

Be Informed about RTPC Faculty Unionization at USC

USC's recent communications about non-tenure-track (RTPC) faculty's right to form a union have included misleading information that omits key details that would help us make an "informed choice" about unionization. We feel it's our responsibility to share the following side-by-side that provides the necessary corrections and helpful additions.

What USC Says	What USC Leaves Out
1. "The university respects unions and has worked collaboratively with them for many years, yet we do not think our faculty need a union to speak for them. Further, USC faculty are considered managerial employees, which we think legally prevents an election." -	See response to question 7 and 9.
2. If the UAW succeeds, all RTPC faculty in the proposed unit (including those who do not vote or those who vote against the union) would be represented by the UAW exclusively for their terms and conditions of employment.	See response to question 14.
3. "Unions often use an adversarial model, which can include strikes. At a university, strikes hurt students."	Our right to strike is one of our most powerful tools as workers. But we decide if and when to strike. Under the UAW constitution, a strike is only authorized if $\frac{2}{3}$ of participating workers vote yes in a democratic strike vote. Whether faculty ultimately decide to vote to authorize and go on strike would depend largely on how "adversarial" USC chooses to be in response to improvements we propose. Currently, USC can choose to ignore calls for such improvements. ~3,000 graduate student workers at USC as well as thousands of faculty across the country have negotiated strong contracts with significant improvements without having to strike. If USC commits to bargain in good faith, we should also be able to reach a fair agreement without striking.

	By unionizing, we aim to create a stronger USC. We believe that with guaranteed benefits, job security, and competitive salaries, faculty will be able to better serve our students and the USC community.
4. “Unions tend to propose one-size-fits-all mandates, which may not suit the diverse needs of our academic fields.”	See response to question 7 and 23.
5. “In bargaining, the UAW would likely demand a “union security” clause requiring all RTPC faculty, whether or not they voted for the union, to pay dues or fees. Dues can range between 1.4% and 2% of a faculty member’s salary.”	See response to question 16.
6. Some of you have asked about the union’s request for neutrality. This would mean that the university could not discuss our position on unionization with you before an election. We believe in open dialogue and want you to have all the relevant facts. We are legally required to stick to the facts and avoid misleading statements or promises. Unions are not held to the same standard and can make promises that they have no power to guarantee.	USC has made their position clear: they do not want faculty to form a union. Without a union, USC retains their unilateral control over our working conditions. Although we are disappointed, we are not surprised by this response, since USC has opposed unionization in the past. We are required to adhere to the same legal standards as employers on this topic. USC’s claim that a union makes promises they “have no power to guarantee” is another attempt to dissuade us from supporting a union. The fundamental reason a majority of us have expressed support for forming a union has always been clear – with a union, USC is no longer the sole decision maker in our working conditions.
7. What is USC’s position on union organizing? USC respects the right of unions to try to organize staff employees and has a long history of good relations with the unions that represent our employees. But USC believes that faculty do not	We – RTPC faculty – are organizing to form a union. If USC really “respects” the rights of workers to form unions, it will follow the lead of universities like Harvard, Barnard, NYU, The New School, Boston University, Tufts, and Fordham, who have bargained union contracts with non-tenure track faculty just like RTPC faculty at USC. USC itself is currently bargaining a contract with adjunct

need a union to speak for them -- and, indeed, are regarded as managerial under the National Labor Relations Act (NLRA). (See below FAQ: “Can supervisors and managers form a union under the NLRA?”)

- USC faculty have a system of shared governance in which (unlike almost all of our peer universities) all faculty participate equally. All USC faculty – tenure and RTPC, full- and part-time – can and do have an equal vote in electing Academic Senate officers. Four of the last six Academic Senate presidents have been RTPC faculty.
- USC believes our faculty can speak for themselves and through their elected faculty officers to resolve issues, without needing a third party as their exclusive collective bargaining representative – and without faculty having to pay a percentage of their salary as union dues
- One of the advantages of being at a private university is that there is more flexibility in responding to individual needs and situations. Union contracts tend to have a one-size-fits all model.

