



March 6, 2024

Senator Omar Fatah, Chair
Senator Aric Putnam, Vice Chair
Senate Higher Education Committee

Chair Fatah, Vice Chair Putnam, and Members of the Higher Education Committee,

We are faculty members at the University of Minnesota, writing on behalf of the UMN Twin Cities Chapter of the American Association of University Professors (AAUP), to express our concern for the unjust and unusual barriers that we and over 23,000 other university employees face in exercising our rights to bargain collectively under the MN Public Employees Labor Relations Act (PELRA).

The AAUP is a nonprofit membership association of faculty and other academic professionals dedicated to advancing academic freedom and shared governance, defining fundamental professional values and standards for higher education, promoting the economic security of faculty, academic professionals, graduate students, postdoctoral fellows, and all those engaged in teaching and research in higher education, helping the higher education community organize to realize those goals and ensuring higher education's contribution to the common good. Each of those objectives are hindered by restrictions on the collective bargaining rights of university employees.

As you know, PELRA is a statute that provides rights and procedures for unionization among public employees. The law currently includes carve outs, barriers, and loopholes for the U of M that make it extraordinarily difficult for most university workers to unionize. For example, thousands of university workers have been crammed into Bargaining Units 11 ("Academic Professional and Administrative Staff Unit") and 12 ("Noninstructional Professional Unit"). These units consist of hundreds of dissimilar job codes across the five campuses, making unionizing and collective bargaining impossible as a practical matter. Other campus workers are denied the right to unionize

because they work part time, rely on financial aid, or are paid through stipends or waivers.

As scholars of labor history and/or labor law, we are struck by how unusual these designated bargaining units are. In the private sector and in many public-sector contexts, groups of workers typically propose bargaining units, which are then approved as long as they reflect genuine communities of interest within a workplace.

The proposed legislation would affirm that U of M workers who are not already unionized may organize and bargain collectively—subject to agency approval—based on their shared interests. It would also restore collective bargaining rights to other university workers who are currently excluded from PELRA's protections. This bill has the backing of the MN AFL-CIO, major public sector unions, and the Undergraduate Student Government, among others. Our message is clear: U of M workers deserve the same collective bargaining opportunities that other public sector workers enjoy.

In an era when university faculty face increasing pressure to avoid controversial topics, it is particularly important that faculty have the protections for academic freedom that collective bargaining can provide. While all faculty need such protections, they are particularly critical for the untenured faculty who perform an increasing portion of the teaching at the U of M.

We encourage you to support this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlotte Garden". The script is fluid and cursive.

Charlotte Garden, Julius E. Davis Professor of Law, University of Minnesota

A handwritten signature in black ink, appearing to read "William P. Jones". The script is fluid and cursive, with a long horizontal stroke at the end.

William P. Jones, Professor of History, University of Minnesota

On behalf of the UMN Twin Cities Chapter of the American Association of University Professors (AAUP)