

COLLECTIVE BARGAINING – ACADEMIC STAFF
Criteria when considering enabling legislation
August 2006

The Academic Staff Assembly voted on February 13, 2006 to not endorse SB 452, which proposed enabling legislation for collective bargaining. There was an on-going discussion prior to the vote between proponents that argued that we should support the right to choose and the opponents that argued the bill required a structure that was unacceptable.

When the faculty faced a similar issue, a subcommittee was formed to discuss the conditions and enabling legislation structure that would be acceptable. That committee reported back to the Senate in May of 2005 and received approval for their proposed principles under which enabling legislation would be acceptable. That exercise impacted the drafting of SB 452, which met most, if not all, of the faculty concerns.

The Academic Staff Assembly decided that a subcommittee of the academic staff should conduct a similar exercise. What follows are the results of those discussions. The subcommittee presents these guiding principles which would present an acceptable enabling legislation structure for presentation to the academic staff of the Madison campus to consider the right to choose.

- The Board of Regents would have the sole responsibility for negotiations and administration of any collective-bargaining agreements.
- Permit the academic staff of the UW-Madison to elect whether it wishes to engage in collective bargaining as a set and distinct group or allied with faculty of UW-Madison and/or staff on other UW System campuses.
- Subordinate all other provisions of the enabling legislation to the overriding provision that nothing in the law or in the bargaining agreement shall be construed or allowed to diminish academic freedom, job security, or prohibit or restrict the full exercise by the unclassified staff of its functions in any currently existing shared-governance mechanisms or practices.
- Clarify which of the unclassified staff would be considered supervisory or management personnel.
- 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 academic staff are represented or not, if such improvements are based upon comparisons with comparable higher education institutions or other competitive practices.
- Include effective fact-finding provisions to resolve bargaining impasses.

Respectfully submitted,

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