

GET THE
FACTS

FORMING A UNION

SUMMARY:

1 Academic Researchers (ARs) reach out to UAW 5810 asking for support in forming a union.

2 ARs form organizing committees to get information, and make a plan to form a union.

3 A majority of all ARs (50% + 1) sign authorization cards indicating they would like to form Academic Researchers United / UAW 5810 (ARU/UAW).

4 Authorization Cards are delivered to PERB (Public Employment Relations Board), the board designated to oversee public employee unionization efforts.

5 PERB then requests a list of ARs from UC to verify that all cards are valid and represent a majority.

6 If PERB finds a majority of Academic Researchers have signed cards, then PERB certifies ARU/UAW and ARs can begin bargaining with University Administration.

Who are Academic Researchers (ARs)?

Academic Researchers (ARs) are non-Student, non-Academic Senate, Professional Academic Personnel whose primary job duties involve research, or communication of that research to the public. Like other UC Employees, ARs have the right to collectively bargain under California’s Higher Education Employer Employee Relations Act, or HEERA (<https://www.perb.ca.gov/laws/heera.aspx>).



Cards

UC Academic Researchers are asking colleagues to sign union authorization cards. These say that ARs want the union they are forming — Academic Researchers United/United Auto Workers Local 5810 (ARU/UAW) — to represent Academic Researchers in collective bargaining with UC Administration. The authorization card explains the basics of the unionization process; the bargaining process; and describes whether, when, and how much in dues Academic Researchers might be asked to pay as part of unionizing.

California regulations require that each employee's "printed name, signature, job title or classification and the date on which each individual's signature was obtained" be present on cards, and state that cards are valid for one year after the date on which they are signed. Authorization cards are confidential and will not be shared with UC Admin.

Representation Petition

When a majority of UC Academic Researchers have signed authorization cards, ARU/UAW will file the cards with the California Public Employment Relations Board or PERB (perb.ca.gov/). Also submitted at this time will be a "Representation Petition," asking PERB to conduct a count of the authorization cards as "proof of majority support." ARU/UAW will notify Academic Researchers and the public when a majority of ARs have signed authorization cards and a Representation Petition is filed. PERB will ask UC Admin to provide a list of ARs to PERB. PERB then checks that at least 50% + 1 of ARs on that list have signed cards.

If less than 50% + 1 but more than 30% of Academic Researchers have signed cards, PERB may order an election. In an election, a simple majority of those voting is required to form a union. While we estimate there are around 8,000 Academic Researchers, if only 2,000 vote then 1,001 ARs could determine the outcome. Such an outcome would be significantly less representative, and therefore less democratic, than the process in which 50% + 1 (an absolute majority) of ALL ARs sign authorization cards.

Campaigning

California State Law is clear that UC may not "Impose or threaten to impose reprisals on employees, to discriminate or threaten to discriminate against employees, or otherwise to interfere with, restrain, or coerce employees because of their exercise of rights."

Nevertheless, the UC Administration is free, under the law, to express its opposition to UC employees unionizing and has done so in other major organizing drives. While we hope UC Administration will not oppose ARs unionizing, and expect that even if they do oppose, they will not do so aggressively, it is important to be aware of their record.

Certification

Once PERB counts the cards (or ballots in an election) and approves the petition to form a union, PERB will "certify" ARU/UAW as the union that represents all Academic Researchers, or the "exclusive bargaining representative." Once certified, Academic Researchers can elect a bargaining team and begin negotiations with UC.

UC Academic Researchers can "petition to decertify or change unions" twelve months after certification of ARU/UAW. Once UC ARs and UC Administration agree on a first contract, UC ARs will also have the right to "petition to decertify or change unions during a 30 day 'window period.'" The 30 day window period is determined by the expiration date of " each contract.

More Information

If you'd like more information or to get more involved, please ask an AR you may know who is helping organize ARU/UAW; send an e-mail to arunited@academicresearchersunited.org; or visit: <http://academicresearchersunited.org/>.