

Representation Fee – Voter’s Guide and FAQs

The current Collective Bargaining Agreement (CBA) authorizes United Faculty of Western Washington (UFWW) to enact a representation fee.

What is a representation fee?

Representation fee is a fee that UFWW will assess to members of the bargaining unit who are not members of UFWW. The fee covers the fair share for the cost of collective bargaining, contract enforcement, and local representation by UFWW. A fee payer is a member of the bargaining unit who has not joined the union but who enjoys all of the benefits of union representation.

Who will pay representation fee?

If the UFWW membership empowers the UFWW to exercise its right to enact representation fee, then the fee will apply to all faculty members who are not already members of UFWW and who are Senior Instructors, Tenure Track, or Tenured faculty. The fee will not be assessed on NTT faculty who are not yet Senior Instructors.

UFWW has not begun this process without a great deal of careful consideration. In 2006, UFWW President Bill Lyne made clear that UFWW was not considering imposing a representation fee. Over the last seven years two things have changed. First, UFWW has delivered tremendous benefits and support to all faculty and to the university more broadly (see page 3 for an outline of these benefits). Second, we have also learned more about the costs 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 advantages of representation (see page 4 for an outline of what our dues pay for).

What will representation fee cost?

Fee payers pay a representation fee that is equal to UFWW membership dues. Fee payers who object to paying 100% of union dues may request an annual prorated refund so that such fee payers pay only the percentage of membership dues that covers activities and expenditures related to collective bargaining and the duties of UFWW as collective bargaining agent. This portion of dues is known as the “chargeable” percentage of dues. Objecting fee payers are entitled to receive a refund of the non-chargeable share of dues, which is calculated annually for the local union, as well as for statewide and national affiliates. We currently estimate that objecting fee payers will be responsible for about 80% of membership dues. This will be assessed according to the same progressive scale as our membership dues (see page 4 for the current dues schedule).

What are chargeable activities?

Essentially all activities and expenses devoted to bargaining, contract maintenance, and local representation of the bargaining unit are chargeable. Non-chargeable activities include those related to any political or ideological activity, lobbying, and membership campaigns. Fee payers are NOT legally obligated pay to support these activities.

The UFWW Executive Board recommends a YES vote on representation fee!

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How is the non-chargeable percentage calculated?

Each year, the union President tracks the time that she or he spends on union activity. This time is coded into either chargeable or non-chargeable categories. Fee payers are initially assessed 100% of dues. Each year, fee payers receive an annual notice from the union regarding its overall chargeable percentage. This notice is called a *Hudson* packet. Upon receipt of that packet, fee payers can then demand a rebate of the non-chargeable percentage of dues. Fee payers may also challenge the calculation and demand that an independent arbitrator determine the non-chargeable percentage of dues that must be refunded. Each Spring WEA holds an arbitration at which the evidence is presented to an independent arbitrator to determine the appropriate chargeable percentage for the local, state and national affiliates of the union.

What are the differences between fee payers and members?

All faculty will continue to enjoy the full benefits of the CBA and of UFWW’s representation on all matters related to wages, benefits, and working conditions. Fee payers, however, will not be members of UFWW. This means that they do not get to vote on union matters, such as elections and contract ratification. Moreover, there are additional benefits to which members have access that fee payers cannot enjoy. At any time, a fee payer may opt for full membership and the opportunity to pay full dues.

What if I have a religious objection?

Religious Objectors may opt out of paying the representation fee. If they opt out, then 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 says the following: “Public employees have a right of nonassociation under state laws if:

- The employee is obligated to pay union dues or a representation fee under a collective bargaining agreement covering his or her job; AND
- The claim of nonassociation is based on personally held religious beliefs, or teachings of a church or religious body.

That is the only situation where the right of nonassociation applies, even if employees believe they have other valid reasons to be excluded from union representation or from paying union dues.”

When will we vote on representation fee? Who will vote?

The vote will be held electronically during the week of March 18, 2013. Only members of UFWW are eligible to vote. All members will receive an electronic ballot.

When will representation fee be implemented?

If the membership endorses this proposal, then we anticipate beginning with the assessment of representation fee in September 2013. There are a number of technical and administrative steps that we must take, including calculating the chargeable expenses. We believe that all of these steps can be completed prior to the next academic year.

