



Negotiations Update: 11/29 and 11/30

To United Academics Bargaining Unit Members:

We've wrapped up another week of negotiations. We meet one more time before the winter break. We had originally hoped to be wrapping up next week, but progress has been slower than hoped. Please read this update to stay informed. Then, go a step further and talk to your colleagues and administrators about the issues you're most concerned about. Help us make progress by making your voice heard!

Summary of Events

We TA'd Article 12: Personnel Files

The Administration's team and United Academics finally came to agreement on [Article 12: Personnel Files](#). At dispute was how long disciplinary material can stay in a faculty member's file. The current CBA states that the material is removed from a file after two years; the administration wanted to keep all disciplinary material in the file forever. The final compromise is that disciplinary material will be removed from personnel files after two years except upon mutual agreement by UA and UNAC to keep the material in the file for an additional year.

This agreement requires the University to meet with UNAC to discuss the need to retain materials and will better protect members from arbitrary retention of negative, stale materials in personnel files. The agreement does not apply to disciplinary material related to sexual harassment, physical assault, discrimination, theft, fraud, scientific misconduct, or substance abuse, which may be retained indefinitely.

7 Tenets of Just Cause and Training for Administrators

We introduced [Article 11](#) (Disciplinary Action) for the first time on Monday and included the addition of the 7 tenets of just cause. From the perspective of United Academics' negotiating team, adding these to Article 11 will help clarify the disciplinary process for both our members and our administrators. The University has already agreed to include a similar version of these tenets in the CBA for our Crafts and Trades brothers and sisters. Just cause is an important concept in labor law to avoid arbitrary discipline or adverse employment actions against members.

We also proposed that management design and implement training for administrators in just cause, progressive discipline procedures, and termination. Completion of said training would be kept in their personnel files and required before disciplinary action against employees can be taken. We proposed inclusion of a UNAC representative at the trainings.

Continued Resistance from the Administration on Re-Endorsing AAUP documents on Tenure and Academic Freedom

In their most recent counter proposal to Article 6 (Academic Freedom and Responsibility), the administration's team again inserted the clause "Nothing in Article 6.3 shall be construed to supersede, modify, or affect any article other than Article 6 of the collective bargaining agreement." claiming that UNAC's recent grievances over non-retentions misconstrue the mutual AAUP endorsement, and UA proposes to limit the endorsement's applicability in their recent proposal.

Late the same day, the UNAC team countered with current CBA language for [Article 6](#), endorsing the AAUP's "[1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments](#)" and AAUP's 1999 statement "[On Collegiality As a Criterion for Faculty Evaluation](#)." UNAC asserted there has been no misconstruction of the endorsement, contrary to UA's claims.

Sunset Clause is Back In

The sunset clause, which states that dues deductions will cease on December 31, 2021, has been in our CBA for years, with the 'sunset year' updated, but it has *never been enforced*. In 2019, the [state courts ruled](#) that the state couldn't require ASEA members to fill out new forms each year, drawing into question whether our sunset clause would be legal under current Alaska law. Furthermore, this action by the university would create an unfair burden for faculty members who have elected to pay dues, an interruption in dues collection for UNAC, and significant work for our staff colleagues in HR.

The administration's team previously agreed to remove the sunset clause but brought it back this week. While this appears to be regressive bargaining, or bargaining in bad faith, technically, it is not because they presented their most recent [Article 4](#) (Membership and Voluntary Dues Deduction) as part of a new 'package deal' with [Articles 5](#) (UNAC Representatives and Release Time) and [7](#) (Resolution of Disputes).

Package Proposals

The university has begun offering us 'package proposals,' meaning that they 'package' multiple articles together and all changes to articles are accepted or rejected together. The practice is not uncommon in collective bargaining and is meant to encourage compromise by including some changes that benefit each side. We rejected their first package on November 8 & 9 because it didn't incorporate enough benefits for our members. This week, we accepted the new package from their team but countered with only one concession for the administration's team and multiple concessions on our side.

