

FACULTY UNION 101



UNITED ACADEMICS
of the University of New Mexico

United Academics of UNM, AFT-AAUP

Vision Statement

We, the United Academics of UNM, strive to empower teaching and research faculty at the University of New Mexico. Faculty working conditions have a direct impact on student learning conditions and, as those entrusted with the research and teaching mission of the university, faculty need a strong voice in decisions concerning UNM's future. By building our union for faculty voice, we are working to ensure that the university honors its commitment to the diverse communities we serve. Together, our pursuit of collective bargaining and a seat at the table is aimed to:

- Ensure shared governance and transparency in decision making
- Provide a fair and equitable workplace and learning environment
- Establish a fair process to address compensation, benefits, and grievance procedures
- Protect academic freedom, open inquiry, and free speech
- Foster diversity and serve vulnerable populations
- Recruit and retain outstanding faculty

Through a united commitment to workplace protections, we can safeguard the promise of our university for the public good.

For citations and other resources used in writing this booklet,
please visit our website, www.uaunm.org.

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INTRODUCTION

The purpose of this booklet is to provide the University of New Mexico's teaching and research faculty with basic information about faculty unions in general and about the specific ways in which our unionizing effort at UNM meets our collective needs as faculty. This booklet will help to contextualize why the United Academics of the University of New Mexico (UA-UNM) is engaged in organizing our faculty, how a faculty union works, and what a faculty union might help us to accomplish.

At its core, a faculty union is made up of teaching and research faculty members with shared concerns who come together to advance common goals and protect common interests. It is through unions that faculty might amplify their voices in order to express their concerns. Through their unions, faculty have the right to bargain collectively for a legally binding contract and to secure hard-won contractual agreements. We are stronger together!

WHY ORGANIZE NOW?

The last decade has seen widespread disinvestment in public higher education in the United States, significantly impacting the core mission of research institutions. Nationally, funding for public higher education is down 16% in 2017 compared to 2008 (a decrease of \$1,448 per student). And at public research universities like the University of New Mexico, average state funding has fallen even more precipitously in an even shorter timeframe: over 26% between 2008 and 2013. Faced with these ongoing challenges, faculty across the nation have turned to organizing and collective bargaining as one option to come together and have a strong voice on our own campuses, which has also allowed faculty to advocate for issues nationally that impact our work, our students, and our communities.

Funding for higher education in New Mexico over the past decade has seen even sharper cuts. From 2008-17, funding per student has declined over 30%. This translates to over \$4,500 per student, the second largest per-student cut in the United States. And while many states began increasing public higher education funding in 2016-7, New Mexico was one of the few states to cut funding that year (a 5.8% decrease in New Mexico compared to a 2.2% increase nationally). While student enrollment peaked in New Mexico in 2012, it remains nearly as high today as it was in 2008. The rise in student tuition has adversely affected diversity in student populations. Our students take on an ever-greater financial burden in the form of tuition increases, while at the same time a crucial form of support for New Mexico students, the New Mexico Lottery Scholarship, now covers less of those increased tuition costs, dropping to a mere 60% of tuition during AY 2017-18. A recent boost in the amount covered for this academic year is good news, but it is still not sufficient to cover full tuition, and even this modest one-time "increase" was only made possible by unexpectedly low in-state enrollments of New Mexico's most promising students for the coming academic year.

We will not be alone in New Mexico in forming a faculty union. Our colleagues at New Mexico Highlands University and at Northern New Mexico College have already joined together to bargain collectively. And as we look at the broader landscape in public higher education—both nationally and in New Mexico—we can see many other examples showing us that our united voice can advocate powerfully for our students, our campus, and our profession by forming a faculty union.

COMPARABLE UNIVERSITIES WITH FACULTY UNIONS

Faculty unions have become increasingly common and are an important part of higher education throughout the United States. In the last ten years alone, faculty have successfully unionized at Oregon State University, the University of Oregon, the University of Illinois at Chicago, Michigan State University, Northern Illinois University, Temple University, and many others. And like faculty at UNM, other faculty at still more universities are currently in the midst of their own union organization efforts.

These successes are not inevitable. They have been won with the hard work and commitment of large numbers of faculty at each of these institutions. And many other faculty face the added obstacles of organizing at private institutions or at institutions in one of the 20+ states with laws prohibiting or otherwise inhibiting public employees from unionizing. However, this has not slowed efforts around the country, especially in states like New Mexico where unionization remains supported by law.

Universities comparable to the University of New Mexico, both in terms of its size and its Carnegie Classification of “Highest Research Activity” (or “R1”), also have active faculty unions. Below is a partial list of comparable universities with faculty unions. A more complete list can be found at www.uaunm.org.

