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## Workshop Training: Union Membership Mobilization and Collective Bargaining in an Open Shop Environment

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# **OPERATING IN A RIGHT-TO-WORK ENVIRONMENT: THE EXPERIENCE IN FLORIDA**

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# **THE FLORIDA HIGHER ED SYSTEM**

- FLORIDA IS A “RIGHT-TO-WORK” STATE; R-T-W IS IN STATE CONSTITUTION
- UNION AND COLLECTIVE BARGAINING RIGHTS EXTENDED TO HIGHER EDUCATION IN 1976
- IN 1976 FACULTY AT ALL STATE UNIVERSITIES (THEN NUMBERING 10) VOTED TO UNIONIZE INTO THE UNITED FACULTY OF FLORIDA (UFF), WHICH BECOMES ONE STATEWIDE UNION LOCAL
- UNION THEN BARGAINED ONE COLLECTIVE BARGAINING AGREEMENT WITH STATE BOARD OF REGENTS FOR ALL UNIVERSITIES (LOCAL CHAPTERS BARGAINED SUPPLEMENTAL ISSUES LOCALLY)
- IN 1978 UFF LEAVES THE AFT; JOINS THE NEA (BECOMES JOINT AFT-NEA IN 2000)
- IN 1980s UFF BEGINS UNIONIZING COLLEGES AND COMMUNITY COLLEGES
- FL NOW HAS 12 STATE UNIVERSITIES; 28 COLLEGES AND COMMUNITY COLLEGES
