

UFE REPRESENTATION FEE EDUCATION INITIATIVE – INFORMATION GUIDE & FAQs

What is a representation fee?

A representation fee covers the fair share for the cost of collective bargaining, contract enforcement, and local representation by the union. A fee payer is a member of the bargaining unit who has not joined the union but who enjoys the benefits such as, salary increases, equitable improvements on working conditions and grievance representation. A description of the representation fee can be found in the current CBA (2015-17): Article 26.10.1-2 (pgs. 59-60). It reads:

26.10.1 The Union may enact a representation fee during the duration of this contract. If the Union chooses to enact a representation fee, the College shall collect the representation fee according to the provisions of RCW 41.76.045.

26.10.2 If a faculty asserts a right of non-association based on bona fide religious tenets or teachings of a church or religious body of which such faculty is a member, they shall pay to a nonreligious charity or other charitable organization an amount of money equivalent to the union representation fee. The Union will follow the process specified in RCW 41.76.045 to determine the actual charity or charitable organization.

We are aware of the current U.S. Supreme Court case *Friedrichs v. California Teachers Association (CTA)*. A non-union teacher, Rebecca Friedrichs, is challenging 40 years of precedent where unions can collect representation fees from all employees covered by a CBA. (An analysis of the case can be found in a N.Y. Times op/ed entitled, “Strong Unions, Strong Democracy” at: <http://www.nytimes.com/2016/01/12/opinion/strong-unions-strong-democracy.html>.) Since unions are obligated to represent all workers, the CTA argues that, in solidarity, we share the financial responsibility to support unions and their work in behalf of labor. A decision on the case will likely occur this summer.

Until then, we feel it is important that we educate our members about representation fees and how they specifically pertain to the UFE. The UFE Coordinating Committee and Stewards Council support this step. Washington state employees and local public school employees have a representation fee. Faculty unions are just catching up to other workers.

Who will pay the representation fee?

The representation fee will apply to continuing and term faculty members who are not already members of the union, and as well as adjunct faculty who teach *a minimum of 8 credits per quarter*.

The UFE encourages everyone to become a member. Faculty can become a member at any time by contacting their union steward (for more info see: <http://www.ufevergreen.org/join-us/>). Over the last 10 years, the union has delivered tremendous benefits and support to all faculty.

What are some of the gains and initiatives the UFE has made since 2006?

- 12.5% wage increase for all faculty in 2008-10, plus additional pay increases for adjunct faculty
- 5.5% wage increase for all faculty in 2013-14
- 3% wage increase for all faculty in 2015-16
- 3% wage increase for all faculty in 2016-17
- We continue to bargain and administer the CBA through contract negotiations and ongoing labor/management meetings
- Strong grievance procedure, including due process rights for all faculty members
- Revisions to the waiver policy regarding teaching partners and lower division teaching commitments
- Protection of sabbatical lines
- Protection of class sizes and reduction in the student-faculty ratio for first-year students through 2017
- Restoration of summer institute funding in 2015-17
- Expansion of parental leave to include all parents, regardless of gender
- Expansion of medical leave for adjunct faculty
- Increased job security for adjuncts through the establishment of multi-year contracts
- One-time transition of 6 long-term, ½-time EWS faculty beginning in 2016
- Opportunity for further transition of long-term EWS adjunct faculty in 2017-18
- One-time conversion of 4 long-time adjunct faculty members to regular status in 2008
- The creation of *The UFE Memorial Fund*, in honor of our founding UFE faculty members, Jose Gomez and Zahid Shariff
- The creation of the *UFE Scholarship Fund*
- Ongoing support of community and education partnerships through the *UFE Solidarity Fund*

Over time, we have learned more about the demands of maintaining this advocacy for our campus community. *It is time for all faculty to share more broadly in the costs of representation, just as all faculty have universally enjoyed the benefits of representation.*

How are representation fees determined?

For 2015-2016, the United Faculty of Evergreen union member dues are the following:

Fulltime > \$60K	\$789.00 (\$60.00 UFE local dues)
Fulltime < \$60K	\$769.00 (\$40.00 UFE local dues)
Halftime	\$394.50 (\$30.00 UFE local dues)
Adjuncts	\$202.25 (\$20.00 UFE local dues)

Essentially all union expenses devoted to bargaining, contract maintenance, and local representation of the bargaining unit are chargeable. Fee payers will have the opportunity to opt out of activities related to any political activity and lobbying beyond working conditions and wages. Fee payers are NOT legally obligated pay to support these activities. Based on the above amounts, representation fees pay cover collective bargaining costs which are estimated at 70-80% of the regular dues amount.

What are the differences between fee payers and members?

All faculty will continue to enjoy the full benefits of the CBA and of UFE's representation on all matters related to wages, benefits, and working conditions. Fee payers, however, are not members of the union. This means they are not eligible to vote on union matters, such as elections and contract ratification. At any time, a fee payer may opt for full membership and the opportunity to pay full dues.

What if non-union members have religious objections?

Religious objectors may opt out of paying the representation fee. *If they opt out, they must divert an amount equal to union dues to a non-religious charitable organization mutually agreed upon by the religious objector and the local union.* This right is guaranteed under the RCW. The Public Employment Relations Commission states that public employees have a right of non-association under state laws if:

- The employee is obligated to pay union dues or representation fee under a collective bargaining agreement covering his or her job; AND
- The claim of non-association is based on personally held religious beliefs, or teachings of a church or religious body.
- That is the only situation where the right of non-association applies, even if employees believe they have other valid reasons to be excluded from union representation or from paying union dues.“

When will the representation fee be implemented?

If the membership ratifies this proposal, then we anticipate beginning with the assessment of representation fees in September 2016.

Why now?

In 2006, the UFE was formally recognized and began to work on behalf of our campus community. We organized the union based upon such goals as: increased compensation, improved working conditions for faculty, and support for adjunct faculty. Since 2006, the UFE has continued to successfully meet these goals:

- Consistent increases in base salary compensation. The only exception took place in 2014, when the Administration's data showed a decrease in student enrollment and the UFE agreed to a one-year contract without a salary increase;
- Improved academic resources such as summer institutes, travel, sabbaticals; flexibility in meeting team teaching requirements and expectations in teaching all levels of the curriculum; and the recruitment and retention of students through lower class sizes, and;
- Better working conditions for adjunct and part-time faculty who have long experience and success at Evergreen.

How are our dues spent?

These fees and members dues go directly to support our representation of faculty. Our local dues are quite low. This is in part because most of our activities are paid for by

our larger statewide affiliates, the United Faculty of Washington State (UFWS), the Washington Education Association (WEA), and the American Federation of Teachers (AFT), Washington chapter.

- Our dues support our local work. The UFE chair has received up to ½ time release from teaching responsibilities or a quarter release, the cost of which is borne by our state affiliate, the WEA.
- Our dues pay for legal, technical and professional support for UFE members' activities on campus. We have access to professional staff assistance for contract negotiation and implementation. We have access to legal counsel on all issues relating to wages, benefits, and working conditions. These resources are also provided by our statewide affiliates.
- Our dues insure that the UFE and other four-year higher ed institutions to have a statewide presence. This means that lobbyists representing over 100,000 Washington voters make sure that our items are on the agenda and that no doors are closed to us.
- Local dues also support our annual union budget, such as administrative costs, potential costs of arbitration, membership meetings, space rental, communication costs, membership education, child-care and our UFE Solidarity Fund.