City University of New York	University of Connecticut
Florida State University	University of Florida
Michigan State University	University of Illinois, Chicago
Rutgers, The State University of New Jersey	University of Illinois, Urbana-Champaign
State University of New York	University of Massachusetts, Amherst
Temple University	University of Michigan
University of Central Florida	University of Oregon
University of Cincinnati	Wayne State University

COLLECTIVE BARGAINING AGREEMENTS IN HIGHER EDUCATION

How we structure and negotiate a contract at UNM will depend entirely on the priorities and concerns of all UNM faculty. In terms of basic procedure, once we assemble bargaining priorities based on faculty input, we then bargain a tentative agreement with the University. The tentative agreement is then put to our membership, who must then vote to approve the tentative agreement. As we build a strong union at UNM, we will also continue to look closely at what our colleagues at other universities have achieved as models for what is possible in a collective bargaining agreement for faculty. And as we achieve our own goals, we hope to serve as a model for others in turn. Here are a few examples of what our colleagues at other universities have accomplished:

Shared Governance — Faculty representation in shared-governance bodies is designed to allow participation in the administration of the university. Union contracts have bargained additional protections to enforce shared-governance policies, such as those passed by a faculty senate or departmental body. For example, the University of Oregon has language that allows all “duly adopted” policies, those approved by Faculty Senate as well as departmental/unit policies, be enforced through the union’s grievance procedure. The University of Florida is another example where the faculty union successfully bargained similar language.

Employment Security — Faculty unions have negotiated multi-year contracts for non-tenure-line faculty at institutions including the University of Oregon, the University of Michigan, the University of California, and Wayne State University. Faculty unions have also successfully negotiated funds to address issues like salary compression, salary inequities, workload, and professional development for non-tenure-track faculty.

Bridge Funding — The University of Vermont faculty union negotiated access to nine months of research funding if their external funds are terminated. This funding provides salary and benefits maintenance between grants.

Family-Friendly Provisions — Faculty unions have successfully negotiated clear paid leave for new parents. For example, Rutgers University has negotiated paid parental leave for faculty, regardless of gender. Faculty unions have also successfully negotiated paid sick leave, and at UC Davis, faculty have secured up to 30 days of paid leave to care for family members.

Dispute Resolution — Faculty have bargained grievance procedures that guarantee faculty representation and due process to proactively address violations of policy and/or the collective bargaining agreements. For example, faculty at California State University have a two-step grievance process that also includes an optional mediation step as well as binding arbitration. At the City University of New York, faculty bargained a three-step grievance procedure and binding arbitration. Grievance procedures help to keep our institutions transparent and work towards resolving issues at the lowest level possible.

Tenure and Promotion Process — Bargaining the overarching framework required in the tenure and/or promotion process is commonly seen in faculty union contracts. While it is usually up to departments or units to create policies for their discipline, the language supports additional transparency with respect to the expectations required to achieve tenure and promotion. Additionally, other faculty unions have bargained processes to appeal tenure or promotion decisions, and to support appeal systems that already exist. For example, at California State University, the faculty contract clearly delineates the tenure process, including the ability to appeal the denial of tenure through grievance and arbitration.

Academic Freedom — At the University of Oregon, Emerson College, and Portland State University, among many other institutions, faculty collective bargaining agreements contain provisions that affirm the commitment to the principles of academic freedom, including procedures that protect faculty academic freedom rights.

LEGAL PROCESS

Our right to form a union is legally protected by the New Mexico Public Employees Bargaining Act. Before we can begin bargaining with the University, we must first have our union certified through the following process:

Prepare petition

Our first step is to prepare a petition for submission to the UNM Labor Management Relations Board (LMRB), the local board allowed under New Mexico law to govern labor relations for employees of the University. We are required to provide evidence that at least 30% of the faculty desire to be represented by our union. A common method for gathering this evidence is to collect authorization cards from faculty.

File petition

We will submit the petition and authorization cards to the LMRB. The University also receives a copy of the petition, but the authorization cards remain confidential and are only reported to the University in aggregate.

University reviews petition

At this point, the University could decide to recognize our union voluntarily. We would then proceed directly to collective bargaining!

LMRB reviews petition

If the University does not decide to recognize our union voluntarily, the petition will continue to the LMRB review process. Any questions raised are resolved by the LMRB, either by working with the pertinent parties or through a hearing process.

Election scheduled

When the LMRB has finished reviewing the petition and all questions have been resolved, an election will be scheduled. Should a majority of voters vote yes, our union will be certified. At this point, we will initiate bargaining with the University and enjoy the full protections that exist under New Mexico labor law.

