

NATIONAL CENTER

for the Study of Collective Bargaining in Higher
Education and the Professions

E-Note

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The National Center E-Note is a monthly electronic newsletter containing research and analysis relevant to unionization and collective bargaining in higher education and the professions. In this issue:

1. [Registration Information: National Center's 46th Annual National Conference](#)
2. [Announcement: Journal of Collective Bargaining in the Academy, Vol. 10](#)
3. [Academic Labor History: 1970 GSE Contract at the University of Wisconsin](#)
4. [Duquesne University: Oral Argument Heard in Challenge to USW Certification](#)
5. [Cooper Union: Faculty Union Sues Over Reduction in Class Hours](#)
6. [Valencia College: Petition to Represent Non-Tenure Track Faculty Dismissed](#)
7. [Branch v. Commonwealth Employment Relations Board : Post-Janus Challenge](#)
8. [Michigan Institute of Aeronautics: Faculty Vote Against IAM Representation](#)
9. [University of California: Overbroad Rule on Wearing Union Message](#)
10. [University of California: ULP Found for Subcontracting Music Instructors' Work](#)
11. [St Johns River State College: Full-Time Faculty Election Ordered](#)

12. [Oregon Health & Science Univ.: AFSCME Certified to Represent GSE Unit](#)
 13. [University of Chicago: Challenge to Certification of Library Student Union](#)
 14. [University of Washington: Final Certification Issued for Post-Doc Unit](#)
 15. [College of Saint Rose: Representation Election Held for Visiting Professors](#)
 16. [University of Pittsburgh: USW Files to Represent Combined Faculty Unit](#)
 17. [SAIL Institute Offering Workshops on Higher Education Leadership](#)
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Register for the National Center's 46th Annual National Conference

Conference Theme **COLLECTIVE BARGAINING AFTER JANUS** Keynote Speaker: Paul Krugman

Paul Krugman is best known to the general public as an opinion columnist for *The New York Times*, a position he's held since 2000.

In his academic life, Krugman is a Distinguished Professor in Economics at the City University of New York (CUNY) Graduate Center, a core faculty member at the Stone Center on Socio-Economic Inequality, and Luxembourg Income Study (LIS) Senior Scholar.

Krugman was the sole recipient of the Nobel Prize in Economic Sciences in 2008 for his work on international trade theory and the geographic distribution of economic activity. In addition to the Nobel, in 1991 Krugman received the John Bates Clark Medal from the American Economic Association, an award given every two years to a top economist under the age of 40. The King of Spain presented him with the Asturias Award in 2004, considered the European Pulitzer Prize.

Krugman is Professor Emeritus of Princeton University's Woodrow Wilson School, from which he retired in 2015. He has served on the faculties of MIT, Yale and Stanford. He is a Fellow of the Econometric Society and a member of the Group of Thirty. He has served as a consultant to the Federal Reserve Bank of New York, the World Bank, the International Monetary Fund, the United Nations, as well as to foreign countries including Japan, Portugal and the Philippines.

He has been a contributor to ABC-TV's "This Week" with George Stephanopoulos and appears on Bloomberg Television, Business Insider, NPR and CNN, to name just a few.

Author of 27 books and over 200 published professional articles, Krugman has written for non-economists as well. Before joining the staff of *The New York Times*, his work appeared in *Fortune*, *Slate*, *Harvard Business Review*, *Foreign Policy*, *The New Republic* and *Newsweek*.



Krugman's approach to economics is reaching a new generation of college students. He and his wife Robin Wells have coauthored college textbooks on Micro and Macroeconomics that rank in the top-selling economics textbooks used in American colleges today.

Photo Credit:

Fred R. Conrad/ The New York Times

Registration Information

[Click Here for Online Registration](#)

Regular Conference Rate-\$398: includes one conference registration with admission to all event activities and additional attendee(s) for a discounted rate of \$238.

Single Conference Rate-\$356: includes one conference registration with admission to all event activities.

