

AN INFORMED CHOICE ABOUT FACULTY UNIONIZATION

Our Stance	2
Letters to Faculty from President Ana Mari Cauce and Provost Jerry Baldasty	3
An Important Message About Faculty Unionization	3
The Faculty Unionization Process	5
An Informed Choice About Faculty Unionization	6
Why We Cannot Be Silent About Faculty Unionization	7
Good news from the other Washington	8
Update from Olympia	9
Concerns about a faculty survey you may have received,	10
UPDATE: Concerns over faculty survey persist	
Q & As	11
Q & A on the Process of Union Organizing	11
Q & A on Shared Governance at the UW	18
School of Medicine Q&A	20
Fact Sheets	22
Fact Sheet on Lecturers	22
Fact Sheet on SEIU Local 925	23
Faculty Unionization: the Basics	24
Visuals	26
Top-ranked Public Universities with Independent Tenure-Track Faculty	26
U.S. Faculty Unionization.....	26
Tenure-track faculty unionization in the United States	27
Comparing Faculty Salaries	28
What do these top ranked universities have in common?	28
What it means to sign a card.....	29
Glossary of Terms	30

OUR STANCE

The question of whether or not the UW faculty chooses to unionize is perhaps the most consequential decision our faculty will ever make.

The best universities in the United States – including the UW – share institutional leadership between the faculty and administration. This democratic approach allows consideration of multiple voices and diverse views, in both a representative way in the Faculty Senate and in a direct way through college and departmental faculty governance. This multi-faceted approach provides for fully informed decisions in which faculty choose to participate. These collaborative systems are the best way to advance our commitment to academic excellence, our duty to educate students and our legacy as a great public university. A faculty union threatens this collaboration.

Shared governance between the faculty and the administration is essential to our mission and to our status as a world-class research university. Our strong partnership with a highly effective faculty senate has led to significant improvements on faculty issues. We have made clear and steady progress toward creating more predictable career paths for our faculty, toward refreshing our classrooms with the technology needed for more effective teaching, and toward increasing salaries without unduly decreasing the size of our faculty or increasing teaching loads in a way that would diminish the ability of faculty to carry out the cutting-edge scholarship and research that is changing our world for the better.

We believe that collective bargaining—a binary, contentious approach that could prevent the administration from hearing all those wonderfully diverse voices—would adversely affect the excellence of the University. We do not want to diminish the voices of the faculty, sideline the Faculty Senate on important issues, and eclipse the collaborative approach we have worked on for generations. Let's keep working together; we have important issues to address.

LETTERS TO THE FACULTY

An Important Message about Faculty Unionization

September 10, 2015

Dear Colleagues,

We hope this letter finds you eagerly anticipating the start of another academic year. We know this is a busy time and along with the anticipation, there is also much preparation and hard work.

We are writing to you about a topic of critical importance to the University. As some of you may be aware, the Service Employees International Union (SEIU) Local 925 this summer launched a campaign called “Faculty Forward” to organize UW faculty into a labor union.

The University of Washington unequivocally respects the right of all people to decide whether to be represented in collective bargaining. This belief is central to our identity as an institution. More than 15,000 of our staff are represented in collective bargaining that while occasionally is difficult and tense has always ended constructively. Both of us come from families with deep ties to unions, and we appreciate the benefits that unions have provided to workers in this country.

With regard to faculty, however, we believe that the concept and process of shared governance is different from that of a management-employee relationship, and we have grave reservations about the effect collective bargaining would have on our shared governance process. We also have serious concerns about its impact on the freedom we as faculty enjoy to pursue excellence in teaching, research and scholarship, the cornerstones of our success as a university.

We strongly believe that shared governance between the faculty and the administration is essential to our mission and to our status as a world-class university. Our strong partnership with a highly effective faculty senate has led to significant improvements on faculty issues. We have made clear and steady progress toward creating more predictable career paths for our instructors, toward refreshing our classrooms with the technology needed for more effective teaching, and toward increasing salaries without unduly decreasing the size of our faculty or increasing teaching loads in a way that would diminish the ability of faculty to carry out the cutting-edge scholarship and research that is changing our world for the better. We believe that collective bargaining over such matters as evaluation, promotion and tenure would not only affect the excellence of the University but would diminish the voice of the faculty, sideline the Faculty Senate and eclipse the collaborative approach we have worked on for generations.

The ultimate decision about unionization will be yours. It is imperative that you have as much information as possible about the unionization process and what having a union would mean. For example, we have talked to faculty who do not understand that an election will be held if only thirty percent of the faculty sign cards indicating their preference for a union. Indeed, some of our faculty have been sent requests to sign union cards with little or no explanation of what that will mean for you or for the University. Moreover, it is NOT the case that a majority of the entire faculty is required to vote affirmatively for us to be represented by a union. Rather, only a simple majority of those who actually vote is required, no matter how few they are. It is also important to be aware

Learn more: <http://uw.edu/informedchoice>

that if a union is voted in, there is no option for an individual to opt out of any contract that results, and that payment of union dues could become mandatory.

Before you sign a union card, please make sure that you are fully informed about what this means.

We will communicate with you in the weeks and months ahead through direct conversations, print materials and a special purpose webpage to share facts and information. We will be active participants in this discussion.

We look forward to hearing your perspectives. With that in mind, we encourage you to send your thoughts and questions to us by email to uwpres@uw.edu. We both will have access to that account.

Thank you for your careful consideration of this matter and for your many contributions to the University's success. The issue before us is critical for the UW, and we hope you will take the time to become informed and engaged.

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Mari Camacho Brenda Ballas". The signature is written in a cursive, flowing style.

The Faculty Unionization Process

October 1, 2015

Dear Colleagues,

Recently, we wrote to you about the campaign launched by the Service Employees International Union (SEIU) to unionize the UW faculty. In that message, we said that we would communicate with you about this effort and provide information so that you can make an informed decision on the question of unionization. We cannot emphasize strongly enough that the question of whether or not the UW faculty chooses to unionize is perhaps the most consequential decision our faculty will ever make. Unionization is not something that can be done on a trial basis to see if you like it and if not you can reverse the decision. Once a union is established, it is difficult to vote it out.

Working directly and in collaboration with faculty members in the governance of the University is essential to who we are and what we do. Shared governance is not just about the Faculty Senate. It is also about your college/school councils and the many college/school and departmental committees that are all part of how we work together. We believe that this direct relationship with an independent faculty at all levels of the University is the best way to advance our commitment to academic excellence, our duty to educate students and our legacy of more than 150 years as one of the finest universities in the world. Whether at the department, school, college or University-wide level, in our view the most successful way to address the legitimate workplace concerns you may have is to work side-by-side with you, without an intermediary. The best universities – including the UW – are organized and managed in this way.

Today, we'd like to highlight some basic information about the process of unionization and address in the Q & A that follows some of the questions that you may have about it. Many of you have already been approached by organizers or received emails from them asking you to sign a membership card. The union is attempting to gather enough signatures to show the state Public Employment Relations Commission (PERC) that there is sufficient interest at the UW to hold an election and form a faculty union. PERC is the Washington state agency responsible for governing union organizing efforts and is responsible for conducting union elections among public employees.

Let us emphasize one other point. Power at the University does not reside solely with the administration but exists throughout our academic personnel system among faculty colleagues. Senior faculty all play a critical role in decisions such as appointment, tenure, promotion, and merit increases for their junior colleagues and for each other. It is critical that everyone—regardless of where one might stand on this matter—feels comfortable expressing her or his views to colleagues without fear of consequence or retaliation of any kind. All of us have an obligation to ensure that this discussion occurs freely and openly and that everyone who wishes to express a view can do so. No one should feel that his or her job, career, promotion, or working conditions will be affected by expressing opinions on this issue.