If there were a determination that a union can legally try to organize our RTPC faculty, USC would respect the right of eligible faculty to determine for themselves whether they want a union to be their exclusive collective

faculty in the School of Cinematic Arts who formed a union earlier this year.

- Faculty councils, the Academic Senate, and committees within our own schools and at the university level do excellent and important work, and reliably advocate for policies that would improve our working lives. However, they are advisory—the councils, committees, and Academic Senate can only make recommendations, which USC is free to ignore. By contrast, with a union, USC is required by law to bargain in good faith with an elected RTPC faculty bargaining committee. Once the contract is ratified, it is legally binding and enforceable.
- By forming a union, RTPC faculty are coming together to collectively bargain over working conditions. Without a union, RTPC faculty do not have the ability to collectively negotiate with central administration and reach a legally binding contract. By forming a union, we will have the power to win more than we would be able to by ourselves. RTPC faculty at USC are organizing to join the over 100,000 academic workers in the UAW who have secured strong contracts in recent years.
- Union contracts typically set salary minimums, not maximums, while also ensuring guaranteed increases for all employees. Once we formally vote to affiliate with UAW, we will elect faculty representatives to a bargaining committee that will have diverse representation across schools and departments. Every faculty member will be able to vote on whether to ratify a final agreement with the university.

bargaining representative. We do not believe that would be in the best interests of our faculty or USC. But we are confident that our faculty would ask good questions and do all they can to educate themselves on the impact of unionization, and what decision is the right one for them and USC's mission.	
8. What are unions? Unions are organizations that represent employees in negotiations with their employer concerning their terms and conditions of employment. Unions are financed by their members through initiation fees and monthly dues.	As RTPC faculty at USC, we are the union. By working together and determining our priorities collectively, we can build more power to improve our working conditions. Currently, individual faculty do not have the ability to bargain with our employer as equals over our rights and benefits. Once we have formed our union, USC will have a legal obligation to negotiate with RTPC faculty.
9. Can supervisors and managers form a union under the NLRA? No. Under the NLRA, supervisors and managers are not entitled to form a union. The Supreme Court has recognized that in a typical mature private university, authority is divided between the central administration and collegial bodies composed of faculty. So, applying the NLRA, faculty are deemed managerial if members are included in faculty bodies that make effective recommendations on academic programs, enrollment management policies, finances, academic policies, and personnel policies and decisions. At USC, all our faculty – tenured, tenure-track, and RTPC, full- and part-time – are part of shared governance and so are regarded as managerial. All USC faculty are eligible to and do serve on the faculty bodies	While university administrators – including some at USC – sometimes attempt to block faculty from forming unions by claiming they are managerial/supervisory, in the past several years, many professors at private universities have formed unions and negotiated contracts that included significant gains. Recently, contract faculty at NYU voted overwhelmingly to unionize with UAW with 89.5% support, Harvard University professors recently joined them in voting yes for their union with 93% support, and adjunct faculty in the School of Cinematic Arts here at USC voted with 94% support.

