

October 30, 2019

Dear UFF-FGCU Member:

As you are probably aware, FGCU administration issued letters of "non-reappointment" to all Resort & Hospitality Management (RHM) faculty in May of 2019, terminating their employment as of May 2020. This is a premature termination of their 3-year Continuing Multi-Year Appointment (CMYA) and therefore a violation of the Collective Bargaining Agreement (CBA).

We, UFF-FGCU, attempted informal resolution with administration without success, and then in accordance with CBA Article 20, filed a Grievance on June 17. Attempts to resolve the grievance were also unsuccessful and so we moved forward with Step 3 - Arbitration. The university claims the grievance is not eligible to go to arbitration for the reasons stated in the attached pre-hearing brief. We disagree, and therefore a hearing to determine arbitrability of the grievance was required. That hearing was held Monday, October 28, 2019. Both parties have until November 12, 2019 to submit post-hearing briefs, after which the arbitrator has 14 days to issue a ruling on arbitrability. Should the ruling be in our favor, the grievance will proceed to arbitration, an arbitrator will be selected, and that hearing should take place in December 2019 or early January 2020 at the latest.

Since receiving their "non-reappointment" letters last May, three affected faculty letters were subsequently rescinded, and other affected faculty received inquiries into their interest in continuing to teach semester by semester if needed in order to teach out the students currently in the RHM program.

We urge you to read the attached pre-hearing brief submitted by Graham Picklesimer, UFF Staff Advocate for UFF-FGCU chapter. Graham's brief clearly and strongly articulates why the administration's claims are invalid. After post-hearing briefs are submitted to the arbitrator, we will share those with you as well.

Of course we believe the ruling will be in our favor, but regardless of the eventual outcome of the grievance/arbitration, we urge everyone to stay informed and aware of the potential impact this could have on ALL FGCU faculty. That the administration claims they can "non-reappoint" faculty for curriculum and program changes that had not yet been determined, and that the administration even refers to terminating a 3-year CMYA two years prematurely as a "non-reappointment," should cause concern to all faculty.

While we continue to fight for the rights of the immediately affected faculty, as well as for the rights of all FGCU faculty, let's reach out to our RHM colleagues, to let them know we are aware of the impact this has had on them, we sympathize with what they are enduring, and we are UNITED to support them!

Stronger together!

UFF-FGCU Executive Committee