Special Conference Registration Rates for adjunct faculty, post-doctoral scholars, graduate and undergraduate student employees, CUNY faculty, staff, and students. For promo codes, contact the National Center.

To pay by check, access the [2019 Conference Registration Form](#) and mail it with your payment to the National Center.

Click here for: [Hotel Registration Information](#) and the map of [conference locations](#).

Confirmed Panels and Workshops

Plenary Presentation: The History of Right to Work from the First Gilded Age to Janus with Cedric de Leon, Director and Associate Professor, UMass Amherst Labor Center, Elizabeth Tandy Shermer, Associate Professor, Loyola University Chicago, Chad E. Pearson, Professor of History, Collin College, and Sophia Z. Lee, Professor of Law and History, University of Pennsylvania Law School, Moderator and Presenter.

The Economic Impact of Right to Work with Fred Floss, Professor and Chair, Department of Economics and Finance, SUNY Buffalo State University and Fiscal Policy Institute Senior Fellow, Heidi Shierholz, Senior Economist and Director of Policy, Economic Policy Institute, Cherrie Nicole Bucknor, Ph.D Student, Harvard University, and Jeffery Frumkin, Associate Vice Provost for Faculty Affairs, University of Michigan, Moderator.

Progressive State Responses to Janus with New Jersey State Senator Linda Greenstein, Nancy Walker, Pennsylvania Attorney General's Office Chief Deputy Attorney General for Fair Labor, ReNika Moore, New York Attorney General's Office Labor Bureau Chief, Maryann Parker, SEIU Associate General Counsel, and Terri Gerstein,

American Constitution Society and Harvard Law School Labor and Worklife Program, Moderator.

Community Colleges, Collective Bargaining, and Right to Work with Deborah Williams, NEA Faculty Association President and Lead Negotiator, Johnson County Community College, Terry Calaway, former President, Johnson County Community College, Lee Cross, Trustee, Johnson County Community College, Martin Balinsky, Vice President and Chief Negotiator, United Faculty of Florida-Tallahassee Community College, and DeWayne Sheaffer, President, NEA National Council for Higher Education, Moderator.

Shared Governance and Collective Bargaining following Janus with Carl Levine, Levy Ratner, P.C., Holly Stern, General Counsel, New Jersey Institute of Technology, Saerom Park, Associate General Counsel, SEIU, Joe Ambash, Fisher & Phillips LLP, and Catherine Cleaver, Executive Director, AAUP, Adelphi University, Moderator.

Mending Fences and Building Bridges: A Labor-Management Dialogue on Cultural and Institutional Change with Daniel Greenstein, Chancellor, Pennsylvania State System of Higher Education, Kenneth Mash, President, Association of Pennsylvania State College and University Faculties, and Scott Jaschik, Inside Higher Ed, Moderator.

The Adjunct Faculty Experience: Is What We "Know" Correct? with David P. Richardson, Managing Director of Research, TIAA Institute, Paul Yakoboski, Senior Economist, TIAA Institute, Maria Maisto, New Faculty Majority, Commentator, and Helen Fairfoul, Chief Executive, Universities and Colleges Employers Association, Commentator, and Joseph J. Jelinicic III, Senior Manager of Systemwide Labor Relations California State University

Reaching First Graduate Student Employee Contracts at Brandeis and Tufts with Lisa Lynch, Provost, Brandeis University, Matt Dauphin, Higher Education Coordinator, SEIU Local 509, Lili Palacios-Baldwin, Associate General Counsel, Tufts University, Desiree Murphy, Morgan, Brown & Joy, LLP, and Vimal Patel, Chronicle of Higher Education, Moderator.

Bargaining for the Common Good in Higher Education with Malini Cadambi Daniel, SEIU Director for Higher Education, Daniel J. Julius, Senior Vice President and Provost, New Jersey City University, Barry Miller, Senior Policy Advisor on Labour Relations, York University, Liz Perlman, Executive Director, AFSCME, University of California Employees, Gary Rhoades, Professor and Director, Center for the Study of Higher Education, University of Arizona, and Marilyn Sneiderman, Professor and Director, Center for Innovation in Worker Organization, Rutgers University School of Management and Labor Relations, Moderator.

