

**UNIVERSITY OF ALASKA
LABOR RELATIONS REPORT**

GRIEVANCE and ARBITRATION ACTIVITY

University of Alaska Federation of Teachers (UAFT)

UAF College of Rural and Community Development: The union filed a Step 2 grievance on October 02, 2009, alleging 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; see below. On December 18, 2013, ALRA issued Decision and Order # 301, granting the University's petition and mooting UAFT's grievance. However, UAFT filed an appeal in Superior Court on January 17, 2014, and the court has issued a stay. Grievance timelines continue to be held in abeyance pending the outcome of the UAFT's appeal.

Statewide Office of Labor and Employee Relations: UAFT filed a Step 2 grievance on July 25, 2012, alleging the University violated Article 1.3.A of the CBA by demanding that the union agree in writing to pay all costs associated with a request for information prior to providing them with the information. The union further alleges that the University viol

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ISSUES BEFORE THE ALASKA LABOR RELATIONS AGENCY

Unit Clarification Petition: On October 17, 2007, UAFT filed an Unfair Labor Practice (ULP) charge with the Alaska Labor Relations Agency (ALRA) alleging that the University violated the CBA by its placement of new faculty with upper-division teaching assignments into the UNAC bargaining unit. In response, the University filed a Unit Clarification Petition. On August 25, 2009, the ALRA accepted the University's petition for unit clarification and placed the ULP complaints in abeyance pending the determination of that petition. The ALRA hearing began on April 05, 2010, and lasted until April 22, 2010. Post hearing briefs and response briefs were filed and the issue was before the Agency for a decision. On October 04, 2011, the ALRA notified the parties that they wanted briefings on the appropriateness of one unit of non-adjunct faculty at the University. File briefs were submitted to ALRA on December 21, 2011. The ALRA issued its final decision and order on December 18, 2013, granting UA's petition as modified. On January 17, 2014, UAFT appealed the ALRA's decision to Superior Court and requested a stay of the ALRA Decision pending appeal. On February 11, 2014, the Superior Court for the State of Alaska granted UAFT's request to stay ALRA's Decision and Order #301. **The court has issued a pre-hearing order and briefing schedule. The University's brief is due November 7, 2014.**

Unfair Labor Practice: On May 31, 2013, Local 6070 filed an ULP with the (ALRA) with regard to an employee initiated reclassification action at UAA. The ULP contains 37 allegations. The University responded on July 1, 2013 to ALRA. The University believes the ULP is without merit. The parties are waiting for ALRA to schedule the hearing. On May 14, 2014, the University received ALRA's notice of preliminary finding of probable cause and partial dismissal. The University has 15 days to appeal, present a defense, or request a hearing by filing a notice of defense to the agency. **On July 15, 2014, ALRA held a prehearing conference with the parties with the Hearing Officer at the agency. November 4, 2014, was confirmed as the hearing date. The parties agreed to attempt mediation and scheduled a resolution meeting with ALRA for August 7, 2014. On August 7 the parties participated in a five and a half hour mediation and reached a settlement.**

Petition for Declaration of Impasse/Order to Engage in Mediation: On January 8, 2014, the Alaska Higher Education Crafts & Trades Employees, Local 6070 petitioned the ALRA for a declaration of impasse and an order to engage in mediation. Negotiations have been on-going since September 11, 2012. On January 29, 2014, Local 6070 agreed to ask the ALRA to hold the petition in abeyance and the parties agreed to jointly request mediation services from the Federal Mediation and Conciliation Services (FMCS). The ALRA agreed and the parties reached agreement, mooting this matter. (See section on negotiations below for more detail on status of bargaining.)

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NEGOTIATIONS

LOCAL 6070: The University started negotiations with Local 6070 on September 12, 2012. The CBA expired on December 31, 2012, but continues in force until superseded by a new Agreement. The parties have reached tentative agreement on eight of fifteen articles. The UA has taken the position of last and final on two additional articles. Consequently five articles remain outstanding. Negotiating sessions were conducted on November 6, 7, and 8, 2013. At the conclusion of negotiations on November 8, 2013 the union chief spokesperson announced they would not return to the negotiating table until sometime in January 2014. Attempts by the UA to resume negotiations sooner and with specificity were not fruitful. The parties returned to the negotiating table on January 7, and January 8, 2014. On January 8, 2014 the union walked out of negotiations and contacted ALRA stating they were at impasse and requested mediation.

The University strongly disagreed that the parties were at impasse. As a compromise the University agreed to enter mediation with Local 6070 provided the union withdrew its allegation of impasse. Local 6070 agreed to withdraw its allegation of impasse and the parties participated in two days of mediation with a mediator from the Federal Mediation and Conciliation Service. The mediation was conducted on February 6 and 7, 2014. Modest progress was made during mediation. The mediator announced he was unavailable until March 19, 2014. The University suggested to Local 6070 that negotiations should resume. Local 6070 delayed until the mediator