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Why now?

UFWW has been recognized nationally for its effective advocacy on behalf of faculty and on behalf of the mission of public higher education.

([http://www.nea.org/assets/docs/HE/1301Advocate_PDF\(1\).pdf](http://www.nea.org/assets/docs/HE/1301Advocate_PDF(1).pdf))

Our advocacy has resulted in two contracts that delivered significantly improved compensation for faculty. These contracts have protected our workload and as a consequence maintained the high quality of educational experiences for our students. These contracts have also delivered new protections for our intellectual property rights, while strengthening and improving other rights. The costs of maintaining this advocacy are extremely modest when compared to these benefits. At the same time, these costs threaten to outpace our current financial base, especially as we lowered dues this year for many of our members in order to fulfill our commitment to a more progressive dues structure. It is also the case that our members have borne this cost on behalf of the rest of the faculty for seven years. It is time both to bolster the financial strength of our representation and to make the obligation to support that representation more equitably match the significant pool of beneficiaries.

BENEFITS

In 2006 UFWW was formally recognized and began to work tirelessly on behalf of our campus community. We organized UFWW around three core goals: strengthen and protect shared governance, improve compensation and working conditions for faculty, add to the voices in Olympia championing Western and public higher education. In partnership with our administration, with other employee groups and their unions, and with students and alumni we have made substantial progress on all of these goals. UFWW continues to work alongside the faculty senate to strengthen shared governance. Both of our CBAs have included substantial protections of our workload. Our agreements have protected our access to travel and professional development funds, and to fully funded sabbaticals.

All faculty have enjoyed substantial gains in compensation since the successful organization of UFWW.

First CBA, 2008-2012:

- ALL faculty received a 10.5% raise to base salary.
- ALL tenured faculty gained access to a 3% raise at the conclusion of superior Post Tenure Reviews.
- The raises for tenure and promotion were increased to 10%.
- Non-Track Faculty gained access to the rank of Senior Instructor and a 7% raise.

Second CBA, 2013-2015:

- ALL faculty received a raise of 5.25% in September 2012.
- ALL faculty will enjoy additional raises of 4.25% in BOTH September 2013 and September 2014.
- The raise for Senior Instructor status was increased to 10%.

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- Significant funds were allocated to address compression and equity among tenured and tenure track faculty. These funds will equal more than 2.5% of total faculty salary over the course of the agreement.
- Chair stipends were increased by 15% and a chair compensation committee is currently meeting.

Our dues typically amount to less than 1% of a faculty member’s salary, and in most cases dues are significantly less than 1%. This is a small price to pay for the continued advocacy of UFWW, and it is a small price to pay in exchange for all of the benefits that advocacy provides.

How are our dues spent?

Member dues and potential fees go primarily to support our representation of faculty.

- Our dues directly support our local work. The UFWW President receives a half-time release, the cost of which is borne by the union. In addition, during bargaining years we purchase a course release for the chair of the UFWW bargaining team. The cost of these releases is modest but it far outweighs the local portion of our dues. Therefore, this cost has been met out of the portion of our dues that go to our statewide affiliates. The UFWW President and the Executive Board spend a substantial amount of time each week in meetings and activities directly related to contract maintenance.
- Our dues pay for technical and professional support for UFWW’s 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 pay for UFWW and four-year higher education 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 (this is activity that is non-chargeable to fee payers).
- Our local dues are quite low, and this is in part because most of our activities are paid for by our larger statewide affiliates, UFWS, WEA, and AFT-WA.

CURRENT DUES STRUCTURE

<u>Category</u>	<u>Salary Basis for Category</u>	<u>Rate/Pay Period</u>	<u>Total Dues</u>
A	\$75,000 and above	\$39.83	\$717
B	\$60,000 - \$74,999	\$33.94	\$611
C	\$50,000 - \$59,999	\$28.06	\$505
D	\$40,000 - \$49,999	\$20.22	\$364
E	Below \$40,000	\$12.33	\$222

Faculty on quarterly contracts pay the lowest rate (category E) per pay period.

Objecting fee payers would therefore be responsible for the chargeable percentage of the dues category for which they qualify.

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