



CENTRAL WASHINGTON UNIVERSITY

FAQ ABOUT UNION REPRESENTATION

In Washington, most state employees have the right to request that a union represent them for purposes of collective bargaining. CWU respects your ability to make your own choice, and wants to assure you that we will respect your decision. Above all, we appreciate the hard work you do every day! The information in this handout was created to respond to the many questions about union organizing activities and membership that we have received from CWU employees. Accordingly, in response to your questions, we ask that you take a moment and consider the information in this handout if you are making a choice about union representation.

If you have additional questions, or if you have experienced issues regarding your right to make an informed decision, you may contact Kirk Eslinger, Director of Labor & Employment Relations at (509) 963-2267 for assistance.

Q- What happens when I sign a union authorization card?

A- If someone requests that you sign a union authorization card, you are free to sign or not to sign a union authorization card without fear of reprisal from either the union or the CWU. CWU will not request any information from you about your decision to sign an authorization card. We respect your right to authorize a union to represent you.

After you sign an authorization card, and the union files a petition to represent a unit of CWU employees that includes your position, the Public Employment Relations Commission ("PERC") will count the authorization cards and determine whether to certify the unit, hold an election, or dismiss the petition:

- If the percentage of interest cards amounts to less than 30% of the proposed unit of employees, the union has not submitted enough interest to initiate the process of certifying a new bargaining unit.
- If the percentage of interest cards is between 30% and 50%, PERC will facilitate a ballot vote to allow civil service employees to elect or not elect representation. A simple majority of those who vote (50% + 1) will determine represented status for all civil service employees included in the proposed bargaining unit.

- If the percentage of interest cards is 51% or greater, PERC may initiate a cross-check to verify signatures on the cards. Upon completion of the cross-check process, PERC may automatically certify the bargaining unit without offering an opportunity for the civil service employees to vote for or against representation in an election.

You have the right to sign and to revoke a union authorization card. If you have questions about signing or revoking an authorization card, contact the Public Employment Relations Commission at (360) 570-7324 or through their website at <http://www.perc.wa.gov/>.

Again, your union authorization cards are confidential. CWU will never see your authorization cards, nor will it request that you provide a copy of your authorization card, or ask you to tell anyone whether or not you decided to request a union to represent you.

Q- What are my rights if a union representative talks to me about the benefits of joining a union during working hours at my work station?

- A- You have the right to accept literature from the union representative, and set up a time to discuss the benefits of joining a union during your breaks or meal periods in detail. You may also ask the union representative to leave or contact your supervisor or human resources for assistance. As with any solicitation by an outside entity, solicitation may not negatively impact the productivity of our staff while they are performing their duties for CWU.

Q- Will my wages and benefits change if I'm represented by a union?

- A- Represented employees' wages and benefits are determined by collective bargaining negotiations between CWU or the Governor's Office and employees' respective unions. Collective bargaining does not require that CWU or the Governor's Office agree to give greater wage increases to represented employees than to non-represented employees.

When the Legislature determined the budget for 2007-2009, the Legislature granted the same cost of living increase (3.2 percent for fiscal year 2008 and 2.0 percent for fiscal year 2009) to State employees who were not represented. While represented employees received the same cost of living increase two months earlier than non-represented employees, represented employees may be required to pay monthly union dues or fees if the collective bargaining agreement between CWU or the Governor's Office and the union(s) has a "union shop" provision.

Q- Will the collective bargaining agreement between CWU or the Governor's Office and the union that represents me include all of the current policies and employee codes that are now in place?

The collective bargaining agreement terms supersede specific provisions of any institution policies, employee code or WAC that address the same subject, unless otherwise negotiated. Therefore, the terms of the collective bargaining agreement are applied even if CWU policies, code, or WACs about the same subjects in the agreement are more favorable than those contained in that agreement.

Q- If my coworkers voted for a union and PERC certifies a bargaining unit that includes my position, will I automatically become a member of the union?

A- You have a choice to become a member of a union. However, employees working under a collective bargaining agreement that includes a "union shop" provision must either become a member of the union and pay dues, or decide not to join the union and pay an "agency" or "representation" fee. The amount of dues and representation fees are determined by the union.

Q- Who sets the level of union dues?

A- If a bargaining unit of employees is certified, all employees in the bargaining unit may be required to pay dues or fees in the event that a collective bargaining agreement between your union and CWU and/or the Governor's Office contains a "union security" provision. Neither CWU nor the Governor's Office has control over the amount of dues and/or representational fees that a union decides to adopt.

Pursuant to the State Collective Bargaining Law, state collective bargaining agreements may contain a union security provision requiring, as a **condition of employment**, the payment of a monthly agency shop fee (RCW 41.80.100). The 2007-2009 collective bargaining agreement between CWU and the Washington Federation of State Employees ("WFSE") does include a union security clause, and the language directs CWU to terminate employees who fail to pay their mandatory union dues or fees. Other future negotiated collective bargaining agreements may or may not have a union security provision.

The union sets the dues, according to the terms of the union constitution and by-laws. For example, the current contract between CWU and the WFSE requires employees represented by the WFSE to pay union dues. The WFSE currently requires represented employees to pay dues in the amount of 1.5% to a maximum of \$76.50 a month (member dues) or 1.13% to a maximum of \$57.55 a month (non-member fee). According to the WFSE's website, visited on 8-19-08, an employee who makes \$4400.00 per month pays \$66.00 member dues. For

an employee that makes \$4400.00 per month, that could amount to \$792.00 per year in union dues payments.

Q- If PERC certifies a union as the exclusive bargaining representative of a unit of CWU employees, when will there be another election?

A- Once a union is certified as the exclusive representative of the employees, it will likely remain so indefinitely unless the majority of employees in the bargaining unit vote to decertify the union pursuant to the procedures established by PERC.