In the Q&A on page 11 you'll find important information about the process of union organizing, which touches upon your rights and responsibilities as a faculty member. We welcome your comments and input at uwpres@uw.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Maria Cuevas" followed by a second signature that is less legible, possibly "Brenda Ballard".

Learn more: <http://uw.edu/informedchoice>

An Informed Choice about Faculty Unionization

October 22, 2015

Dear Colleagues,

UW faculty face a crucial decision that could determine the future of the University. As we've communicated previously, the Service Employees International Union (SEIU) has launched a campaign called "Faculty Forward" to organize the UW faculty into a labor union. SEIU was invited to organize by the AAUP-UW Chapter. We are committed to ensuring that you have information that will allow you to make an informed choice about unionization.

Many of you have already been engaging in discussions and educating yourselves about what having a union means. You've expressed opinions, raised concerns and asked questions to us and each other. For our part, we are working hard to ensure you feel comfortable expressing yourself and have ready access to as much information as possible.

Today, we are launching an information-sharing platform, backed up with facts, figures, and citations to help you make an informed choice as the campaign unfolds: www.uw.edu/informedchoice.

On the site, you'll find materials and facts about the process of union organizing and our current system of shared governance; the SEIU and issues pertaining to a faculty union; links to relevant news; and more. We've directly addressed some of your specific questions in Q&A documents. There's also a place for you to send us questions and comments on every page because we are mindful there are myriad perspectives on a matter so consequential to the University.

Please visit this new online resource and explore the content. The current platform is just a foundation — we will build upon the site with more information and resources in the weeks to come. There's still much more to say and discuss about this issue. For those of you who have been actively participating in these discussions, know that we truly appreciate your thoughtful input. We look forward to hearing from you in the weeks ahead and hope you will continue to inform yourselves and stay engaged. This is of critical importance to our University and to each of you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Mari Cauce" followed by "Brenda Ballas" in a cursive script.

Why We Cannot Be Silent About Faculty Unionization

November 17, 2015

Dear Colleagues,

We have written to you several times to provide information about the faculty unionization effort by SEIU. We were not planning to write to you again this soon, but we have learned that SEIU is circulating a petition asking the UW administration “to take a neutral stance throughout the democratic process of forming a union and to respect the rights of faculty to unionize.”

We fully respect the rights of all employees, including faculty, to unionize and we have said or done nothing contrary to those rights. We have, instead, expressed our firmly held opinion that unionization of our faculty would be contrary to the interests of our faculty, our students and our community. We do not believe that unionization will be helpful in our drive for excellence. We do not believe that abridging the gains we have made in and through shared governance — at the democratically elected Senate, college/school and department levels — will serve the University and all of its constituencies. And we do not believe that our presence in a bipartisan Olympia, with a divisive organizing campaign or contentious negotiations in the background, will be as fruitful.

We also respect the right to petition. It should be clear, though, that the University administration is not taking a neutral stance and will participate in the debate and discussion of faculty unionization. We have carefully considered this matter, and we believe our views are legitimate and belong in the debate, as do everyone’s views, regardless of faculty rank or position. We are troubled by the apparent aim of this petition to stifle debate on this issue. We are a community of ideas, and the best ideas are formed through discussion and debate. Faculty members have the right to hear and consider all opinions, just as they have the right to discard opinions that are not persuasive. It is contrary to our strength as an academic institution to eliminate one source of information and perspective.

With that in mind, we encourage you to visit the websites created to address this matter. The Informed Choice website, which we launched, argues a collaborative approach between faculty and the administration is the best path forward. UW Excellence, launched by faculty members, makes the case against faculty unionization and has a petition where faculty members are registering their opposition. UW Faculty Forward, an AAUP/SEIU effort, makes the case in favor of faculty unionization and has a petition where faculty members are registering support.

Every single faculty member is a leader at this University. Leaders lead through discourse, through analysis and through persuasion. For both of us, if we see something that will take the University off our path to excellence, we must speak up about it. We intend to express our views in this debate, and we encourage you to do so as well and to protect each other’s right to be heard, free from any intimidation.

Thank you for listening.



Good news from the other Washington

December 18, 2015

Dear Colleagues,

We hear all too often about the dysfunction in Washington, DC, where political gamesmanship seems to rule how our nation's policymakers deal with the big issues facing our country. In spite of that, I am pleased to report some good news stemming from all of our federal advocacy efforts this year. Congress has provided the higher education community with a year-end gift in the form of a mostly positive omnibus spending bill for the current fiscal year.

Some of the most important highlights for the UW include:

- \$2 billion increase for NIH over FY 2015 levels
- Faculty Salary Cap remains at Executive Level II for HHS grants, rather than the lower Executive Level III proposed by the House
- \$334 million for the Agency for Healthcare Research and Quality (AHRQ), which was zeroed out in the House proposal
- \$119.3 million increase for NSF, and no cuts to Geosciences and Social, Behavioral and Economic (SBE) Sciences as proposed in the House
- \$324.6 million increase for NOAA, with a \$29 million increase for Ocean and Atmospheric Research (OAR)
- \$136 million increase for Department of Energy's Energy Efficiency and Renewable Energy (EERE) program
- \$291 million increase for the Advanced Research Projects Agency-Energy (ARPA-E) program
- \$147.9 million each for the National Endowment for the Arts and the National Endowment for the Humanities, which is \$1.9 million more than the FY 2015 levels
- Pell Grant maximum award for 2016-17 will be \$5,915, up \$140 per award
- \$410 million for Peace Corps, which is \$30.5 million more than the FY 2015 level

The House and Senate passed the omnibus bill today, sending it to President Obama. Please visit the Office of Federal Relations website for more detailed information about the bill.

These increases in funding, along with the exclusion of provisions that were of concern to the UW and broader higher education community, are a result of a true team effort. And in the coming year I will continue to work with you and our Federal Relations Team to advocate for investments in students, research and innovation.

Thank you helping develop and advance our federal agenda, and for the excellence of your work, which on a daily basis demonstrates the value of university teaching and research to our nation.

Sincerely,



Update from Olympia

January 21, 2015

Dear Colleagues,

State policymakers are in the second week of their 60-day legislative session, and this week I traveled to Olympia to meet with them. While not my first trip to Olympia, this was a special visit, as it was my first as President. My goal was both to thank our elected leaders for the significant support they provided to the University of Washington and higher education last year, and to advocate for our [2016 legislative priorities](#).

Last year, for the first time in modern memory, the Legislature and Governor joined together to reduce tuition at the UW, as well as Washington's public universities and community and technical colleges. And, just as important, we were able to advocate successfully to ensure that the reduction not jeopardize the quality of our students' education. Lawmakers pledged to keep the universities and colleges whole by replacing the reduced revenue with substantial new public investment. Our efforts in this year's session are focused on ensuring legislators keep that pledge.

While the 2016 session is not a primary budget-writing year, we are not letting up. I am making clear in my conversations with policymakers that in the next budget-writing session of the Legislature, we will be seeking an investment in excellence, with an emphasis on accelerating progress on improving faculty compensation. I will continue to emphasize that it is faculty that make us excellent through their teaching and their scholarship, and we need the Legislature to focus on both access and excellence. We can't have one at the expense of the other.

