



Collective Bargaining

Section: 1.439
Effective Date: March 30, 2011
Amended Date: September 1, 2016

1.439 Collective Bargaining

1.439.02 Collective Bargaining at UB

- A. Collective Bargaining, under the law, allows the elected union and the University to meet and engage in Collective Bargaining.
- B. Collective Bargaining is a process for establishing employees' wages, hours, and other terms and conditions of employment which begins with negotiations between the elected union on one side and the employer on the other side.
- C. The results of these negotiations are set forth in an agreement, called a Memorandum of Understanding (MOU).
- D. The MOU is signed by the University President and the Union.
- E. Before the MOU can become effective, it must be approved by the Board of Regents and a majority vote of the employees in the bargaining unit.
- F. Any MOU which would change existing law or involves the expenditure of money must be approved by the General Assembly. All MOU's must have a term of at least one year, but no more than, three years.

1.439.04 Rights of University Employees

- A. Except as provided in Paragraph B, below, university employees may form and join employee organizations and assist in and participate in the activities of employee organizations of their own choice for the purpose of representation on matters of employee relations.
- B. Management employees, may join, assist in, or participate in the activities of an employee organization, or an affiliate of an employee organization, that represents or seeks to represent employees under the direction of the management employees when engaging in activities of a social, charitable, or fraternal nature.
- C. University employees may elect not to join employee organizations or participate in their activities. An employee may not be interfered with, intimidated, restrained, coerced, or discriminated against because of the employee's exercise of these rights.

1.439.06 Administration

- A. Certification of Bargaining Unit and Certification of employee organizations as bargaining units is the sole responsibility of the State Higher Education Labor Relations Board (SHELRB). The process by which employees may form bargaining units and seek certification by the University as the exclusive

representative of the employees for purposes of Collective Bargaining is described in the State Higher Education Labor Relations Board procedures for elections.

- B. The University's Police Department exercises no role or authority in this process.
- C. At the date of publication of this directive, the Fraternal Order of Police has been certified as exclusive representatives for the purposes of Collective Bargaining, and are the only organizations representing the UB Police Department sworn employees with which the University will bargain:

1.439.08 Procedures

A. Good Faith Bargaining

The University and the UB Police Department participate in negotiations based on the principle of "good faith" bargaining.