Enabling Framework

- UC is covered under Ohio Revised Code 4117 for Ohio public sector labor relations
- UC is not covered by federal labor relations laws
# UC Unions and Bargaining Units

<table>
<thead>
<tr>
<th>SIX (6) UNIONS</th>
<th>EIGHT (8) BARGAINING UNITS</th>
</tr>
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<tbody>
<tr>
<td>AAUP</td>
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<tr>
<td>AFSCME</td>
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<tr>
<td>FOP</td>
<td>FOP – Police</td>
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<td></td>
<td>FOP – Security Officers</td>
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<td>FOP – Dispatchers</td>
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<td>IUOE</td>
<td>IUOE</td>
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<td>ONA</td>
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<tr>
<td>SEIU</td>
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Phases of Labor Relations

• There are three (3) phases of Labor Relations
  – Organizing
  – Bargaining
  – Administration
Phase 1: Organizing

• Employees petition State Employment Relations Board (SERB)
• Must have 30% of the bargaining unit show interest
• SERB certifies unit
• Private Sector vs. Public Sector
• Election vs. Voluntary Recognition
Phase 1: Organizing
(Continued)

• Election Outcomes:
  – Certification
  – Run-off
  – No Representation

• Valid election requires 50% plus 1 of the voting employees
Phase 2: Bargaining

• Subjects
  – Mandatory (i.e. wages, hours, working conditions)
  – Permissive (no impasse) (i.e. overtime procedures)
  – Prohibited (illegal) (i.e. retirement benefits, onboarding)

• Must negotiate in good faith

• Types of negotiations
  – Distributive (traditional)
  – Integrated (interest-based)
Phase 2: Bargaining
(continued)

• Non-economic vs. Economic Issues
  – Discuss non-economic issues first then economic issues
• All information is public
• Side bars will be held with smaller groups
• Experts are invited (i.e. benefits, financial)
• Tentative Agreements (T.A.) are reached as issues are agreed upon
Phase 2: Bargaining
(continued)

- Result: Tentative Agreement or Impasse
- T.A. requires union ratification and university approval
- Impasse procedure:
  - Mediation
  - Fact Finding
  - Arbitration / Job Action
- All UC units can strike
Phase 3: Administration

• Collective Bargaining Agreements (rules of the workplace) – 3 year contracts
• Union Security
  – Stewards
  – Fair Share
  – Representation
• Management Rights
Phase 3: Administration

• Discipline:
  – Conference Report
  – Written Reprimand
  – Suspension
  – Demotion
  – Termination

• Must show just cause
Phase 3: Administration

• Due Process
  – Loudermill – private sector
    • Hearing administration
    • Hearing in court
  – Weingarten
    • Right to representation
    • No 5th Amendment
Phase 3: Administration

- Grievance Procedure
  - Immediate Supervisor
  - Intermediate Supervisor
  - Human Resources
  - Arbitration
Phase 3: Administration

- Labor Management Committees
  - AAUP Joint Committee
  - AFSCME LMC
  - FOP ULEO LMC
  - IUOE LMC
  - SEIU LMC