

From: [MSU Vice Provost for Faculty and Academic Staff Affairs](#)
To: [MSU Vice Provost for Faculty and Academic Staff Affairs](#)
Subject: Assessing UTSF Exclusion for Faculty with Administrative Responsibilities
Date: Wednesday, July 22, 2026 10:47:25 AM

Dear colleagues,

As part of our ongoing efforts to ensure compliance with Michigan labor law and the University's collective bargaining obligations, we are writing to provide guidance on how to assess whether tenure system (TS) faculty and continuing system librarians serving in administrative or leadership roles may be excluded from the Union for Tenure System Faculty (UTSF).

Why this matters

Accurate designation of union status is essential. Certain positions are excluded from the UTSF bargaining unit due to their **executive, managerial, or supervisory responsibilities**, and the University has a legal obligation to ensure these classifications are correct. This is important because faculty in these roles may be classified as management and therefore shouldn't be covered by the UTSF contract. The University also has a legal obligation to provide monthly bargaining unit membership lists to the union, and it is essential that this information is accurate and up to date.

Foundational context: Agreed-upon excluded roles

MSU and the UTSF have agreed upon a defined set of positions that are excluded from the bargaining unit due to their executive, managerial, or supervisory functions. These roles are outlined here and include, for example: Dean, Chairperson, Associate Dean, and Institute/Center Director

- [Description of Bargaining Unit \(Included/Excluded Roles\)](#) document on the Office for Faculty and Academic Staff Affairs (FASA) website.

This resource provides an important baseline and should be your first point of reference when determining whether a role is excluded.

Key distinction: Duties—not just titles

While some roles are clearly excluded based on established titles in the document referenced above, there is **another category of tenure system faculty/continuing system librarians whose exclusion is determined by their duties—not their title**. This most often arises with roles such as associate chairs. Importantly:

- Most faculty in these roles **will remain included** in the UTSF
- However, **some may meet the criteria for exclusion** depending on the nature of their responsibilities

When to assess further

A role may warrant further review if the faculty member's duties include authority or influence over another tenure system faculty member in any of these areas:

- Merit or performance decisions
- Disciplinary processes or investigations

- Recommendations regarding discipline
- Direct supervision of tenure system faculty
- Budget decisions affecting the working conditions

These types of responsibilities may indicate a **managerial or supervisory function** that places the role outside the bargaining unit. We strongly encourage units to engage FASA early when designing or posting these roles to ensure appropriate classification and required language.

Use of the assessment checklist

To support consistent and compliant determinations, we have developed an [Initial Assessment Checklist](#) (available under Unionization Resources).

- Complete the checklist for TS faculty serving in administrative or leadership roles
- If any answer is “yes,” submit the checklist to the Office for Faculty & Academic Staff Affairs for review
- If all answers are “no,” no additional review is required; retain the checklist for your records

Next steps when review is needed

If the checklist indicates potential exclusion:

1. Submit the [Microsoft Form](#) to FASA with the completed checklist
2. FASA will review and follow up
3. If an exclusion from the UTSF is determined, the unit will:
 - Notify the faculty member using the [provided memo template](#) (available under Unionization Resources)
 - Add the appropriate management title to the HR/Payroll record (as a secondary assignment)

Please work closely with your **HR Unit Representative** throughout this process.

Additional considerations

- The inclusion/exclusion list provides the **starting point**, but not all scenarios are captured by title alone
- Most faculty with secondary administrative roles **will not be excluded from the UTSF**, but each case should be thoughtfully assessed
- When assigning duties or designing roles (e.g., Associate Chair positions), routine responsibilities such as course assignments and scheduling are appropriate. However, if the role will include responsibilities that involve investigating misconduct, discipline, performance evaluations of tenure system faculty, please consult with FASA in advance.

Support

FASA is available to provide consultation and support, particularly in more complex cases or where duties may fall into a gray area.

Thank you for your partnership in ensuring accurate faculty classifications and compliance with our collective bargaining obligations. If you have further questions, please contact your FASA liaison, or FASAffairs@msu.edu.

A note on links: Because our website is currently undergoing a transition, links in this memo direct you to the relevant "[Tip Sheets, Resources, and Forms](#)" page rather than linking directly to individual documents. Go to "Unionization Resources" on the page for the referenced documents. This approach helps ensure the links remain functional throughout the migration process.

Sincerely,

Teresa Mastin, Ph.D.

