

## **ARTICLE 2 RECOGNITION**

2.1 Bargaining Unit. The University of Florida Board of Trustees (hereinafter Trustees) recognizes the United Faculty of Florida (hereinafter UFF) as the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and other terms and conditions of employment for all faculty members in the bargaining unit as defined in Commission Order No. 05E-195, Certification No. 1558, issued by the Florida Public Employees Relations Commission on September 9, 2005 or as subsequently modified by Commission Order. Appendix "A" lists the titles included in the bargaining unit.

2.2 Job Classification.

(a) New or revised position classifications with job duties that include a substantial teaching or research component that traditionally have come under the purview of an administrative unit within the bargaining unit or otherwise significantly overlap duties of positions within the bargaining unit shall be treated as within the bargaining unit, pending a final determination to the contrary by the Public Employees Relations Commission. New or revised faculty position classifications with job duties that do not include a substantial teaching or research component that traditionally have not come within the purview of an administrative unit within the bargaining unit or otherwise do not significantly overlap duties of positions within the bargaining unit shall not be regarded as within the bargaining unit, pending a final determination to the contrary by the Public Employees Relations Commission.

(b) The University may create new position classifications with job duties that include a substantial teaching or research component or otherwise significantly overlap duties of positions within the bargaining unit only after discussions with UFF regarding the nature and necessity of the new position classifications and whether they will be designated within or outside the bargaining unit, unless UFF notifies the University in writing that it does not object to the new classification or designation. If UFF does not request such discussions within thirty (30) days after notification of the proposed new position classification, the University may proceed to implement it.

(c) If the University wishes to revise the specifications of an existing class so that the bargaining unit designation needs to be changed, it may do so only after negotiations with UFF regarding such new designation, unless UFF notifies the University in writing that it does not object to the new designation.

(d) If an agreement cannot be reached after discussions or negotiations referenced in Sections 2.2(b) and (c), above, the University and UFF shall request that the Public Employees Relations Commission resolve the dispute through unit clarification proceedings.

(e) Disputes Over Classifications or Bargaining Unit Status of Individuals.

(1) Upon request by a faculty member or UFF, the Provost or designee shall review the faculty member's classification and bargaining unit status and send a written explanation of the faculty member's classification and bargaining unit status to both the faculty

member and UFF.

(2) If UFF disagrees with the results it shall inform the Provost or designee of its opinion in writing and have ninety (90) days from receipt of the Provost's explanation to request that the Public Employees Relations Commission resolve the dispute through unit clarification proceedings.

(3) Until the Public Employees Relations Commission makes a final determination, the presumptions regarding new or revised position classifications or bargaining unit status specified in Section 2.2(a), above, shall apply.

### 2.3 Reclassification of Faculty Members to a Non-Unit Classification.

(a) When the University proposes to reclassify a faculty member to a classification that is not in the bargaining unit, it shall notify the faculty member and UFF ninety (90) days in advance.

(b) The faculty member may request a review under the provisions of Section 2.2.

(c) UFF may discuss such action pursuant to Article 6, Consultation.

(d) If UFF believes the classification represents an error that may potentially affect the broader composition of the bargaining unit, UFF may request that the Public Employees Relations Commission resolve the dispute through unit clarification proceedings.

(e) No faculty member shall be reclassified to a classification that is not contained in the faculty bargaining unit for the purpose of denying the faculty member rights or protections under this Agreement. A faculty member may pursue a timely grievance over any contract violation alleged to have occurred prior to the reclassification becoming effective. A grievance filed under this section will entitle the grievant to the remedies otherwise available to a unit employee under this contract.

### 2.4 Board of Trustees Meetings.

(a) The University shall bargain with UFF prior to altering wages, hours, or any other term or condition of employment of bargaining unit faculty. If an item on a public meeting agenda of the Trustees (or of any subcommittee of the Trustees) directly impacts wages, hours, or any other term or condition of employment of bargaining unit faculty, the University shall notify UFF, and UFF shall be afforded the opportunity to consult, upon timely request, with the Trustees' designee(s) about the item. In addition, upon timely request from UFF, UFF shall be afforded an opportunity to address the item at the Trustees meeting with the time and place on the agenda to be determined by the Trustees.

(b) Minutes of public Trustees or public committee meetings are available to UFF via [trustees.ufl.edu](http://trustees.ufl.edu) at the time they are made available to the Trustees involved.