The challenges confronting our leaders in Olympia are many, but I'm proud to say they are not alone in this tremendously important work. Faculty colleagues are working with the Governor and Legislature to find solutions to today's major challenges. A sampling of issues they are working on includes [gun violence and suicide prevention](#), [impacts of climate change](#), [remedying causes of wrongful conviction](#), [marijuana research](#) and [clean energy](#), just to name a few. Our students across all three campuses benefit from involvement in these research experiences as well as internships in legislative offices and real-world experiences in public service.

All of these efforts help bring the UW's multitude of contributions to life in tangible, meaningful ways, and I thank you for the time you take to share your expertise with policymakers. Together we can be more than just a resource — we can be a force for good in our community, our state and our world.

You can get updates from Olympia and find ways to get involved through the [UW's Faculty Legislative Representative](#) JoAnn Taricani, associate professor of music history, and the [UW's Director of State Relations](#) Genesee Adkins.

For my part, I invite your suggestions about how we can work together to make our case even stronger. I always welcome hearing from you, and thank you for your active engagement in our government and society.

Sincerely,



Concerns about a faculty survey you may have received

January 22, 2015

Dear Colleagues,

Some or all of you may have received a survey about “what UW faculty members think about the future of the university, their own jobs, and their voice on campus and in Olympia.”

According to the solicitation email associated with the survey, the questionnaire is from a “nationally-respected research company.”

I’ve heard concerns about this survey from a number of faculty members. These concerns include how this company obtained contact information for this survey and whether this survey is really “push-polling” (when a poll is really designed to influence opinion rather than identify views).

To avoid any misunderstanding, this survey is not being conducted on behalf of the UW. The University has not provided faculty members’ contact information to the survey company. We do not know who is conducting the survey or why. It is up to you whether or not to respond.

I want to assure you that any invitation to participate in a UW-sponsored survey will come from a UW NetID, outline the nature and designated use of the survey, and be signed by a UW representative.

Please let me know if you have any questions or other concerns.



UPDATE: Concerns over faculty survey persist

On Friday, January 22, the Provost wrote to faculty about a survey that generated concerns among faculty members. (See: [Letter from Provost Jerry Baldasty, January 22](#)) The administration got involved because faculty were asking how the research firm got their contact information, and whether the administration was at all connected to the survey.

On Saturday, January 23, the organizing committee of Faculty Forward acknowledged that the survey had been “commissioned by Faculty Forward,” “was not done well,” and “has been stopped.” While this was a welcome development, it is unclear whether the range of concerns expressed from faculty members about the survey has been fully addressed.

In particular, we continue to hear concerns about how survey recipients were selected, the manner in which they were solicited, how their contact information was obtained, and what if any steps were taken to ensure responses were collected anonymously (especially given the existence of individual PIN numbers on the surveys, and a reminder email that included the promise of a being entered in a gift card raffle for responding). The resulting confusion and concerns over lack of transparency has also added to some frustrations, including the fact that the withdrawal of the survey was not sent to all who had received the survey.

Due to prohibitions on taking certain actions that might be deemed unfair labor practices, the administration is not able to undertake a fuller examination of many of these issues at this time. We hope there is more information forthcoming voluntarily. It remains our goal to have a fully transparent discussion of these important issues, without any hiding behind unaccountable entities.

If you have additional concerns, please feel free to write: uwpres@uw.edu.

Learn more: <http://uw.edu/informedchoice>

Q & A ON THE PROCESS OF UNION ORGANIZING

BASIC FACTS

What is the process for organizing the UW faculty into a union?

It's a two-step process. First, a union seeking to represent our faculty must obtain signed membership cards from at least 30% of the faculty. If they are successful in obtaining the signatures, they then petition the Washington Public Employment Relations Commission (PERC) to hold an election whether to represent the faculty or not. If PERC decides all conditions are satisfied, it conducts a secret ballot election, the outcome of which is determined by a simple majority of faculty who actually vote, just like any political election. Although we have more than 6,000 faculty who would be eligible to vote, if only 500 of them were to vote and the union obtained 251 votes, the union would be certified as the exclusive bargaining representative of ALL UW faculty.

What does signing a card mean?

Signing a union membership card means that you are asking to become a member of the Service Employees International Union (SEIU). You are committing to pay dues, and you are giving the union the right to petition for an election in your name. It is not just indicating that you want an election to be held.

How will I know if a petition is filed or an election is being held?

The University will keep all faculty informed of developments regarding the organizing effort. You will also be contacted directly by PERC if a petition is filed.

How long will this process take?






There is no statutory timetable. The organizing process alone could take several months or more, and if a petition is filed, PERC's process could also take several months. When a new group chooses union representation, most first contracts take one to two years to negotiate.

Which comparable universities have faculty unions?

Tenure-track faculty unionization in the United States

Among the AAU's 62 member universities, **only 5** have tenure-track faculty unions.

None of these universities is in the top 50 of the Shanghai Jiao Tong World Ranking of universities, where the UW is ranked #15.

University	Faculty union	Shanghai Jiao Tong World Ranking
 RUTGERS UNIVERSITY	AAUP/AFT	64
 UNIVERSITY OF FLORIDA	UFF	83
 Stony Brook University	UUP	210
 University at Buffalo <i>The State University of New York</i>	UUP	295
 UNIVERSITY OF OREGON	AAUP/AFT	300

What is negotiable in collective bargaining?

Mandatory subjects of bargaining include all matters related to wages, hours, or other terms and conditions of employment. Permissive and prohibited subjects of bargaining break down as follows:

Permissive subjects include criteria and standards to be used for the appointment, promotion, evaluation, and tenure of faculty. This means that either party can refuse to bargain about these subjects, but they can mutually agree to bargain about them.

Prohibited subjects include:

1. Consideration of the merits, necessity, or organization of any service, activity, or program established by law or resolution of the employer, except for the terms and conditions of employment of faculty members who may be affected by such service, activity, or program.
2. The amount of any fees that are not a term or condition of employment.

Learn more: <http://uw.edu/informedchoice>

3. Admission requirements for students, conditions for the award of certificates and degrees, and the content, methods, supervision, and evaluation of courses, curricula, and research programs.

Neither party is allowed to make a proposal or ask for bargaining about prohibited subjects. Those subjects remain in the complete control of the employer.

Would a faculty union impact my salary?

Yes. Compensation is a subject of bargaining. Washington state law requires that once a petition for an election is filed, the *status quo* on compensation and working conditions remains in place, at least until the results of the election are certified. Also, if the faculty elects to unionize, the University must continue to maintain *the status quo* until an agreement is reached. When a new group chooses union representation, most first contracts more than a year to negotiate – some at the UW have taken up to three years to negotiate. During that period, faculty compensation could remain static for a lengthy period of time. See [Appendix C](#) for examples.

Why is the administration participating in this unionization debate?

We are participating in this debate because we are leaders of the university, and leaders lead through discourse, through analysis and through persuasion. If we see something that will take the University off our path to excellence, we must speak up about it. We intend to express our views in this debate, and we encourage you to do so as well and to protect each other's right to be heard, free from any intimidation.

Further, the Washington State Public Employment Relations Commission (PERC) protects freedom of expression. The Revised Code of Washington (RCW) guarantees the right of public sector employees to organize without interference ([RCW 41.56.040](#)). It does not prohibit the UW administration from expressing its position and rationale regarding faculty unionization, which is designed to help faculty make an informed choice:

“The expressing of any view, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.” [RCW 41.76.050\(3\)](#)

For more information, please read the [letter to all faculty](#) from by President Cauce and Provost Baldasty on why they cannot stay silent on this matter.

