



Can we talk?

Restrictions on AP speech during “normal work hours”

Last month, Kathleen Pecknold, associate provost and director of Academic Human Resources, sent a memo to deans, directors, department heads, and business managers informing them that union organizers were seeking to meet with academic professionals during “normal work hours.” The memo went on to say that discussions about forming a bargaining unit or supporting a union are “not appropriate during work time” and also that “University employees are expected to perform University work and refrain from non-University activities during normal work hours....”

Many of the recipients of the memo did not distribute it to their academic professional employees. However, some APs who received it contacted us because they are confused about its meaning and intent. This *Brief* explores some of the questions raised by Associate Provost Pecknold’s memo.

The biggest question is, what are normal work hours for APs? Our working hours are not defined in the *Academic Staff Handbook*. Some APs may work mostly 8-hour days with a lunch break. But there are a considerable number of us who—due to heavy work loads—must work more than 40 hours a week on a regular basis just to complete tasks. Because there is no university policy on compensatory time for APs, even if someone worked at a conference over the weekend, that person may be expected to be back in the office first thing Monday morning to work another 40+-hour week. Since APs are not compensated for overtime, there is no such thing as “normal work hours.”

Another question raised by the memo is whether discussion of unions is prohibited by place or by time. One supervisor may interpret the memo to mean that if APs take a break at their desks, as many of us do, they can’t discuss union issues, but that they may do so if they leave the premises. Another supervisor may relate the prohibition to time period, deciding that APs are forbidden from discussing unions at any time during the work day.

Associate Provost Pecknold’s memo might also imply either that APs are not entitled to breaks or that they have limited free speech even during break time. As professionals, many of us do not have designated break and lunch times, and undoubtedly many of us require a flexible schedule to carry out our duties. But while there is nothing in the staff handbook about breaks for APs, shouldn’t we be able to take a break from our work and engage in “non-University activities” such

Does this mean that while we are at our workplace at the University of Illinois we won’t be able to make a doctor’s appointment or talk about sports, politics, our children, or the weather? As professionals, we *should* be discussing our working conditions and how to make the University of Illinois a better place for all employees.

A faculty perspective on Associate Provost Pecknold's memo:

One of the problems AP's face, of course, is that many of them do not have "regular work hours." Rather, they are professionals often working very long hours, including evenings and weekends. We rely upon them daily in our work as faculty. We greatly appreciate the professional way in which they go about their work and their dedication to the university community... If "regular hours" were defined as the 37.5-hour work week of the clerical staff, it would quickly become clear that the university itself is violating this standard with regard to APs.

as briefly talking to a family member, friend, or union organizer? Is Academic Human Resources suggesting that APs need to follow a strictly industrial model for working hours and breaks?

Surely APs can talk about unions and their work situation or whatever they please with whomever they please during their breaks. According to the Illinois Educational Labor Relations Act, the employer can insist that the employee do only work-related activities at the workplace but can't single out unions to discriminate against. Does this mean that while we are at our workplace at the University of Illinois we won't be able to make a doctor's appointment or talk about sports, politics, our children, or the weather?

Another interpretation is that Associate Provost Pecknold is saying that when organizers for the Association of Academic Professionals visit colleagues at their workplace to discuss working conditions and a union, we should not interfere with their work. It should be acceptable to our employer if we ask APs when they can take a break and whether we can talk to them during their break. Regardless of where an AAP organizer meets a fellow AP, we always ask first whether the person has a few minutes to take a break and talk about the AAP. We respect our colleagues' need to do their work.

As professionals, we *should* be discussing our working conditions and how to make the University of Illinois a better place for all employees. We believe that one way is to form a democratic organization through which our voices can be clearly heard.



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