that make effective recommendations in those areas, including, for example, the university-level faculty committees on Curriculum, Teaching and Learning, Research, Academic Review, Finance and Enrollment, Academic Policies and Procedures. Employee Benefits, and Professional Responsibility. All faculty – tenured, tenure-track, and RTPC, full- and part-time – can and do run for office in the Academic Senate, and all faculty in the university can vote to elect those officers. Also, many of our faculty act as supervisors, and so a union cannot organize them for that additional reason. Under the NLRA, faculty are regarded as supervisors if they use their independent judgment to effectively recommend hiring, promoting, disciplining, terminating, adjusting the grievances of, or otherwise responsibly directing others, including, for example, TAs, RAs, or lab staff. And faculty generally are eligible to participate in hiring committees.	
10. What union is seeking to represent USC's Non-Tenured Track (RTPC) faculty? It is the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW (better known as the United Auto Workers).	UF-UAW stands for United Faculty-United Auto Workers. RTPC faculty at USC reached out to UAW in 2023 to help us successfully form a union. UAW is one of the most diverse unions in the United States, and in particular is the union of over 100,000 academic employees including Graduate Student Workers at USC, Adjunct Faculty in the USC School of Cinematic Arts, Adjunct Faculty at NYU, Adjunct Faculty at the New School, Continuing Faculty at Barnard, University of California Academic Student Employees, Student Researchers, Postdocs, and Academic Researchers, and many more. In just this past year, Graduate Student Workers and Adjunct Faculty in the Cinema School here at USC voted 93% and 94%, respectively, in favor of unionizing with UAW.

11. How will UAW attempt to unionize the RTPC faculty? The union may make promises and pressure RTPC faculty to sign union authorization cards so they can demand recognition or file a Petition for an Election with the NLRB.	United Faculty - UAW is a faculty lead organizing effort. The first step in forming a union is building strong support and securing recognition. RTPC faculty members are reaching out to their colleagues to fill out union authorization cards, and are continuing outreach to ensure that everyone has a chance to be heard and get involved. Once a majority of faculty sign cards, we will seek a free and fair election process to verify majority support. Strong majority support gives us more power to form our union and begin the collective bargaining process.
12. What happens after a Petition for an Election has been filed with the NLRB? When a union files a Petition for an Election seeking to become the exclusive representative of a bargaining unit, they must set forth a description of those they would like included and excluded from the bargaining unit. The University would then evaluate whether the unit is appropriate; this would include determining whether it should challenge the unit on the basis that the employees sought to be represented are not eligible to form a union under the law. The University continues to take the position that all RTPC faculty are managerial employees via their participation in the University's robust shared governance system, making a union not only unnecessary, but not legally viable under the law.	Once a majority of faculty sign authorization cards, RTPC faculty can file with the NLRB to have an election to form our union. At this stage, unionizing faculty and the university can come to a stipulated agreement on how the election is to be run, including the composition of the bargaining unit. USC has in the last 2 years come to stipulated election agreements for elections with 250+ part-time and adjunct RTPC faculty at the film school, many of whom participate on university committees, in addition to 3000 graduate student employees and 450+ postdocs.
13. If an RTPC faculty member previously signed an authorization card (online or on paper), does that mean the RTPC faculty member must vote "yes" for a union if there is an election?	Whether you have or have not signed a card, every faculty member has the right to vote yes or no in this election. Based on their communications so far, it is very clear that USC would prefer that we vote no. But faculty across USC are signing authorization cards in support of forming a union for better working conditions. Come time for an election, UF-UAW encourages all faculty to

No, it doesn't bind them. If a vote were held, it would be held by a secret ballot. No one will know how anyone voted. Anyone can vote as they wish during the election, regardless of whether or not they signed an authorization card.	vote, and a big "yes" vote will help us to negotiate stronger improvements in collective bargaining.
14. Can RTPC faculty opt out of the union by not voting in an election, if one is held? It doesn't work that way. If you are included in the bargaining unit and the union is voted in, the union will become your exclusive bargaining representative – whether or not you voted – and regardless of how you voted. The union would also be the exclusive bargaining representative for future USC RTPC faculty whose programs or departments are in the bargaining unit, even though they did not have a chance to vote.	By voting to form a union, we gain the right to collectively bargain with USC. This is a highly democratic process that includes electing a bargaining team (made up of RTPC faculty), collecting feedback through surveys, town halls, and more, drafting and voting on initial bargaining demands, exchanging proposals with USC at the bargaining table, and eventually voting on whether or not to ratify any proposed agreement before it goes into effect. "Exclusive representation" means that all RTPC faculty benefit from and are protected by the contract should we vote to ratify it. Currently, we are all covered by policies created unilaterally by USC administration. Forming a union means that USC is required to negotiate with our elected representatives and cannot instead make a "side deal" or ignore our union. Union contracts are renegotiated, usually every 1 - 5 years. This means that future faculty members will also be able to bargain for further improvements through the process outlined above.
15. What happens if the United Auto Workers wins an election, if one is held? The election is decided by a majority of eligible votes cast, even if that is only a fraction of the proposed bargaining unit. If the UAW wins, bargaining unit members may be represented by the union, and the University and the UAW begin a process known as "collective bargaining" with the goal of seeking agreement on a contract defining the terms and conditions of "employment"	We encourage all RTPC faculty to make an informed choice and participate in the process. It is critically important that there is high voter turnout. A strong "yes" vote will demonstrate to USC that RTPC faculty support being able to collectively bargain for improvements like better compensation, improved benefits, and job security. By voting "yes" to form a union, RTPC faculty at USC would gain the right to collectively bargain as equals with USC to improve working conditions including job security and multi-year appointments, year over year wage increases, guaranteed benefits,

