

University of Hawaii Professional Assembly  
Brief Background & History  
May 14, 2008

In 1970, the State Legislature passed Act 171 (H.R.S. Chapter 89) which allowed public employees to form unions and gain exclusive representation rights to 13 separate bargaining units. The first representational elections took place at the University of Hawaii (UH) in 1972. There were four competing organizations: 1) an alliance of the American Association of University Professors (AAUP) and UH-Manoa Faculty Senate (University of Hawaii Faculty Association--UHFA); 2) the Hawaii Government Employees Association (HGEA); 3) the College and University Professional Association (CUPA) affiliated with the Hawaii Education Association/National Education Association (HEA/NEA); and 4) the Hawaii Federation of College Teachers (HFCT). The state election rules required that a “no union” option be on the ballot.

In October 1972, 2034 votes were cast. The Hawaii Public Employment Relations Board (HPERB) now known as the Hawaii Labor Relations Board (HLRB) held election with the following results: UHFA (28.8%); HFCT (28.2%); CUPA (23.5%); HGEA (4.9%); and “no representation” (14.6%). The next month a run off was held between UHFA and HFCT<sup>1</sup>. The result was HFCT won by vote of 995 to 805<sup>2</sup>.

For the next two years, HFCT attempted to negotiate a contract with no success. One tentative agreement brought to the faculty by HFCT was rejected. Shortly thereafter, CUPA members met with AAUP members to form a coalition called UHPA in 1974. UHPA then petitioned HPERB for a decertification or new representation election, which was held in March. Out of 1728 votes cast, UHPA received 47%, HFCT held 36%, and “no representation” was selected by 17%.

The NEA-AAUP coalition called UHPA negotiated its first agreement in 1975. At that time, the Board of Directors was represented proportionally from the two affiliates, and its sole purpose was collective bargaining.

UHPA’s constitutional revisions in 1986 created an independent organization separate from AAUP and NEA. The determination of national or international affiliations was left up to the Board of Directors. Representation on the BOD was proportional, by discipline and/or campus (in 1988 the representation from UHM was changed to provide that half of the directors be elected at large).

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<sup>1</sup>CUPA (HEA/NEA) thought that it had a coalition agreement with HFCT and thus endorsed this choice. When the HFCT was elected, they ignored the CUPA leadership’s call for a coalition union.

<sup>2</sup>UHM voted in favor of UHFA by 130 votes, but HFCT won as a result of the support from the community colleges and Hilo.

In 1992, UHPA discontinued its affiliation with the AAUP<sup>3</sup>. Since 1974, UHPA has been in the unique position of being a direct affiliate of NEA. With one or two exceptions, all NEA affiliates must be affiliated with a state organization, e.g., Hawaii State Teachers Association (HSTA). The meaning of direct affiliation with the NEA has been under perpetual review. Although UHPA is not a state affiliate of the NEA, it is accorded a similar status.

In March 2006, the UHPA Board of Directors approved affiliation with the Hawaii State AFL-CIO. Although UHPA is not affiliated with the national AFL-CIO, its national affiliate, the National Education Association has a Labor Partnership Agreement with the AFL-CIO. UHPA's President is a Vice President on the Board of the Hawaii State AFL-CIO.

The UHPA is the exclusive bargaining representative (faculty union) of the faculty members of the University System under H.R.S. Chapter 89 since November 1, 1974. The University of Hawaii system (the state's public higher education institution) consists of ten campuses (two-year institutions: Hawaii Community College, Honolulu Community College, Kapiolani Community College, Kauai Community College, Leeward Community College, Maui Community College, and Windward Community College; four-year institutions: University of Hawaii at Hilo, University of Hawaii at Manoa, and University of Hawaii at West Oahu). The University of Hawaii began with the Manoa campus in the early 1900's, which evolved into the "flag ship campus" with undergraduate programs, graduate degrees, and professional schools. The UH System is governed by one Board of Regents.

All public employees in the State of Hawaii have been placed by statute in thirteen discreet bargaining units. Faculty members in Bargaining Unit 7 consist of lecturers, instructors, professors, librarians, specialists, extension agents, researchers, and the faculty in the Schools of Law and Medicine. As of 2008, there are 3,898 individuals in Bargaining Unit 7. Of these 3,070 are active members of UHPA.

UHPA's primary duties and responsibilities are the negotiations of a faculty contract, and the enforcement of the terms and rights of faculty members under that contract. The first UHPA-UH Board of Regents contract took effect in 1975. There have been twelve contracts since that initial contract leading to the historic six-year 2003-2009 Agreement:

March 1975 – June 1977  
July 1977 – June 1979  
July 1979 – June 1981

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<sup>3</sup>Originally AAUP and NEA split the equivalent of one national dues amount per capita. During the 1980s, UHPA paid full dues to NEA while paying approximately half dues to AAUP. The amount of AAUP was further limited to a fixed number of memberships, until the affiliation was discontinued.

1981 – 1983  
1983 – 1985  
1985 – 1987  
1987 – 1989  
1989 – 1993  
1993 – 1995  
1995 – 1999

(No contract between 1999 & 2001. Legislature in 1999 placed a moratorium on collective bargaining until June 30, 2001.)

2001 – 2003

2003 – 2005 (only included non-cost issues) which later was changed to

2003 – 2009 (became 6 year contract and included non-cost and cost issues)

In 1983, the UH faculty had a two-day work stoppage. In April 2001, the UH faculty were on strike for 13 days in a significant demonstration of unified faculty support across all campuses of the UH system. The National Education Association, the national affiliate, provided UHPA with substantial staff support and financial grants that had a major impact on the effectiveness of this job action.

On April 24, 2008 the active membership repealed the Charter, Constitution, and Bylaws. Then, they approved the Amended and Restated Articles of Incorporation and Amended and Restated Bylaws. Twenty-four Directors are elected by the active UHPA membership from each of the campuses of the UH system as set forth in the Bylaws. They serve a three-year term and may be elected to an additional term. There are five officers, elected by the Board of Directors—the President, the Vice President, the Secretary, the Treasurer, and the Executive Director, who is an ex officio member without vote.

UHPA has three standing committees of the Board—Executive Committee, Personnel Committee, and Nominations and Elections Committee. Only Directors of the Board may serve on these committees, and they exercise the authority of the Board of Directors as provided by the Board’s resolutions or charters. All other committees established by the Board are advisory with both active and retired UHPA members qualifying to serve. Advisory committees may make recommendations to the Board of Directors or assist the work of the standing committees.

The UHPA established a system of Faculty Representatives in the early 1980’s. Faculty by department, program, or division are grouped into Primary Academic Units (PAUs) and from these groups, individuals are selected to represent the PAU as the Faculty Representative. If the PAU consists of more than 50 faculty members, they would be represented by an additional Faculty Representative. Faculty Representatives, as a body, meet at least twice a year (fall and spring of the academic year). The Forum can make formal recommendations to the Board of Directors. Faculty Representatives serve as

the liaison between the UHPA leadership and the respective Primary Academic Units. There are currently 123 Primary Academic Units.