



Professional Staff Organization Of the University of Washington

NEWS

Vol. 14 (1)

November 2002

From the Chair

We are living in an “interesting” period of time. After a seven-year tenure, President Richard McCormick has decided to leave the University of Washington and assume the presidency of Rutgers University. In the spring 2002 legislative session, the Washington State Legislature passed two pieces of enabling legislation that confer the right of collective bargaining to the UW faculty and to the academic student employees. At present, the state economy is lagging in a less than robust phase. It is clear that the university is facing a lot of change. We are at a crossroads. Which way will we go? These are challenging times for us all. In these times of increasing challenges, we must work to continue to sustain the high standards of excellence and service at the university. For example, in response to the 5% budget cut mandated by the Washington State Legislature in the State FY 2002-2003 budget, every one of us worked diligently to compose the best financial planning strategies to minimize the effects of these budgetary constraints on the productivity and functioning of our various units. As President McCormick so eloquently stated in the President’s 2002 Address to the University Community, the university is “world class”; it is a “magnificent, invaluable institution.” This address was a literal call to arms—to join the campaign to sustain this institution, to continue attaining “the extraordinary achievements of this University.” As McCormick said, “...we are in this together” and “There is a role in that fight for everyone here.”

What is the role of the Professional Staff Organization? As you well know, the UW Professional Staff, which currently includes more than 5,500 staff members on the three university campuses, provides essential service to the University of Washington. We are committed to sustaining and nurturing the university. We work in collaboration with the faculty and administration, and facilitate the activities of

the faculty. We play a significant role in maintaining and running the university.

It is clear that having the opportunity to discuss and compare common problems facilitates problem solving. Shouldn’t we be partners in the governance of this institution? Just as we

are striving to maintain the university as a center of excellence, we must also continue the fight to maintain the rights and privileges of the professional staff. Clearly our opinion is more likely to be heard and considered if it is representative; that is, it is the consensus of a unified group. The PSO represents the UW professional staff. Do we need to establish formal, legal standing? Currently we are the largest group of university staff that does not enjoy the privilege of collective bargaining.

There is no enabling legislation for university professional staff. Shouldn’t we have that right?

--Ron Eng, PSO Chair

Professional Staff Organization ANNUAL FALL MEETING

Wednesday, November 20, 2002

Walker-Ames Room, Kane Hall

12:00 p.m. - 1:30 p.m.

“Enabling Legislation:
The Right of Collective Bargaining”

See the flyer insert for further details

How To Contact Us

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Contact Board Members at:

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Email List:

Get up-to-date PSO information by subscribing to the PROSTAFF email list. To subscribe, send the email message “subscribe prostaff yourname” to listproc@u.washington.edu. To remove yourself from the list, send the message “unsubscribe prostaff.”



WORKSHOP— Enabling Legislation: Winning the Right of Collective Bargaining

By Laurel Sercombe, PSO Secretary

On October 11 & 12, the Harry Bridges Center for Labor Studies at UW sponsored a conference, “Building Our Future: The Unions and Professional Organizations of the UW and Harborview Medical Center.” The Professional Staff Organization, along with the American Association of University Professors, GSEAC/UAW, Jobs With Justice, NEA, SEIU 925, SEIU 1199NW, WFSE 1488 and WFT, co-sponsored the event.

The PSO organized the workshop session “Enabling Legislation: Winning the Right of Collective Bargaining,” a panel moderated by PSO Chair Ron Eng and featuring three panelists: Bob Roseth, PSO past-chair; Wendy Rader-Konofalski, Washington Federation of Teachers lobbyist; and Sandra Silberstein, Faculty Senate chair.

Bob Roseth reviewed the history of the PSO from its inception in 1990 to its successful efforts to increase the visibility of professional staff through volunteer lobbying efforts in Olympia and meetings with university adminis-

tration. The professional staff now number over 5500 and are the largest group of UW employees not covered by enabling legislation.

Wendy Rader-Konofalski, a major player in the successful campaign to pass enabling legislation for UW faculty, provided an insider’s view of the legislative process and political realities in Washington State. She emphasized how important it was for the faculty to have the support of the Washington State Labor Council, and she gave the Graduate Student Employees Action Coalition (GSEAC) credit for setting the stage for the faculty.

