

A Post-Mortem on the Santa Fe Adjunct Union Election

-Jason Fults

Santa Fe College Senate representatives for adjunct faculty and part-time staff

As reported in *Today @Santa Fe*, the results of the recent union election were 259 (61%) against and 167 (39%) for joining the union. That is approximately 67% voter turnout, which is reportedly among the highest that SEIU has ever seen in such an election. I respect the adjuncts' decision and, along with adjunct leaders, intend to continue our ongoing efforts to seek improvements for all workers at Santa Fe. I am proud to have been part of an important conversation and to stand together for dignity and equity for Santa Fe's most precarious instructional workforce. Since the election, I have heard from many adjuncts, full-time faculty, and community members inquiring why the results were so lopsided and I believe that everyone deserves to hear a more complete reporting than what we received in *Today @Santa Fe*. I welcome anyone's feedback if you feel that I have omitted any pertinent details or misrepresented any facts.

In direct contradiction of the College Senate's request, the administration, aided by an outside law firm that specializes in "union avoidance," waged a successful, full-scale effort to beat back this union drive. The effort included personal appeals from our outgoing President as well as other members of the administration, some department chairs and full-time faculty, and personnel from Human Resources. Unfortunately, fear tactics and misinformation were employed liberally in an effort to maintain current power relations. Collective bargaining would have required our Board to sit down as legal equals with adjuncts to create a legally binding agreement. Ultimately, the Board maintains a lot of management rights and power even with collective bargaining, but having to meet as equals with our adjuncts, who make up the majority of the College's instructional workforce--teaching classes, running labs, and helping students change the course of their lives--was apparently deemed too threatening for those who run this institution. It remains unclear what the College's total expenditures were in terms of staff time, mailings, and payments for outside consultation, but those numbers should be made available to the College community, students, and taxpayers, and should be viewed in the context of the improvements in wages and benefits that we have advocated for on behalf of our part-time faculty and staff.

There are portions of the overall bargaining unit that bear closer attention, particularly law enforcement and the health sciences. SEIU argued that these faculty should not be included in the bargaining unit, as their pay packages and working conditions differ significantly from most of the College's other adjuncts. Many if not most of those adjuncts also work full-time jobs elsewhere and already have access to union representation and/or livable wages and benefits. These adjuncts were included in the bargaining unit at the request of the College.

With regard to law enforcement, as first responders, law enforcement adjuncts have their addresses protected from FOIA requests. As such, almost all criminal justice adjuncts' ballots were delivered to them at work. In the weeks leading up to the election, law enforcement

adjuncts teaching advanced and specialized law enforcement training received a 24% raise from the College. They were made aware of this raise in an Aug. 20th email from Lela Frye that also encouraged them to vote “no” for the union. In the days preceding the union ballots’ arrival, the College held a beginning-of-the-semester meeting with criminal justice adjuncts where the College’s position on the adjunct union was again made clear. Most of the ballots for the union election were delivered to the individuals following this departmental meeting. The turnout in this election from law enforcement was approximately 82% of eligible voters or 73 votes.

Some adjuncts in the health sciences reported being told that an adjunct union might affect their critical need stipends and that, “...if the union is approved, they will be forced to level the playing field and healthcare adjuncts will take a hit.” This misinformation failed to note that critical need stipends have never been affected nor under discussion from any of the six colleges/universities where adjunct faculty are represented by SEIU. Any raises that might have been won from bargaining would have been in addition to critical need. Furthermore, all adjuncts would have gotten the chance to elect a representative bargaining committee and ratify or reject a bargained contract. The turnout in this election from health sciences was as follows: Cardiovascular 86%, Dental 83%, Radiology 60%, Nursing 57%, Physical Therapy 42%, Surgical Tech 40%, and Respiratory 38%, for a total of 72 votes.

Adjuncts in other departments reported captive meetings with their department chairs, administration, and/or full-time faculty “team leaders” where they were urged to vote “no” and were warned that a successful union effort would “...change adjuncts’ relationship with the department for the worse and prevent them from being able to be involved in departmental decisions.” We know, based on a copy of a memo that was circulated, that department chairs were urged by the administration to have such meetings with their adjunct faculty and to encourage them to vote “no” for the union. Overall turnout for adjunct faculty not in the health sciences or law enforcement was 66%.

And finally, it bears mentioning that SEIU’s overall organizing strategy was sorely lacking and found to be off-putting to many of our adjunct faculty. Numerous people reported that they felt harassed by SEIU organizers as they attempted to contact them at their home and/or place of work. It is worth noting that in any union campaign, employers have far easier access to employees than the union supporters do. While employees have no obligation to speak to organizers or colleagues about the union, they do have an obligation to speak to their supervisors. Often, home visits are the only opportunity for union organizers or supporters to reach workers in a neutral setting. Large sectors of the adjunct workforce had little relationship with anyone on the union organizing committee and were only getting their information from supervisors who were sometimes less than forthcoming about how collective bargaining works and what it means to have a union. SEIU’s campaign obviously needed a stronger foundation in more areas of the College before moving forward with an election.

What’s done is done, and it will be left to the Florida Public Employees Relations Commission to determine whether any of the College’s actions were in violation of the law, and if so, how those

violations will be addressed. However, the bottom-line is that this College has successfully added a page to the anti-union playbook that is being used by higher education and other employers throughout the U.S. Whether they will deliver on their promises of improved conditions and a stronger role for our adjuncts in shared governance now that this union drive is behind us will be revealed in the coming months.