To: Part-Time Faculty  
From: Donald R. Lehman, Executive Vice President for Academic Affairs  
Date: January 2006  

Subject: Part-Time Faculty Unionization Update

As we begin a new semester, I write to update you on what has occurred with respect to the part-time faculty representation election since my last memorandum to you in September.

On January 11, 2006, the University filed with the United States Court of Appeals for the District of Columbia Circuit a Petition to review the results of the election. The University felt this was important because a determinative number of eligible voters were disenfranchised from voting in the election. You may remember that the National Labor Relations Board’s certification of Local 500 of the Service Employees International Union (Service Employees) resulted from a difference of only 10 votes out of 672 counted. Further, as a result of the Administrative Law Judge’s decision in March 2005 -- that has since been adopted by the National Labor Relations Board (NLRB) -- to include “suppliers” in the certified bargaining unit of part-time faculty members, there are approximately 30 other “suppliers” who should have been provided with a full and fair opportunity to vote.

The outcome of the election thus far indicates that the part-time faculty who voted are almost evenly split for and against unionization. Especially when the part-time faculty’s views on unionization are so divided, it is important that the election results be thoroughly examined to prevent the disenfranchisement of eligible voters. This is too significant of a matter to the part-time faculty – indeed, to the entire University community – to have it decided without extending to all eligible faculty members the opportunity to have their voices heard. For precisely these reasons, federal labor law permits both unions and employers to seek review of NLRB rulings through the federal appellate court system.

I have in the past voiced my concerns about whether unionization is in the best interests of the part-time faculty, the University, and the students we serve. I continue to have those concerns. However, the issue the University has requested that the U.S. Court of Appeals review relates to fairness and whether a segment of the part-time faculty was disenfranchised. The University abides by the rule of law and will respect the results of the judicial review process, regardless of the outcome.

Now that the University has filed its Petition for Review, a series of procedural steps will follow, including the submission of briefs to the Court by the University and the Service Employees. You will likely hear more about this matter in the coming weeks. Please remember that you can e-mail your feedback and questions via the “submit feedback” link found at www.unionization.gwu.edu. Thank you for taking the time to read this and I wish you every success during the upcoming semester.