

## **Card Check Verification and Counting Process**

The Union of Tenure System Faculty, MEA/NEA ("UTSF or Union") is a labor organization that has expressed an interest in representing a bargaining unit of employees at Michigan State University ("the University"), which has been agreed to pursuant to the University's Board of Trustees Resolution on Collective Bargaining ("the Resolution"). The bargaining unit is defined as follows (as agreed on July 31, 2025):

### **Description of Bargaining Unit**

Included: All tenure system faculty members and librarians.

The terms "tenure system faculty member" and "tenure system faculty members" shall include all persons appointed under the rules of tenure and holding the rank of professor, associate professor, or assistant professor, who are employed by Michigan State University. The terms "librarian" and "librarians" shall include all persons serving in the continuing appointment system as librarian I, II and III, who are employed by Michigan State University.

Excluded are all executives, managers, and supervisors, including but not limited to president; vice president; associate vice president; all ranks of provost (including vice provost, associate provost, and assistant provost); all ranks of dean (including associate dean and assistant dean); department chairperson; school director and co-director; institute/center director-management; librarian supervisors; faculty grievance officials; confidential employees; faculty who formerly held tenured positions at MSU; visiting faculty; faculty emeriti; all employees who are included in any other existing University collective bargaining unit; all employees appointed in the FRIB-NSCL CA system; all academic specialists in the continuing system; and all other employees of the University.

The University shall have the management right to maintain and create director-management positions, which would be excluded from the bargaining unit provided that they possess supervisory or executive job duties as defined by MERC.

The Parties agree to the following as the method to be utilized to verify a showing of majority support of the employees in the bargaining unit.

1. The parties will contract with Arbitrator Mark Glazer to verify a showing of majority support. Mr. Glazer's fees will be shared evenly between the parties. If Mr. Glazer is unavailable, the parties will contract with a different mutually agreed upon third party to verify a showing of majority support. The parties will select this alternative third party within three (3) days of learning that Mr. Glazer is unavailable.

2. The University will provide a list of employees who comprise the bargaining unit described above to the Union within two weeks of the date for the card count. The list shall include all those holding positions in the bargaining unit, as described above, on August 16, 2025. Employees who are no longer employed by the University at the time the list is provided to the neutral third party and Union shall be removed from the list. This shall be the complete list of those holding positions in the bargaining unit and include the employee's name, department, and job title. The parties will confer to reconcile employee name preferences, name changes, verifying identities when there is more than one name used by the employee, or other issues raised by the Union. When the parties have confirmed a finalized list of the bargaining unit, that list will be provided to the neutral third party.
3. The Union must present evidence that an employee has signed and dated a card, or electronic form, or other document that indicates the signer's desire to be represented by the Union. All such showing of interest materials of current eligible employees will be accepted, subject to the following provisions: Documents that contain fraudulent information, which indicate there will be an election by secret ballot or contain any other false information, will not be considered or counted. On August 22, 2025, the Union will send a message to employees who signed a card before August 16, 2024 giving these employees the options of (1) affirming their desire to be represented by the Union or (2) revoking their previously signed card. Any employees who fail to respond to the Union's email by September 5, 2025 will be considered to have affirmed their desire to be represented by the Union. At the card count meeting, the Union will present the Arbitrator with a copy of the message sent to employees who signed a card before August 16, 2024, along with their response, if any ("Confirmation Communications"). Any employees for whom the Union fails to produce written evidence of these Confirmation Communications will be considered by the Arbitrator to have not signed a card.
4. The parties and the neutral third party will determine a mutually agreeable date to count the cards which shall be no later than twenty-eight (28) days from the execution of this agreement. Arbitrator Glazer has agreed on September 8, 2025 as the date to count the cards. The parties will provide the neutral third party the finalized list three (3) days before the date that verification of majority show is scheduled. The majority show will be verified in-person as follows:

- a. The neutral third party will be located at a table sufficiently distant from the parties that the names on the showing of majority will not be visible to the parties.
  - b. The neutral third party will count and verify all showing of interest materials meeting the requirements of this agreement in the presence of the Parties and those will be used for determining the presence or absence of majority support.
  - c. Evidence of a majority support that does not meet the requirements of this agreement will not be considered.
  - d. The neutral third party will certify the number of individuals that have designated the Union as their bargaining representative.
5. If the showing of majority indicates that more than 50% of the total number of employees in the bargaining unit have designated the Union as their representative, the Union will be recognized as the exclusive bargaining representative for the unit described above. The parties will then promptly meet to bargain over wages, hours and other terms and conditions of employment applicable to the employees in the bargaining unit.
6. This Showing of Interest Determination and Counting Process will remain in effect for a period of 28 days from the date it is executed by the Parties and does not create a precedent for any other proposed bargaining unit or organizing at the University.
7. Pursuant to Section 3 of the Michigan State University Board of Trustee's December 17, 2021 Resolution, a copy of this Card Check Verification and Counting Process will be jointly provided as an email attachment to potential members of the bargaining unit, relevant supervisors, and any relevant third parties on August 22, 2025. The email will be sent from the account of Teresa Mastin, Vice Provost and Associate Vice President for Faculty and Academic Staff Affairs. The Union will also send out this same email. The subject line will read: "This is a joint message from MSU Administration and the Union of Tenure System Faculty." The content of the email shall state as follows, "MSU and Union of Tenure System Faculty (UTSF) have reached an agreement on a bargaining unit definition and card-check process for tenure system faculty and librarians in the continuing system, which is contained in the attached Card Check Verification and Counting Process document. The card-check will take place on September 8, 2025. If you have questions, you may email them to: [fasaffairs@msu.edu](mailto:fasaffairs@msu.edu) and [union@utsfmsu.org](mailto:union@utsfmsu.org)."