

Bargaining Session #3

11/10/14

Introductions

Present Local 6546 Bteam: Kay Emmert, Sasha Mobley, Jon Nadler (IFT), Dorothee Schneider, Dennis Dullea, Jen Burns

Present Administration: Leslie Arvan (Director University LER), Heather Horn (Interim Asst Director University LER), Sharon Reynolds (University LER), Deb Huisiuga (University Asst Dean, Social Work), Paul Redman (Asst Dean FAA)

Observers: Wren Keturi (AFT), Bryan Nicholson (IFT)

Leslie: Are we ready?

Kay: We are ready.

Leslie: Do you have anything for us? Or would you like us to start?

Kay: Do you have a statement to begin with in response to our statement?

Leslie: We have data from the info request.

Kay: Yes, begin with the data from the info request.

Leslie: Okay, we have data. Here is a hard copy, we will send you the electronic copy. It took a fair amount of time. Because you asked for 3 different year's worth of information, we used 3 separate spreadsheets. The department of employment is the column labeled as appointing unit. Classification is the column labeled job title.

Heather: It's really a combo of the two, because classification is an academic title.

Leslie: There really just is faculty rank, because classification and job title are the same. Make sense?

Kay: Yes.

Leslie: Then salary and home mailing address are here.

Heather: Their original hire date is the 2nd to last date.

Jon: What does effective date mean?

Heather: It is the begin date that that salary begin.

Jon: Okay, so are things organized by that effective date?

Leslie: Yes.

Jon: Do you know how many people are listed on here?

Heather: I do not, sorry.

Kay: We'll be able to see on the electronic version.

Jon: Does this include Uni High?

Leslie: No it does not?

Jon: Rough estimate, about 600?

Heather: That seems a bit high. There are certain times in a certain year when an individual did get an increase at two different times.

Jon: So they may show-up twice?

Heather: Yes.

Jon: And they may have different titles?

Leslie: Yes, what example are you looking at?

Jon: 2014 data.

Leslie: Okay, yeah, joint appointment and title.

Kay: Are we ready for proposals? We have three new proposals for you. We didn't bring a folder for everyone, all the proposals are in the folder.

Leslie: Okay.

[Leslie distributes proposals to her team]

Leslie: And an updated list of definitions?

Kay: Yes. Before we get started looking at the proposals, I wanted to ask if there is anything that you are not willing to TA given the circumstances?

Leslie: We are willing to enter into tentative agreements, but we want it to reference on each TA that we reach a reference to the pending legal arguments. In general, we would be able to reach a TA.

Kay: What do you mean by the pending court case?

Leslie: If there is a brief statement, I would want to right in, "pending determination by the courts on the appropriate bargaining unit."

Kay: So you are saying if the courts rule that Uni High faculty are in our unit, then all tentative agreements are null?

Leslie: I'm not saying that, but we would want to see if there is some negative or illegal impact on the teaching associates at Uni High. I'm not thinking of a very good example.

Kay: What do you mean by that?

Leslie: Let me think of some examples in caucus. I can't think of anything off the top of my head.

Kay: Do you think it would be something we apply generally to all tentative agreements or each individually?

Leslie: We would like to apply it to each tentative agreement.

Kay: Okay, let's look at the proposals. First discipline and discharge, the shortest one.

Leslie: Okay.

Kay: [Begin reading discipline and discharge proposal]. Any questions?

Leslie: Not right now.

Kay: Union rights next? [Begin reading union rights proposal]. Questions?

Leslie: No.

Kay: That brings us to personnel files [begin reading personnel files].

[Interrupted by intercom with firefighter business]

Kay: Okay, from the last sentence in item A. [Begin reading personnel files].

[Interrupted by intercom with firefighter business]

Kay: [continue reading personnel file proposal].

[Interrupted by intercom with firefighter business].

Kay: Let me just finish this [begin reading personnel file proposal over firefighter business]. Before we caucus, I did want to ask if you had any responses.

Leslie: I do have some questions. If we could take a caucus now, we could see if we have any immediate questions about these proposals, then we could discuss our other questions at that time.

Admin proposed caucus: 4:13

Caucus ends at 5:15

Kay: I realize it's getting a little late, I wanted to see if you had any dates to talk about.

Leslie: So you and I talked on the phone because I sent you an incorrect date. 12/11 will work for us from 3:00-5:00.

Kay: And in this building in these rooms, or in the old building?

Leslie: I will do a better job of getting back to you—we will be somewhere out here.

Jon: 3:00, right?

Leslie: 3:00, not 3:30. Making a note... okay, last time we talked about 01/07 from 1:30-3:30 and that is okay with us as well.

Kay: Okay, 01/07... And, I believe from the notes last time, you said you already have the Fire Institute confirmed.

Heather: We have the space, not the location.

Kay: Do you have the timeline on when you will know?

Heather: Usually a week or two out, but if I need to press them on it, I can.

Dorothee: It would be good to know the next space plenty of time before.

Kay: So, I noticed you added an end-time? Is that strict?

Leslie: We can be flexible, as long as there isn't anyone who has the room reserved after us.

Kay: Can we reserve the rooms for longer times?

Leslie: Okay, we can look into that. Perhaps 3. Where we are in negotiations, 3-hour blocks make more sense.

Kay: Were there any other dates?

Leslie: We looked carefully at every week between now and 12/11, and we were not able to find a time. I recall that you were looking for an additional date. Are you available between 12/11 and 01/07?

Kay: We would be willing to look at additional dates between then. We would have to hear what dates your team is available, and then get back to you. Did you have additional dates in mind?