Book Session: Henry Reichman, The Future of Academic Freedom (Johns Hopkins University Press, March 2019) (panel in formation), with Kent D. Syverud, Chancellor and President, Syracuse University, Jennifer Eagan, President, California Faculty Association, Lili Palacios-Baldwin, Associate General Counsel, Tufts University, and Henry Reichman, Chair, AAUP Committee on Academic Freedom and Tenure.

Investigating and Handling Employee Discipline with Letitia F. Silas, Associate General Counsel for Labor Relations, Howard University, Joshua D. Nadreau, Fisher Phillips, Kathy Sheffield, Director of Representation, California Faculty Association, Pat Domaratz, Labor Relations Specialist, UUP, and Nancy E. Hoffman, Arbitrator, Moderator.

Arbitrators' Perspectives on the Handling of Disciplinary Issues with Homer C. La Rue, Labor Arbitrator, Mediator, and Professor of Law, Howard University School of Law, Haydeé Rosario, Labor Arbitrator and Mediator, John Woods, Labor Arbitrator, Mediator, and Ombuds, and Sarah Miller Espinosa, Labor Arbitrator, Mediator, and Ombuds, Moderator.

Racial and Economic Equity in Higher Education with Sara Goldrick-Rab, Professor, Higher Education Policy & Sociology, Temple University, Catharine Bond Hill, Managing Director, Ithaka S+R, Mark Huelsman, Associate Director, Policy & Research, Demos, and Sameer Gadkaree, Senior Program Officer, Joyce Foundation, Moderator.

Challenges and Opportunities of the Metro-Strategy in a Post-Janus World with John C. Cavanaugh, President & CEO, Consortium of Universities of the Washington Metropolitan Area, Anne McLeer, PhD, Director of Higher Education, SEIU Local 500, Patricia McGuire, President, Trinity Washington University, and Maria Figueroa, Director, Labor and Policy Research at the Worker Institute, ILR School, Cornell University, Moderator.

Peer-Based Faculty Evaluation v. Student Evaluation of Teaching with Leah Akins, Professor of Engineering and Technology, Dutchess Community College, Laura Murphy, Professor of History, Dutchess Community College, Henry Hornstein, Associate Professor, Department of Business and Economics, Algoma University, Sarah Zeller-Berkman, Academic Director, Youth Studies Program and Director of Intergenerational Change Initiative, CUNY School of Professional Studies and Director, Youth Studies Initiatives, John F. Kennedy, Jr. Institute for Worker Education, and Alexandra Matish, Interim Director, Academic Human Resources, University of Michigan, Moderator.

Title IX Revisited with John T. Rose, Dean of Diversity, Hunter College, CUNY, Rana M. Jaleel, Assistant Professor in Gender, Sexuality, and Women's Studies, University of California, Davis, Donna E. Young, President William McKinley Distinguished Professor of Law and Public Policy, Albany Law School, and Risa Lieberwitz, Professor of Labor and Employment Law, Cornell ILR, and AAUP General Counsel, Moderator.

Sexual Harassment in Higher Education: Understanding Root Causes and Developing Labor-Management Solutions with Ana Avendaño, Vice President for Labor Engagement, United Way, Eve Weinbaum, Professor University of Massachusetts, Labor Center Amherst, Janet Elie Faulkner, Faulkner Legal, Frazier Benya, Sen-

ior Program Officer, Committee on Women in Science, Engineering, and Medicine, National Academies of Sciences, Engineering and Medicine, and Liesl Zwicklbauer, Associate Vice Chancellor for Employee Relations, SUNY, Moderator.

Faculty Compensation in Public Higher Education with Stephen G. Katsinas, Professor, Higher Education and Political Science, Director, Education Policy Center, at the University of Alabama and Nathaniel J. Bray, Professor, Higher Education Administration and Associate Director, Education Policy Center at the University of Alabama; Jacob Trull, Stephanie Paul and Michael Malley, Graduate Students, Education Policy Center at the University of Alabama; and Jacob Apkarian, Assistant Professor of Sociology, York College, CUNY, Moderator.

