Frequently Asked Questions Regarding Union Representation

The University periodically provides employees with information about the process of union representation. Below are some common questions that employees have asked concerning the representation process and its implications. If you have additional questions, call the Labor Relations Office at ext. 2-3641 (951-827-3641).

1. What is a union?

A union is an organization which has as one of its purposes to collectively bargain the wages, hours and conditions of employment for a particular group of employees. The union acts as your exclusive representative for these purposes. In order for the union to become your exclusive representative, a sufficient number of employees must show an interest in being represented.

2. What does it mean to be exclusively represented?

If, through the representation process the union represents you, it also represents all employees in the same or similar job classifications throughout the UC system. The union has the authority and the exclusive right to negotiate with UC management on the amount of wages, benefits and working conditions that the employees will receive. The legal power to negotiate as an individual would change and the union would become the agent for all employees in the bargaining unit.

Once the union represents you, potential wage increases could be less a matter of individual performance and achievement, and would be the outcome(s) of the collective bargaining process.

3. How does a union become my exclusive representative?

There are two ways that this can occur.

A union can collect enough authorization cards from you and your coworkers. It will need to collect cards from over 50% of the designated group of employees (called a bargaining unit) to automatically become your collective bargaining representative.

It can also happen by a vote. In order for a vote to happen, the union will have to collect authorization cards from at least 30% of the bargaining unit. Then the Public Employment Relations Board (PERB) would hold an election. In order for the union to win the election, more than 50% of the employees who vote would have to vote in favor of unionization. If that happened, you would become represented by the union.

4. What is an authorization card?

An authorization card is a document giving your permission for the union to represent you and it requires your signature.

5. What does it mean if I signed an authorization card?

It means you are choosing the union to act as your representative. A union may submit these cards to PERB, and based on a card check and not an election, become your exclusive representative if it obtains a majority of signed authorization cards. If a union obtains less than a majority but more than 30% of signed authorization cards, there will be an election.

6. Does that mean that signing the card is effectively the same as voting for the union in an election?

Yes. If the union submits enough cards (50%+1), then there will be no election and the Union would be legally certified as exclusive representative for all employees in the bargaining unit. There would be no opportunity to vote.

7. Once employees choose to be represented by a union, can they change their minds?

Yes. There is such a process called decertification, which is also driven by employee choice. This process is complex and can take a long period of time. It requires the filings of a certain amount of cards and a subsequent election.

The University would not and cannot be involved in this process.

8. If I signed an authorization card, am I automatically a member of the union?

No. If the union is certified as your bargaining representative, you will have the option of joining the union or being represented by the union.

9. What's the difference between being a union "member" and just being "represented" by a union?

If you are a member, you have the right to vote on union business. You can elect union officials, vote on negotiation issues depending on the union, or ratify the collective bargaining agreement.

If you are not a member, then the union will represent you without your voting.

10. If I signed an authorization card, do I have to vote in favor of the union if an election takes place?

If the union collects enough cards, there will be no election and there will be no vote. Then your signature on the authorization card is your vote for the union. But if the union does not get enough cards and there is an election, you may vote your opinion as of the date of the election. You are not bound to vote for the union on the basis of your signature.

11. If I signed an authorization card and would like to revoke it, what should I do?
Under current PERB case law, authorization cards cannot be revoked.

12. How does an election actually take place and what will be my choices on the ballot?
If the union collects more than 30% of the signed authorization cards but less than a (50%) majority, PERB will hold an election. You will have two ballot choices:

a. "No Representation" – this means you DO NOT WANT unionization
b. The union's name – this means YOU DO WANT unionization

Whichever option receives a simple majority of the votes cast wins. If a majority of those voting select "No Representation" you will continue to participate in the University's personnel programs for non-represented employees.

13. If there is an election, is there a minimum number of employees that must vote in order to decide the outcome?
No. A majority of the employees actually voting determines the outcome. If only 100 people vote, then only 51 need to say, "yes." Their vote would end up deciding for every other employee in the group. This is why you should make sure to vote.

14. Is membership in the union required to vote in an election?
No. If your position is included in the bargaining unit, you may – and should – vote.

15. Does UC have an opinion as to whether or not employees should be unionized?
The University adheres to the principle that representation by a union is a matter of employee choice.
UC supports employees' rights to determine for themselves whether or not they think unionization is beneficial. The University believes that its role is to ensure that you have an informed choice when faced with this important decision and to ensure that you understand the process.

16. If the union obtains a majority of signed authorization cards, or if a majority of voting employees elects a union as the bargaining representative, will I have to become a member of that union and pay dues?
No. Membership in the union is up to you. By law you cannot be forced to join the union. However, you will have to pay something to the union for its representation. These are called

"agency fees." For example, UPTE has the same fee schedule for union dues and agency fees. Currently, both union dues and agency fees are 1.13% of gross income, topping out at $45.00 per month.

17. If the union becomes the exclusive representative by collecting a majority of authorization cards or by winning an election, would I still have to pay a monthly fee to the union even if I do not sign a card or vote against unionization and cannot vote in union decisions?

Generally, once a union is certified, all employees represented by that union are subject to paying either dues or fees.

18. How is the amount of union dues established?

The union determines the amount of dues and fees. The union would be able to inform you about their current dues structure. If you have questions about the dues structure, then you should make further inquiries directly to the union.

19. Will I have any say in the negotiations?

Each union has its own rules about whether all employees or only union members (i.e., dues-payers) can express their views on contract matters.

20. Are wage increases subject to collective bargaining?

All wage issues will be subject to the collective bargaining process.

21. Does the union have the ability to unilaterally grant raises and/or prevent termination of employees?

No. These matters are part of the negotiations process between the University and any union certified to represent a unit of University employees.

22. How can I express my opinion about whether or not I am represented by a union?

You have several options. As long as you are not using work time or an inappropriate location where you are interfering with operations, you can make your opinions known.

You can make a decision to sign an authorization card if you are in favor of having a union as your exclusive representative. You may also choose not to sign an authorization card if you are not in favor of having the union as your exclusive representative.

If there is an election, you can vote for union representation or you can vote against it.