**General Overview Regarding Unionization**

Santa Fe College respects the process and employees’ right to choose.

**How the collective bargaining process works:**

The collective bargaining process is handled through the Public Employees Relations Commission (PERC). PERC, which was created to assist in resolving disputes between public employees and their employers, is a neutral, independent, quasi-judicial agency that adjudicates collective bargaining cases for public employees. This process can take varying amounts of time depending on which issues arise.

The following is a general overview of the process:

1. Registration: The union registers with PERC by filling out various forms in order to start the process.
2. Options for Employer
   1. Voluntary Recognition by Public Employer: A union that has the support of a majority of a group of employees may ask the public employer to recognize the organization officially by executing Part I of PERC Form 3.
   2. Petition for Election: Absent voluntary recognition, the union can ask PERC to hold an election. For this to be done, the union must first file a Representation-Certification Petition with original dated showing of interest statements (usually in the form of signed authorization cards) from at least 30% of the employees in the proposed bargaining unit. A showing of interest indicates that the employee wants the union to represent them in collective bargaining. The union proposes a definition of the bargaining unit (for example, adjunct faculty) and lists the number of employees it believes are in that unit and the number of showing of interest statements the union has received from employees in that unit.
3. Concerns with and Objections to Petition for Election: If the employer believes there are any issues in the petition by the union on, for example, the total number of employees belonging to the bargaining unit or whether there is an adequate showing of interest, the employer objects. If the employer objects, a PERC official may require a hearing so both parties can present evidence on any challenged issues.
4. Dismissal: If the hearing officer finds the absence of a sufficiency of interest showing, the representation-certification petition may be dismissed.
5. Election Order: If, after collecting evidence, PERC determines that sufficiency of interest requirements have been met by the union, PERC can order an election.
6. Campaign: Prior to election, both the employer and the union have the opportunity to provide information to the voters to allow them to make the most informed decision possible.
7. Election: PERC then sends notice of the election with a description of the bargaining unit, the date, time, and place of the election, voter eligibility information, and a sample ballot. The employer provides a list of employees eligible to vote. The election is conducted by secret ballot. If the union does not receive a majority of votes cast, the petition would be dismissed. If the union receives a majority of votes cast, subject to challenges, it would be certified as the exclusive collective bargaining representative of the entire bargaining unit.

**What is the current status for SF?**

1. Registration: Service Employees International Union (SEIU) has registered with PERC.
2. Options for Employer
   1. Voluntary Recognition by Public Employer: In SF’s case, SEIU did not have the support of a majority of adjunct faculty, so voluntary recognition of the bargaining unit was not available.
   2. Petition for Election: SEIU filed a Representation-Certification Petition against Santa Fe College with PERC on December 14, 2018. In its petition, the union claimed that there were 304 employees in the unit. The union states that it has showing of interest statements from 126 of those employees, amounting to over 30% of interested employees in the proposed bargaining unit.
3. Concerns with and Objections to Petition for Election: Upon review of SF’s records, the College found significantly more adjunct faculty employees (569 individuals) who should be recognized in the proposed unit. The College and the union have been presenting additional information through PERC to determine how many of the College’s employees fit the definition of the bargaining unit, with the union attempting to exclude various groups of adjunct faculty from the College’s list. The PERC hearing officer has scheduled an evidentiary hearing to be held in June on this issue. Attorneys for both the union and the College will present evidence at this hearing so the officer can fairly determine the appropriate number of employees who fit the definition of the unit and whether or not the 30% showing of interest requirement has been met. This process helps ensure that the bargaining unit is appropriately defined so adjunct faculty are accurately represented.

**Has the College hired outside counsel? If so, why?**

Yes, both the union and the College have hired attorneys to protect their interests, as is customary. The College’s outside counsel is helping it navigate complex, specialized collective bargaining law and represents the College in PERC proceedings. These proceedings are based in an adversarial judicial system. The adversarial nature of the process allows both parties to debate over issues, such as the number of employees who belong in the bargaining unit, in order to ensure that the results are both open and fair.

**What does it mean to be unionized?**

If the union is successful at the hearing and then “wins” an election and PERC certifies the union as the exclusive representative of the adjunct faculty bargaining unit, it first and foremost means that the union **exclusively** represents all members of the class (even if they voted against the union) on all matters involving wages, benefits, hours, and other terms and conditions of employment. Whether an adjunct faculty member votes or doesn’t vote in an election, if the union is elected, all adjunct faculty members would still be subject to the collective bargaining agreement. This means the College must deal with that union rather than individual employees on all matters related to the terms and conditions of employment, and an adjunct’s ability to directly and individually speak with a supervisor or other College representative with respect to such important matters will be limited. In this case, there will be one voice under the union for everyone in the bargaining unit; this means what an adjunct faculty member wants and values may not necessarily be reflected by the union. In other words, if an adjunct faculty bargaining unit is formed, this will place an unaffiliated third party business entity between the College and its employees. Our current system of shared governance would be significantly modified.

This is an important decision that will impact the College for many years to come. If PERC orders an election, please consider the facts and repercussions carefully. It is important to research and understand how membership dues, additional costs, union limitations, and union representation work in order to make a fully informed decision.

The College respects and supports our employees’ choice.

* [Chapter 447 of the Florida Statutes on Labor Organizations](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0447/0447PARTIIContentsIndex.html)
* [Florida Administrative Code 60CC on the Public Employees Relations Commission](https://www.flrules.org/gateway/Division.asp?DivID=502)