Sandra Silberstein described the Faculty Senate negotiations with President McCormick, and spoke generally about the reluctance of many academics to think of themselves as “workers” or to organize to improve their situation. It remains for professional staff to educate themselves on issues related to enabling legislation, collective bargaining rights, and the pros and cons of unionization.

What is Enabling Legislation?

By Wendy Rader-Konofalski, United Faculty of Washington State, WFT/WEA

Enabling legislation sets up a process whereby employees are empowered to choose a union to represent them in bargaining and whereby the employer is obligated to bargain in good faith and whereby the contract that results is legally binding on both parties.

The best explanation of what you have with enabling legislation and what you have when you don’t have it can be summed up by the Eastern Washington University and Central Washington University experiences.

The Eastern Washington University faculty has been bargaining without a law for about eight years. Without a law, they needed to get the approval of the Board of Trustees to begin bargaining. With that approval, they got the Public Employee Relations Commission (PERC) to oversee an election in which more than 50% of those voting voted for the United Faculty of Eastern, a WFT/WEA merged local affiliate. The Board had agreed to honor the results of the election, and bargaining could begin.

The Central Washington University faculty had been unsuccessful in convincing the Board of Trustees to agree to collective bargaining or to recognize the United Faculty of Central, WFT/WEA, as the exclusive bargaining

representative for the faculty. This was despite a campaign where 64% of the entire faculty signed cards (“hard cards”) authorizing the UFC to represent them in bargaining—and even despite a subsequent Faculty Senate sponsored election in which 74% of the faculty voted to have UFC bargain for them.

A 1994 Attorney General’s opinion stated that whereas boards of trustees were not prohibited from mutually agreeing to bargain, it was also not mandated that they do so. Technically it is not impossible to bargain without a law, however, it has been impossible in most cases.

Background to the faculty law—In years preceding the last two, the collective bargaining bill that the WFT/WEA had brought forth on behalf of all the universities in the state for the past ten years included all employees that were not yet covered under a collective bargaining law.

When we began working with the UW Faculty Senate and other faculty across the state, the term “employee” was changed to “faculty” at their request. A number of other compromises had to be made to get agreement on the bill,

CONTINUED ON NEXT PAGE 

including having one single bargaining unit that doesn't allow for separate units, inclusion of "no-strike" language, leaving the definition of "faculty" up to the Faculty Senate (rather than using more standard definitions), and a couple of other things.

The language of the bill was negotiated in toto before the legislative session began with the one exception of the salary piece that was done in the first couple of weeks—but always it was the unions, PERC, and the faculty who worked on the language—none of it was imposed by the legislature. The compromises that had to be made were in large part to keep the UW administration at least neutral on a bill that they had previously opposed.

In the end, PERC, who had grave concerns that this bill would ever be in shape for passage, has called our bill the best four-year faculty collective bargaining bill in the country—so we must have done something right.

Here is a list of the standard provisions that should be in a good collective bargaining bill (and are contained in the faculty bill, now codified in RCW—The Revised Code of Washington—41.76):

- Gives employees an equal legal footing with employer over issues that are bargained in a contract—generally over mandatory subjects including wages and terms and conditions of employment—but also over any number of "permissive" subjects of bargaining.
- Puts both employer and employee groups under the auspices of the state agency of PERC that is an objective third party. This means that in cases of dispute or difference of opinion about who is or is not in the bargaining unit, whether there has or has not been a violation of the contract and other things, there is an outside referee whose decisions both administration and employee groups have to accept.
- Establishes who is in the bargaining unit.
- Establishes a set of representation rules which stipulate how a group of employees can provide a showing of interest and get to an election.
- Establishes that when 30% of the members of a bargaining unit—that is all the employees who are included in the definition of unit members—show interest, most typically by signing authorization cards (hard cards), they can file with PERC for an election. If in the election there is a simple majority of those voting, the union designated will become the "exclusive bargaining representative," the employer is obligated to recognize the union and begin

bargaining in good faith for a contract which will be legally binding on both parties.