WE PETITION THE LABOR BOARD



**UNIVERSITY VOLUNTARILY
RECOGNIZES OUR UNION**



**WE BEGIN THE PROCESS OF
FORMALIZING OUR UNION AND
BEGIN PREPARING FOR
BARGAINING**

**LABOR BOARD REVIEWS
OUR PETITION**



**OUTSTANDING QUESTIONS
ARE RESOLVED**



**THE LABOR BOARD SETS
ELECTION DATE(S) AND
OVERSEES ELECTION**



**FOLLOWING A 'YES' VOTE,
WE BEGIN THE PROCESS OF
FORMALIZING OUR UNION
AND BEGIN PREPARING FOR
BARGAINING**

NEXT STEPS

Before an election is held, we must first build the structure and organizational capacity required to sustain our union well beyond certification. The exact internal structure of our union may take a number of forms, though typically faculty set up committees and workgroups. We will continue to increase support and to develop new leaders before, during, and after the certification process.

Upon certification, we start the collective bargaining process. First, a membership survey establishes bargaining priorities; next, members of the faculty form bargaining and research committees; and finally, our bargaining team enters into negotiations with the university administration. Once negotiations are complete, the faculty bargaining team will submit the contract to the membership for ratification. Should the membership vote to ratify the contract, we will enter into a monitoring and implementation phase where members, elected leadership, and staff work together to ensure that the terms of the contract are upheld by university administration and to secure due process in the event of contract violations by the administration.

During the first year, we will also draft a constitution and bylaws, which will determine the internal structure and decision-making processes for our union. We will maintain a democratic organization through regular meetings, voting, and engagement with members.

UNION MEMBER DUES

Unions are member-supported organizations. Dues are collected and used to support member-established priorities like organizing, training, professional development, educational lobbying, collective bargaining, legal services, and contract enforcement.

Faculty union dues in the United States are typically 1-2% of base salary. The exact amount of our union's dues will depend upon our priorities. Dues are established through a vote of the membership, and they will not be collected until after we successfully bargain and ratify our first contract.

NATIONAL AFFILIATIONS

National unions provide resources and community in our organizing efforts which continue after formal recognition and a first contract. Two leading national unions in higher education, the American Federation of Teachers and the American Association of University Professors, have partnered successfully in organizing efforts at multiple R1 (Highest Research Activity) and R2 (Higher Research Activity) universities, including Oregon State University, the University of Oregon, the University of Alaska, the University of Illinois at Chicago, the University of Illinois at Urbana-Champaign, and the University of Vermont. Other faculty unions with joint AFT-AAUP affiliation include Rutgers University and Wayne State University.

What is the American Association of University Professors?

The mission of the American Association of University Professors (AAUP) is to advance academic freedom and shared governance; to define fundamental professional values and standards for higher education; to promote the economic security of faculty, academic professionals, graduate students, post-doctoral fellows, and all those engaged in teaching and research in higher education; to help the higher education community organize to make our goals a reality; and to ensure higher education's contribution to the common good. Founded in 1915, the AAUP has helped to shape American higher education by developing the standards and procedures that maintain quality in education and academic freedom in this country's colleges and universities.

AAUP has over 50,000 members in both collective bargaining and advocacy chapters around the United States. With union chapters throughout the country, the AAUP Collective Bargaining Congress (AAUP-CBC) is a member-led organization committed to strengthening the voice of faculty. The AAUP-CBC is proud of the successful joint organizing efforts with the AFT, including the recent win at Oregon State University.

To find out more about the American Association of University Professors, please visit www.aaup.org and www.aaupcbc.org.

What is the American Federation of Teachers?

The American Federation of Teachers is a union of professionals that champions fairness, democracy, economic opportunity, high-quality public education, healthcare, and public services for our students, their families, and our communities.

The American Federation of Teachers (AFT), founded in 1916, has over 1.7 million members in more than 3,200 locals and 40 state federations who work in higher education, early childhood education, K-12 schools, healthcare professions, and public services. A member-driven organization, AFT is headed by an executive board elected by its membership at a biennial national convention. AFT is one of the largest higher education unions nationally, with over 230,000 higher education members in about 320 locals that include full- and part-time faculty, professional staff, and graduate employees. AFT-New Mexico is a federation of the state's locals, including its higher education locals, and is led by a governing board elected by members at an annual state convention. It provides resources and staff support for affiliated locals, including political outreach and legislative support for their members.

To find out more about the American Federation of Teachers please visit www.aft.org and www.aft.org/highered.

JOIN US!

As our organizing moves forward, we look to continue bringing faculty at UNM together and building a democratic, inclusive faculty union. To get involved contact us info@uaunm.org or visit our webpage at www.uaunm.org.

CONTACT US
UNITED ACADEMICS
OF THE UNIVERSITY OF NEW MEXICO

530 Jefferson Street NE, #209
Albuquerque, NM 87108

info@uaunm.org www.uaunm.org

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