Transformational Bargaining: How the Lecturers' Union at the University of Michigan Built Sufficient Power to Dramatically Improve Member Compensation with Ian Robinson, President, Lecturers' Employee Organization, AFT, Local 6244, University of Michigan, Kirsten Herold, Vice-President, Lecturers' Employee Organization, AFT, Local 6244, University of Michigan, Michael Eagen, Associate Provost for Academic Personnel, University of Massachusetts, Commentator, Theodore Curry, Associate Provost, Associate VP, Michigan State University, Commentator, and David Cecil, Executive Director, United Academics, AFT-AAUP, University of Oregon, Moderator.

Conflict and Cooperation in the Neoliberal University: The Impact of Changing Labour Processes on Canadian Universities with Stephanie Ross, Associate Professor, School of Labour Studies, McMaster University, Hamilton, Ontario, Canada, Larry Savage, Professor, Department of Labour Studies, Brock University, St. Catharines, Ontario, Canada, David Robinson, Executive Director, Canadian Association of University Teachers, Commentator, and Sara Slinn, Associate Dean (Research and Institutional Relations) & Associate Professor, Osgoode Hall Law School, York University, Commentator.

Legal Issues in Higher Education: Annual Review of Court and Administrative Developments with Natasha Baker, Hirschfeld Kraemer LLP, Beth Margolis, Gladstein Reif & Meginniss, Aaron Nisenson, Senior Counsel, AAUP, and Michael Loconto, College Counsel, Curry College, Moderator.

Workshops

Workshop for Administrators: Collective Bargaining and Contract Implementation with Nicholas DiGiovanni, Morgan, Brown & Joy, LLP, Karen Stubaus, Vice President for Academic Affairs, Rutgers, The State University of New Jersey, and Margaret Winters, Former Provost, Professor Emerita - French and Linguistics, Wayne State University.

Workshop for Academic Labor: Membership Mobilization and Collective Bar-

gaining in an Open Shop Environment with Penny Lewis, Associate Professor of Labor Studies, CUNY School of Labor and Urban Studies and PSC Vice President Senior Colleges, Jennifer Eagan, President, California Faculty Association, Thomas Auxter, former President, United Faculty of Florida, Kim Cook, Extension Associate Faculty, Cornell ILR.

Workshop: Bargaining Healthcare in Higher Education with Larry Singer, Senior Vice President, Segal Consulting, Joel Solomon, Senior Policy Analyst, NEA, Earl Redding, Roemer Wallens Gold & Mineaux LLP, and Debbie Bell, Executive Director, PSC, CUNY, Moderator.

Workshop by SUNY SAIL Institute: Discovering My Leadership Voice with Scott Vinciguerra, Leadership Development Associate, SUNY Strategic and Academic Innovative Leadership Institute.

Workshop by SUNY SAIL Institute: Assertive Communications: Leading Difficult Conversations on Campus with Scott Vinciguerra, Leadership Development Associate, SUNY Strategic and Academic Innovative Leadership Institute

Major support for the conference is provided by:



Additional funding is provided by:



Announcement: Journal of Collective Bargaining in the Academy, Vol. 10



We are pleased to announce Volume 10 of the National Center's [Journal of Collective Bargaining in the Academy](#), our peer review multi-disciplinary journal that is co-edited by Jeffrey Cross, Eastern Illinois University (Emeritus), and Gary Rhoades, University of Arizona. The following are links to articles in Volume 10:

Op-Eds

[University Adjudications of Sexual Assaults: A Lesson To Be Learned from Collective Bargaining Agreements](#) by James Ottavio Castagnera

[A Higher Authority for Collective Bargaining: 2018](#) by John Lavin

Articles

[Salary Compression Among University Faculty: A Review and Case Study of Remediation and Prevention in a Collective Bargaining](#) by Brent M. Graves and Dale Kapla

