

**BOARD OF REGENTS
BRIEFING PAPER**

1. AGENDA ITEM TITLE: Amendment to the Professional Staff Collective Bargaining Regulations set forth in Board of Regents Handbook, Title 4, Chapter 4, to add to Section 10 a new subsection 3 allowing community colleges to negotiate separate collective bargaining agreements.

MEETING DATE: December 1-2, 2016

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

In addition to Truckee Meadows Community College, the professional employees of Western Nevada College and the College of Southern Nevada have voted to approve collective bargaining at their institutions. However, it is impractical and costly for the represented employees and management of the three institutions to negotiate together for a single collective bargaining agreement. The professional employees of CSN approved collective bargaining in 2016 and have requested negotiations to commence. TMCC and WNC have separate bargaining agreements that have been approved by the Board. The Board policy should be amended to conform to the practice of allowing the community colleges to negotiate separate bargaining agreements.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

The Board of Regents is respectfully requested to approve an amendment to Title 4, Chapter 4, Section 10, to add a new subsection 3, as follows:

3. *Community colleges may negotiate separate bargaining agreements.*

4. IMPETUS (WHY NOW?):

CSN has commenced collective bargaining negotiations and upon conclusion of those negotiations, will present a collective bargaining agreement to the Board of Regents for approval. Board policy does not specifically address whether a single or separate bargaining agreements may be negotiated at the community colleges where collective bargaining has been approved. The proposed language is a technical correction intended to make it clear that separate agreements may be negotiated.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- Title 4, Chapter 4, Section 4, defines a single bargaining unit for NSHE employees, but allows the formation of a community college bargaining unit.
- The Board of Regents approved the Truckee Meadows Community College collective bargaining agreement in 1995 and has regularly approved subsequent TMCC agreements.
- The Board of Regents approved the first Western Nevada College collective bargaining agreement in 2014.
- The employee representatives and institution management at TMCC, WNC and CSN have expressed a desire to negotiate separate agreements.
- Allowing the community colleges to have separate agreements is more practical and reduces the costs and length of time associated with contract negotiation.
- The proposed amendment is consistent with the Board's practice of approving separate community college agreements.
- No further amendment is needed since the Board's collective bargaining policy

and procedure has worked well for those institutions which have approved collective bargaining.

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

- As a single community of interests, the community colleges should be required to have a single collective bargaining agreement.
- The community college employee organizations and institution management should be required to fund the additional cost of multi-institution collective bargaining.

7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

- Do not approve the proposed amendment to allow separate community college collective bargaining agreements.
- Require TMCC, WNC and CSN to merge their agreements into a single document for Board approval.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: Title # 4 Chapter # 4 , new Section # 10.3
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____
- Fiscal Impact: Yes _____ No _____
Explain: _____

PROPOSED HANDBOOK AMENDMENT

TITLE 4, CHAPTER 4 (Professional Staff Collective Bargaining Regulations)

Adding to section 10 a new subsection 3 - allowing community colleges to negotiate separate collective bargaining agreements

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 10. Agreements Shall Be in Writing

1. It is the duty of the System and the employee organization designated as the bargaining agent for the unit to negotiate in good faith through their chosen representatives as required by this chapter.
2. All agreements reached shall be reduced to writing and submitted for ratification to the professional employees represented by an employee organization and to the Board of Regents. If the agreement is ratified by both parties, then it shall be signed by legally empowered representatives.
3. *Community colleges may negotiate separate bargaining agreements.*