Has the University hired outside attorneys and consultants to advise it during the faculty organizing campaign?

Yes. We recognized early in the unionization effort that extensive legal advice would be needed, both to ensure the University is in full compliance with the law, and to help answer the many legal questions an organizing campaign presents at an institution of UW's size and complexity. Some of these questions include which faculty are entitled to participate in the effort, who would be eligible to vote if there ever were an election, and what administrators can say. No employer would attempt to navigate these waters without appropriate legal advice. The use of attorneys has not been a secret. They have met with chairs and other administrators to make sure the University is ready to meet all legal requirements.

We are also being assisted by a communications firm. We often engage experts for additional resources when necessary. That is even more important in this case, given that we believe this

decision will impact the future of our university for decades to come. The firm's role is to help us deliver accurate and timely information to faculty to allow an informed choice.

The resources the University is spending on attorneys and consultants do not use any tuition or taxpayer funds. The SEIU/Faculty Forward campaign likely also has attorneys and consultants working on the organizing campaign as well.

See also: [Message President Cauce sent to the AAUP-UW Listserve](#)

VOTING

How do you vote for or against a faculty union?

It's a two-step process. First, a union seeking to represent our faculty must obtain signed membership cards from at least 30% of the faculty. If they are successful in obtaining the signatures, they then petition the Washington Public Employment Relations Commission (PERC) to hold an election whether to represent the faculty or not. If PERC decides all conditions are satisfied, it conducts a secret ballot election, the outcome of which is determined by a simple majority of faculty who actually vote, just like any political election. Although we have more than 6,000 faculty who would be eligible to vote, if only 500 of them were to vote and the union obtained 251 votes, the union would be certified as the exclusive bargaining representative of ALL UW faculty.

Would I have a chance to vote every year on whether to keep the union or not?

No. There is no periodic reelection process under the law. While there is a process for decertification, the use of such a process is rare and unions are seldom voted out once they are voted in. Thus, every faculty member must consider the long-range implications of this singularly important vote.

The PERC has complete information on union organizing at <http://perc.wa.gov/representation-faq/>

ELIGIBILITY

Which faculty are included in the process?

Washington state law requires that all faculty at the UW be included in any voting unit, regardless of the appointing unit or the appointment track, rank, or title. For those positions designated as faculty, see the Faculty Code at [Section 21-31](#). All UW campuses would be included in the single bargaining unit. If there is disagreement about who should be included, PERC will hold a hearing and decide.

If there is a PERC election, will faculty members who hold administrative appointments as chairs be eligible to vote and included in a bargaining unit?

The relevant PERC statute excludes administrators from a faculty bargaining unit, and "administrators" are defined as:

deans, associate and assistant deans, vice-provosts, vice-presidents, the provost, chancellors, vice- chancellors, the president, and faculty members who exercise managerial or supervisory authority over other faculty members. RCW 41.76.005(9). <http://apps.leg.wa.gov/RCW/default.aspx?cite=41.76.005>

Learn more: <http://uw.edu/informedchoice>

We have concluded that department chairs, school/program directors, and campus deans (“chairs”) of our academic appointing units have managerial and supervisory responsibilities over the faculty within their unit. It is important to note that not all faculty members appointed to a director role are considered to be managerial or supervisory, only those with leadership responsibility of an academic appointing unit (e.g., School of Music in the College of Arts and Sciences or the Education Program at the University of Washington Tacoma).

The identification of chairs as excluded from a bargaining unit is an important question at this time for a couple of reasons. First, chairs of our academic appointing units have leadership responsibilities, and if a union were to represent faculty, those responsibilities might be inconsistent with representation in a bargaining unit. Second, if chairs are excluded as administrators, which means that they are also agents of the University. The University is legally responsible for their statements and actions.

When this question was first raised, we undertook an investigation and legal analysis. Based on those efforts, we have concluded that department chairs, school/program directors, and campus deans of our academic appointing units have managerial or supervisory authority over other faculty. Accordingly, we are providing training to those persons so that the University can comply with the law.

We recognize that not everyone will agree with this conclusion, and we considered that chairs at WWU were included in the bargaining unit. There are sufficient differences between the roles of chairs at WWU and those at UW, and those differences dictate a different result. Of course, if there is a dispute about our conclusion, PERC or the courts will make the ultimate decision.

DUES

Would payment of union dues be mandatory?

On its own authorization cards that the SEIU is asking faculty to sign, the union is including a personal commitment to pay dues no matter what the contract says. As a matter of process, the payment and collection of dues will be a subject of a first contract. UW’s existing contract with the SEIU Local 925 requires the payment of dues by everyone in the bargaining unit. Those dues are automatically deducted from the employees’ paycheck.

If I pay dues, how much would I pay?

Members of SEIU Local 925 pay union dues that are 1.7% of gross salaries, up to a cap of \$95 per month or \$1,140 per year

SEIU

Why is a service employees union attempting to organize faculty?

The SEIU is one of the largest labor unions in the country. The majority of their members are healthcare service workers. They also represent service employees in other occupations in both the United States and Canada. “Faculty Forward” is the SEIU national campaign to win more membership among faculty on campuses nationwide. Most of these efforts have been directed at adjunct and part-time faculty.

How did union organizers get my contact info?

The University has not provided contact information of any kind to union organizers. However, if a petition for an election is filed, the University will be required to provide your home address to PERC and to the union.

Are the union organizers permitted to talk to me in the workplace or at my home?

Yes. The union is permitted to come onto the campus as a part of its campaign to gather signatures, but its organizers may not disrupt your teaching and research work. They should not harass or intimidate anyone. If you do not wish to interact with union organizers, you may ask them to leave. If anyone harasses or intimidates you, you should notify laborrel@uw.edu

There have also been instances of union organizers visiting faculty members at their homes. While this is permitted, there is no obligation for faculty members to discuss these issues at home or to grant entrance to their homes.

STRIKE POLICY

Is striking a possibility?

The relevant PERC statute explicitly prohibits faculty from striking:

The right of faculty to engage in any strike is prohibited. RCW 41.76.065
<http://app.leg.wa.gov/RCW/default.aspx?cite=41.76.065>

This means it would be illegal to strike. We have every anticipation that our faculty would comply with the law and know that SOM faculty are dedicated to the excellence of this University. As a practical matter, however, we know that strikes sometimes occur even when they are illegal.

If there is a faculty strike, would it be limited to educational services?

If there were ever to be an illegal strike, it would be difficult to limit the strike to educational services. Most strikes include picket lines, and a union may fine or discipline a union member who crosses a picket line.

INTELLECTUAL PROPERTY POLICY

What is the current policy on IP at the UW?

As a highly regarded research university, the UW's intellectual property policy is designed to encourage exploration and creativity with an eye to the benefit of the public. In other words, the preservation, advancement, and dissemination of knowledge is central to our mission.

UW's copyright policy explicitly gives faculty, staff and students ownership of their copyrightable works, including their scholarly works. UW's policy (contained in Executive Order 36) recognizes the right of faculty "to prepare and publish, through individual initiative, articles, pamphlets, and books that are copyrighted by the authors or their publishers and that may generate royalty income for the authors." (Section 2.A) The policy further declares that "University faculty, staff, and students retain all rights in copyrightable materials they create, including scholarly works," subject to exceptions, such as grant and contract limitations. UW interprets this broad principle as generally giving faculty ownership of the copyright in their course materials.