[Bargaining for Adjuncts: An Assessment of Adjunct Union Growth in the Saint Louis Region](#) by Jameson Ramirez

Practitioner Perspectives

[Managing Internal Tensions in Contract Negotiations: A Perspective from the Academic Union's Side](#) by John Allison and Jonathan Blitz

[Notes on the Same Side](#) by Margaret E. Winters

We encourage scholars, practitioners, and graduate students in the fields of collective bargaining, labor relations, and labor history to submit research articles, op-eds, and practitioner perspectives for potential publication. The Journal is particularly interested in contributions related to collective bargaining and unionization issues in the post-Janus world.

The Journal of Collective Bargaining in the Academy is supported, in part, by a generous contribution from TIAA and is hosted by the institutional repository of Eastern Illinois University.

Academic Labor History: 1970 GSE Contract at the University of Wisconsin

The National Labor Relations Board's 2016 decision in *Columbia University*, 364 NLRB No. 90 (2016), finding graduate and undergraduate assistants to be employees under the National Labor Relations Act, referenced the fact that unionization among graduate student employees dates back to 1969 at the University of Wisconsin-Madison.

Since the *Columbia University* decision, first contracts have been negotiated at Brandeis, Tufts and the New School, and Columbia, Harvard, Georgetown, and Brown are negotiating with newly certified or recognized student worker unions.

National Center archival research has unearthed the [April 1970 collective bargaining agreement between the University of Wisconsin-Madison and the Teaching Assistants Association](#), which appears to be the first bilateral agreement negotiated concerning graduate student employees in the United States. While there was an earlier union organizing drive by graduate students at the University of California at Berkeley in the mid-1960s that effort did not lead to a formal collective bargaining agreement.

The 1970 agreement at the University of Wisconsin-Madison was negotiated following a representation election conducted by the Wisconsin Employment Relations Commission on May 15 and 16, 1969.

The University of Wisconsin-Madison agreement provides important historical context to contemporary unionization and collective bargaining efforts by graduate assistants and other student workers. The contract permitted departmental agreements that were not inconsistent with the master agreement. It also included provisions related to dues deduction check-off, guaranteed support for teaching assistants, evaluations, seniority, workload, transfers, a health plan, a prohibition against anti-union retaliation, and a no-strike pledge.

Among the more interesting articles in the contract is its advanced anti-discrimination

provisions:

Section 1: The University shall not discriminate against Teaching Assistants or applicants for Teaching Assistant jobs because of sex, race, creed, color, national origin, union affiliation or political affiliation or belief.

Section 2. The University and the Union make a mutual pledge that each will develop affirmative programs to the end that discrimination in hiring, admissions and educational policies because of sex, race, ethnic or economic background will be forever eliminated from the University of Wisconsin. Any dispute arising under this section shall not be subject to the grievance and arbitration provision of this agreement.

The National Center expresses its appreciation to Logan Rains at the University of Wisconsin-Madison Archives and former National Center Intern and Hunter College undergraduate Allison Stillerman in helping to locate the 1970 contract.

Duquesne University: Oral Argument Heard in Challenge to USW Certification

Duquesne University v. NLRB, D.C. Court of Appeals, Docket # 18-1063

On December 11, 2018, the United States Court of Appeals for the District of Columbia Circuit heard [oral argument](#) in a lawsuit filed by Duquesne University challenging the certification of the United Steelworkers to represent the following non-tenure track faculty unit:

All part-time adjunct faculty employed by the Employer in the McAnulty College and Graduate School of Liberal Arts located in Pittsburgh, Pennsylvania; excluding all full-time faculty, graduate students, staff and administrators, office clerical employees and guards, other professional employees and supervisors as defined in the Act, and all other employees.

