

## The University of Washington Faculty Council on Faculty Affairs

The Faculty Council on Faculty Affairs met Thursday, **September 28, 2000** in 442 Gould Hall. Returning Chair Robert Holzworth presided.

**PRESENT:** *Professors* Carr, Haley, Holzworth, Hunn, Luchtel, O'Brien, Riley, and Roberts; *Ex officio* \*Adman, Fabien, Ludwig, Olswang, \*Rickerson and Sjøvik (\*with vote); *Regular guest* Vaughn.

**ABSENT:** *Professors* Fox and Poznanski; *Ex officio* Rose; *Regular guest* Coney.

### Action Items:

- 1) Minutes from May 18, 2000 were approved as written.
- 2) Council consented to let Holzworth write a letter to the appropriate WFT and WEA representatives, requesting a copy of the enabling legislation they intend to submit to the State Legislature this session.
- 3) Formed Subcommittees on: Enabling Legislation (Hunn [Chair], Luchtel, Riley, Adman, Ludwig, Vaughn and Olswang); Tri-Campus (Carr [Chair], Rickerson and Roberts [tent]); Retired Faculty Voting Rights (Haley [Chair], O'Brien, Olswang and Sjøvik).

### Welcome and Introductory Remarks – Chair

Holzworth welcomed all new and returning FCFA members to the council's first 2000-2001 meeting and advised that a busy year lay ahead. There are some leftover items from last year including the Research Faculty (RF) Voting Rights issue, which has yet to receive its initial reading in the Senate; the Tri-Campus issue, focusing on how to get proper representation for Bothell and Tacoma campuses in the Faculty Senate and on Faculty Committees; Enabling Legislation; and Voting Rights for Re-Employed Retirees; the RF issue is out of FCFA's hands, unless the SEC sends it back to council for reassessment. The Tri-Campus Subcommittee, which was headed last year by (now Vice Chair of the Faculty Senate) Brad Holt issued a proposal for how the UWB and UWT could be integrated into the shared governance process at UW Seattle. The issue is primarily one of distance, as it is difficult for their faculty to attend Senate and council meetings.

### Enabling Legislation (EL)

In past years, the Faculty Senate has supported EL in general, however, last year a bill was sent to the State Legislature (SB 6346) which the Senate found it could not support. The question before FCFA this year is, "how does the Faculty Senate prepare for future EL?" Holzworth opined that the UW cannot wait until specific bills have been submitted in Olympia before preparing its stance. It has been suggested that FCFA issue a Class C Resolution which would provide a checklist of things to look for in future EL. Holzworth added that the council also needs to address the possibility of integrating Shared Governance with EL.

Faculty Legislative Rep. Ludwig reminded the council that SB 6346 had been sprung on the University last year by a coalition from the Washington Federation of Teachers (WFT) and the Washington Education Association (WEA) without providing the UW any chance to review the provisions of the bill. Fortunately, last year's legislative reps were able to convince the Legislature that the University had not had sufficient time to review the bill and thus could not lend its support for it. The bill eventually died. Ludwig advised that he had a conversation with the WFT this summer and they indicated their intent to submit an almost identical bill again this year. They initially told Ludwig they would be happy to omit the UW's name as a supporter of

the bill if the University wished; however, he later discovered that WFT planned to include the UW's name in the bill, due in large part to the teaching assistants' recent push for unionization.

Ludwig strongly suggested that the FCFA submit recommendations to the Faculty Senate on how to assess such legislation, or should draft legislation of its own. Holzworth asked if Ludwig had seen a draft of the bill yet; Ludwig replied that the WFT was balking at releasing that information. Riley asked what stance other Washington state four-year institutions were taking. Ludwig noted that Central demonstrated strong pro-union support; Western was interested but that there was no strong pro-union movement; Evergreen was mostly disinterested; Washington State was not really interested in discussing the issue; and Eastern already has an informal bargaining agreement with its administration.

Holzworth asked if there was a deadline looming over FCFA to produce a proposal on EL. Ludwig stated that, while this may not be a good year to go before the Legislature with EL, there is a surprising amount of support for it. Olswang added that there are several factors to consider—the bill is being sponsored by the Chair of the Labor Relations Committee in Olympia and that will provide it with more clout; also, FCFA should consider why the same bill is being introduced when the Faculty Senate has already made it clear that it will not support it; and, that there is considerable pressure being applied by the United Auto Workers to unionize graduate student TA's and RA's. The council should also consider the makeup of the Legislature once the elections are over. Ludwig reiterated that the UW has to assume EL will move through the Legislature.

