

Guest editorial on Collective Bargaining Conflict at UF, 995 words

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The *Sun*'s recent news article on the conflict over faculty collective bargaining at the University of Florida ("Anxiety Growing Over Future of Faculty Union at UF," p. 6A, 2/5/04) may have left some readers confused. How can the University's new president be "trying to make sure this isn't a controversial thing" while also pursuing a strategy that the previous administration had adopted for the express purpose of busting the faculty union and eradicating the contractual rights and protections that this group of faculty has held for close to thirty years?

President Machen's position may be complicated, but it's hardly neutral. The conflict, in contrast, is pretty straightforward: it's about *who should get to vote on whether a group of roughly 1800 UF faculty members will be able to retain the rights we've held for decades.*

Why is this even a question? Two reasons. First, the signatories to the collective bargaining agreement were the faculty union (United Faculty of Florida) and the statewide Board of Regents; when the Board of Regents was dissolved in last year's reorganization, the newly appointed Board of *Trustees* assumed the Regent's authority over UF, but refused to assume their bargaining obligations. Then, when UFF sought to secure the right of faculty members in the longstanding unit to at least be permitted to vote on whether to keep their union (by demonstrating an overwhelming show of support: authorization cards signed by 72% of these faculty), the UF administration responded by petitioning the state labor board to add as many as 2600 new voters from the Health Science Center, Law School, and Institute of Food and Agricultural Sciences. In effect, their position amounts to arguing that these "three groups of scientists and professionals not before covered by the union," as the *Sun* put it, should have a (majority) voice in deciding this question for the rest of us. Oddly, they have also argued that several groups of faculty (including teachers at the developmental research school, counselors at the student infirmary, and many department chairs) who have been *in* the bargaining unit and hence protected by the collective bargaining agreement *since 1976* should be removed from the voter rolls and left with no chance of retaining their rights under the agreement.

In contrast, the United Faculty of Florida maintains that the faculty whose rights are in question should not be forced to forfeit those rights against their will.

The only reason this question is even before the Public Employees Relations Committee in the first place is that former President Charles Young's administration saw fit to challenge the longstanding bargaining unit's continued right to self-determination—and with it the analogous autonomy of groups at present not committed to collective bargaining. (UFF, in contrast, has taken the position that the faculty of the HSC, Law School, and IFAS should decide for themselves whether they wish to participate in collective bargaining, not be forced into the unit at the administration's insistence.) Young made the choice to bring this question before PERC—instead of allowing faculty to decide for ourselves—and now President Machen makes a choice every day about whether to leave it there.

In a recent College of Liberal Arts and Sciences Assembly meeting, Dr. Machen spoke of “inclusiveness” even as UF lawyers presented to PERC their rationale for *excluding* faculty who have always been represented by UFF and want to remain so. More to the point, Florida law (like UFF's position) is *already inclusive*: anytime that faculty in the HSC, law school, and/or IFAS decide that they wish to unionize, they have the freedom and opportunity to do so. The only reason to insist on their inclusion in a single winner-take-all election would be the chance to eradicate faculty collective bargaining altogether; indeed, the leaked email from Vice President Mike Martin suggests that this was precisely Dr. Young's objective and strategy. Dr. Machen's refusal to revisit this approach has left UF the only one of Florida's public universities where the conflict remains unresolved. At each of the other 10 schools, the President and Board of Trustees either recognized the longstanding bargaining unit outright or agreed to a vote in a unit very closely resembling it. Only two of the ten—West Florida and Florida State—even insisted on a vote. On both campuses, UFF won big: 91% at UWF and 96% at FSU.

Why the overwhelming support? Because this is not only a debate about worker's rights, democratic self-determination, and the state's ethically questionable attempt to weasel out of contractual obligations to its employees by effecting a little internal reorganization. In the case of faculty collective bargaining, something more is at stake as well: the academic integrity of the University. Everyone involved acknowledges that the future of UF and the integrity of its academic mission rests on the right of faculty to help chart its course. Those of us on the frontlines recognize that in Florida the most basic of faculty rights can be protected from political interference only through the legally binding force of a collective bargaining agreement.

Of course, President Machen didn't create this conflict, and, technically, the legal party to any collective bargaining agreement with the faculty would be not the president, but the Board of Trustees. However, Dr. Machen is responsible for much of what happens next: he must choose either to pursue the divisive strategy begun by Young or to respect the

faculty and negotiate a mutually acceptable solution. Associate Provost Joe Glover says that if there were no union, UF's administration would "take care of its faculty members," but what I see is this: faced with the first critical decision of his tenure here, Bernie Machen has pursued a strategy that takes decision-making power out of the faculty's hands and turns it over to a group of political appointees. Those of us in the longstanding bargaining unit have to wonder: if we were to *lose* the fundamental rights we now have, could we reasonably expect any better in the future?