In its appeal, Duquesne University argues that the NLRB [decision](#) to assert jurisdiction and determine the question of representation of its adjunct faculty violates the First Amendment because of the school's religious mission. In support of its argument, the university argues that the NLRB should have applied the test in *University of Great Falls v. National Labor Relations Board*, 278 F.3d 1335 (D.C. Ct App, 2002) rather than the NLRB's modified test in [Pacific Lutheran University](#), 361 NLRB No. 157 (2014).

Cooper Union: Faculty Union Sues Over Reduction in Class Hours

Cooper Union Fed. of College Teachers v. Cooper Union, D.C. N.Y, No. 18-CV-05891

On January 7, 2019, a federal judge in New York refused to remand a lawsuit filed by the Cooper Union Federation of College Teachers to state court. The lawsuit challenges the reduction in the number of class hours in certain courses in Math, Chemistry and Physics as a violation of Cooper Union's governance rules with respect to curriculum revision. The union's lawsuit had been originally filed in state court but was removed to federal court on the grounds that federal court had exclusive jurisdiction over the claim under the federal Labor Management Relations Act.

In refusing to send the case back to state court, the federal judge found that the union's claim required a substantial interpretation of the parties' collective bargaining agreement. In particular, the federal judge cited to the need to interpret the contract provisions concerning faculty governance in order to determine the merits of the claims.

Valencia College: Petition to Represent Non-Tenure Track Faculty Dismissed

Valencia College, FPERC Case No. RC-2018-007

On December 18, 2019, the Florida Public Employees Relations Commission issued a [final order](#) dismissing a representation petition filed by SEIU seeking to represent adjunct faculty at Valencia College. The representation petition was dismissed on procedural grounds after the agency concluded that the union had failed to submit a sufficient showing of interest to trigger an election for the unit of 1,309 non-tenure track faculty.

Branch v. Commonwealth Employment Relations Board : Post-Janus Challenge

Branch v. Commonwealth Employment Relations Board, SJC-12603

In a post-Janus challenge to the exclusive representation model, the Massachusetts Judicial Court heard [oral argument](#) on January 8, 2019 concerning a claim being pursued by the National Right to Work Committee that non-members of a union have a First Amendment right to participate in collective bargaining and to vote on ratifying contracts under an exclusive representation model.

Michigan Institute of Aeronautics: Faculty Vote Against IAM Representation

Michigan Institute of Aeronautics, NLRB Case No. 07-RC-232329

On January 14, 2019, the NLRB tallied the ballots in an election involving a petition filed by Local Lodge 698, International Association of Machinists and Aerospace Workers (IAM), AFL-CIO seeking to represent full-time instructors, lead instructors, and coordinators at Michigan Institute of Aeronautics, Inc. in Canton, Michigan.

The tally of ballots demonstrated that in a proposed unit of 23, 12 voted against IAM representation and 8 voted in favor. As a result, IAM was not certified to represent the unit.

The following is the proposed unit that was the subject of the representation election:

All full-time instructors, lead instructors, program coordinators, and learning resource coordinators employed by the Employer at its campus located at 2955 South Haggerty Road, Canton, Michigan.

Part-time/adjunct instructors and all other noninstructional staff, office clerical employees, confidential employees, professional employees, administrative employees, technicians and assistants, managers, guards and supervisors as defined by the Act, and all other employees.

University of California: Overbroad Rule on Wearing Union Message

University of California, California PERB Decision No. 2616-H

On December 21, 2018, the California Public Employment Relations Board (CPERB) issued a [decision](#) concerning the legality of a workplace rule prohibiting university hospital nurses from wearing a sticker at work that had been distributed by their union, the California Nurses Association, which read "UCSD Management NEEDS TO LISTEN TO NURSES."

In its decision, CPERB concluded that the hospital work rule was not subject to a presumption of validity, as found by the Administrative Law Judge (ALJ). Rather, CPERB found that the work rule was subject to the standard applied in prior agency decisions "regarding the right of employees to wear union buttons and insignia," which "recognizes that employers' interest in regulating potentially dangerous or disruptive messages is adequately protected by allowing the employer to demonstrate that 'special circumstances' justify restricting the right to wear union buttons or insignia as

part of a non-discriminatory rule against non-business insignia."

