

# Guidance for MSU Administrators: New Bargaining Representative for Tenure System Faculty and Librarians in the Continuing System

The offices of Faculty and Academic Staff Affairs (FASA) and Employee and Labor Relations (ELR) jointly developed this guidance document for administrators excluded from the bargaining unit ([please check here](#) for a complete list of those excluded titles). This guidance serves to promote an understanding of interactions with tenure system faculty and librarians in the continuing system, in light of the certification of the Union of Tenure System Faculty (UTSF) on Sept. 8, 2025, as the exclusive bargaining representative for this group. The following are labor law basics for administrators:

- Administrators may not directly deal with those in the bargaining unit related to mandatory subjects of bargaining (i.e., wages, hours and other terms and conditions of employment). This will be a significant change. This means that administrators can no longer, for example, make changes to existing policies, practices, or bylaws surrounding working conditions by negotiating directly with bargaining unit tenure system faculty.
- Administrators must maintain the status quo regarding terms and conditions of employment of bargaining unit tenure system faculty and librarians until the first contract is bargained with the UTSF. This means you should continue to follow current policy, practices, and bylaws that pertain to a mandatory subject of bargaining during the time the UTSF and the University are bargaining the first contract.
- A helpful acronym - “TIPS” (Threaten, Interrogate, Promise, Surveil) - applies to the next few points. These could be violations of labor law, depending on context, and should be avoided.
  - Administrators may not withhold benefits or threaten to adversely affect employees (e.g., to withhold reappointment) because of their union activity, support of the union or in retaliation for unionization.
  - Administrators may not interrogate or survey employees about their views on unionization, union strategies, whether or not they signed a union card/support the union, or their union activity.
  - Administrators may not promise benefits or favorable treatment as a reward for refraining from union activity or as an inducement not to support the union (e.g., pay raises, opportunities related to research or service, etc.)
  - Administrators may not attend or threaten to attend union meetings; this applies even if you are sent an invitation or are told about the gathering. Surveillance of employees engaging in union activity is prohibited and this may also be viewed as intimidation and impacting an employee’s ability to get information about the union.

Unit administrators are encouraged to consult with FASA and/or ELR regarding questions about interacting with the union or bargaining unit tenure system faculty and continuing system librarians during this period as the parties are negotiating a first contract.

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