Leslie: I do not at this time, but I need to poll my committee.

Dorothee: Let us know if you have anything between 12/11 and 12/18, because we will check out exam schedule and we as a group have some flexibility.

Leslie: Okay.

Kay: When can you get back to us with more dates?

Leslie: I'm not sure. I need to poll my committee and look at all of our calendars. As soon as I am able.

Kay: So, you had some questions?

Leslie: If we can start with the proposals you gave us tonight, we did not have any questions on discipline and discharge. On union rights, when you say local representatives, union staff, etc... will have access to the working space of faculty. Do you mean all faculty?

Kay: It should read "faculty members" to apply specifically to our definitions.

Leslie: What all do you consider to be "working space?" Personal office, labs, classrooms?

Kay: Generally, we do not want to force ourselves on people in areas where it would be inappropriate, but there have been past difficulties to access faculty members to discuss union business, which restricts our ability to speak with faculty. We can get back to that to you later.

Leslie: Okay, there are also questions of whether or not this specific to business hours or hours in operations?

Dorothee: What do you mean by business hours? I have been a faculty member on campus and can be on campus during any hours I need to work.

Leslie: Okay, so that's the kind of point I'm looking for. You're right, individual faculty members are here nights and weekends. That was helpful, thank you.

Kay: Other questions? We will definitely get back to you.

Leslie: What would you say if a faculty member said, "I don't want the union to know that."

Kay: Okay, we will get back to you.

Leslie: And then on the language regarding the personnel file, we wanted a short conversation on that in particular. In this day and age, we do a lot of stuff electronically and we do not have paper personnel files. As a general concept, some of the language in paragraph a, all the material shall be date stamped, we are not printing them. The union President should also be "carbon copied," I mean, we'd be happy to tell you what we do on paper for personnel files and what we do electronically. And a second general point, the Illinois Personal Record Review Act, a lot of these rights are specified by the act, and we comply with the act. Most everything we do complies with the law. We might have some additional comments... in section h, a faculty member will have the right to grieve what is placed in her/his personnel file, what would that look like?

Kay: There is a grievance section, and that would expand on what the steps for grieving the personnel file would be.

Leslie: As we try to think through all the implications of what we say, I'm trying to understand what we are agreeing to on behalf of the BOT.

Kay: We want to go through all the questions.

Jon: You had a question regarding the paper manner of storing personnel files, right?

Leslie: Right.

Jon: And then that everything we do already complies with the law, and carbon copying?

Leslie: Yes, that being an example of what we don't do anymore.

Jon: And then what it means to grieve?

Leslie: Right.

Kay: All the questions?

Leslie: We had some from the proposal from last time. I did want to follow-up on the "no strike, no lock-out." Would that include the concept of sympathy strikes? For example, if GEO goes out on strike, or AFSCME, and if that BU goes out on strike, or is it your intent that this language would include a sympathy strike? Does your language include other forms of concerted action, like work slow downs? Another question, what sort of responsibility does the union leadership play for strikes and other forms of concerted activity during the term of the agreement? And what do you see happening to individual members who violated this provision?

Kay: Other questions?

Leslie: In the non-discrimination clause, the first sentence it says... do you have definitions for diverse, inclusive, and respectful? We'd like to have some understanding on what those concepts mean? What happens if we disagree if we provide a working agreement that is diverse, inclusive, and respectful? What happens if we fail to meet any of those conditions? Similarly, there are a couple of concepts in the list of categories that I wasn't sure what you mean: parenting status, physical traits, and then I think the intellectual scholarly positions and views as expressed in social media, print, etc. Maybe some understanding of what it is you mean by that as well. We'd like to know if your members are reporting problems in these areas? What kinds of problems are you seeing? I think that's it from last time.

Kay: Before we caucus, I did want to ask about responses on the recognition proposal.

Leslie: I would just say that we have an interest in that too. We certainly want a recognition clause, and I think our interests are aligned here. Once we get a final decision from the courts on the teaching associates at Uni High, we can come to agreement on that.

Kay: So you are not willing to TA a recognition clause, but willing to bargain on these other agreements?

Leslie: Yes, contingent on a final decision by the courts.

Kay: Okay, say we won, then a tentative agreement on a recognition would stand as is.

Leslie: Say that again. Okay, let's just say we agreed on your language...

Kay: Yes, if we came to a TA on recognition, and the ruling came back that we are an appropriate bargaining unit, then whatever we had tentatively agreed on would stand as is.

Leslie: Let me poll my group. Yes, it would be a TA, but there is always some chance that the parties would change their minds. If we reach a TA on the recognition clause, and if the court decision does not effect what we have agreed on, then we are willing to respect that TA.

Kay: So are you willing to TA anything now?

Leslie: We are willing to bargaining in good faith. We are willing to TA at the "appropriate time."

Kay: What do you mean by appropriate time?

Leslie: Every session is different. Each side has submitted all their proposals, and we have reached a TA on some of those proposals, before we have moved on to the economic proposals. It is not unusual that when you are down to the wire, then it is not unusual that some non-economic items would be agreed-upon then.

Kay: We are ready to caucus, would your team be able to stay?

Leslie: Any idea on how long you'd be?

Jon: We can keep it to 10 minutes.

Leslie: That'd be great.

Bteam caucus at 5:45

- Kay and Dorothee informally approach Leslie in the hallway and let her know we want to reach a tentative agreement on recognition. Our recognition proposal is an exact copy of the labor board's language on recognition.
- Leslie said that they are "not able" to agree on the recognition. They said they would be presenting a counter proposal on recognition.

End Bargaining at 5:59