In the present case, the agency affirmed the ALJ's conclusion that the university had failed to demonstrate special circumstances to justify the application of the work rule to the nurses wearing the stickers in non-patient care areas, and therefore, found the rule to be overbroad in violation of the state's collective bargaining law.

University of California: ULP Found for Subcontracting Music Instructors' Work

University of California, California PERB Decision No, 2610-H

On December 19, 2018, the California Public Employment Relations Board (CPERB) issued a decision concluding that University of California at Berkeley violated the state's public sector collective bargaining law by failing to negotiate with the University Council-AFT (UC-AFT) concerning its decision, and the effects of that decision, to subcontract the work of instructors in the Young Musician's Program (YMP) to the Young Musicians Choral Orchestra, a non-profit corporation. The agency also found that the university failed to provide UC-AFT with meaningful notice of the decision to transfer the music program's operations and that the university engaged in improper inference and discrimination.

As a result of its factual and legal findings, CPERB ordered the university to cease and desist from: a) "Unilaterally deciding to alter and/or altering policies within the scope of representation, including subcontracting work performed by YMP Instructors represented by UC-AFT and the negotiable effects thereof"; b) "Imposing or threatening to impose reprisals, discriminating or threatening to discriminate against, or otherwise restraining or coercing employees because of the exercise of rights guaranteed" by California's public sector collective bargaining law; c) interfering with the rights of UC-AFT and employees' representational rights under California law.

St Johns River State College: Full-Time Faculty Election Ordered

St. Johns River State College, Florida PERC Case No. RC-2018-024

On December 17, 2018, Florida Public Employees Relations Commission issued an [order](#) directing an election concerning a petition filed by United Faculty of Florida to represent a unit of full-time faculty, librarians, and senior academic advisors at St. Johns River State College

The following is the faculty bargaining unit determined to be appropriate:

Included: Full-time faculty (including department chair, assistant department chair, program director, instructor, and professor), librarians (including public service librarian and campus librarian), and senior academic advisors (including the assistant director of advising/senior academic advisor).

Excluded: All managerial, administrative, supervisory, and confidential employees including, but not limited to, director of organizational management baccalaureate program, director of bachelor of science in nursing, and all job titles categorized as follows: administrative (including, but not limited to , president , vice president, dean , and director), professional support (including, but not limited to, professional support advisors), career service, other professional services, part-time employees, adjunct faculty, and acting or interim faculty.

Oregon Health & Science Univ.: AFSCME Certified to Represent GSE Unit

Oregon Health & Science University, Oregon ERB, Case No. RC-012-18

On January 2, 2019, the Oregon Employment Relations Board certified Oregon AFSCME Council 75 as the exclusive representative of graduate student employees at Oregon Health & Science University. The certification followed the withdrawal of objections that had been filed by the university.

The following is the unit description of the new graduate student employee bargaining unit at Oregon Health & Science University:

All OHSU graduate students seeking PhD degrees who receive stipends, excluding supervisors, confidential employees, and managerial employees.

University of Chicago: Challenge to Certification of Library Student Union

University of Chicago v. NLRB, Seventh Circuit U.S. Court of Appeals, Case No. 18-3659

On December 18, 2018, the University of Chicago filed an appeal with the United States Court of Appeals for the Seventh Circuit from an NLRB decision, which found that the university had engaged in an unfair labor practice by failing to bargain with the Healthcare, Professional, Technical, Office, Warehouse and Mail Order Employees, Local 743, IBT, the union certified to represent the following unit at the University of Chicago

Included: All hourly paid student employees of the University of Chicago Libraries, including students employed at the Joseph Regenstein Library, the Joe and Rika Mansueto Library, Eckhart Library, John Crerar Library, D'Angelo Law Library, and the Social Services Administration Library.

Excluded: All employees represented by other labor organizations and covered by other collective bargaining agreements, temporary employees, managerial employees, guards, and professional employees and supervisor as defined in the National Labor Relations Act.

