



## United Academics CAC Summary Report for AY 2022-2023

For Academic Year 2022-2023, our United Academics Contract Administration Committee (CAC) fielded approximately **168 cases and inquiries (between August 30<sup>th</sup>, 2022 and July 31<sup>st</sup>, 2023)**. We filed 8 new grievances, 1 Unfair Labor Practice, 14 information requests, and were able to reach informal (pre-grievance) resolution on many cases. Below, we provide updates on grievances from AY 2021-2022 that came to a conclusion in AY 2022-2023. We then summarize representative work that the CAC addressed over the past year.

Any questions or concerns about this report can be addressed to [contract@unitedacademics.org](mailto:contract@unitedacademics.org).

### ***Grievances filed in the AY 2021-2022 period with final outcomes occurring in AY 2022-2023:***

We continued to work on an unfair termination grievance we filed in June of 2021 in which there was no progressive discipline and other problems with the sudden termination. We advanced the case to the Vermont Labor Relations Board (VLRB) for arbitration and ultimately reached a settlement in November of 2022.

We carried forward the process and ultimately prevailed in a grievance we had filed after the Administration added new criteria to RPT forms, including adding Our Common Ground language, without bargaining those changes. The case advanced to the VLRB, and we reached a settlement in January 2023 resulting in the RPT guidelines reverting to what had been bargained with UA.

We grieved the imposition of new and prying Conflict of Interest Form disclosure requirements for all faculty. We advanced the case to the VLRB with the hearing held in April of 2023 and post-hearing briefs submitted in May. We feel that we have a strong case, but we have not yet heard a decision.

We also filed an Unfair Labor Practice (ULP) case back in July of 2021 regarding retiree benefits being changed without notice to UA, and there has been an unusually (and we believe, unacceptably) long delay in any decision from the VLRB on this. We are concerned that the VLRB is not rendering decisions on cases in a timely manner, which undermines our ability to resolve major grievances. We also continued with a lengthy grievance process relating to Rehabilitation and Movement Science changing the working conditions and worksite location of faculty by creating a new requirement for specific clinical placements only within UVM Health Network sites. We advanced this grievance to the VLRB, and prior to the stage of depositions and a hearing we were able to reach a settlement in September of 2023. We urge our members across UVM to pay close attention to any changes mandated without consultation, regarding *where* clinical practice on one's workload can occur.

### ***New grievances filed in AY 2022-2023:***

We filed 8 new grievances, 1 new Unfair Labor Practice (ULP) and a petition of unit determination in the 2022-2023 AY.

One grievance focused on the failure to provide a safe working environment and failure to timely notify the Union when sewage backed up into a building where several members worked, creating unsafe working conditions (Article 25, Safety and Health). The situation was ultimately addressed (although slowly with some remaining concerns), and the grievance was not advanced.

We filed a grievance (Article 14.4) regarding the usage of old RPT guidelines in a department where a member was up for promotion. We received a response assuring the timely and fair review of the member's dossier and a commitment to revising the RPT guidelines, which were finalized in October of 2023.

We filed a grievance after receiving confirmation that the University Benefits Advisory Council (UBAC) no longer functioned (Article 20.11). This is an important space noted in the CBA for reviewing proposed changes to benefits. The University agreed with our grievance and reinstated UBAC with three members appointed by United Academics sitting on the council (a win!).

We grieved the university's refusal to provide key information in an information request pertinent to a faculty member who was not reappointed. The university denied the grievance; we did not advance it to the VLRB.

We petitioned the unit determination of a new director position. The administration's position is that creating new faculty positions with the title Director can be excluded from the faculty bargaining unit at UVM's discretion. UA's position is that for faculty with 'director' titles to be excluded from the unit, this needs to be bargained through CBA negotiations (Article 1 of the CBA lists many director roles that are excluded from the unit, all of which have been discussed and agreed to at the bargaining table.) This case is currently with the VLRB.

Regarding the new Learning Management System (LMS), Brightspace, we filed a ULP regarding the Administration's sudden decision to stop impact bargaining the rollout of this new LMS. We also filed a grievance regarding the failure to modify workloads (per Article 16.14) or agree to per diem payments (per Article 19.6) for the extra work required of faculty. Both the ULP and the grievance have VLRB hearings scheduled for later this year. In the meantime, we are discussing the possibility of a settlement with the administration.

We filed a grievance regarding the incorrect interpretation of summer pay rates (a fight over the word 'for' versus 'from'). Unfortunately, our grievance was denied, and we did not advance the case, which we determined would not likely result in our favor.

We grieved a non-reappointment decision, and the grievance resulted in the decision being overturned. We won a grievance on the reduction of course weighting imposed on NTT faculty whose department moved to a different college. The administration's decision was reversed, and the remedy of restoring the original workloads for those faculty was granted.

We also won a grievance on the lack of written faculty annual evaluations in one department (per Article 14.3), and our proposed remedy was granted (three recent wins!).

Of the 168 inquiries across the AY:

- 16 were exception agreements or MOAs initiated by the faculty member or UVM's office of Labor and Employee Relations (LER)
- 112 inquiries led to CAC members providing information to the member (largely these inquiries did not lead to grievances)

- 3 cases involved resignation agreements
- 1 case involved underpayment of a Senior Lecturer – our advocacy resulted in resolution of this issue
- we discovered the failure of the UVM administration to award PT Teaching Award as outlined in the part-time CBA – our advocacy resulted in resolution of this issue
- several summer contracts in a college were finalized and then the Administration attempted to rescind those contracts and lower the pay rate. Our advocacy resulted in resolution of this issue; the college honored the original contracts
- Voluntary Retirement Agreements (VRAs) were finalized for 4 faculty members
- 14 information requests were filed

Workload remains a common subject of inquiry. Issues include increasing workload without clear communication or compensation, and errors and inconsistencies with workload plan forms. Members frequently ask about service, unequal distribution of workload, summer pay and other pay, expanding work expectations beyond the job description, Brightspace implementation and workload change requests.

As various technologies are added to the workplace—Duo Factor requirement on short notice, Brightspace, LiveSafe on personal phones, TAMS workload/effort math, technology support for retired faculty—we will all need to remain alert to how they impact working conditions and how we can better keep work technologies at work and not on personal devices (for privacy, etc.).

Some inquiries focused on sabbatical pay calculations for those with reduced FTE agreements that enable less teaching and more research. We also worked on several cases relating to the calculation of research faculty raises.

We fielded concerns about how inclusive excellence planning overlaps or contradicts the CBA, how reorganization across the university impacts working conditions, the potential impact of transitioning to fewer co-located graduate courses, addressing disruptive students, inequitable pay across various directorship titles, and the cumulative impacts of the added administrative burden placed on faculty amidst a broad staffing shortage.

2022-23 CAC Members:

**Wade Carson** (Co-Grievance Officer, Biomedical and Health Sciences)

**Dan DeSanto** (Libraries)

**Katlyn Morris** (UA Executive Director)

**Ellie Miller** (Sociology)

**Ingrid Nelson** (Co-Grievance Officer, Geography and Geosciences)

**Deb Noel** (English)

**Koela Ray** (Biomedical and Health Sciences)