

## Frequently Asked Questions Faculty Unionization at MSU

### What are the primary goals of forming a faculty union at MSU?

- To enter into a collective bargaining relationship with the university's administration and Board of Governors
- To arrive at a collective bargaining agreement that will be binding on all parties.  
*Unlike our existing Faculty Handbook, a collective bargaining agreement cannot be unilaterally altered by one party without the bargained consent of the other.*

### Is it legal for MSU faculty to organize and form a union at MSU?

- Yes, employees generally have a legal and constitutional right to join a union under both Missouri and federal law. MSU faculty are no exception.
- A group of faculty members have already formed a union – the MSU Faculty Association – and affiliated with the National Education Association.

### Who would be eligible for membership in the MSU Faculty Association?)

- **All** full-time faculty employed at MSU are eligible to join the MSU Faculty Association.

### How does a faculty member become a member of the local union?

- Contact any of the members of the MSU Faculty Association Executive Committee and ask for membership forms: Reed Olsen, President, Economics; Bill Piston, Vice President, History; David Lutz, Secretary, Psychology; Mary Ann Jennings, Treasurer, Social Work; Holly Baggett, Member at large, History.

### What does it cost to be a member?

- The MSU Faculty Association does not currently have any local dues. State Level and National dues for the NEA total \$201 per year for the first year of membership then increase to \$317 for the second year, \$435 for the third year and \$551 for every year thereafter.

### Could an MSU faculty union engage in collective bargaining?

- Yes, according to the Missouri Constitution (Article 1, Section 29), "Employees shall have the right to organize and bargain collectively through representatives of their own choosing."
- In May of 2007 the state Supreme Court confirmed that this constitutional right to collective bargaining applies to public employees, including the MSU faculty.

### What would trigger collective bargaining by our faculty union? |

- There must be an election in which all employees in the proposed bargaining unit, which would consist of all full-time faculty at MSU, will be eligible to vote.
- Persons can vote whether union members or not.
- A simple majority of those voting will have to vote for representation by a union, i.e., the "exclusive representative" of the unit.
- Once the vote is successful, we would formally request the university engage in collective bargaining.

### What can the union bargain?

- The union can bargain any issues in the general categories of
  - Salary
  - Benefits
  - Terms and conditions of employment
- The union can also identify issues of most concern to MSU faculty.

### Is our employer required to bargain in good faith?

- In Missouri, the boundaries of good faith bargaining for public employers are untested legally.
- There is growing consensus that the constitutional right to bargain implies legal expectations that bargaining will be in good faith. If necessary, Missouri NEA is prepared to legally test this consensus.
- The current Interim President (while serving as general counsel) has assured us the University intends to bargain with any union in good faith.

### **How would our agreement be ratified?**

- It must be ratified by both parties' decision-making authority.
  - The Board of Governors for MSU.
  - The Union for faculty (the bargaining unit)

### **What is the difference between unionization and collective bargaining on one hand, and our existing system of shared governance on the other? Are the two compatible?**

- The two are entirely compatible and exist successfully, side by side, in institutions throughout the country.
- The most fundamental difference is that the collective bargaining process results in a mutually binding collective bargaining agreement, which has the legal force of a contract and is not subject to unilateral changes by either party.

### **Won't unionization and bargaining lead to an "us versus them" relationship that is inconsistent with the culture of an academic institution such as MSU?**

- Unionization and collective bargaining can, and generally will, lead to a far more mature and substantial cooperative relationship between employees and employer.
- Real collaboration can't exist in a relationship characterized by widely unbalanced power relations between the collaborative partners.
- Collective bargaining creates a formal framework through which
  - a more balanced relationship can be created and maintained.
  - employees are empowered to speak as partners and expect agreements to be stable and enforceable.
  - unilateral changes in working conditions typical of MSU are avoided.
  - administration and faculty relationships are regularized and improved.

### **Won't unionization lead to strikes and disruptions?**

- Strikes by public employees, including university employees, are illegal in Missouri and have remained so since the 2007 Supreme Court decision.

### **Can faculty members be forced to join a union against their will?**

- No. Membership in a union cannot be made mandatory in Missouri. Nor are non-union faculty members forced to pay dues for representation by the union in collective bargaining.

### **Many problems in higher education result from public policy rather than local management decisions. How can unionization address those problems?**

- NEA, including the Missouri Chapter, is recognized as an effective voice impacting legislation and public policy in the nation and the state.
- Joining a local affiliate of NEA allows MSU faculty to leverage that effectiveness in advocating both for the university, and for higher education generally.

### **Isn't NEA a union of primary and secondary education employees? Won't the voice of our members in higher education be lost?**

- NEA and Missouri NEA represent more higher education faculty and staff in collective bargaining than does any organization in the country and the state.
- MNEA bylaws create a dedicated, at-large higher education seat on the MNEA Board of Directors, assuring that the higher education voice will be present in all major decision-making.

### **Beyond collective bargaining, are there other advantages to joining Missouri NEA?**

- MNEA membership carries a variety of benefits, including:
  - professional liability coverage
  - legal support in professional matters
  - discounts on a wide range of goods and services
  - membership in the largest network of educators and education professionals in the country
  - a variety of higher education-specific NEA publications.

**For More Information See the Union Blog at: [MSUfacultyassociation.blogspot.com](http://MSUfacultyassociation.blogspot.com)**