The complete policy can be found here:

<http://www.washington.edu/admin/rules/policies/PO/EO36.html>

Learn more: <http://uw.edu/informedchoice>

Is there a regular review of the UW IP policy?

Like many aspects of our University, policies are adjusted as necessary to fit the needs of our faculty, administration, staff and students. The UW Intellectual Property Management Advisory Committee (IPMAC) is currently engaged in the task of revising the UW IP policy. IPMAC is chaired by Law School faculty member, Sean O'Connor, an IP law scholar and lawyer, and it is working in conjunction with the Faculty Senate Special Committee on Intellectual Property and Commercialization (SCIPCI). Last year, IPMAC and SCIPCI conducted "listening sessions" for the UW community on various topics central to the policy revision effort.

Would a faculty union provide a greater level of protection for IP?

It is hard to see that happening. As noted, our current policy provides ownership in copyrightable works. UW's policy is consistent with the approach followed by most U.S. colleges and universities.

There has been conversation surrounding the University Faculty of Western Washington's Collective Bargaining Agreement (UFWW CBA) and its provisions on intellectual property. Our review finds no significant differences between the UFWW agreement and our own policy. Both follow the customary approach.

Of course, if a union files a petition for an election, there could be no changes to the UW policy, despite the good efforts of IPMAC and SCIPCI. And if a union becomes the faculty representative, any policy changes would be determined by the few people at the bargaining table, rather than through the open and transparent process currently used.

Q & A on Shared Governance at the UW

How does faculty governance affect me?

The UW's governance structure is designed to ensure meaningful participation by faculty in the day-to-day operations and long-term planning of the University's priorities and policies. Through close collaboration, the faculty and administration strive to meet the needs of our faculty, students, and community to achieve our shared goals of excellence in all we do.

How well is our system of joint leadership performing?

Thanks to the committed involvement of faculty and administration, the UW's system of joint leadership is performing well. Together we have made important progress and engage in meaningful dialogue. Here are a few examples:

Increasing compensation: Faculty compensation is a top priority. Since the Great Recession and the state government-imposed salary freeze, we have invested in merit salary increases that include a 4 percent average increase in September 2013, an additional 4 percent average increase in July 2014, and a 3 percent average increase in September 2015. We have also made the opportunity for unit adjustments available in March 2014, October 2014, October 2015, and January 2016.

Award-winning promotion process: We are being recognized for our open and transparent promotion process. As a result of work together, in 2014 the UW was recognized as a "Great College to Work For" by the Chronicle of Higher Education. One of the points of recognition was tenure clarity and process.

Improving job security: Together we are working to improve career opportunities and job security for our lecturers. In 2013, we adopted guidelines that promote the recruitment of full-time lecturers to appointments that support promotion and multiple year appointments. Our conversation continues on how to improve the opportunities for part-time lecturers.

Grant for retirement support: Together we won a grant from the Alfred P. Sloan Foundation for a voluntary retirement incentive (VRI) program, which the foundation recognized as a best practice in supporting faculty during the transition to retirement. This program stemmed directly from repeated discussions with UW faculty about their concerns with health care expenses in retirement.

Can all faculty members participate in this system of shared governance?

Yes. University faculty councils are made up of voting members of the faculty from across the university. Faculty members elect representatives to serve on the Faculty Senate and elected faculty councils. Collaboration between these faculty members and the administration is essential to recognizing, addressing and promoting differing circumstances and needs among all faculty. While not all faculty members are eligible to vote, all faculty members can and do contribute to important UW dialogues. The voices of our non-voting faculty members help ensure informed decision making.

How would a union impact our system of shared governance?

Union representation would fundamentally alter the relationship between the UW administration and faculty, creating a dynamic not unlike that of a manufacturing company. The administration would be treated as "management" and faculty as "employees."

Putting a finer point on it, Local 925 wants to become the UW faculty's exclusive representative on matters involving wages, benefits, tenure and other terms and conditions of employment. Collective bargaining would replace a variety of trusted collaborations achieved through UW's governance system that allow for, and encourage, multiple voices and perspectives. Instead, the union would act as the sole voice for all faculty on all matters relating to pay, benefits, and working conditions.

Even if the union were to seek input from a range of faculty members, the diversity of opinion would be synthesized into a single union position. Supervisors could no longer directly address faculty employment issues and the Faculty Senate and its extensive branches – councils and committees – would see a diminished role at the University. The Senate would lose its authority to deal with any issues about salary, workload, and other terms and conditions of employment, since the union would legally become the exclusive representative of faculty on such matters. This arrangement neither reflects the management structure of a world-class university nor serves the needs of its creative and independent faculty.

Would a faculty union allow faculty to more easily address workplace issues with the administration – such as health and retirement benefits?

No. If represented by SEIU, faculty members would have to take up their concerns with the union, eroding collaborative decision-making about workplace matters between faculty and the administration, supervisors, and faculty councils and committees. A union would require faculty and the administration to adopt a management-employee relationship for negotiation purposes – a step back from the current cooperative and multi-pronged approach embraced by the UW.

Will a union improve my current wages, hours and working conditions?

These issues would be subject to bargaining. During an organizing campaign, any promises or even speculation by the UW about wages or other such issues would constitute a violation of labor laws and could be construed as an “unfair labor practice.” Please note that the law does not prohibit a union from making promises, since a union cannot fulfill its promises unless it also achieves agreement with the employer.

The union promises it will give the UW more of a voice in Olympia. Is this true?

No. A faculty union would diminish the faculty's voice in Olympia. Over the last four years, our faculty, administration and students have united to advocate together for the UW. This year, our efforts have produced the biggest investment in the University since the Great Recession. Following our lead, Olympia has urged other universities to involve students.

We encourage all faculty members to speak up and engage in the governance process. If the UW and the union are engaged in a contentious negotiation, it is unlikely we will be able to speak with a single, united voice in Olympia. We are greatly concerned that dissonance in Olympia will diminish our ability to make the best possible case on behalf of the UW among legislators.

UW School of Medicine Q&A

If there is an election, will School of Medicine (SOM) faculty be included in the bargaining unit and eligible to vote?

At this point, we expect that those SOM faculty who are designated as faculty by the [Faculty Code](#) will be included in the bargaining unit, at least if they receive compensation from the UW. However, in light of the differences in appointments, compensation, and sites of practice of SOM faculty, particularly those with clinical responsibilities, this is a very complicated question. For example, according to a [Washington state law](#) passed in 2002, the bargaining unit must include all faculty members from all schools, colleges and campuses of the employer. However, according to the same law, “clinical employees” are excluded.

The University is currently engaged in an investigation and analysis of this matter. Ultimately, the issue will be determined by the Washington Public Employment Relations Commission (PERC).

If UW faculty choose to be represented by the SEIU, will compensation from all sources be subject to negotiation?

For faculty who are included in the bargaining unit, their compensation would be a mandatory subject of bargaining. SOM faculty can receive compensation from the UW, as well as the practice plans (UWP and CUMG) and other sources (e.g., FHCRC and the VA). It is unclear whether non-UW compensation would have to be bargained in faculty-wide negotiations.

How would SOM duties/responsibilities be accounted for in conjunction with other schools?

If the UW faculty elect to unionize, there would be lengthy negotiations before any contract could be reached. Some of the discussion would most likely surround where rules could be created that would apply to all schools, and where specific rules needed to be negotiated for each school.

How would a union contract deal with these different institutions and their requirements?

