

**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. The committee's most recent meeting was held on April 20, 2011.

**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

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- 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.
  - **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's response is due May 13, 2011.

**United Academics (UNAC)**

**UAA College of Arts and Sciences:** UNAC has filed a step one grievance alleging that the university failed to take prompt action with regard to divisive conditions in the Art Department which resulted in the "creation and maintenance of a physically and mentally unhealthy environment." A step one grievance meeting has been held.

**UAA College of Arts and Sciences:** UNAC has filed a step one grievance alleging procedural violations in respect to disciplinary action taken against a faculty member. A step one grievance has been held. The grievance was subsequently denied by the Dean.

**Local 6070**

- **UA System:** The union filed a Step 3 grievance on behalf of the entire bargaining unit claiming violation of the CBA with respect to performance evaluations. The university denied the grievance at Step 3 following multiple resolution discussions. The union advanced the grievance to arbitration on March 12, 2010. Selection of an arbitrator has been on hold while resolution discussions regarding the evaluation process move forward. Labor Relations is in the process of finalizing a letter of grievance resolution with the union.

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**United Academic – Adjuncts**

No grievances are pending.

**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.

**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 4, 2011.

**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, 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

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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.

- **UAF Athletics Department:** An employee was laid off and subsequently grieved the layoff and filed an internal discrimination claim. A hearing is on hold pending an investigation into the discrimination.
  
- **UAF Institute of Arctic Biology:** An employee was issued a non-retention notice and filed a grievance asserting that the nonretention was in retaliation for filing a harassment complaint. A hearing on this grievance was conducted in late September. At hearing the employee presented an argument that she should have been terminated for cause rather than non-retained. The university issued a cause termination without rescinding the non-retention. The parties have resolved this matter.
  
- **UAF Financial Services & Business Operations:** An employee was issued a layoff notice as a result of a departmental re-organization. A grievance was filed by the employee asserting that the university failed to follow the layoff regulations in selection for layoff and in providing alternatives to layoff. A hearing was conducted following which the grievance was denied by the Chancellor. The employee requested discretionary review by the president on April 27, 2011. The president will conduct a review.