for RTPC faculty in the proposed bargaining unit.	transparent review processes, and more.
16. What does the union want in return for its efforts? The UAW expects to be paid. In bargaining, the UAW would undoubtedly demand a “union security” clause requiring all RTPC faculty to pay dues and initiation fees or agency fees as a condition of employment.	By forming our union, UF-UAW, we as RTPC faculty want to negotiate improvements to our working conditions. We are joining the over 100,000 academic workers in UAW who have secured strong contracts in recent years. Union dues in UAW are determined democratically. They are currently 1.44% of gross pay and only go into effect after we negotiate and vote to ratify a union contract. In all other cases, the value of wage and benefit increases far exceeds the cost of union dues for all faculty. Dues are how workers, like us, pool resources to be able to successfully negotiate with multi-billion dollar employers, like USC. It will also be up to us, as faculty, to decide what kind of union security arrangement we want to negotiate for. Many unions, like the USC graduate student worker union, have a provision in their contract that generally requires all employees to pay dues or a comparable fee. Any such union security arrangement would be part of the contract that faculty would vote on ratifying. WHERE YOUR DUES GO: 27% Local Union Funds Building membership makes us stronger and our local union does most of the work to make sure our contractual and other rights are enforced. 26% International Union's Fund UAW helps us organize and establish our union, bargain improvements, and enforce our contract and other rights with powerful employers like USC. UAW legal and other staff also help pursue broader fights like filing the amicus brief that helped challenge the Trump international travel bans. 3% Community Action Program (CAP) With 100,000 UAW academic workers across the US, we have a strong local and national voice on social justice issues like international worker rights, racial and gender equity, federal research funding and more. 44% Strike and Defense Fund Access to a large strike fund helps keep employers like USC accountable to bargain in good faith toward fair agreements like our first contract.

17. What is collective bargaining? Collective bargaining is a process by which a union and an employer negotiate the terms and conditions of employment, such as pay and benefits, for all members in the bargaining unit. The union has the exclusive authority to bargain on behalf of all bargaining unit members, collectively, for pay, terms of appointment, benefits and other “working conditions.” Once this process begins, the University will be prohibited from directly negotiating terms and conditions with individual members of the unit.	Currently, USC has complete, unilateral control over all of our working conditions and we have no power to bargain. With a union, we engage in a democratic process to bargain an enforceable union contract with USC as equals. During this process, USC cannot change working conditions without the agreement of RTPC faculty. This means that USC cannot cut our benefits or wages unless we agree.
18. How does collective bargaining take place? Collective bargaining is typically conducted in a series of meetings at which representatives of both the union and the University exchange written proposals for a union contract. Union negotiations can be long and complex and can take months and sometimes years to reach an overall agreement. During this time, the parties are to engage in good faith negotiations over the terms and conditions of employment. We cannot predict how long negotiations will take.	Under collective bargaining in the UAW, faculty fill out bargaining surveys to articulate priorities for a contract. We also elect representatives, fellow faculty, to a bargaining committee. Guided by the feedback in the bargaining surveys, the elected committee develops bargaining goals that we vote to approve, before sitting down with the administration and negotiating contract proposals. Once a tentative agreement is reached, faculty must vote to accept or reject the contract before it goes into effect. Thousands of graduate student workers at USC have bargained a union contract with the USC administration and are also represented by UAW. Adjunct faculty in the School of Cinematic Arts are currently in the process of bargaining as well, and postdocs at USC will begin bargaining if a majority vote yes in their union election. Without a union, we have no ability to predict how long it will take for working conditions to improve because USC administration can decide unilaterally whether to make changes, what they will be, and whether to notify us beforehand. After we form our union, they will be legally obligated to bargain these decisions. The length of time necessary to negotiate a strong first contract has depended on the strength of the campaign

