Frequently Asked Questions About
Temple’s Petition for Unit Clarification
Regarding Department Chairs

Q: What is a Petition for Unit Clarification?
A: A Petition for Unit Clarification is a request filed with the Pennsylvania Labor Relations Board (PLRB) in which an employer or an employee bargaining unit asks the PLRB to modify the categories of individuals included in the bargaining unit so that the membership includes individuals with a common interest.

Q: Why did the University file the Petition?
A: The role of Chairs at the University has changed significantly since TAUP was certified in 1973. Presently, Chairs are part of the administrative leadership within their departments, schools and colleges, with first-line responsibility for managing budgets and personnel within their departments. They have managerial and supervisory responsibilities, yet they are in the bargaining unit with the persons they supervise. This creates a confusion of roles that needs to be clarified. Temple would like the PLRB to recognize that this expanded scope and level of responsibility distinguishes Chairs from the classification of employees who are represented by TAUP under the Public Employee Relations Act (PERA).

Q: Why does Temple believe that PERA excludes Chairs from representation by TAUP?
A: Under PERA and the certification granted by the PLRB to TAUP in 1973, TAUP represents full-time faculty, librarians and academic professionals. Generally speaking, Chairs presently have extensive managerial and budgetary responsibilities that are consistent with a supervisory/management function. Such responsibilities fall outside the group of individuals represented by TAUP.
Q: What current Chair responsibilities would fall under the PERA exclusion?
A: In addition to hiring, assigning and scheduling and evaluating faculty and staff, other examples include meaningful participation in numerous decisional processes that affect the status, functioning and financial viability of their academic departments and faculty in these departments. The Chair’s role has evolved as one that is clearly independent and apart from that of rest of the faculty. This change is reflected both in daily practice but, specifically, in new language in the 2008 collective bargaining agreement that expressly precludes Chairs from participating in departmental deliberations regarding promotion, tenure and merit.

Q: How will this change impact those serving as Chairs?
A: While an individual is serving as a Chair, he or she would be recognized as a member of the University’s academic administration and would not be included in the TAUP bargaining unit and, therefore, the Chair’s role would not be subject to the collective bargaining agreement.

Q: Why can’t the University achieve these goals if Chairs remain in the bargaining unit?
A: The role of Chairs is different enough from the roles of other faculty members that their respective statuses should be clarified. Chairs should not feel conflicted about exercising their authority and carrying out their responsibilities. Departmental faculty should be comfortable that their Chairs will manage their departments using their best skills and judgment, and they should understand the Chairs’ authority to do so.

Q: Is it common for those with the type of managerial and leadership authority that Chairs have to be represented by a union?
A: Generally speaking, those who perform the types of duties and have the scope of authority that Chairs have are not included in any bargaining unit.

Q: Will Chairs lose pay and benefits as a result of this change?
A: Chairs will not have any reductions in salary as a result of PLRB recognition of managerial status, and chairs will be eligible to participate in all benefits available to other administrative
employees, such as assistant and associate deans, including but not limited to managerial bonus programs.

Q: Will Chairs move from a nine month to a twelve month appointment?
A: If this change occurs, the span of an individual Chair’s appointment will be a topic of discussion between the individual Chair and his/her Dean, taking into account departmental needs and School/College resources.

Q: Are faculty who serve in the positions of Assistant Chairs and Vice Chairs included in the University’s Petition for Unit Clarification?
A: They are not. Assistant Chairs and Vice Chairs do not have the same level of managerial responsibility as Department Chairs and, therefore, are not included in the Petition.

Q: How will this change affect faculty who are not Chairs?
A: This change would have no direct impact on faculty who are not Chairs. However, the change should provide clarity for faculty regarding the level of responsibility and authority the Chairs have over departmental matters.

Q: How will this change affect faculty’s involvement in the selection of Chairs?
A: Chairs will continue to be selected by the Dean following a search, in consultation with a faculty-comprised departmental advisory committee.

Q: How will this change affect faculty’s involvement in the development of curriculum?
A: Faculty are essential to solid curricular development. There is no anticipated change in this regard.

Q: Will this change affect students?
A: This change will not have any adverse impact on students.
Q: What is the process for the PLRB’s consideration of this request?
A: The PLRB will review the information included in the Petition. If TAUP agrees that the request is appropriate, the Petition could be approved in the next few months. If TAUP objects to the Petition, the PLRB will schedule a hearing and the process could take anywhere from 6-18 months.

Q: Did the University discuss this proposed change with TAUP prior to filing with the PLRB?
A: The University has discussed this concept with TAUP in the past, including during the collective bargaining agreement negotiations process. TAUP’s response has been that the University should follow the process as provided by the PLRB.

Q: Is this an attempt by the University to weaken the bargaining unit?
A: No. This proposed change reflects that the University has strengthened the Chairs’ influence at the University and provided faculty with a more direct channel for addressing departmental issues. The TAUP bargaining unit includes over 1300 faculty and academic professionals; department Chairs account for only about 70 of these.

Q: Why is the University requesting that the PLRB recognize the Chairs as managerial at this time?
A: The University is examining many ways to operate more efficiently and effectively. On this note, we have empowered Chairs to work more closely with the Deans which is a positive step in that direction and will allow greater flexibility at the departmental level. The clarification of Chairs’ status as managerial employees will further this objective.