



PUBLIC REPRESENTATION ORGANIZATION OF THE FACULTY SENATE
UNIVERSITY OF WISCONSIN-MADISON

258 Bascom Hall
500 Lincoln Drive
Madison, WI 53706
608/263-9273

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Collective Bargaining Enabling Legislation Appears Likely to Pass; May Not Be Time for Faculty Meeting

Included in the 2009-2011 state budget currently being debated in the Wisconsin Legislature is collective bargaining enabling legislation for UW System faculty and academic staff. Classified staff at all state schools and instructors at Wisconsin's two-year technical colleges have long had the ability to join unions. This proposal was also included in the governor's last budget and has been introduced as separate legislation in many previous sessions, but has never been passed. Given recent changes in the Legislature – both houses are currently Democratic for the first time in more than 15 years – it appears likely that the provision will pass.

Since 2001, all the faculty senates in the UW System, with the exception of the UW-Madison senate, have voted to support collective bargaining enabling legislation. PROFS has opposed specific bills before the Legislature, mainly because the bills failed to protect academic freedom and faculty governance and did not recognize the distinct situation of UW-Madison. None of UW-Madison's peer institutions bargain collectively, although many have the ability to do so. Minnesota, for example, offers enabling legislation, but the University of Minnesota-Twin Cities has not voted to organize.

The most recent UW-Madison Faculty Senate resolution on this issue was passed in 2005. It reaffirmed seven criteria essential to any collective bargaining proposal affecting faculty and staff employed across the UW System. The resolution instructs PROFS to communicate its support for these principles to the Legislature while continuing to oppose any enabling legislation that fails to conform to these principles. The resolution can be found here:

<http://www.secfac.wisc.edu/senate/2005/0502/1623d.pdf>, and the seven principles are:

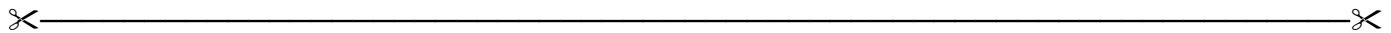
- 1) Provide that the Board of Regents shall have sole responsibility for negotiations and administration of any collective bargaining agreements for faculty;
- 2) Preserve the independence of the Madison faculty by permitting it to elect whether, as a separate and distinct group of individuals apart from other academic employees and from the faculties of other universities in the system, it wishes to engage in collective bargaining;
- 3) Permit the faculty of each institution in the system to make the same choices concerning the desirability of collective bargaining and the makeup of the bargaining unit;
- 4) Subordinate all other provisions of the enabling legislation to the overriding provision that nothing in the law or in bargaining agreements shall be construed or allowed to diminish academic freedom or tenure, or prohibit or restrict the full exercise by the faculty of its functions in any shared-governance mechanisms or practices;

- 5) Clarify which faculty (e.g. principal investigators, department chairs, center directors) will be considered supervisory or management personnel;
- 6) Exclude from the definition of unfair labor practices the failure to implement improvements in compensation or working conditions gained at a campus regardless of whether the faculty are represented or not, if such improvements are based upon comparisons with comparable education institutions or other competitive practices;
- 7) Include effective fact-finding provisions to resolve bargaining impasses.

The current proposal does not meet all seven principles, but an amendment that would allow it to meet the principles is likely to occur in the Joint Finance Committee sometime in this month.

It is important to note that the Faculty Senate resolution states that, if legislation is introduced that appears to meet the principles, a meeting of the entire faculty will, upon the recommendation of the University Committee and a vote of the Faculty Senate, be convened to discuss and determine whether to support such legislation. But because the changes to the budget are expected to occur over the summer, when the Faculty Senate does not meet. it may not be possible to call such a meeting prior to passage. Please be assured that PROFS will continue to lobby for the inclusion of the principles and work in the best interest of the faculty at UW-Madison. PROFS will continue to communicate with you over the summer as this proposal advances.

It is also important to note that, should the proposal be included in the budget passed by the Legislature, Governor Doyle can use his partial-veto power to change the bill. PROFS will continue to make sure the governor and his administration are aware of our principles.



PLEASE JOIN PROFS TODAY!

PROFS, Inc. is the voice of the UW-Madison faculty in working with the Legislature, state officials, federal officials, and the general public. Our work is never-ending. We thank the 1,000+ members of PROFS who support our efforts. We need the support of the entire faculty to have greater impact. All faculty not currently affiliated with PROFS are invited to join the organization by filling out the dues coupon below and sending it to 258 Bascom Hall.

PROFS, Inc. PAYROLL DEDUCTION

NAME OF EMPLOYEE _____ **Department**

In order to activate your deduction, the payroll department requires the following:

1) The last four digits of your Social Security Number _____ **AND**

2) Your Date of Birth _____

I hereby authorize the University of Wisconsin to deduct from my salary each month of the academic year (September through May payrolls) a voluntary contribution to PROFS, Inc. of 1/10 of one percent of my gross salary for that month. This authorization will remain in effect each year until a notice of cancellation is received by the UW-Madison Payroll Office.

Signature _____

This authorization should be forwarded to 258 Bascom Hall