



## Mediation Update



To United Academics Bargaining Unit Members:

The United Academics bargaining team is, and has always been, committed to reaching a new collective bargaining agreement that is fair to faculty. Yesterday's misleading update from President Pitney is intended to create friction and mistrust between faculty and our union during this drawn out, confidential mediation process. The bottom line is that mediation continues, and we have another session scheduled for July 28.

Per our mediator's request, UNAC has been presenting 'supposals,' which are confidentiality-bound offers akin to, "let's try this on for size to see if it fits." Neither party can discuss the contents of supposals, with the goal of allowing for more creativity in offers. So far, this strategy has not worked, and management's team presented a 'proposal' on Monday; this means their latest proposal is not bound by the same confidentiality rules requested by our mediator.

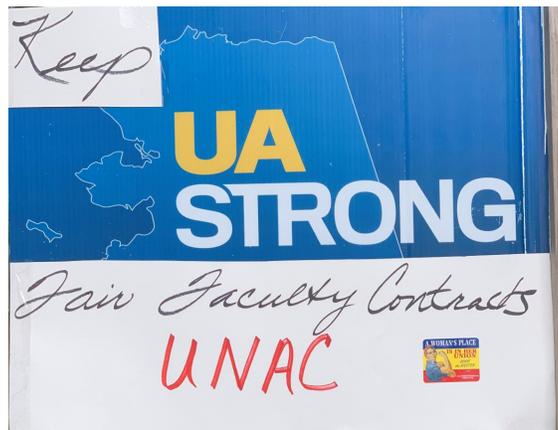
UNAC's goal throughout this process has been, and continues to be, to negotiate a new contract that improves or maintains both monetary and non-monetary conditions as soon as possible. Keep in mind that the soonest time frame for faculty to receive raises this year is spring 2023, after the legislature reconvenes in January, with retroactive payment of raises for the missed portion of the academic year.

*Even if UNAC agreed to UA's latest proposal today rather than continuing to negotiate, faculty members would not receive raises until after the legislature reconvenes in January 2023. We have an important window to continue mediation right now. Our next session is July 28.*

Meanwhile, **faculty should sign the appointment letters currently being issued** When a new contract is ratified by your collective voice, appointment letters will be reissued in accordance with the pay raises outlined in the new CBA, and faculty should expect to receive retroactive payments after the legislature appropriates funds.

# Management's Latest Proposal Would:

- **Put non-disciplinary “letters of expectation” into the personnel file forever** via a loophole in their wording in Article 11. While we support progressive discipline, beginning with nondisciplinary measures including these letters, UNAC asserts that informal, nondisciplinary measures should not be memorialized indefinitely in personnel files. The letters currently expire after one year.
- **Create potential loopholes in language to weaken academic freedom and tenure** via the UA/UNAC endorsement of AAUP’s 1940 Statement on Academic Freedom and Tenure, and AAUP’s Statement on Collegiality as a Criterion for Faculty Evaluation, in which it is explained that *tone* should not be used as a faculty evaluation factor: “Historically, “collegiality” has not infrequently been associated with ensuring homogeneity and hence with practices that exclude persons on the basis of their difference from a perceived norm. The invocation of “collegiality” may also threaten academic freedom.”
- **Exclude post-docs in their first three years and visiting professors in their first year** from key articles in the CBA related to compensation, workloads, and evaluation. Our postdoctoral colleagues deserve and are entitled to the same benefits and working conditions as the rest of our faculty. They are not “in training” as management keeps trying to reiterate.



## Corrections to UA's 'FAQ' Sheet

### **Did UA follow state law in seeking appropriation without a TA'd contract?**

- State law [requires a TA'd agreement](#) before the legislature can appropriate money. The [FAQs](#) linked in President Pitney's July 12 email are disingenuous at best, in claiming to follow legislative rules.

### **Did UNAC misuse AAUP's 1940 Statement on Tenure and Academic Freedom?**

- Our recent arbitration win, resulting in the reinstatement of a wrongly non-retained, tenured faculty member indicates that *UNAC is not the party misunderstanding the endorsement of AAUP's documents.*

### **Are we, and were we ever, at impasse?**

- Nicole Thibodeau, Alaska Labor Relations Agency Administrator/Hearing Examiner told the [Alaska Beacon](#), "To be at a valid impasse the parties must either agree that they are at impasse or the Alaska Labor Relations Agency must make a determination that they are."
- *UNAC trusts this declaration from an employee of our state's labor relations agency more than we trust a declaration from UA management.* Impasse is not something that parties can change in and out of like a pair of jeans.