The appeal will allow the university to challenge the underlying certification of IBT to represent the bargaining unit. It is probable that the university will argue in its appeal, inter alia, that the student library workers are not employees under the National Labor Relations Act, and that the standard applied by the NLRB in *Columbia University*, 364 NLRB No. 90 (2016) for determining the employee status of student workers is erroneous.

University of Washington: Final Certification Issued for Post-Doc Unit

University of Washington, Washington PERC, Decision No. 12838-D-PE

On January 2, 2019, the Washington Public Employment Relations Commission issued a final certification of the UAW to represent the following bargaining unit of post-docs at the University of Washington:

All postdoctoral scholars employed by the University of Washington, excluding confidential employees; employees covered by Chapter 41.76 RCW; employees privileged as attending physicians within the context of their University responsibilities; employees enrolled in clinical residency and fellowship programs in health sciences; employees engaged in research related to their clinical training program; individuals employed by non-University entities (e.g., individuals aid directly by the Howard Hughes Medical Institute, the U.S. Department of Veterans Affairs, the Fred Hutchinson Cancer Research Center, and the U.S. Military); and all other employees.

College of Saint Rose: Representation Election Held for Visiting Faculty

College of Saint Rose, NLRB Case No. 03-RC-233615

On January 7, 2019, SEIU filed a petition seeking to represent 18 visiting faculty at the College of Saint Rose in Albany, New York. An election was conducted on January 17, 2019; however, the results are not presently available.

The following is the bargaining unit at issue at the College of Saint Rose:

Included: All full-time and regular part-time visiting assistant professors and visiting instructors employed by the Employer at its Albany, New York location who were employed by the Employer during the payroll period ending December 29, 2018.

Excluded: Office clerical employees, guards, supervisors, all other professional employees as defined in the Act, and all other employees.

University of Pittsburgh: USW Files to Represent Combined Faculty Unit

University of Pittsburgh, PRLB Case No. PERA-R-19-2-W

On January 18, 2019, the United Steelworkers (USW) filed a representation petition seeking to represent a unit of 3,500 tenured, tenure-track, and non-tenure track at the University of Pittsburgh. The following is the proposed unit in the USW representation petition:

Included:

All full-time & regular part-time tenure-stream and non-tenure stream faculty, and librarians in the Provost Area, Health Science Schools, & School of Law, employed by the University of Pittsburgh at all campuses in the Commonwealth

Excluded:

Faculty in the School of Medicine, research associates, postdoctoral associates, graduate student employees, non-faculty professional & all non-professional employees, supervisors, guards, managerial & confidential employees.

SAIL Institute Offering Workshops on Higher Education Leadership

SUNY's SAIL Institute is a system-wide think tank and leadership development organization dedicated to advancing understanding and building human capacity in the areas of strategic, academic, and innovative leadership.

SAIL offers regular programs to build the capacity of leaders today so they can lead the institutions of tomorrow:

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The Executive Leadership Academy is designed for academic and administrative professionals with aspirational goals to advance to the highest level of leadership in higher education, specifically to secure presidential, vice presidential or other executive leadership positions in the next one to three years.

June 17-20, 2019 NYC

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CIO LEADERSHIP ACADEMY

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February - May 2019

[Learn more](#)

STUDENT LEADERSHIP OPPORTUNITY

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Summer 2019

[Learn more](#)

DEPARTMENT CHAIR SUMMIT

Being an effective department chair requires an individual to articulate and execute a vision for the future, understand their strengths and weakness as a leader, have a firm understanding of practical management skills, and serve as an effective boundary spanner between the faculty and the college administration. SAIL Department Chair Summits offers opportunity and resources to build the leadership capacity of current and future department chairs.

May 30 & 31, 2019 Renssealerville, New York

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SUNY360

The SUNY360 is an online leadership skills inventory tool that is owned and offered by the SAIL Institute. It is one of the only 360 assessments specifically designed for higher education leaders.

[Learn more](#)