Their package proposal:

- Reinstated the sunset clause for dues paying membership (Article 4)
- Rejected our proposed additional language stating that UNAC may file a grievance if dues are not remitted to UNAC in a timely manner and maintained current language indemnifying UA from any liability related to dues deductions (Article 4)
- Agreed to provide UNAC with a new list of bargaining unit members, separate from the payroll lists we receive, on August 15 and January 10, to help us identify newly hired bargaining unit members, but refused to provide it upon their signing appointment letter (Article 5)
- Rejected our proposal to include the appeals board in all complaints not subject to

grievances and maintained that the appeals board is reserved only for promotion and tenure disputes (Article 7)

- Accepted our proposed additional language about grievance steps: “The parties commit to use the steps in the grievance process to resolve the issues in good faith at the earliest possible step.” (Article 7)
- Added language after the above quote to clarify that this cannot result in grievances over failure to respond to a grievance over a failure to respond to a grievance, etc. (Article 7)

Our Package Proposal:

- Replaced the sunset clause with language similar to that which the University has already agreed to in the CBA for our Crafts and Trades, Local 6070 brothers and sisters, and which does not include a sunset clause ([Article 4](#))
- Accepted their agreement to provide us with a complete membership list on August 15 and January 10 to help us identify newly hired faculty members ([Article 5](#))
- Omitted our proposed requirement for HR to provide a list of new hires before their first date of employment, after they have signed appointment letters (we will seek other means of obtaining this outside of the CBA) ([Article 5](#))
- Dropped the appeals process for non-promotion complaints that are not grievable ([Article 7](#))
- Removed our added language from the grievance stages, as it only emphasized expectations to work toward resolution at the earliest possible grievance stage. ([Article 7](#))

Status Of CBA Articles

UNAC needs to respond to:

Article 1 Agreement and Duration

This is the article that includes a land acknowledgement. They've said they won't negotiate further on including it in the CBA, but you could write to the [BOR](#) and [Interim-President Pitney](#) to encourage their team to reconsider their refusal to include a land acknowledgement in the CBA.

**We can't provide links to the UA Administration team's proposals due to a confidentiality clause on their drafts.*

UA needs to respond to:

[Article 2](#): Purpose

[Article 3](#): Recognition

[Article 4](#): Membership, Dues Deduction, and Agency Fee

[Article 5](#): United Academics Representatives and Privileges, Release Time

[Article 6](#): Academic Freedom and Responsibility

[Article 7](#): Resolution of Disputes

[Article 9](#): Faculty Status: Appointment, Evaluation, Promotion, Tenure, and Termination

[Article 11](#): Disciplinary Action

[Article 13](#): Workload

[Article 15](#): Compensation

[Article 16](#): Personnel Benefits

[Article 17](#): Working Conditions

NEXT BARGAINING SESSIONS

- Monday, December 6 and Tuesday, December 7
- Monday, January 18 and Tuesday, January 19
- Monday, January 24 and Tuesday, January 25
- Monday, February 7 and Tuesday, February 8

Member Actions

to Help Your Negotiations Team

Write to [Interim-President Pitney](#) and the [Board of Regents](#) about negotiation concerns you have. If you've attended sessions and been pleased or alarmed about something, they need to know about it. Here are some specific items you could write to them about:

- The effects of only having one 1% raise in the past five years
- The benefits of multi-year contracts for non-tenure track faculty
- Your feelings about being required to submit a new dues deduction form with the expiration of each CBA
- The inclusion of a land acknowledgement in our CBA Article 1
- The importance of academic freedom and tenure

You could write to them individually or as a group with colleagues, or you could start a petition about one of the above topics.

Collective bargaining is a group effort, and the University administration will take notice of unified voices and unified action. Talk to your colleagues and encourage them to [join United Academics](#) as a dues-paying member if they are not already. Forms can be completed electronically and sent to kate.quick@unac4996ak.com. Unified action and growing membership numbers get noticed and increase the likelihood of achieving the most favorable contract terms possible in these tough budgetary times.

Use the UNAC Logo for your Profile Picture

To make the UNAC logo be your profile picture:

1. Right click on the image below and select 'save image as'
2. Save it to your computer
3. Go to your Zoom account and locate your profile
4. Click on your current profile picture to change your photo
5. Upload the UNAC logo you've saved to your computer
6. Click save when you're finished
7. Log on to your next Zoom meeting

If you follow this process, you should be able to turn our logo into your Zoom profile picture. We hope you'll use it when you attend negotiations and other work-related meetings.



Thank you for all you do for the University of Alaska system, and thank you for staying informed and supporting your CBA negotiations.

In Solidarity,
Your United Academics Negotiation Team

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United Academics Local #4996 (UNAC) is the bargaining unit that represents all non-adjunct, full-time faculty at the University of Alaska. UNAC is an affiliate of the American Association of University Professors (AAUP) and the American Federation of Teachers (AFT).

[Visit our Website](#)

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