### **Which contract is in effect?**

- As per our mutually agreed ground rules with UA and in accordance with state law, the UA/UNAC contract that is in effect is the [CBA](#) that expired on 12/31/2021.

### **Does their BAFO improve multi-year contract conditions for non-tenure track**

## faculty?

- No. In fact, their BAFO restricts the current language that allows all term faculty to receive multi-year contracts but has no codified process. The UA BAFO language restricts multi-year contracts to non-tenure track faculty funded by grants.
- *Many of our non-tenure track members would become ineligible for multiyear contracts under the BAFO.*
- UNAC tried to codify a process for awarding multi-year contracts to all non-tenure track faculty; HOWEVER, UA has instead moved in the opposite direction.

## Would multi-year contracts be bad for term faculty?

- No. It is hard to understand logic in which a longer-term contract is not good for a professional.
- Many of our non-tenure track faculty have worked in the same job for a decade or more; there is clearly a sustained need for the work being performed by these faculty members.
- Other institutions offer this to their non-tenure track faculty.

## Will faculty get the BAFO's pay raise in August?

- No. The legislature chose not to take up UA's request for funding of these raises, and UNAC believes that UA's illegal and unprecedented declaration of impasse contributed to this decision.
- HOWEVER, UNAC continues to bargain for much needed pay raises. Our goal is to have a TA'd, ratified contract in time for a legislative appropriation in January that would lead to retroactive pay raises for this academic year.

## Is UA maintaining the status quo on inclusion of postdoctoral fellows in the bargaining unit?

- No. In past CBAs, post-docs were entirely excluded from the union, per Article 3's unit definition, due to unfortunate past bargaining maneuvers by UA that UNAC seeks to correct in this contract. And, in fact, we have corrected it:
- Both parties TA'd a [new version of Article 3](#) that includes all post-docs in the bargaining unit. Management is now trying to exclude this subset of our membership from key articles in the CBA related to salaries, workloads, and evaluation.
- This is a new precedent that would open the door for management to exclude more subsets of our membership from key articles in the future.

## Did UNAC propose 190 changes, causing UA to delay?

- If counting additions of commas and other editorial changes, or if counting each element of a single proposal as multiple changes, it might be possible to count up to 190.
- Faculty spent six years under the previous CBA, the labor landscape changed, and UNAC's unit definition changed. Many of our proposed changes are due to this reality. It's important to remember that this is the first round of full contract bargaining since the following events, each of which necessitated contract changes:
  - the Supreme Court's [2018 Janus decision](#)
  - the 2018 merger of UNAC and UAFT
  - two extensions of the previous CBA (2020 & 2021)

**It's more important now than ever for faculty to stand together** in support of the UNAC bargaining team's efforts to get a fair contract.

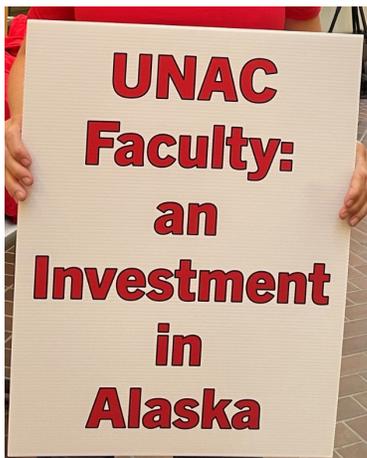
## Here are a few things you can do right now to support this effort:

- BE READY TO ATTEND FUTURE STATEWIDE AND LOCAL CALLS TO ACTION
- Write letters to the editor of your local newspaper
- Write to the [BOR](#) and [President Pitney](#)
- Talk to your colleagues about the importance of getting a fair contract

- Contact us with questions, concerns, and ideas
- Share and add to our content on Facebook and Twitter
- Send us a selfie with a handwritten sign explaining what a fair contract means for you

Above all, UNAC is committed to protecting and improving the working conditions for faculty throughout the system at every rank and title. Faculty support for their bargaining team is crucial to making this possible. Thank you for your continued support! Make it visible!

## Faculty working conditions are student learning conditions



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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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