

LR MONTHLY REPORTER

MINNESOTA STATE COLLEGES & UNIVERSITIES

Labor Summit Update

Follow-up work from the Summit is underway. The Leadership Council's Human Resources Committee reviewed an Executive Summary of the Summit proceedings on February 2, 2010. This will be discussed next at the Board of Trustees meeting in March. After the Board meeting, we will send the summary to all participants from the Summit.

We will be using the ideas generated during the Summit to develop a long-term labor relations strategy. To this end, we have determined to create a Labor Relations Advisory Council. This group will serve to assist in further analyzing the results of the Summit and help craft our labor relations strategy for the future. The group also will serve as advisors as we enter formal negotiations of our collective bargaining agreements.

In addition, one of the common themes we heard at the summit was to engage the bargaining units in future discussions about workforce needs. We are attempting to set up such a dialogue with all bargaining units. These conversations will, again, prove helpful in determining our future workforce needs.

Please know that the Summit was the first of many conversations we intend to have on these topics, both across the system and with the new Labor Relations Advisory Council. It is our intent to engage all stakeholders as we continue to build even better relationships with our bargaining units and in designing a long term labor relations strategy.

A note on our first issue:

Please remember that the contents of this, and future, newsletter contains labor relations information and should be treated as confidential. Please be prudent in any further circulation you may cause.

Upcoming Training Opportunities:

- **March 8 & 9: Unclassified Leave Accounting Training**
- **April 12-14: Midwest CUPA-HR Conference**
- **April 16: Investigations and Discipline Training, Minnesota State Community and Technical College**
- **April 22, 2010: HR Spring Conference**

*Contact your LR Rep for more details

*Interested in training on your campus? Contact your LR Rep

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Community and Technical College Updates

As always, life for our Community and Technical Colleges has been busy. Here are some recent interpretations coming from the Labor Relations Staff.

MSCF Article 10, Section 4, Subd. 4E. Rotation Order. — When calculating a faculty member’s “total FTE in that credential field which has been assigned to the faculty member within the previous two (2) years,” the FTE calculation does not include summer work.

MSCF Article 10, Section 4, Subd. 6. Alternative Summer Assignment Distribution. — This section is designed to be an entirely different distribution method from what is included in Section 4. For example, a department may unanimously agree to draw straws for summer assignment work. This section is NOT intended to allow a department to simply strike or add a few phrases or words from the current system as outlined in Subdivisions 5 & 6. That is not an entirely new system, but rather just a variance of the current one.

Reminder:

- ◆ The end of the semester approaches! Please make sure that non-renewal notices are issued by certified mail at least 1 month prior to the end of a probationary faculty member’s 6th semester. See Art. 20!

MSCF Article 11, Section 1, Subd. 10. Class Size. — For this provision, the concept of “one (1) semester in advance” means the passage of a full semester, not just anytime in the previous semester. Summer session does not count. As an example, if a change to class size is made in October, it cannot be effective until the following fall.

Article 17. Professional Development. — There is no restriction in the contract that professional development monies only be used for in-state travel.

College Grievances Around the System

- Recently, a grievance was settled at the state level providing that we will combine credits taught by temporary part-time faculty members at different MnSCU colleges for purposes of determining tuition waiver eligibility.
- MSCF has recently indicated its willingness to move forward on a grievance challenging an administration’s right to change the grade of a student it believed was being harassed and unfairly targeted by a faculty member. The union is maintaining that the grade change violates the instructor’s academic freedom pursuant to Article 23, Section 3. The Arbitrator will likely be asked to interpret the phrase “evaluate student performance.”

State University Updates

We have received a number of questions from several campuses regarding the assignment of faculty to more than one program or department. It appears that the Local Faculty Association has suggested that such "dual rostering" of faculty may be required in several different situations.

Here is what we have advised.

Do not confuse the current assignment of a faculty member to at least one department or program (see Article 20, Sec. A, Subd. 2) with the right of a faculty member to bump into a department or program in which they have previously served for three continuous years at least 50% FTE (see Article 29, Sec. B, Subd. 1 and Sec. C). These are two distinct concepts.

The University may choose to assign a faculty member to more than one department or program for the current assignment, but it is never required to do so (and there are probably limited circumstances in which doing so make much sense). If a faculty member is given a current assignment in more than one department, the University will likely be required to make some decisions concerning the voting rights of the affected faculty member (i.e., in which department will the faculty member vote?).