- ALL 12 UNIVERSITIES HAVE UFF CHAPTERS (NON-ADJUNCT); 19 OF THE 28 COLLEGES PRESENTLY DO (TOTAL OF 31 UFF CHAPTERS)
- UFF NOW ALSO HAS 4 GRADUATE ASSISTANT (GAU) CHAPTERS + ONE IN THE PRIVATE SECTOR

# STATE OF THE UFF OVER TIME

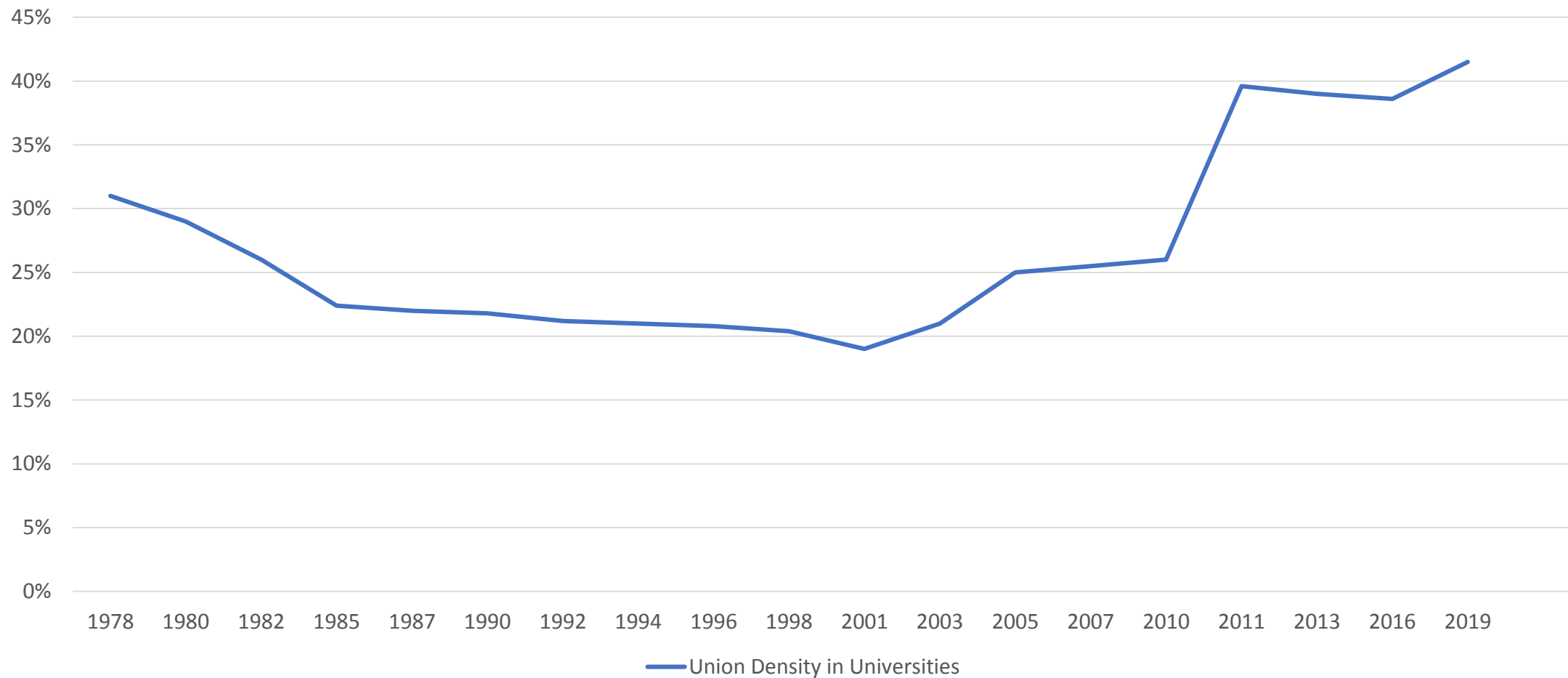
- THE UFF HAS EVOLVED OVER TIME – LONG PERIODS OF RELATIVE PASSIVITY, FOLLOWED BY EITHER EXTERNAL JOLTS OR INTERNAL CHANGES THAT PUSHED THE UNION INTO A MORE PROACTIVE “ORGANIZATION BUILDING” DIRECTION
- THERE ARE MANY WAYS TO MEASURE THE VITALITY AND POWER OF A UNION; FOR THE SAKE OF SIMPLICITY AND TO MAKE THINGS QUANTITATIVELY CLEAR, I WILL BE USING “UNION DENSITY” (% OF THE BARGAINING UNIT IN THE UNION) AS MY MAIN MEASURE OF THE UFF’S POWER AND EFFECTIVENESS.
- NEAR THE END OF MY ANALYSIS, I WILL ALSO USE MORE SUBJECTIVE QUALITATIVE ASSESSMENTS TO COMPLETE MY ANALYSIS
- TO ENSURE THAT COMPARISONS ARE “APPLES TO APPLES”, MY INITIAL UNION DENSITY NUMBERS WILL BE ONLY FOR THE UNIVERSITIES, SINCE ADDITION OF COLLEGES AND GRADUATE ASSISTANT UNITS IN LATER YEARS WOULD SKEW THE TRENDS. LATER I ADJUST FOR COLLEGE, GAU, AND OVERALL FIGURES.

