Dear Faculty,

The collective bargaining agreement (CBA) between the University of Minnesota and the University Education Association (UEA) was due for negotiations this year. This communication is an update on the progress and status of those negotiations. We need to advise you that, because the parties have not been able to reach a mutual agreement on the terms for a new CBA, the University has presented to the UEA negotiating team a Last, Best, and Final Offer. The UEA negotiating team informed us that they intend to conduct a ratification vote on this Offer. The Offer is available here.

**Background**

Negotiations began later in the year than either party desired due in large part to the impact of the pandemic. However, the parties spent five days bargaining together between mid-June and mid-October. Our negotiating teams last met in a 12-hour mediation session conducted by a state mediator from the Bureau of Mediation Services (BMS).

Prior to the start of negotiations in June, the University and the UEA agreed, in light of the pandemic and all of the financial uncertainty stemming from it, to limit our proposals, negotiate a fair and equitable one-year CBA, and then return for another round of negotiations next year.

With this approach in mind, the parties made progress during our first four meetings. The University made a number of proposals, counter-proposals and modified proposals aimed at reaching an overall settlement with the UEA. During those first four meetings, the parties reached a number of tentative agreements on various issues for new or updated language in the one-year CBA. (See the Offer for a list of the tentative agreements reached...
between the parties.)

Pay Reduction Program

The COVID-19 pandemic is significantly impacting the University’s budget and finances. Earlier this year, U of M leadership developed, and the Board of Regents approved, the system-wide pay reduction program as a means to minimize job loss, to ensure income for employees (including faculty members) for the fiscal year, and to help offset the impact of COVID on each campus’s budget. The pay reduction program is inclusive of employees working at all five campuses. It is therefore important for the faculty members at U of M Duluth and U of M Crookston to also participate in the pay reduction program along with U of M Morris, U of M Rochester, and U of M Twin Cities faculty members.

We understand and appreciate that it is a challenge for the UEA, as the union representing the faculty members at U of M Duluth and U of M Crookston, to agree to a pay reduction for its members. Early in the negotiations, the Union negotiating team did acknowledge that UEA-represented faculty would need to participate in the pay reduction program already in effect for other professionals at their own campuses and across the University’s system.

During the first four bargaining sessions, the parties spent a great deal of time addressing the implementation of the systemwide pay reduction program for the UEA-represented faculty members. Based upon a number of proposals and/or requests from the UEA, the University added to and/or revised the contract language regarding the implementation of the pay reduction program for U of M Duluth and U of M Crookston faculty members. As a technical matter, the UEA negotiating team has not affirmatively agreed to the pay reduction language as a whole. However, the University has agreed to basically every UEA-requested proposal or change in the language that would not result in a disparity in comparison to the pay reductions required of faculty members at the other campuses.

The pay reduction provisions the parties negotiated are now contained in the University’s Last, Best, and Final Offer. The pay reduction program set forth in the Offer uses the same terms and includes the same components as the pay reduction program already in effect for faculty members at the other U of M campuses. The sole difference is the total pay reduction
percentage for the UEA-represented faculty members must be spread over a smaller number of pay periods since the U of M Duluth and U of M Crookston faculty members were not part of the pay reduction program when it began in June. The University offered an equitable and reasonable approach to the limited pay periods issue to which UEA has not objected.

**U of M Duluth Term Faculty**

Aside from implementation of the pay reduction program for UEA-represented faculty, there is only one issue preventing the parties from reaching an overall tentative agreement, an issue specific to U of M Duluth. Specifically, the UEA insists that by a specified date in February, U of M Duluth administration must provide a fall semester appointment letter or conversely, a notice that there will not be an appointment available, to all term faculty with more than seven years of employment at U of M Duluth.

As we explained to the UEA bargaining team, it is simply not possible for the University to agree to this demand—particularly because the budget allocations to the Duluth and Crookston campuses are often not approved and distributed until late spring or early summer. We appreciate and understand that every term faculty member desires to know as early as possible each year whether they will have a subsequent appointment for the fall semester. However, given the uncertainty surrounding enrollment and funding for the upcoming 2021-2022 academic year, the University cannot now commit to the requested timing in the UEA’s proposal on this issue.

As a compromise, the University has offered to enter into a Memorandum of Understanding (MOU) for the 2021-2022 academic year that would obligate the U of M Duluth administration to provide certain notifications to some term faculty members by identified deadlines. Please see the Last, Best, and Final Offer. Presently, the University is not obligated to provide any such notices to any U of M Duluth term faculty members under any timeline. Thus, the MOU language is an improvement for relevant faculty members, even if it is not exactly what UEA demands. The MOU language is as far as the University can proceed on this issue at this time.

**Next Steps**

The University presented its Last, Best, and Final Offer to the UEA negotiating team. A copy of the Offer is available here. We believe that UEA
will conduct a ratification vote on the Offer within a couple of weeks.

In summary, the University’s Last, Best, and Final Offer is precisely that—last, best, and final. The Offer reflects the parties’ work on the pay reduction language and it incorporates the tentative agreements the parties reached during the bargaining process. From an equity standpoint, the pay reduction program outlined in the Offer must be included in any CBA covering U of M Duluth and U of M Crookston faculty members. And, as discussed above, we cannot agree to the UEA’s proposal for locked-in appointments for U of M Duluth term faculty members by a specified date in February. However, the University has in good faith offered the MOU as a compromise improvement for faculty members as compared to what is (or is not) currently in place.

If the bargaining unit ratifies the Offer, the University will present it to the Board of Regents for their approval during their meeting on December 10–11, 2021. If the Offer is not ratified by UEA (and approved by the Board of Regents at their December 10–11 meeting), the percentage reduction amount from each faculty member’s paycheck will need to increase with each passing pay period to capture a sufficient overall annual pay reduction amount on par with the decreases endured by all other University employees systemwide.

If you have any questions, please contact  
erc@umn.edu.

Regards,

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This email was sent to all UEA members on behalf of Fernando Delgado, Executive Vice Chancellor for UMD