Vice Provost and Associate Vice President for Faculty and Academic Staff Affairs
Office of the Provost

From: [MSU Vice Provost for Faculty and Academic Staff Affairs](#)
To: [HR.UnitRepList](#)
Subject: Guidance and Process for Assessing UTSF Exclusion for Faculty with Administrative Roles
Date: Wednesday, July 22, 2026 10:54:25 AM

Dear HR Unit Representatives,

I'm writing to provide guidance and outline the process for assessing whether tenure system faculty and continuing system librarians with administrative or leadership responsibilities should be excluded from the **Union for Tenure System Faculty (UTSF)**. Your role is critical in ensuring these determinations are made consistently and in alignment with legal and contractual requirements. This guidance builds on the presentation shared at the May 2026 HR Connect meeting.

Foundational context: Inclusion/Exclusion framework

MSU and the UTSF have agreed upon a defined set of roles that are excluded from the bargaining unit due to their executive, managerial, or supervisory functions. These are outlined in the [Description of the Bargaining Unit \(Included/Excluded Roles\)](#):

This resource should serve as your unit's **starting point** for determining whether a role is excluded. Units are expected to review applicable titles whenever they post or directly hire for an administrative position, or when administrative responsibilities are added to an employee's existing role.

Key principle: Duties—not just titles

In addition to the established list, some tenure system faculty and continuing system librarians—particularly those with secondary administrative roles (e.g., associate chairs)—may be excluded **based on their job responsibilities rather than their title alone**.

Importantly:

- Most faculty in these roles **will remain included in the UTSF**
- However, when duties reflect supervisory or managerial authority, **further review is required**

Indicators that a role may require review

As you work with your chairperson/school director, dean, or other administrative leader when planning to post an administrative position or appointing a person into an administrative position, please look for management responsibilities identified below. A role may warrant further review if the tenure system faculty member's duties include authority or influence over another tenure system faculty member in any of the areas identified here:

- Authority over merit or performance decisions
- Involvement in disciplinary processes or investigations
- Making recommendations regarding discipline
- Direct supervision of other faculty
- Responsibility for budget decisions affecting working conditions

These are key indicators that a role may meet the criteria for exclusion from the UTSF.

Process for HR Unit Representatives

To ensure a consistent and compliant approach, please follow the process below:

Step 1: Start with the Inclusion/Exclusion list

- When your unit wants to post an administrative role, or appoint a tenure system faculty member into an administrative role, review whether the role is already identified as excluded in the agreed-upon list in the [Description of the Bargaining Unit document](#)
- If clearly excluded, proceed with appropriate documentation and coding in the HR system
- If not clearly excluded, proceed to Step 2.

Step 2: Complete the Initial Assessment Checklist

- For tenure system faculty in administrative roles not clearly captured by title, complete the [assessment checklist](#) (available under Unionization Resources)

Step 3: Determine whether FASA review is required

- If “yes” to any checklist question → Submit to FASA for review. Proceed to Step 4.
- If all answers are “no” → No further review required; retain checklist in unit files. You may proceed with appointment or posting.

Step 4: Submit for FASA review (if applicable)

- Submit the [Request to Review Potential Management Position Excluded from the UTSF](#) (Microsoft Form) with the completed checklist attached
- FASA will review and follow up with the unit.

Step 5: Implement outcome

If FASA determines the role should be excluded from the UTSF:

- Notify the faculty member using the [Administrative Exclusion – Memo Template](#) that they are excluded from the UTSF
- Reference [adding secondary UTSF-excluded titles to faculty records in the HR/Payroll system](#) when adding the appropriate designation to the faculty member's record to ensure consistency in HR/Payroll.
- Add the appropriate management title designation (with “-M” suffix) in the HR/Payroll system.
 - Note: This should be recorded as a secondary assignment (not primary)

- Maintain documentation (checklist and notification) in unit records

Additional guidance

- Each case should be evaluated individually; **duties and scope of authority are the determining factors**
- Many administrative roles (e.g., coordination, oversight of programs) **will not meet the threshold for exclusion**
- Close partnership with unit leadership (chairs/deans) is essential to understand the scope of responsibilities
- For positions that are excluded from the UTSF bargaining unit, job postings and offer letters must include clear language stating that the role is excluded from union representation — for example: *"This position is excluded from representation by the Union for Tenure System Faculty."*

Support

FASA is available to consult with you throughout this process, particularly for complex or borderline cases. Please don't hesitate to reach out to your FASA liaison or FASAffairs@msu.edu with questions or to discuss specific situations.

Thank you for your partnership and careful attention to this important work. Your efforts help ensure accuracy, consistency, and compliance across the institution.

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Teresa Mastin, Ph.D.

Vice Provost and Associate Vice President for Faculty and Academic Staff Affairs
Office of the Provost