

ARTICLE 2  
RECOGNITION

2.1 Bargaining Unit. The University of Florida Board of Trustees (hereinafter Trustees) recognizes the United Faculty of Florida (hereinafter the UFF, or UFF) as the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and other terms and conditions of employment for all faculty members in the bargaining unit as defined in Commission Order No. 05E-195, Certification No. 1558, issued by the Florida Public Employees Relations Commission on September 9, 2005 or as subsequently modified by Commission Order. A listing of the titles currently included in the faculty bargaining unit is attached as Appendix "A." [Validity of TA on Article 2 is therefore contingent on a TA on Appendix "A"]

2.2 Job Classification.

(a) New or revised position classifications with job duties that include a substantial teaching or research component and whose duties have traditionally come under the purview of an administrative units within the bargaining unit or otherwise significantly overlap duties of positions currently within the bargaining unit shall be treated as within the bargaining unit, pending a final determination to the contrary by the Public Employees Relations Commission. New or revised faculty position classifications with job duties that do not include a substantial teaching or research component and whose duties have not traditionally come within the purview of an administrative unit within the bargaining unit or otherwise do not significantly overlap duties of positions currently within the bargaining unit shall not be regarded as within the bargaining unit, pending a final determination to the contrary by the Public Employees Relations Commission.

(b) The Trustees may create new position classifications with job duties that include a substantial teaching or research component or otherwise significantly overlap duties of positions currently within the bargaining unit only after discussions with the UFF regarding the nature and necessity of the new position classifications and whether they will be designated within or outside the bargaining unit, unless the UFF notifies the Trustees' designee(s) in writing that it does not object to the new classification or designation. If the UFF does not request such discussions within thirty (30) days after notification of the proposed new position classification, the Trustees may proceed to implement it.

(c) If the Trustees wish to revise the specifications of an existing class so that its bargaining unit designation needs to be changed, they may do so only after negotiations with the UFF regarding such new designation, unless the UFF notifies the Trustees' designee(s) in writing that it does not object to the new designation.

Approved: Michael Gattman  
For the University of Florida  
Board of Trustees

Approved: Chris Smolyar  
For the United Faculty of Florida

Date: 4-14-2006

Date: 4/14/06

(d) If an agreement cannot be reached after the discussions or negotiations referenced in Sections 2.2(b) and (c), above, then the Trustees and the UFF shall request that the Florida Public Employees Relations Commission resolve the dispute through unit clarification proceedings.

(e) Disputes Over Classifications or Bargaining Unit Status of Individuals

(1) Upon request by a faculty member or the UFF, the Provost or designee shall review the faculty member's classification and bargaining-unit status and send a written explanation of the faculty member's classification and bargaining unit status to both the faculty member and the UFF.

(2) If the UFF disagrees with the results of the review, the UFF shall inform the Provost or designee of its opinion in writing and have ninety (90) days from receipt of the Provost's explanation to request that the Florida Public Employees Relations Commission resolve the dispute through unit clarification proceedings.

(3) Until the Florida Public Employees Relations Commission makes a final determination on the matter, the presumptions regarding new or revised position classifications or bargaining unit status specified in Section 2.2(a), above, shall apply to the case in question.

2.3 Reclassification of Faculty Members to a Non-Unit Classification.

(a) Faculty members shall be provided written notice, ninety (90) days in advance, where practicable, with a copy to the UFF/UF, when the Trustees propose to reclassify the faculty member to a classification that is not contained in the faculty bargaining unit.

(b) The faculty member may request a review of such action consistent with the provisions of Section 2.2.

(c) The UFF may discuss such action pursuant to Article 6, Consultation.

(d) If the UFF believes the classification represents an error that may potentially affect the broader composition of the bargaining unit, the UFF may request that the Florida Public Employees Relations Commission resolve the dispute through unit clarification proceedings.

(e) No faculty member shall be reclassified to a classification that is not contained in the faculty bargaining unit for the purpose of denying the faculty member rights or protections under this Agreement. A faculty member may pursue a timely grievance over any contract violation alleged to have occurred prior to the reclassification becoming effective. A grievance filed under this section will entitle the grievant to the remedies otherwise available to a unit employee under this contract.

Approved: Michael Dalton  
For the University of Florida  
Board of Trustees

Approved: Chris Suckey  
For the United Faculty of Florida

Date: 4-14-2006

Date: 4/14/06

2.4 Board of Trustees Meetings.

(a) The Trustees shall complete collective bargaining negotiations with the UFF prior to altering the wages, hours, or any other term or condition of employment of bargaining unit faculty. If an item on a public meeting agenda of the Trustees (or of any subcommittee of the Trustees) directly impacts the wages, hours, or any other term or condition of employment of bargaining unit faculty, the Trustees shall promptly notify the UFF, and the UFF shall be afforded the opportunity to consult, upon timely request, with the Trustees' designee(s) about the item. In addition, upon timely request from UFF, UFF shall be afforded an opportunity to address the item at the Trustees meeting with the time and place on the agenda to be determined by the Trustees.

(b) The Trustees shall furnish to the UFF a copy of the minutes of public Trustees or public committee meetings at the time they are made available to the Trustees involved.

Approved: Michael Altman  
For the University of Florida  
Board of Trustees

Date: 4-12-2006

Approved: Chris Suddon  
For the United Faculty of Florida

Date: 4/14/06