# UFF MEMBERSHIP TRENDS IN THE UNIVERSITIES

YEAR	UNION DENSITSY	COMMENTS
1976		Collective bargaining rights won; universities unionize
1978	<b>31%</b>	
1985	<b>22.4%</b>	Steady declines since 1978
1998	<b>20.4%</b>	Fairly steady; very slow decline over previous 13 years
2001	<b>19%</b>	Union threatened by abolition of Board of Regents; some chapters may die
2003	<b>21%</b>	Union emerges intact from crisis; all chapters survive with new employers
2005	<b>25%</b>	Stepped up internal organizing and recruitment begins to grow the union
2010	<b>26%</b>	Relatively steady; constant efforts; no backsliding
2011	<b>39.6%</b>	<b>Massive</b> growth from response to threat of automatic decertification
2016	<b>38.6%</b>	Strong organizing efforts retain most of those “scared into” the union
2019	<b>41.5%</b>	Highest density ever; aiming for over 50% on all campuses

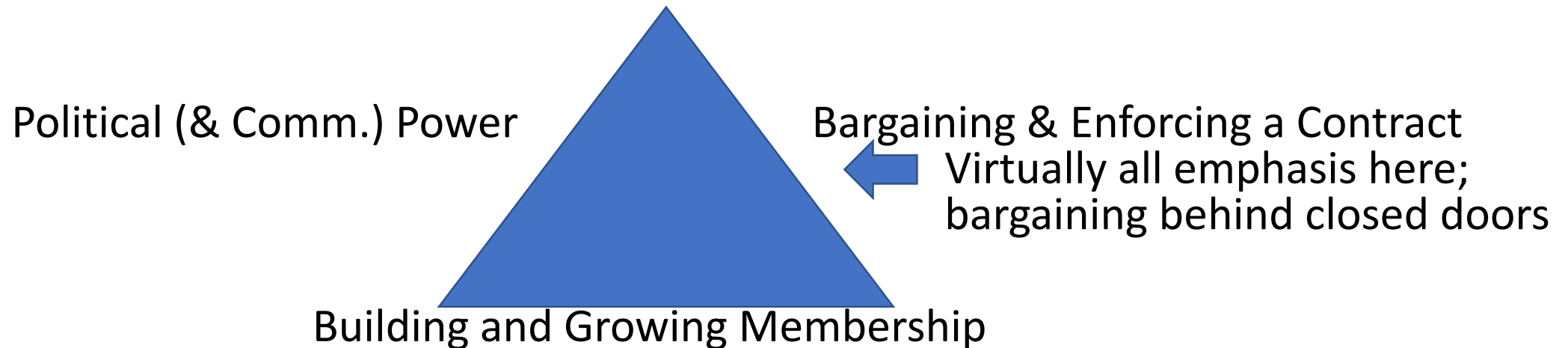
# MEMBERSHIP TRENDS

## Union Density in Universities



# CRITICAL TURNING POINTS: COMMENTARY

- NOTE THAT FROM 1978 TO 1998 AND THROUGH TO 2001, THE UNION DECLINED IN RELATIVE SIZE (AND POWER). **WHY?**
  - FROM **31%** DENSITY IN 1978 TO **20.4%** IN 1998 AND **19%** IN 2001
  - IF WE THINK OF A UNION AS HAVING THREE SOURCES OF POWER (BARGAINING AND ENFORCING A CONTRACT, POLITICAL [AND COMMUNITY] INFLUENCE, AND MEMBERSHIP ORGANIZING AND GROWTH, THE UNION WAS LOPSIDEDLY FOCUSED ALMOST EXCLUSIVELY ON PRIVATELY BARGAINING AND ENFORCING A CONTRACT.



# CRITICAL TURNING POINT #1

- THE YEARS 2000 THROUGH 2003 WERE A TURNING POINT; DECLINE TURNED INTO GROWTH. **WHY?**
  - FROM **19%** DENSITY IN 2001 TO **21%** IN 2003 AND **25%** IN 2005
  - INITIAL CAUSE: IN 2000, GOVERNOR JEB BUSH AND THE LEGISLATURE ABOLISHED THE STATE BOARD OF REGENTS (THE “EMPLOYER”) AND REPLACED IT WITH INDIVIDUAL BOARDS OF TRUSTEES ON EACH CAMPUS (10 NEW “EMPLOYERS”) EFFECTIVE JULY 1, 2001.
  - ALL NEW BOARDS OF TRUSTEES APPOINTED BY BUSH AND STACKED WITH ANTI-UNION BUSINESSMEN AND ASSOCIATES OF BUSH
  - ALL 10 BOARDS REFUSE TO RECOGNIZE THE UNION; DECLARE THEIR CAMPUSES UNION-FREE
  - SOME CAMPUSES HAVE UNION DENSITY AS LOW AS 11% OR 12%; INITIALLY LOOKS LIKE UNION MAY BE KILLED ON CAMPUSES WITH WEAKEST CHAPTERS
  - UNION IS **FORCED** TO REACH OUT TO ENTIRE BARGAINING UNIT ON ALL CAMPUSES; COLLECT UNION ELECTION AUTHORIZATION CARDS



# CRITICAL TURNING POINT #1, con't

- NATIONAL AFFILIATES FUND 6 STAFFERS TO ORGANIZE ENTIRE STATE UNIVERSITY SYSTEM; WITH THEIR HELP CHAPTERS ON ALL CAMPUSES DO SO IN FALL '01 AND SPRING '02. SIGNED CARDS COLLECTED FROM BETWEEN 62% AND 93% IN A MATTER OF MONTHS
- IN 2002 UNIVERSITIES DEMAND ELECTIONS, BEGINNING IN TWO CHAPTERS WITH ABSOLUTE LOWEST UNION DENSITIES (BARELY OVER 10%)
- UFF WINS THOSE ELECTIONS BY 91% AND 94%, HUMILIATING THE LOCAL ANTI-UNION BOARDS OF TRUSTEES
- AT THAT POINT, TO AVOID FURTHER HUMILIATION, OTHER BOARDS OF TRUSTEES BEGIN VOLUNTARILY RECOGNIZING THE UNION; BY 2003 ALL DO
- INTERNALLY, THE UNION IS JOLTED OUT OF ITS EXCLUSIVE FOCUS ON BARGAINING AND ENFORCING A CONTRACT; BEGINS (UNEVENLY FROM CHAPTER TO CHAPTER) BUILDING UP MEMBERSHIP AND POLITICAL ACTION COMMITTEES
- THIS ACCOUNTS FOR THE STEADY GROWTH FROM 2001 TO 2005