Olswang recalled that FCFA was originally charged by the Faculty Senate to provide recommendations which the Senate could use to assess any future EL, not just SB 6346. FCFA should find out if there are identifiable factors regarding EL which the faculty would support. Issuing these determinations in a Class C Resolution would be the best way to resolve the issue. Holzworth asked what elements should be considered—does the faculty want a bill that blankets nearly all UW employees? Probably not, since, as with SB 6346, the bargaining units are left undefined and this leaves the University open to all sorts of litigation. He added that the UW has the opportunity to write good legislation that defines all these parameters, like bargaining units and who is covered by the EL. However, the AAUP does not agree; they want the bill to be as general as possible and to let the details be sorted out after the fact.

Holzworth observed that, right now, faculty have more control over their destinies than ever before; observe the changes implemented in Chapter 24 revisions last year—the faculty was able to dictate important changes to its salary structure. Though, there are faculty who don't feel they have an effective enough voice and would rather have union representation. Holzworth noted that this seemed to be a small element of the faculty. Even AAUP said they do not think faculty would necessarily need to unionize but that faculty could use EL as a bargaining chip—they could use the threat of unionization as leverage. Olswang described the cost to the University should EL pass and reminded council members of the Fiscal Note he issued last year delineating these costs. This document is available through the Faculty Senate Office. He also urged the council to consider the ramifications of graduate student unionization while Vaughn advised the council to consider the same for a bill that would cover all UW employees.

The council asked if Olswang could discuss, briefly, the TA/RA situation. He explained that there are four types of employees at the UW: Classified Staff, Professional Staff, Librarians and Faculty. Of these four, only Classified Staff have authorization to select an exclusive bargaining representative; currently, Classified Staff are represented by 11 to 13 different unions and these unions can bargain on behalf of Classified Staff over salary issues. Professional Staff, on the

other hand, used to be referred to as “exempt” staff, since they are exempt from collective bargaining. This group includes Faculty, Research Staff, Administrators and Librarians; once again, state law does not allow these employees to have exclusive bargaining rights. Last year’s bill (SB 6346) would have covered almost everyone at the UW but did not define the bargaining units. The question concerning grad students is—“are they employees?” According to SB 6346, they are. In some states they are considered employees but in others they are not. Olswang described this as an evolving area.

Hunn asked if EL would supercede or change existing law. Olswang replied that it would not affect Classified Staff’s bargaining status. Holzworth challenged the council to choose a plan of action, and quickly. The deadline for legislation to make the second Faculty Senate meeting agenda is November 3 and he imparted the wish to have a Class C Resolution on the table prior to this date. Ludwig noted that even this date may be too late to affect State Legislation. Haley observed that the WFT and WEA did not seem to want to discuss the bill with UW faculty last year and why should we believe they will want to this year? Holzworth proposed writing a letter to WFT and WEA asking for a copy of their proposed legislation. The council agreed that this was a good idea. Riley asserted that the council also take a long-term view of EL by working with other four-year institutions in WA to form a united front.

Vaughn reminded the council that this is also a budget year and wondered if it were prudent to have the Legislature discussing EL at the same time they are discussing faculty salary issues. Olswang reminded the council that FCFA’s goal is to provide guidance for the Senate vis-à-vis this year’s bill. Rickerson suggested reviewing this year’s bill with an eye toward future EL. Carr also thought it was important to educate faculty about EL. Fabien agreed that the council should discuss point-by-point why they are not interested in SB 6346, then look ahead to the future of EL. Hunn suggested reaching out to State Legislators and the citizens of WA to raise public support and to instigate a public relations campaign. Holzworth asked what he saw as the vehicle for that—don’t the legislative reps serve this purpose? Hunn said that perhaps a Class C Resolution would strengthen the legislative reps hands. Ludwig agreed that the issue goes beyond this one bill and it is clear that the UW needs to make a more definitive statement of their position on EL.

Haley admitted that he was a little worried about rushing a recommendation to Olympia that is going to represent UW faculty’s position on EL for years to come. Carr submitted that faculty need talking points on EL, and thought perhaps Holzworth could include these in his letter to WFT & WEA. Luchtel mentioned the California EL which FCFA discussed last year—this would be a good model for the UW to review. He also stated that he felt FCFA needed to issue a recommendation by the Nov. 3 deadline. Olswang advised that the University needs to be prepared for the introduction of multiple bills. Historically, the UW faculty has supported EL when it pertained to faculty and didn’t seek to cover all University employees.

### **Formation of Subcommittees**

Holzworth asked every FCFA member to serve on at least one subcommittee this year. Subcommittees were organized for the following issues: Enabling Legislation, Tri-Campus, and Voting Rights for Emeritus Faculty.

Olswang asked that the Recorder distribute copies of Philipsen’s letter regarding Lecturer Issues and Emeritus Voting Rights to the entire council. Hunn also asked that the recorder schedule an EL Subcommittee meeting for next Thursday, Oct. 5 from 9:00 to 10:30 am.

Meeting adjourned at 10:30am. Minutes by Todd Reid, Recorder.