- Establishes that the exclusive bargaining representative means that all members of the bargaining unit are represented by that union whether they become dues paying members or not and that the union is legally culpable if any non members feel they have been discriminated against if not represented in employer employee disputes. The contract and its provisions extend to all members in the bargaining unit. This is called the Duty of Fair Representation (DFR).

- Also establishes that a union and employer MAY bargain union security provisions whereby all unit members, union members or not, pay their fair share dues for the work that the union does for all unit members. In this state it is called "agency shop" when everyone is required to pay dues.

- Establishes the basic rules of how each party has to behave around representation elections and the bargaining of the contract and in general: Unfair Labor Practices. If either party commits an unfair labor practice, a complaint may be filed with PERC. "If the commission determines that any person has engaged in or is engaging in any such unfair labor practices as

defined in RCW 41.76.050, then the commission shall issue and cause to be served upon such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages and/or the reinstatement of faculty members." (from the faculty CB law—RCW 41.76.055 (2))

- Establishes that as a part of the grievance process negotiated at a university, there may be final and binding grievance arbitration of the disputes arising about the interpretation or application of the agreement.

PSO Informational Brown Bag Salary Survey

Thursday, December 5, 2002
12:00 p.m. - 1:00 p.m.
Balmer 416

Mr. Randy West, Compensation Consultant & Chair of the Professional Staff Salary Survey Committee, will give an overview of the recently completed professional staff salary survey. Please e-mail specific questions to him at rfwest@u.washington.edu before the talk.

Note: The article "Staff Salaries Remain Below Market" (by Bob Roseth) was published in the 10 October issue of University Week, volume 20, no. 1.

Parting Words

"Cherish your visions & your dreams as they are the children of your soul; the blueprints of your ultimate achievements."

--Napoleon Hill



Contribution Agreement

Thank you for your interest in the payroll deduction contribution program. To participate in the program, you must be a permanent or temporary employee of the University of Washington and appointed as Professional Staff.

Please complete this form and mail to the PSO Treasurer, Ross McKenzie, Box 355726. Lump sum contributions may also be mailed directly to the treasurer.

NAME	(LAST)	(FIRST)	(MI)	UW I.D. NUMBER
POSITION TITLE	DEPT. NAME		MAIL STOP	CAMPUS PHONE
TRANSACTION TYPE:	<input type="checkbox"/> BEGIN MY DEDUCTION	<input type="checkbox"/> CHANGE MY DEDUCTION	<input type="checkbox"/> STOP MY DEDUCTION	
AMOUNT OF DEDUCTION PER PAY PERIOD (See PSO brochure or website for suggested amount based on annual salary.)				
<input type="checkbox"/> \$1.50 (MIN)	<input type="checkbox"/> \$2.00	<input type="checkbox"/> \$2.50	<input type="checkbox"/> \$3.00	<input type="checkbox"/> \$3.50
<input type="checkbox"/> \$_____ OTHER (\$.50 INCREMENTS)				
SIGNATURE _____			DATE _____	
By my signature, I hereby request and authorize the University of Washington to deduct the amount specified from my salary. I understand this deduction will start on the first pay period after the authorization is processed and continue for the duration of my employment, unless I elect to change the deduction amount or stop the deduction by notifying the Professional Staff Organization in writing.				
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*Professional Staff Organization
Of the University of Washington*

ANNUAL FALL MEETING

**Wednesday, November 20, 2002
12:00 to 1:30 P.M.
Walker-Ames Room, Kane Hall**

Enabling Legislation: The Right of Collective Bargaining

The Washington State Legislature has passed two bills (enabling legislation) that confer collective bargaining rights to UW faculty and to UW academic student employees.

These bills do not include the UW librarians or professional staff.

What is enabling legislation? What kind of organizing work can be done when enabling legislation is not yet in place? What are the keys to a successful campaign for passage of enabling legislation? What happens after enabling legislation has been passed?

Join us for a panel discussion about this important topic. Panelists will include:

Wendy Rader-Konofalski, Washington Federation of Teachers Lobbyist

Sandra Silberstein, Faculty Senate Chair

Bob Roseth, PSO Past-Chair

The PSO is providing light refreshments:
Cookies, Brownies & Coffee

Don't miss out on the Door Prizes!



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Contact the PSO Board of Directors: psoboard@u.washington.edu

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