Should the UW faculty become unionized, the UW will be navigating uncertain ground. There is simply no precedent for the complications presented by SOM faculty appointments, pay sources and duty locations in Washington State labor relations. Many details remain to be determined by PERC, and there would be no guarantees regarding what provisions a union contract might contain.

If the SEIU is elected, would it bargain about the non-competition clauses in physician agreements?

While this question could ultimately be determined by PERC, we don't think the non-competition clauses are a likely subject of bargaining. The non-compete provisions are in physician agreements with practice plans (UWP and CUMG), not with the University. They are therefore likely to be outside University terms and conditions of employment.

Is striking a possibility?

The relevant PERC statute explicitly prohibits faculty from striking:

The right of faculty to engage in any strike is prohibited. RCW 41.76.065

<http://app.leg.wa.gov/RCW/default.aspx?cite=41.76.065>

This means it would be illegal to strike. We have every anticipation that our faculty would comply with the law and know that SOM faculty are dedicated to the safety and health of their patients. As a practical matter, however, we know that strikes sometimes occur even when they are illegal.

If there is a faculty strike, would it be limited to educational services?

If there were ever to be an illegal strike, it would be difficult to limit the strike to educational services. Most strikes include picket lines, and a union may fine or discipline a union member who crosses a picket line.

Fact sheet: Lecturers play a critical role at the UW

Lecturers are an important part of the University's faculty and have been for a long time.

In 2013, UW began a deliberative process to improve the status of lecturers. Provost Ana Mari Cauce charged a work group co-chaired by Lisa Coutu, Principal Lecturer in the Department of Communication, and Marcia Killien, Professor in the Department of Family and Child Nursing and Secretary of the Faculty, with making recommendations regarding hiring processes and policies for full-time lecturers. The goal of the work was to develop a predictable career path for full-time lecturers, one that included expanding opportunities for promotion and multi-year appointments.

Informed by their recommendations and those of similar workgroups at UW Bothell and UW Tacoma, UW adopted new guidelines for the appointment of full-time lecturers that have led to meaningful and important progress. You can see the guidelines [online here](#).

The results have been encouraging:

- UW has vastly increased the number of lecturers eligible for promotion and multi-year appointments, resulting in career advancement and greater job security.
- UW has effectively flipped the type of appointments for full-time lecturers. (See Figure 1)
- Since 2012, lecturers eligible for promotion and multi-year appointments have increased by more than 260 percent.
- This year more than 75 percent of our promotable full-time lecturers have multi-year appointments.
- Approximately 85 percent of the full-time senior lecturers and 90 percent of the principal lecturers have multi-year appointments.
- This opportunity for promotion recognizes career accomplishments, providing enhanced job security, and can provide salary increases that are comparable to those of professorial promotions.

This is the kind of career path and stability sought by the work group. In recognition of these efforts, in 2013, the AAUP-UW acknowledged Provost Cauce as a "Friend of the Faculty" for her continued willingness to work for the interests of the faculty and improve the lecturer track.

The University knows there is more work to be done on career advancement, job security, and professional recognition for all our lecturers. Working with the deans of the schools and colleges and the chancellors in Bothell and Tacoma, we have made a good start, and the work continues. Leaders are mindful, for instance, that part-time lecturers need greater stability and support as well, and have already begun a conversation with the Faculty Senate to develop guidelines for part-time lecturers.

Academic excellence is the foundation of the UW. Maintaining this foundation will require more improvements for our lecturer colleagues.

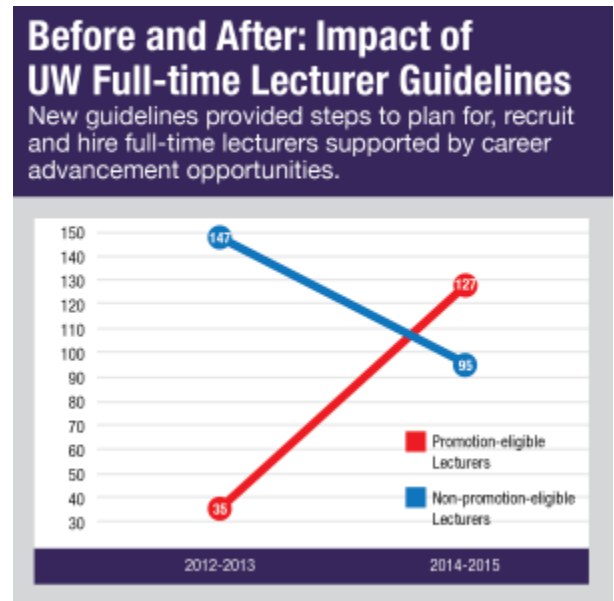


Figure 1

Fact sheet: SEIU Local 925

We have heard many questions about Local 925, who they are, what they do, and their experience with representing higher education. This fact sheet on Local 925 describes the union's **membership**, **spending** and **leadership**, distilling information from the union's [website](#) and other publicly available documents.

Members: Nearly 20,000 child care providers, public school employees, higher education staff, and local government/non-profit workers.

UW Members: Among the nearly 20,000 that SEIU Local 925 represent include 5,705 people who are employed by the University of Washington. The titles of those employed at UW can be [found here](#).

Spending Information: All unions are required to fill out a Form LM-2 Labor Organization Annual Report that provides detailed information on its income, assets and disbursements to the United States Department of Labor's Office of Labor-Management Standards for each fiscal year. These documents are of public record. Here, we have provided the SEIU Local 925's LM-2s for the fiscal years of [2012](#), [2013](#) and [2014](#).

In 2014, the SEIU Local 925 spent \$10,177,521; \$8,702,714 in 2013; and \$8,324,900 in 2012. A detailed summary of its expenditures, liabilities, and assets can be found in each LM-2.

Leaders: Karen Hart, President; Tricia Schroeder, Executive Vice President; Cindy Elizalde, Secretary Treasurer

Sources:

Members: http://www.seiu925.org/files/2014/02/2014_SEIU-LOCAL-925_LegAgenda_English.pdf

Leadership: <http://www.seiu925.org/about/where-we-work/>

Website: screenshot taken December 10, 2015 3:30 p.m. PT

Faculty Unionization: the Basics

The debate over unionization of faculty is not a new question, with the first consideration in the early decades of the 20th century. There was also a brief surge in campus organizing during the 1960s. In 2012, the Service Employees International Union (SEIU) launched a national campaign aimed at colleges and universities called “Faculty Forward” to win more membership among faculty. These campaigns have primarily been directed at organizing adjunct faculty and part-time lecturers. Still, despite this lengthy time and intensive effort, most faculty have chosen not to be unionized.

When a faculty is unionized, the union becomes the faculty’s exclusive representative on issues that are [subjects of bargaining](#). These consist of all issues related to wages, hours and terms and conditions of employment. Consequently, in a unionized setting the administration can no longer directly address employment issues with faculty members, either individually or through shared governance, as we do now at the UW. Instead, the administration legally functions as “management” to negotiate a new employment contract for their “employees.” Those negotiations are conducted for the employees/faculty by their designated exclusive bargaining agent.

A nationwide movement to unionize faculty

According to the SEIU, there are multiple Faculty Forward campaigns at work today on campuses across the country. The first indications of Faculty Forward activity at the UW arose last spring.

The issue that drives most union organizing campaigns is compensation. It is never the only issue, but salaries and benefits are nearly always important considerations. Adjacent issues in many campaigns are focused on governance, workload, and redistribution of a university’s financial resources. Sometimes organizing can focus on issues that are not subject to bargaining, such as academic standards and academic freedom.

