



**RESOLUTION TO MODIFY
COLLECTIVE BARGAINING AND NEGOTIATIONS POLICY, 3356-7-23**

WHEREAS, University Policies are being reviewed and reconceptualized on an ongoing basis;
and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the University Policy stated above and attached hereto.

**Board of Trustees Meeting
March 7, 2024
YR 2024-53**

3356-7-23 Collective bargaining and negotiations.

Responsible Division/Office: Human Resources
Responsible Officer: VP for Legal Affairs and Human Resources
Revision History: August 1998; December 2009; December 2014;
March 2019; March 2024
Board Committee: University Affairs
Effective Date: March 7, 2024
Next Review: 2029

- (A) Policy statement. Youngstown state university recognizes the right of eligible faculty and staff to be represented by an exclusive bargaining representative for purposes of collectively negotiating agreements defining the terms and conditions of employment. This recognition is extended solely to faculty and staff who are defined as “public employees” in section 4117.01 of the Revised Code.
- (B) Purpose. To establish a framework for the professional and collegial negotiation of successor agreements with each bargaining unit that achieve the goals of both the university and bargaining unit members.
- (C) Definitions.
 - (1) Division (C) of section 4117.01 of the Revised Code defines “public employees” as “...any person holding a position by appointment or employment in the service of a public employer, including any person working pursuant to a contract between a public employer and a private employer and over whom the national labor relations board has declined jurisdiction on the basis that the involved employees are employees of a public employer...”
 - (2) Exceptions applicable to colleges and universities include: confidential employees, management level employees, supervisors, students whose primary purpose is educational training, including graduate assistants or associates, residents, interns, or other students working as part-time public employees less than fifty per cent of the normal year in the employee’s bargaining unit; and part-time faculty members of an institution of higher education.

- (D) Procedures. The board of trustees of Youngstown state university within its fiduciary responsibility provides oversight of collective bargaining between the university and the bargaining units that represent employee groups. The board and university administration shall fulfill the following responsibilities within the collective bargaining process:
- (1) The chairperson of the board of trustees or his/her designee will act as the sole spokesperson for the board of trustees on any matters related to negotiations.
 - (2) The university affairs committee shall be the committee through which collective bargaining issues are presented and discussed with the board of trustees. This committee will provide the necessary authorizations for administration negotiations teams and will establish parameters for board of trustees' participation and communications for each negotiation.
 - (3) The administration will present to the university affairs committee for its review and consideration the administration's recommendations for membership of the university negotiation team, the chief negotiator, the role of legal counsel and bargaining approach (e.g., traditional versus interest-based). The administration will also provide overviews of issues and outcomes of past negotiations, internal and external contexts, financial parameters, and university goals and priorities as well as anticipated bargaining unit goals and priorities.
 - (4) The university affairs committee will review overall financial parameters for each negotiation and any changes to those parameters during the course of each negotiation.
 - (5) During each negotiation, the administration will update the designated committee on overall progress, university and bargaining unit positions, proposed draft language, tentative agreements, and new issues.
 - (6) When a final tentative agreement is reached, and after legal review, the administration will provide to the university affairs committee a summary of major changes to the agreement and a complete redline version of the proposed agreement, including all appendices typically at least one week in advance of the scheduled meeting.

- (7) If a fact finder report is issued, the report shall be brought to the university affairs committee for discussion and vote.
- (8) The university affairs committee will recommend action on the proposed agreement or fact finder report to the full board of trustees.
- (9) The board of trustees must ratify all final collective bargaining agreements.
- (10) At the conclusion of each round of negotiations, the university affairs committee will prepare recommendations to guide the next round of negotiations.