

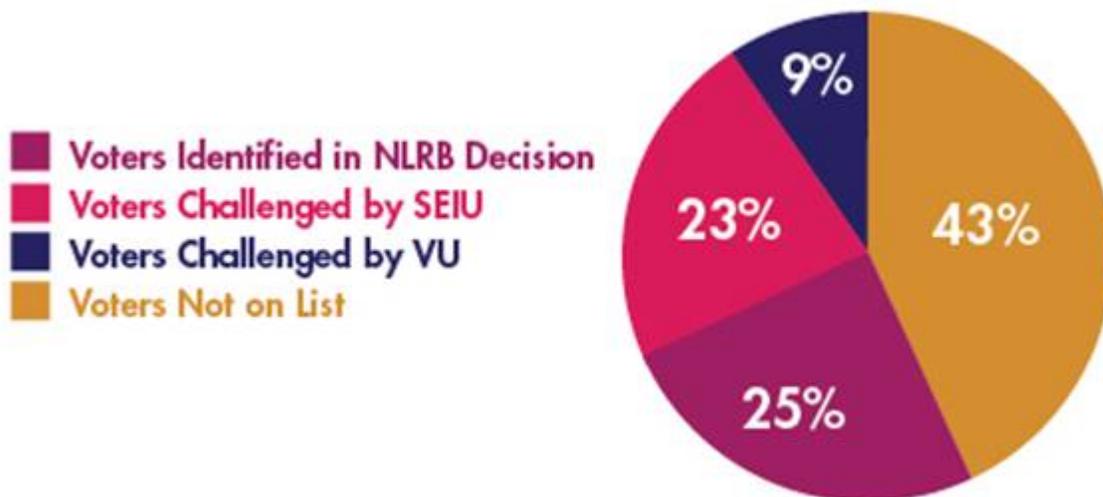
Subject: Challenged Ballots
Date: Friday, June 9, 2017 at 12:17:31 PM Central Daylight Time
From: Vice Provost John Geer
To: Geer, John G
Priority: High
Attachments: image003.jpg

Dear Colleagues,

Earlier this week the Provost shared with you the results from the four union elections that had been requested by the Service Employees International Union (SEIU). As you may recall, none of results from those elections were conclusive. The reason was there were a significant number of *challenged* ballots in each of the four schools: Blair, Divinity, Peabody and A&S.

As the chart below shows, the challenges came from the National Labor Relations Board (NLRB), the SEIU and Vanderbilt. Overall, nearly a third of the ballots were challenged. This is a high number. Throughout this process, we've tried to be as transparent and as open as possible. It is in that spirit that I reach out today to share a little more about what causes a ballot to be challenged, as well as what you can expect as next steps in this process.

So, what is a challenged ballot? The challenge procedure provides a way for the NLRB, the SEIU, or Vanderbilt to question a faculty member's eligibility to vote. Some examples include that the voter holds an administrative position that excludes them from casting a ballot, that the faculty member did not teach a college class during the Spring 2017 semester, or that this individual quit or was discharged for cause after the list of potential voter was generated. The NLRB agent conducting the election must challenge any voter that the Regional Director determined in its decision was in a disputed classification and would, thus, vote subject to challenge (e.g., all post-doctoral scholars and all assistant, associate and full professors). The NLRB also must challenge all faculty who requested a ballot who were not on the official voter list, which constituted 50 votes across the four elections.



As you can see, there are a lot of reasons for challenging votes. Further, it is essential to know that as the NLRB counted ballots they did not assess the merits of any challenge. If one party issued a challenge, it became challenged. The merits of that challenge will be assessed at a later date. That is why the NLRB's Regional Director will now investigate the challenges and issue a report seeking to resolve some challenges and containing recommendations for how to resolve others.

The university believes that the most appropriate and fair path forward on the challenged ballots is to have the Regional Director make a decision by which all similarly situated faculty can be treated equally. For example, NTT assistant, associate and full professors voted under Board challenge. The SEIU believes that only some of their votes should be counted but not others. We disagree. We seek consistency. The university believes that all assistant, associate and full professors' votes should be counted.

After submission of evidence and the parties' positions to the Board, the NLRB will determine whether to have a hearing as to the status of any challenged voters. Depending on whether or not a hearing is necessary, it could be weeks or months before the outcome of each election is known.

As we have shared many times, we are committed to upholding our fundamental values of transparency, open communication, and shared governance. As we continue into the next phase of this process, we will continue to advocate for those values. They are essential to what makes Vanderbilt a great university.

Please don't hesitate to reach out to me or the Provost with any questions you might have. We'll be updating our website (<http://vu.edu/faculty-unionization>) regularly as well.

Thank you for all that you do for Vanderbilt and for your continued engagement in this process.

John Geer