The UW Faculty Forward website refers to some of those issues that are not subject to bargaining: federal policy advocacy and collaboration with a congressman from California on issues around adjunct faculty working conditions and student loan debt; a desire for a more powerful voice with the legislature in Olympia and enhancing a culture of collaboration. And, of course, it references compensation.

Contract negotiations

We think it is important to focus on what would actually change if UW faculty chooses to unionize. If a union becomes the exclusive agent for faculty, it will seek to negotiate a first contract for the [bargaining unit](#). The bargaining will be about “[mandatory subjects of bargaining](#),” meaning wages, hours, and working conditions. The first contract is essentially the foundation upon which the future relationship between the employer and the exclusive representative of the bargaining unit would build upon for years to come. As a result, first contracts can and do take considerable time to resolve since each item must be negotiated. In the past, despite good faith bargaining by both sides, first contracts at UW have taken one to three years to resolve. See [Appendix C](#) for specific examples. A faculty contract would likely involve even more complicated issues.

During that period, the employer must maintain the status quo, meaning that all terms of employment that are subject to bargaining are frozen in place. Under the law, the University would be prohibited from making any changes to faculty compensation, benefits and a host of other issues that we currently resolve directly with faculty input and, if necessary, on an *ad hoc* basis. For example, merit increases, unit adjustments and retention increases could not continue.

Learn more: <http://uw.edu/informedchoice>

Promotions and promotional increases would continue, as that structure is part of the status quo. Discussions about and adoption of policies, outside the context of collective bargaining, that address wages, hours and other terms and conditions of employment would also cease.

Decertification process

One of the least understood issues with respect to union representation is the process of unwinding a union relationship once it is in place. It sounds simple: If any portion of the faculty believed that the union was not adequately representing them or meeting their expectations, they could start a decertification campaign. But the simplicity ends there.

Decertification would require signatures on a petition of at least 30% of the members of the bargaining unit – or in our case, over 2000 faculty members. The entire bargaining unit would be the subject of decertification – it is not permissible to remove a portion of the faculty from the bargaining unit. That petition would then be presented to the Public Employee Relations Commission (PERC). Once PERC determines that the signatures are valid, an election would be scheduled. All of this work would have to be done with no assistance or support from the University, financial or otherwise. One member of the faculty would have to be listed as the petitioner and participate in any hearings or proceedings related to the decertification.

Most importantly, decertification can only occur in a narrow 30 day window before the expiration of the union contract. Union contracts at UW generally last two to three years, so this window would not open very frequently.

It is a difficult, time-consuming and costly process, to say the least. The decision to unionize is not something to enter into with the thought of just giving it try.

Sources:

PUBLIC FOUR-YEAR INSTITUTIONS OF HIGHER EDUCATION — FACULTY LABOR RELATIONS. Revised Code of Washington (RCW), Washington State Legislature. Chapter 41.76 RCW. (2002). <http://apps.leg.wa.gov/RCW/default.aspx?cite=41.76>

REPRESENTATION CASE RULES. Chapter 391-25 WAC. The Washington State Public Employment Relations Commission. <http://www.perc.wa.gov/>

“Representation FAQ.” The Washington State Public Employment Relations Commission. <http://perc.wa.gov/representation-faq/#comments>

Visuals

Top-ranked public universities with independent tenure-track faculty

UCLA

UC San Diego

Georgia Institute of Technology

M UNIVERSITY OF MICHIGAN

UNC

TEXAS
The University of Texas at Austin

UNIVERSITY of VIRGINIA

WISCONSIN
UNIVERSITY OF WISCONSIN-MADISON

W
UNIVERSITY of WASHINGTON

U.S. faculty unionization

1.5 million

Faculty in higher education in the U.S.

25%

368,743 unionized faculty in higher education

12%

173,301 unionized tenure-track faculty

0.46%

6,895 unionized tenure-track faculty represented by SEIU

0

Unionized tenure-track faculty represented by Local 925

Tenure-track faculty unionization in the United States

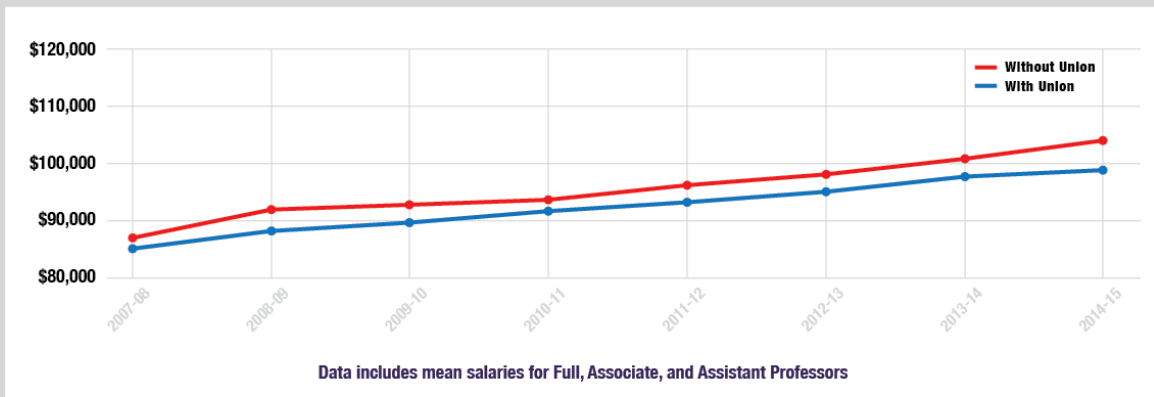
Among the AAU's 62 member universities, **only 5** have tenure-track faculty unions.

None of these universities is in the top 50 of the Shanghai Jiao Tong World Ranking of universities, where the UW is ranked #15.

University	Faculty union	Shanghai Jiao Tong World Ranking
 RUTGERS UNIVERSITY	AAUP/AFT	64
 UNIVERSITY of FLORIDA	UFF	83
 Stony Brook University	UUP	210
 University at Buffalo <i>The State University of New York</i>	UUP	295
 UNIVERSITY OF OREGON	AAUP/AFT	300

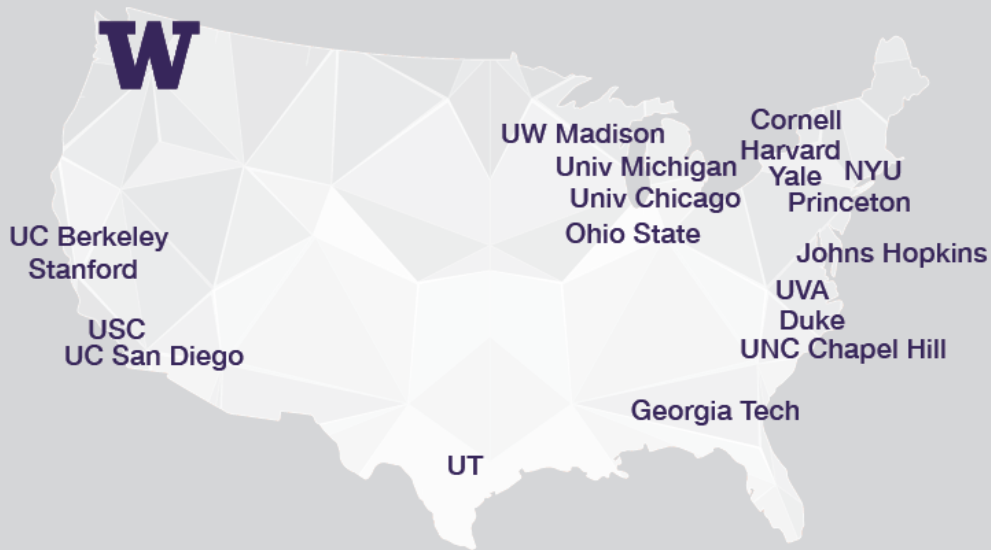
Comparing Faculty Salaries

Mean salaries at universities with independent faculties exceed those at universities with unionized faculties



Sources:
 AAUP faculty salary data published in *Academe*¹
 Institutions: Public doctoral universities with enrollment > 15,000. Institutions were selected using 2013-14 IPEDS Institutional Characteristics data.²
¹See Appendix A for more information

What do these top-ranked universities have in common?