# INTERNAL CHANGES 2005 - 2010

- FROM 2005 – 2010, THE UNION DID NOT RESUME ITS USUAL UNION DENSITY DOWNWARD DRIFT IN NON-CRISIS TIMES; INSTEAD DENSITY SLIGHTLY ROSE (FROM 25% TO 26%), A RESULT OF INTERNAL UNION CHANGES
- MORE UNION CHAPTERS “OPENED UP” BARGAINING, MAKING IT PUBLIC TO THE MEMBERSHIP; EMPHASIZED THEME OF UNION AS A “POWER ORGANIZATION”
- MORE CHAPTERS MAINTAINED FUNCTIONING MEMBERSHIP AND POLITICAL ACTION COMMITTEES, ALSO INCREASING VISIBILITY OF THE UNION AS A FACULTY EMPOWERING ORGANIZATION
- FIELD STAFF SPREAD THROUGHOUT THE STATE ADDED IN 2005, 2006, AND 2008 (PREVIOUSLY ALL STAFF LOCATED ONLY IN STATE OFFICE IN TALLAHASSEE)
- IN 2008, CHANGE IN GRIEVANCE REPRESENTATION POLICY NO LONGER COVERS NON-MEMBERS, “SCARING” SOME INTO THE UNION
- BUT THE NEXT UPSURGE GREW OUT OF ONE MORE EXTERNAL THREAT: LEGISLATIVE THREAT TO AUTOMATICALLY DE-UNIONIZE ANY CHAPTER BELOW 50% UNION DENSITY

# CRITICAL TURNING POINT #2

- IN 2010, THE STATE LEGISLATURE ADVANCED A BILL TO AUTOMATICALLY DECERTIFY ANY PUBLIC SECTOR UNION THAT DID NOT HAVE OVER 50% UNION DENSITY
- UNLIKE PREVIOUS SUCH THREATS, THIS ONE ADVANCED RAPIDLY AND APPEARED TO BE HEADING TOWARD PASSAGE (DIDN'T IN THE END)
- MOST COLLEGES HAD OVER 50% DENSITY, BUT VIRTUALLY ALL UNIVERSITY CHAPTERS WERE UNDER, SOME VERY FAR BELOW
- UNIVERSITY CHAPTERS ENGAGED IN RECRUITMENT CAMPAIGN WITH MESSAGE: ARE YOU WILLING TO LOSE YOUR COLLECTIVE VOICE AND YOUR UNION CONTRACT WITH ITS PROTECTIONS?
- FROM 2010-2011, MASSIVE GROWTH AT UNIVERSITIES: OVER 52% JUMP IN DENSITY. (ESPECIALLY EVIDENT ON "FLAGSHIP" CAMPUSES: MEMBERSHIP AT UF GOES FROM 23% TO 41%; AT FSU FROM 21% TO 44%)

# FOLLOWING CRISIS #2: 2011 TO THE PRESENT

- FROM 2011 TO THE PRESENT, THE UNION HAS MATURED INTO A MUCH MORE EFFECTIVE MULTI-FACETED POWER ORGANIZATION
  - NOW ROUTINE TRAINING IN ORGANIZING AND RECRUITMENT, TO SUPPLEMENT TRAINING IN COLLECTIVE BARGAINING AND CONTRACT ENFORCEMENT (E.G., MEMBER ORGANIZING ACADEMIES IN 6 AREAS OF THE STATE IN 2016; ONGOING TO THE PRESENT)
  - NEW EXECUTIVE DIRECTOR WHO IS MUCH MORE STRATEGIC IN THINKING THAN HIS PREDECESSOR CAME ON IN 2012
  - FIELD STAFF (PREVIOUSLY SUPPOSED TO DO ALL TASKS BUT REALLY FORCED INTO DOING ALMOST EXCLUSIVELY SERVICE WORK) NOW DIVIDED INTO “ORGANIZING SPECIALISTS” AND “SERVICING SPECIALISTS”
  - NEW FIELD STAFFER HIRED IN 2017 IS AN ORGANIZING SPECIALIST – FIELD STAFF IS NOW EVENLY DIVIDED (2-2) BETWEEN ORGANIZERS AND SERVICERS

