



PORTLAND STATE UNIVERSITY

American Association of University Professors

Promoting Quality Higher Education – An Investment in Oregon's Future

VIA EMAIL AND
PDF ATTACHMENT

Date: July 14, 2017

To: Shelly Chabon, PSU Vice Provost Academic Personnel chabonr@pdx.edu
Julia Getchell, PSU DAELR, Julia.getchell@pdx.edu

From: Phil Lesch, Executive Director

C: Jose Padin, President jose.aaup@gmail.com
Amanda Byron, Vice President Grievances amanda@psuaaup.net
Ian Stude, PSU Director of Transportation istude@pdx.edu
Dan Zalkow, PSU Assoc VP Planning zalkowd@pdx.edu
Susan Tardif, Special Asst to Vice Provost stardif@pdx.edu
Hannah Miller, Exec Asst to DAELR Hannah.miller@pdx.edu

Re: PSU-AAUP Division A grievance- Free access for PSU-AAUP bargaining unit members on the Portland Streetcar

This memo is a Division A grievance filed pursuant to Article 28 Division A of the Collective Bargaining Agreement. The grievants are all the members of the PSU-AAUP bargaining unit.

On July 10, 2017 PSU-AAUP received notice of the University's intention to change or eliminate the free access benefit for PSU-AAUP members on the Portland Streetcar.

Free access to the Portland Streetcar is a monetary benefit for PSU-AAUP members and, thus, a mandatory subject of bargaining with PSU-AAUP. This free access is a well-established past practice that a significant percentage of the AAUP bargaining unit will be able to confirm they have received. As such, this benefit is protected by Article 8 of the Collective Bargaining Agreement and changes to that practice are not permitted.

To the extent that this Division A grievance is unable to put the matter to rest, PSU-AAUP demands to bargain the decision and/or the effects of the decision to modify or eliminate this benefit.

The July 10, 2017 email was addressed directly to the Executive Director but is written as if it was sent to the broad community, including PSU-AAUP bargaining unit members. We are concerned that this email may have been sent to PSU-AAUP

members as the email contained the solicitation for direct feedback to administrators Dan Zalkow and Ian Stude about the Portland Streetcar benefit, and also invited people to interact directly with these administrators at an “open forum” on July 17, 2017. It is unlawful (pursuant to ORS 243.672) for an employer to deal directly with bargaining unit members on matters within the exclusive representative’s scope of bargaining. If this email was sent to our membership we request that the solicitation of feedback from our members be rescinded, and/or that the open forum scheduled for July 17 be cancelled and then rescheduled for those employees with whom it is not unlawful for the administration to deal with directly. Could you advise by asap if the email was sent to PSU-AAUP bargaining unit members, and if so what the University will do to address our concerns?

Separately we will submit an information request for the information that we believe we may need to address the matter.

Thank you in advance for your cooperation in this matter. We will look forward to hearing from you within the timelines set forth in Article 28 Division A and Article 7, and as soon as possible about whether Ian Stude and Dan Zalkow solicited direct contact with our members on the matter.