

**STATE OF OHIO
STATE EMPLOYMENT RELATIONS BOARD**

In the Matter of

United Academics of Ohio University, affiliated with AAUP/AFT,

Employee Organization,

and

Ohio University,

Employer.

Case Number: 2024-REP-03-0035

DIRECTION TO INQUIRY

Before Chair Zimpher, Vice Chair Collins, and Board Member Walter: September 19, 2024.

The United Academics of Ohio University, affiliated with AAUP/AFT (Employee Organization) filed a Petition for Representation Election seeking to represent certain employees of the Ohio University (Employer). The Employee Organization's proposed bargaining unit is as follows:

Included:

All full-time faculty at all campuses, including tenured faculty, tenure-track faculty, non-tenure track instructional faculty, clinical CHSP faculty, and all instructional faculty.

Excluded:

Visiting faculty, visiting instructors, librarians, and employees holding multiple appointments, all managerial employees, including presidents, vice-presidents, provosts, associate and assistant deans, and department chairs; supervisory employees; and all other employees.

The approximate number of employees in the proposed unit is 850.

The Employer objected to the proposed bargaining unit. The parties participated in the standard Representation process and exchanged Position Statements and Replies. The parties were unable to reach agreement on the proposed bargaining unit.

The Employer proposes the following bargaining unit:

Included:

At all campuses of Ohio University, all full-time Tenured or Tenure-Track Faculty (Professor, Associate Professor, and Assistant Professor), all full-time Non-Tenure Track Instructional Faculty (Professor of Instruction, Associate Professor of Instruction, and Assistant Professor of Instruction), and including all full-time Tenured or Tenure-Track Professors, Associate Professors, Assistant Professors and Non-Tenure Track Professors of Instruction, Associate Professors of Instruction, and Assistant Professors of Instruction in the Department of Social Work.

Excluded:

All faculty in the Heritage College of Osteopathic Medicine, all faculty in the College of Health Science Professions (except for full-time faculty in the Department of Social Work), all part-time faculty, all clinical faculty, all visiting faculty, all instructors, all special appointments, all adjuncts, all librarians, all employees holding multiple appointments, and all faculty participating in an early retirement program; all supervisors, confidential employees, and management level employees, including all ranks of presidents, all ranks of provosts, all ranks of directors, all ranks of deans, all department chairs, all administrators, and heads of schools; and all other employees.

The parties disagree on whether the faculty at the Heritage College of Osteopathic Medicine (HCOM) and College of Health Science Professions (CHSP), except for the positions in the Department of Social Work, share a sufficient community of interest to the remainder of the Employee Organization's proposed bargaining unit. The parties disagree on whether clinical faculty should be included in the bargaining unit. The parties also disagree on which employees with multiple appointments should be excluded. As such, the parties disagree on the appropriateness of the proposed bargaining unit under R.C. 4117.06(B).

The Employer asserts that the HCOM faculty and the CHSP faculty, except for the positions in the Department of Social Work included in its proposed bargaining unit, do not share a sufficient community of interest with the "rest of the general academic community at the University." The Employer states that the HCOM and CHSP faculty share a "clinical curriculum and unique delivery of instruction," as well as "unique core job functions, working conditions, independent board reporting and licensure requirements, and scheduling models." As a result, the Employer argues that its proposed bargaining unit is appropriate.


The Employee Organization asserts that the HCOM faculty and the CHSP faculty do share a sufficient community of interest with the remainder of the proposed bargaining unit. The Employee Organization states that the Employer's focus on the clinical aspect of the HCOM and CHSP faculty is misplaced and does not create sufficient differences to exclude these positions from the Employee Organization's proposed bargaining unit. As a result, the Employee Organization argues that its proposed bargaining unit is appropriate.

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The Board orders the parties to participate in an Inquiry to gather information relevant to resolving the issues raised. The date and time of the Inquiry and the Inquiry procedures will be addressed in a procedural order issued by the Office of the General Counsel of the State Employment Relations Board.

IT IS SO DIRECTED.

ZIMPHER, Chair, COLLINS, Vice Chair, and WALTER, Board Member, concur.

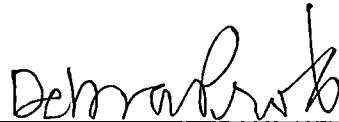

W. CRAIG ZIMPHER, CHAIR

CERTIFICATE OF SERVICE

I certify that this document was filed and a copy served upon each party or the representative of each party by registered e-mail, on this 19th day of September, 2024.

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