



To: University of Missouri-St. Louis Faculty

From: Erik Smetana, *Assistant Vice President of Human Resources*, University of Missouri System

Subject: Information regarding unionization for UMSL faculty

Date: August 19, 2016

I write today as you weigh the idea of unionization at the University of Missouri-St. Louis (UMSL) and am encouraged by the dialogue many of you are having with each other and with campus leadership.

The University of Missouri – across the system – values the extraordinary and unique contributions of our faculty and believes in the tradition, tenets, and value of shared governance to the university. This is why the university desires to continue to work directly with you, providing competitive compensation, obtaining your input on committees, and supporting your teaching, research, and service efforts without a third party.

To that end, this letter (1) provides the following information to clarify how a union may alter our current working relationships, (2) gives additional detail so that you may make an informed decision, and (3) reiterates the high regard in which the university holds your contributions. We believe the means to address challenges and opportunities is through continued use of shared governance, transparent practices, and open dialogue.

Unions, Missouri, and the Public Sector

The University of Missouri, in regards to unionization, is governed by Missouri public sector labor law, different from what your faculty colleagues at private institutions in the metro area or even those working at public institutions in other states are subject to. The significant differences include:

- Missouri is a “meet and confer” state. Under Missouri law, the university’s sole obligation in regard to any existing or future union agreements is to, in good faith, meet with union representatives and consider their requests. The university does not have an obligation to come to agreement with the union or its representatives on any particular topic.
- While the National Labor Relations Board (NLRB) may govern union-related matters at private institutions (e.g., Washington University in St. Louis), the NLRB has no authority over the University of Missouri.

- The university is not subject to binding third-party arbitration. The Curators of the University of Missouri are the final authority in all employee matters and, in the case of union relations, has delegated those matters to the Office of Human Resources at the University of Missouri System.

The Effects of Unionization

A union, if elected, will serve as the exclusive representative of the faculty. In short, this means that union representatives will speak, negotiate, and make agreements on behalf of the represented faculty on matters allowed by the State of Missouri. This is true whether you join the union and pay dues or do not. In the course of soliciting your signatures either on campus, via email, or through a paper *Union Authorization Card*, you may have questions on what a union may be able to do or impact if an election takes place and the union begins to represent the faculty. It is important to understand:

- The union cannot guarantee changes to pay or working conditions. While pay may be a component of any meet-and-confer discussions, the university is not required to agree to any particular changes.
- The union cannot guarantee employment or increase job security. The union cannot guarantee decreased teaching workloads.
- The union cannot call for a strike or work stoppages or perform similar acts if dissatisfied with actions of the university. These actions are illegal under Missouri law.

The Election Process and its Impact

For the near-term question of authorizing a vote on representation, note:

- If you sign a *Union Authorization Card*, you may rescind the card at any time from the union.
- If an election is held, you have no obligation to vote for the union or vote at all if you do not wish to do so.
- If elected, the union will represent ALL faculty in the bargaining unit whether you wish to join the union, be represented by the union, or associate with the union. The union will become the voice of the faculty.
- If you join the union, you will be required to pay dues. Based on available data at other institutions, your cost would range from 2 to 2.5% of annual gross wages.

If enough *Union Authorization Cards* are signed by the faculty to authorize a vote, an outcome for union representation would require a majority of those eligible to vote to confirm representation. The exact procedure for a vote, should one be necessary, is under development by the University of Missouri System.

Last, I reiterate the university's commitment to shared governance and the value we place on our relationship with you. We recognize the vital role faculty play in the university's mission and their critical importance to university operations. It is uncertain, based on positions that unions historically have taken at the bargaining table, what would change should a union be elected, particularly as relates to representation of the interests of all faculty and the extent to which UMSL's focus on individual ability, performance, and initiative would be less emphasized than factors like seniority.

I trust you will use this information to inform discussions with each other and with campus leadership. Through open communication, relationships built on trust and collegiality, and the proven benefits of shared governance, UMSL will grow stronger and continue to serve as an example of excellence in the metropolitan community, across the state, and beyond.