



[Home](#) » [News](#) » [Politics](#)

 [Politics](#)

UW staff could be assigned to unions

By [Erica Perez](#) of the Journal Sentinel

Posted: June 25, 2009

Thousands of currently unrepresented academic staffers at University of Wisconsin campuses could be assigned into existing unions - rather than having the chance to vote - under a provision included in the state budget, state officials say.

The 2009-'11 budget plan, awaiting a final agreement in Madison, would give UW faculty and academic staff the right to collectively bargain, meaning faculty and staff could vote to form bargaining units at different campuses.

But part of the [language](#) added by state Rep. Cory Mason (D-Racine), a former union lobbyist, and state Sen. Dave Hansen (D-Green Bay), gives the Wisconsin Employment Relations Commission the express authority to assign some academic staff employees to appropriate unions without a vote.

The language was added at the Joint Finance Committee level. It is not seen as a point of conflict as a conference committee hashes out differences between the Senate and Assembly versions of the budget and is thus likely to pass.

The language has already set off a push by unions to expand membership by absorbing some 4,000 of the UW System's academic staff into their units.

In all, there are about 12,000 full-time academic staff positions in the system. In the other cases, unions would have to spend time and money on organizing campaigns and then have to win votes by targeted employees.

The provision has also set the stage for a potential fight with the UW System.

System officials have remained neutral on collective bargaining rights for employees, but spokesman David Giroux said that once employees have the right to unionize, officials believe they should also have the right to vote on whether to actually do so.

UW officials also argue that the budget language expands the power of the Employment Relations Commission.

"That sort of arbitrary, unilateral move would be a great concern for us," Giroux said. "Employees should have the right to choose if they so want it."

Peter Davis, general counsel for the Employment Relations Commission, said he believes that the commission has always had such power and that the budget language merely makes the authority explicit.

Several unions are planning to file unit clarification petitions with the panel that argue thousands of academic staff do very similar work to existing union members, said Jill Bakken, spokeswoman for the American Federation of Teachers-Wisconsin.

Therefore, the unions will argue, the staff members should be absorbed into unions representing, for example, science professionals, patient care professionals or analysts.

Union leaders have already begun to discuss which academic staff would join which union, Bakken said. Potential unions include Wisconsin Professional Employees Council, Wisconsin Science Professionals, Wisconsin Physician & Dentist Association, and Professional Employees in Research, Statistics & Analysis.

The petitions would be filed after Doyle signs the budget, Bakken said.

The Employment Relations Commission would then conduct a hearing and receive written testimony from the unions and the University of Wisconsin or Office of State Employment Relations. Individual employees do not have standing at the hearing and cannot argue against inclusion in a union.

The Employment Relations Commission would make the final call on whether the employees should be reclassified into a bargaining unit. "In the end the individual employees do not have standing to say, 'I'm really academic staff or I'm not,'" Davis said. "We rely on and presume that the interests of the union and employer are distinct - that if there's a fight about it, they will fight about it. The agency will decide what the answer is."

While the unit clarification process is common, the scope of this move is unusual. Typically, petitions involve one or a handful of employees, not hundreds or thousands.

If the panel approved the union petitions, the UW employees would become voting members of the unions and would in some cases be required to pay fees, Davis said.

No one can be forced to pay dues, but people can be forced to pay fees to support collective bargaining and contract negotiation, he said.

Employees' pay and benefits would be subject to collective bargaining.

The union could seek higher wages for the employees. But if there wasn't anything in the existing contract that said what the employee's wages would be, it's theoretically possible that result could be a decrease in pay - but Davis said such decreases are unlikely.

The budget provision has flown largely under the radar. But some academic staffers who found out about the unions' plans said they were opposed to being forced into a union without a vote.

"The union has always supported the right of employees to decide whether they want to be part of the union or not," said Carol Weidel, a programming analyst at UW-Madison who is an academic staff member. "It's not something that's imposed on you."

Weidel is a treasurer for the United Faculty and Academic Staff, an American Federation of Teachers local on the UW-Madison campus that currently has no collective bargaining powers but plans to organize employees once the budget passes.

Mason, who worked as a lobbyist for AFT-Wisconsin for five years, emphasized that the unit clarification concept was already part of the law. He said the goal is to make sure workers are part of a community of interest.

It makes sense, he said, to group together the people who have most in common.

Mason said while reclassified employees wouldn't have the chance to vote on whether to become part of the union, they would become voting members with rights.

"Collective bargaining rights is something that I've cared about for a long, long time, and I'm someone who believes that if somebody's in a union they're likely to have more say on their hours, wages and working conditions."

Hansen did not return a call for comment.



NewsWatch Delivered

Get the latest local news delivered to your inbox M-F at 2:00 pm..

[Sign up Today](#) | [View Sample](#)

[Sign up Today](#) | [View Sample](#)

Find this article at:

<http://www.jsonline.com/news/statepolitics/49149167.html>

Check the box to include the list of links referenced in the article.