

# STAFF COUNCILS & ADVISORY GROUPS

## What to look out for & how to stay out of trouble.

Staff councils and advisory groups are official organizations functioning as advisors that provide representation and deliberation for staff employees on matters outside the scope of collective bargaining. For instance, staff councils may receive and evaluate suggestions and proposals made by staff employees, enhance relationships and communication for and between staff employees and administration, strengthen the staff employees' contributions, etc.

Under the [Higher Education Employer-Employee Relations Act \(HEERA\)](#), Unions have exclusive representation rights on bargaining unit employees for all matters falling within the scope of representation, which are: wages, hours, and other terms and conditions of employment. Therefore, the University cannot create or endorse the creation of staff councils and advisory groups that would impede or step on the Unions' representation rights. This was confirmed in the 1998 Staff Council Decision, where the PERB Administrative Law Judge (ALJ) expressly recognized the fact that under HEERA, Staff Council organizations may have a role to play in campus governance. However, any such role must be strictly limited to consultation on matters outside the scope of representation.

### **GOLDEN RULE:**

**Matters and topics must remain outside the scope of collective bargaining and Union representation!**

When formulating staff councils and advisory groups, below are recommendations for remaining in compliance:

- Managers should adopt a “hands off” approach to the formation of staff councils and advisory groups
- While bargaining unit employees should independently determine the composition, structure and operation of staff councils and advisory groups, management should prepare guidelines for such organizations
  - The guidelines should require that the governing documents acknowledge the fact that the organization may deal only with matters outside the scope of representation
  - Example of guidelines:
    - *This committee is constituted to provide [WHATEVER LANGUAGE THEY WANT TO USE RE: WHAT THE COMMITTEES DO] outside the scope of collective bargaining*
    - *Receive and evaluate suggestions and proposals submitted in writing by members of the campus community relating to [SPECIFIC LANGUAGE]-related matters outside the scope of collective bargaining*
    - *Propose and undertake programs and projects falling outside the scope of collective bargaining, designed to benefit the University*