	and the willingness of the employer to bargain in good faith. For example, USC could help ensure a timely process by agreeing on a fair and efficient timeframe with regularly scheduled bargaining sessions and a strong commitment to reaching a fair agreement.
19. What happens if the union and an employer are unable to reach agreement? Any contract requires the agreement of both sides. Sometimes, after good faith bargaining, no agreement can be reached. If that occurs, the university may make its final proposal, often called a “last, best and final offer.” In response, the union may ask its members to vote on the proposal. If the bargaining unit rejects the offer, there is no agreement, and the parties are at what is typically called an “impasse.” When there is a good faith impasse, the university may unilaterally implement its last, best, and final offer and the parties may continue to bargain in an effort to reach agreement.	Without a union, USC has unilateral control over our working conditions, but with a union, we can have a democratic say in our workplace by negotiating a contract. Both parties are required to bargain in good faith. The more RTPC faculty who participate in our union, the more power we will have to reach an agreement. The University could choose to quickly reach an agreement with RTPC faculty. GSWOC-UAW, the USC graduate student worker union, reached an agreement with USC and ratified their contract in 8 months. At NYU, adjunct faculty negotiated and ratified their contract in 7 months. Should USC refuse to bargain in good faith, RTPC faculty can take action together to pressure USC to do the right thing.
20. When would a new contract become effective? A union contract does not become effective until bargaining is complete and there is final agreement on all provisions by both sides. Sometimes that is years after the union petition is filed with the NLRB and after some of the employees who voted in favor of the union have left the university. Sometimes, even after a great deal of good faith negotiating, a contract is not reached at all. If a contract is negotiated and agreed upon by both sides, the contract is fixed in place, usually for years at a time, and must be followed even though conditions may change.	The contract becomes effective upon the majority of RTPC faculty voting to ratify it. This takes place after our elected bargaining representatives tentatively agree on the entire agreement with USC administration. Once the contract is in place, USC would not be able to unilaterally change it. Any changes would have to be agreed to by unionized RTPC faculty. If conditions change, RTPC faculty could bargain with USC over those changes. For example, during the COVID-19 pandemic, UC academic workers bargained with their university and won access to personal protective equipment, remote work options, and additional financial support for childcare expenses.

