** UNAC file a Step 1 grievance on October 15, 2012 alleging a violation of Articles 2 and 17 of the CBA. **The union claims that the university created an unprofessional working environment, violated academic freedom, intellectual property and the covenant of mutual understanding and cooperation for a faculty member. The parties have resolved the grievance.**

**Local 6070**

- **UAF Power Plant:** On September 20, 2011 the union filed a Step 2 class action grievance alleging that all maintenance employees in the Power Plant should receive a .50 per hour premium pay and that the university violated Article 4.10A and Article 6.3. UAF HR requested numerous extensions. UAF was unable to resolve the grievance at Step 2. The grievance advanced to Step 3 on January 4, 2012. The Step 3 resolution meeting was held on January 17, 2012. The parties were unable to resolve the grievance. The university denied the Step 3 grievance on January 31, 2012. The union requested arbitration on February 6, 2012. Arbitration was scheduled for Thursday, August 30, 2012. On August 28, 2012 the arbitrator advised the parties that he was unable to travel to Fairbanks. The arbitrator notified the parties on December 7, 2012 of his availability on January 23, 2013 or January 29, 2013. **The parties were able to resolve the grievance short of arbitration on December 04, 2012 through a Memorandum of Agreement (MOA).**
- **UAA Maintenance and Operations:** **On November 20, 2012, the union filed a Step 1 grievance alleging that the steps of progressive discipline were not**

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**followed when the university suspended a bargaining unit member for dishonesty during an investigation and leaving work without supervisor permission. The grievance was denied at Step 1 and the parties are working to resolve the matter.**

**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 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 4, 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 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 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.

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- **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.