All have independent tenured and tenure track faculty.

Learn more: <http://uw.edu/informedchoice>

MEMBERSHIP CARD AND AUTHORIZATION

I hereby request and accept membership in SEIU Local 925 and authorize my employer to deduct the correct amount of dues and fees and remit such dues to SEIU Local 925*.

This row must be completed by hand: Today's Date _____ Signature _____

Print Name _____ Employer _____ Hire Date/Year _____

EID # _____

Home Address _____ City _____ State _____ Zip _____

Cell Phone _____ Receive Text Alerts? Yes _____ No _____

Home Email _____ Work Email _____

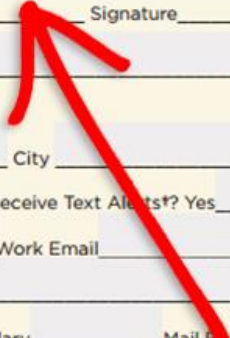
Work Phone _____ Job Title _____ Job Class Code _____

Per Course Compensation (NTT) _____ Monthly Salary _____ Mail Box # (if applicable) _____

Dept _____ Office Location (Bldg/ Floor/ Room #) _____

Office Street Address (if applicable) _____ City _____ State _____ Zip _____

Are you a Registered Voter? Yes _____ No _____



Glossary of Terms

Authorization card (can also be a “[Membership Card and Authorization](#)”): Part of the union organizer’s first step toward establishing a faculty union as the UW’s exclusive bargaining agent. Union organizers must collect enough faculty signatures on union cards to show that there is a showing of interest in a faculty union.

The card being used by SEIU is an application for membership in the Union as well as a commitment to pay dues once a contract is reached. This means that the SEIU’s card goes beyond what is needed to petition for an election.

Bargaining unit: A group of faculty or employees who are represented exclusively by a union during collective bargaining with their employer. According to a [Washington state law](#) passed in 2002, the bargaining unit must include all faculty members from all schools, colleges and campuses of the employer. Therefore, ALL faculty members at the UW are required to be in the same bargaining unit – regardless of appointing unit or appointment track, rank, or title. Administrators as defined by statute (e.g., deans and chancellors) or faculty members who exercise managerial and supervisory authority (e.g., chairs and directors of academic appointing units) would not be in the bargaining unit at the UW.

If there is disagreement about who should be included, PERC will hold a hearing and decide.

Collective bargaining: The process during which the employer and the union representatives meet to bargain to reach agreement with respect to the subjects of bargaining. The obligation to bargain does not require either party to agree to a proposal or to make any concession.

Collective bargaining agreement: A contract between an employer and a union on behalf of all employees or faculty members within a bargaining unit.

Election for representation: The second step for a union seeking to become the UW’s exclusive bargaining agent. If the union submits authorization cards from more than 30% of the faculty, PERC will conduct a secret ballot election among the bargaining unit. All members of the bargaining unit would be eligible to vote on whether or not to have a faculty union. The outcome would be determined by a simple majority of faculty who actually vote. Although we have more than 6,000 faculty who would be eligible to vote, if only 500 of them were to vote and the union obtained 251 votes, the union would be certified as the exclusive bargaining representative of ALL UW faculty. The result would impact all faculty members in the bargaining unit, irrespective of their decision to vote or their position regarding a faculty union.

Exclusive bargaining representative (or bargaining agent): The faculty union that has been determined by PERC to bargain on behalf of all employees or faculty in the bargaining unit. The University would negotiate exclusively with union representatives, who could be from the SEIU local, Washington state SEIU and the SEIU International. In a union environment, the UW would be forbidden from addressing any concerns regarding wages, benefits, hours and terms and other conditions of employment with employees or faculty at the UW outside of the collective bargaining process.

Petition for election: If the union is successful in demonstrating a showing of interest, they can petition PERC to hold an election for representation. PERC is responsible for reviewing the petition and deciding that all conditions are satisfied before moving ahead with an election.

Showing of interest: Part of the union organizer's first step towards establishing a faculty union as the UW's exclusive bargaining agent. The union must obtain signed membership cards from at least 30% of employees or faculty within a bargaining unit to legally demonstrate that there is significant interest in faculty unionization. Without this minimum number, a union cannot submit a petition for election to PERC and move ahead in the process.

Subjects of bargaining: There are three kinds of [subjects of bargaining](#):

1. **Mandatory subjects:** Wages, hours, and other terms and conditions of employment are mandatory subjects of bargaining. As mandatory subjects, if one side requests, the other side must bargain about that subject. No changes can be made to mandatory subjects without agreement or impasse.
2. **Permissive subjects:** The statute defines "criteria and standards to be used for the appointment, promotion, evaluation, and tenure of faculty" as permissive subjects. This means that either party can refuse to bargain about these subjects, but they can mutually agree to bargain about them.
3. **Prohibited subjects:** The statute states that the following are prohibited subjects:
 - a. Consideration of the merits, necessity, or organization of any service, activity, or program established by law or resolution of the employer, except for the terms and conditions of employment of faculty members who may be affected by such service, activity, or program.
 - b. The amount of any fees that are not a term or condition of employment.
 - c. Admission requirements for students, conditions for the award of certificates and degrees, and the content, methods, supervision, and evaluation of courses, curricula, and research programs.

Neither party is allowed to make a proposal or ask for bargaining about prohibited subjects. Those subjects remain in the complete control of the employer.

The Washington Public Employment Relations Commission (PERC): The State agency that regulates public sector labor relations and collective bargaining in Washington state. This regulatory body is responsible for regulating labor organizing and assisting parties to resolve labor-management disputes.

Union: The term used for both the local bargaining agent representing a defined group of employees or faculty and also the national and/or state affiliate of a local bargaining union.

Unfair Labor Practice (ULP): A practice on the part of either the union or the employer that is judged to be in violation of a statute and, therefore, illegal. Illegal practices include bargaining in bad faith, refusing to bargain, or discriminating against employees for their support or opposition to a union.

Sources:

Directory of Faculty Contracts and Bargaining Agents Higher Education and the Professions. National Center for the Study of Collective Bargaining in Higher Education and the Professions, 2012. New York City.

"Employee Rights Under the National Labor Relations Act." United States Department of Labor. U.S. Department of

Labor. https://www.dol.gov/olms/regs/compliance/EmployeeRightsPoster11x17_Final.pdf

Learn more: <http://uw.edu/informedchoice>

“Public Employment Relations Commission Glossary.” The Public Employment Relations Commission Glossary. Washington State Public Employment Relations Commission.

<http://www.perc.wa.gov/>

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REPRESENTATION CASE RULES. Chapter 391-25 WAC. The Washington State Public Employment Relations Commission. <http://www.perc.wa.gov/>

“The NLRB Process.” National Labor Relations Board. <https://www.nlr.gov/resources/nlr-process>