21. Who would negotiate a contract? Union representatives (typically, paid union employees) work together with a small subset of bargaining unit members, who are selected by the union, to sit at the bargaining table and negotiate on behalf of all unit members.	We elect our bargaining team, made up of RTPC faculty, and they are empowered to make decisions and proposals at the bargaining table. All RTPC faculty will have the opportunity to participate in bargaining - including by providing feedback on proposals and strategy. Experienced UAW negotiators, who have helped other academic employees win union contracts, will also help us at the bargaining table. Before a contract goes into effect, RTPC faculty will have the opportunity to vote on whether or not to ratify it.
22. If the union wins the election, how will this impact current pay and benefits for those who will be represented by the union? There is no way to know for certain how pay and benefits may be impacted. As a result of good faith bargaining, compensation and benefits can improve, diminish, or stay the same.	Academic employees in the UAW have a strong track record of winning higher wages, better benefits, and workplace protections (for example, at NYU and the New School). How long negotiations take, and what gains we are able to achieve, will largely depend on our collective power and participation. Faculty at other Universities have succeeded, and there is no reason to believe that we cannot succeed at USC as well.
23. How would unionization impact my relationship with my department? It is difficult to say. USC has long encouraged our RTPC faculty to share their concerns directly. We recognize that our RTPC faculty have a voice, and we respect them and their ideas. We believe our RTPC faculty can speak for themselves, personally as well as through their faculty committees. We have sought to be transparent in those interactions. Union contracts can reduce the flexibility and discretion of departments, programs, and faculty in having those conversations and dealing with individual situations. Unions tend to propose one-size-fits-all mandates, irrespective of the different needs and circumstances of individual employees.	By coming together to form a union, we gain the right to collectively bargain a contract which is legally binding, with improvements to what we would like to see change. A contract ensures rights and benefits, and does not limit our ability to work directly with our departments on an individual basis. In fact, many chairs and deans appreciate having collective bargaining agreements because it enables RTPC faculty to negotiate directly with the central administration over issues that distract from their work, including multi-year appointments, health insurance, childcare benefits, and other topics that can be addressed in collective bargaining. Thousands of faculty across the country have formed unions and continue to participate in faculty committees and have productive relationships with their departments.

24. If an election is held and the UAW wins, can I still agree with my department chair on special accommodations, wages, or benefits to meet my personal situation? Unions are a third-party representative. Once a union is in place, the union acts as the liaison with the employer regarding terms or conditions of employment, like wages and benefits. With a union in place, department chairs engaging directly with individual RTPC faculty members on wages and benefits would be prohibited as “direct dealing.”	No UAW union for academic workers has negotiated a contract that requires all covered employees to make the same amount. As RTPC faculty, we will make our own decisions about priorities for our contract, and we will vote on whether to accept any tentative agreement. No one has expressed an interest in a contract that requires all contract faculty to be paid the same. These concerns are frequently cited by administrators, but they have no basis in reality. Union contracts typically set salary minimums, not maximums, while also ensuring guaranteed increases for all employees. Regarding special accommodations, it is the university’s full responsibility to provide disability accommodations to employees under the ADA. While, as a union, we could advocate for reasonable accommodations if they are not being provided, RTPC faculty members and the University can and should still discuss accommodations agreements on an individual basis if faculty choose to form a union.
25. If an election is held and UAW wins, but RTPC faculty later decide they no longer want to be collectively represented by UAW, what happens? Once a union is voted in to represent a bargaining unit, it will stay in place indefinitely. The process of ending representation by a union, called “decertification,” is subject to a set of legal rules and can be difficult to successfully accomplish. NLRB statistics show that, in the past five years, most attempts at decertification across the US have been unsuccessful. If the UAW is voted in, it cannot be decertified for a minimum of one year. During that one-year period, if the union	There is no shortage of right-wing organizations across the US that work to decertify labor unions. Nonetheless, workers choosing to decertify is rare and unions have high levels of support. No group of academic employees who joined UAW has ever decertified. The overwhelming consensus is that by unionizing, academic employees have more rights and more power to democratically seek improved working conditions. In this case, USC selectively emphasizes de-certification without sharing that the same group of workers democratically decided to re-unionize later on, and currently have a union at USC.

and USC agree on a final agreement, that agreement would serve as a bar to any attempt to decertify the union for up to an additional three years.

While difficult to accomplish, other USC employees have been successful in decertifying their union representation after years of dissatisfaction. In fact, after decertifying a union, one USC employee publicly stated, "Now, we can finally communicate freely with our employers without having a third party in between us tying our hands and stealing our money. We can now put all this behind us and begin the process of reconciliation and start working together to bring the best outcome for our [USC] Family."