# 2011 TO THE PRESENT (con't)

- IN 2018, NEW INTERNAL ORGANIZING PROGRAM (FUNDED BY NATIONAL AFFILIATES) THE **UFF Organizing FELLOWS PROGRAM** (TRAINS AND PAYS MEMBERS TO DO INTERNAL RECRUITMENT AND ORGANIZING, UP TO 10 HRS PER WEEK, \$20/HR). PRELIMINARY RESULTS: SUCCESSFUL, ESPECIALLY FOR GRADUATE ASSISTANTS UNIONS
- UNION IS ALSO NOW VIBRANT IN ORGANIZING NEW UNITS: SINCE 2016, UFF HAS ORGANIZED 6 NEW UNITS (5 COLLEGES, 1 NEWLY CREATED UNIVERSITY) AS WELL AS ONE MORE UNSUCCESSFUL ATTEMPT AT ANOTHER COLLEGE
- VIRTUALLY ALL OF THE EXTERNAL ORGANIZING AND INTERNAL ORGANIZING AND RECRUITMENT IS BEING DONE BY MEMBERS (OR WANT-TO-BE-MEMBERS FOR NEW UNIT ORGANIZING); PAID UNION STAFF TRAIN AND GUIDE, BUT DON'T DO THE WORK "FOR" THE MEMBERS
- UNION HAS GROWN TO OVER 8000 MEMBERS FOR FIRST TIME EVER; STRIVES TO GET OVER 50% DENSITY IN ALL UNITS (EXCEPT MAYBE GAU UNITS)

# FILLING OUT THE PICTURE: COLLEGES AND GRADUATE ASSISTANT UNION UNITS (GAUs)

- COLLEGES HAVE ALWAYS HAD HIGHER DENSITY THAN UNIVERSITIES: DURING THIS TIME PERIOD ALWAYS OVER 40%; FREQUENTLY IN THE 50-60% RANGE
- CURRENTLY (2019) COLLEGE UNITS' OVERALL DENSITY IS 63%, THE HIGHEST EVER
- COLLEGES COMPRISE 13% OF OUR BARGAINING UNITS AND 23% OF OUR MEMBERSHIP
- GAUs LOSE 1/3 OF THEIR BARGAINING UNIT EVERY YEAR; HAVE A VERY HARD TIME REACHING EVERYONE: AVERAGE DENSITY BETWEEN 10% AND 20%
- CURRENTLY (2019) GAUs' DENSITY IS 18.4%, THE HIGHEST EVER
- GAUs COMPRISE 39% OF OUR BARGAINING UNITS AND 20% OF OUR MEMBERS
- BY 2019, THE COMBINED UNIVERSITY AND COLLEGE DENSITY IS 46.1%; LOWER GAU DENSITY BRINGS THE OVERALL UFF DENSITY DOWN TO 35.3%

# LESSONS FROM THE UFF EXPERIENCE

- LESSON #1: TIMES OF STABILITY WITH A PRIMARY FOCUS ON COLLECTIVE BARGAINING LEAD TO DRIFT AND DECLINE: UNION MUST CONSTANTLY FOCUS ON ORGANIZATION-BUILDING
- LESSON #2: “NEVER LET A CRISIS GO TO WASTE” OR “THE PROMISE OF ADVERSITY”
- LESSON #3: THE INTERNAL “CULTURE” OF A UNION IS CRITICAL: FOCUS HAS TO BE ON ORGANIZING AND BUILDING A POWER ORGANIZATION, NOT ON “INSURANCE POLICY UNIONISM” OR “CONTRACTS ARE US”
- LESSON #4: NATIONAL AFFILIATE SUPPORT FOR LOCAL REVITALIZATION CAN BE CRITICAL, ESPECIALLY IF IT IS AIMED AT CLEAR ORGANIZATIONAL RESULTS AND IS CONTINGENT ON LOCAL ACTIVISM TO CARRY OUT THE NEEDED WORK

# LESSONS (con't)

- LESSON #5: TRAINING LEADERS AND MEMBERS PAYS OFF IN THE LONG RUN; BUILDS INTERNAL CAPACITY
- LESSON #6: THE QUALITY OF STAFF (VISION, STRATEGIC FOCUS) IS CRITICAL FOR BUILDING A **POWER** ORGANIZATION (UFF HAS AN EXCELLENT STRATEGIC EXECUTIVE DIRECTOR AND SUPERB ORGANIZING AND SERVICING STAFF, SO IT NOW GROWS IN NUMBERS AND POWER EVEN ABSENT A CRISIS)
- LESSON #7: LIKEWISE FOR LOCAL ELECTED LEADERSHIP (BOTH STAFF AND AWARE MEMBERS/LEADERS SHOULD LOOK FOR AND NURTURE NEW STRATEGIC LEADERSHIP OUT OF THE MEMBERSHIP)