Universities are required to note on the seniority roster "other departments or program" in which a faculty member has served at least "three full academic years of continuous service." Based on historical documents, we have determined that to meet this threshold the faculty member must have taught courses or otherwise worked in the "other" department/program at least 50% of his/her regular assignment for three continuous years. The notation is intended to make the reader of the roster aware of the existence of faculty members who could be assigned to the department/program in the event of a lay-off. Thus, the seniority roster should not indicate that the faculty member is serving in or currently assigned to the "other" departments/programs.

MSUAASF TEACHING CREDIT LOADS

A quick reminder: There is NO specific limit on the teaching credit load for ASF members in the MSUAASF Agreement, however, the following two rules apply:

1. If the instruction is within the realm of the ASF member's normal duties (i.e. part of load), the instruction cannot exceed 50% of their work load.
2. If the ASF is teaching as an adjunct assignment (above and beyond their normal work duties/load), then they are restricted to 10 credits per academic year pursuant to the IFO Agreement.

Classified Contract Corner

***For everything you ever wanted to know about AFSCME, MAPE, MGEC, MMA, and MNA**

MMA's New Rep

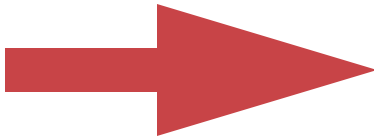
MMA has a new Business Representative who will be handling all MnSCU institutions. The new Rep's name is My Lee and she can be reached at (651) 288-6391 or mlee@middlemanagementassn.org

Day on the Hill

Practically every spring we get requests from our classified workers that they be allowed to participate in their union's "day on the hill" which is a statewide lobbying effort. Depending on business needs, employees may take vacation leave, use compensatory time, or take an unpaid leave for this effort. Union leave is not appropriate.

"Working Supervisors"

We are hearing some chatter on the campuses about AFSCME challenging the concept of a working supervisor. They seem to have some concern regarding supervisors performing what they believe is bargaining unit work. As a general rule, we own the work! If this is being raised on your campus and you want further guidance, please contact your LR Rep.



Please check the Agreements to make sure you understand your responsibilities regarding the distribution of union contracts. If you need more printed copies, please contact your LR Rep!

We want your feedback!

This newsletter is an earnest attempt to assure that all of our campuses are getting the labor relations information that they need. We need to know what you think! Please feel free to email Bill Brady at william.brady@so.mnscu.edu with any thoughts or concerns you have. In particular, it would be helpful for us to know the following:

- ◆ Is there content that hasn't been included that you hope to be in the next issue?
- ◆ Is the information in this issue relevant, timely, and important to your campus?

UPDATED!!

Labor Representative Assignments

Chris Dale- 651.296.8555

- Bemidji State University
- Metropolitan State University
- Minnesota State University, Mankato
- Minnesota State University Moorhead
- Southwest Minnesota State University
- St. Cloud State University
- Winona State University

Jeff Wade- 651.297.4299

- Anoka Technical College
- Central Lakes College
- Fond du Lac Tribal and Community College
- Minneapolis Community and Technical College
- Office of the Chancellor
- Ridgewater College
- Riverland Community College

Bill Brady- 651.282.2548

- Bemidji State University
- Century College
- Inver Hills Community College
- Metropolitan State University
- Minnesota State University, Mankato
- Minnesota State University Moorhead
- Normandale Community College
- Northland Community and Technical College
- Northwest Technical College
- Southwest Minnesota State University
- St. Cloud Community and Technical College
- St. Cloud State University
- Winona State University

George Warner- 651.296.0681

- Alexandria Technical College
- Anoka-Ramsey Community College
- Dakota County Technical College
- Lake Superior College
- Minnesota State College— Southeast Technical
- Minnesota State Community and Technical College
- North Hennepin Community College
- Northeast Higher Education District
- Saint Paul College

Jody Thronson- 651.296.1419

- Bemidji State University
- Hennepin Technical College
- Metropolitan State University
- Minnesota State University, Mankato
- Minnesota State University Moorhead
- Minnesota West Community and Technical College
- Pine Technical College
- Rochester Community and Technical College
- South Central College
- Southwest Minnesota State University
- St. Cloud State University
- Winona State University

**WE ARE ALL
GETTING
NEW PHONE
NUMBERS!
STAY TUNED
FOR OUR
NEW DIGITS!**

**State
Universities
can call
either Chris,
Bill, or Jody
for any of
their LR
needs as all
three Reps
“share” the
University
accounts**