

**UNIVERSITY OF ALASKA
LABOR and EMPLOYEE RELATIONS REPORT**

Acronyms commonly used in reporting Labor Relations activities:

UAFT	University of Alaska Federation of Teachers
CBA	Collective Bargaining Agreement
LMC	Labor-Management Committee
Local 6070	Alaska Higher Education Crafts and Trades Employees – Local 6070
MAU	Major Academic Unit (UAA, UAF, UAS)
JHCC	Joint Health Care Committee
UNAC	United Academics
ALRA	Alaska Labor Relations Agency
ULP	Unfair Labor Practice Charge

LABOR - MANAGEMENT COMMITTEES/EVENTS

The university, Local 6070 and campus representatives have been meeting on an as-needed basis to address issues of interest to the MAUs and identify processes to resolve any concerns.

The Joint Health Care Committee (JHCC), comprised of union, management, and non-represented employees, meets monthly to discuss system-wide health care issues. Committee meeting was held on April 25, 2012.

The university, UAFT and campus representatives convened the first Joint Labor Management Committee (LMC) for Market Salary Adjustments on January 11-12, 2012 in Anchorage. The Committee developed procedures for distribution of the FY13 UAFT Market Salary Increases.

The university, UNAC and campus representatives convened the first Joint Labor Management Committee (LMC) for Market Increases on February 27-28, 2012. The Committee developed the guidelines and procedures for distribution of the FY13 UNAC Market Increases. A Memorandum of Agreement (MOA) outlining the FY13 market salary distribution process is being drafted.

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GRIEVANCE and ARBITRATION HIGHLIGHTS

University of Alaska Federation of Teachers (UAFT)

UAF College of Rural and Community Development: The union filed a Step 2 grievance alleging that the university violated Article 9.1 of the CBA by placing two new faculty members at an extended site into the United Academics bargaining unit rather than into the UAFT unit. The university responded to the union on November 11, 2009, recommending that the substance of the grievance be reviewed and determined by the ALRA as part of the unit clarification proceeding. The grievance is being held in abeyance pending the outcome of the ALRA proceeding.

UAA School of Nursing: The union filed a Step 2 grievance alleging that the university violated Article 5.1.A of the CBA by unilaterally changing the assignment of several nursing faculty members from Bipartite Vocational to Bipartite Academic. The university provided its position statement to the union on December 15, 2010. The parties held a Step 2 meeting on May 06, 2011. The Chancellor denied the grievance on June 16, 2011. The union appealed the decision to Step 3. The university notified the union on September 15, 2011 and moved the grievance to arbitration. The parties met on October 25, 2011 to strike arbitrators. The arbitration was scheduled for May 08-09, 2012 in Anchorage. On May 05, 2012 the parties jointly requested indefinite postponement of the grievance. The parties notified the arbitrator that we had reached an agreement on the disposition of the grievance and are working on a memorandum of understanding to resolve the matter.

United Academics (UNAC)

UAF International Arctic Research Center:

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UAA College of Arts and Sciences: The union filed a Step 1 grievance on February 17, 2012 alleging a violation of the evaluation process. The Step 1

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response to UA's response on June 27, 2011. On November 09, 2011 ASEA filed a motion to amend the ULP. The amendment alleges defamation, refusal to provide a response to information in Excel format and alleges Staff Alliance as a company union. On December 09, 2011 ASEA filed a second motion to amend the ULP. The second motion alleges UA obstructed delivery of mail to UAF employees. The university responded to ASEA's motions on January 27, 2012. ASEA then filed an additional reply to UA's response on February 24, 2012. UA filed a reply to ASEA's reply on March 07, 2012. On April 12, 2012 the ALRA provided their preliminary findings and a partial dismissal. ASEA had filed 33 allegations. ALRA found that six of the allegations have probable cause. Those allegations in which probable cause were found include: two allegations relating to an e-mail to employees and ASEA regarding a 24-hour notice requirement before conducting organizing activities and surveillance of union activities; maintaining a no contact list; advising employees that ASEA is failing to comply with the law; and two allegations relating to Staff Alliance as a company union.

EMPLOYEE RELATIONS HIGHLIGHTS

UAF Community and Technical College (formerly Tanana Valley Campus):

A non-exempt employee at Tanana Valley Campus was non-retained pursuant to Regents' Policy and University Regulation. The employee grieved the issue and requested a hearing. After motion practice, the hearing officer issued a dispositive order on September 21, 2008, canceling the hearing and recommending that the UAF Chancellor uphold the non-retention decision. The employee filed suit in Superior Court challenging the university's right to nonretain non-probationary employees. The judge issued a preliminary order adverse to the university. The university's request for reconsideration was denied and the university subsequently filed a petition for review with the Alaska Supreme Court on November 12, 2010. The Court accepted the petition and consolidated this case with an Anchorage case raising similar issues but with a different result. Oral argument was held March 28, 2012; a decision is pending.

UAA Police Department: An employee was terminated for cause and simultaneously issued a non-retention notice after writing himself parking tickets which he later destroyed to avoid paying parking fees. The employee filed a grievance, and a hearing was held in March. The hearing officer recommended upholding the termination and the chancellor agreed. The employee filed an administrative appeal on July 21, 2009. The judge reversed the cause termination but upheld the non-retention. The employee submitted a request for rehearing which was denied by the judge. The employee has appealed the matter to the Alaska Supreme Court, and the university cross appealed on the termination for cause. This case has been consolidated for hearing with the Fairbanks case discussed above. Oral argument was held March 28, 2012; a decision is pending.