

UDAM FAQ

1. What is UDAM?

United Defense Advocates of Minnesota is an independent labor organization formed to represent Minnesota Public Defense Workers. The purpose of UDAM is laid out in its bylaws:

- A. To provide for the common defense of all public defense workers.
- B. To promote the economic and social welfare of workers through improved wages, workload, and all conditions of employment.
- C. To unite as workers regardless of race, religion, creed, national origin, age, physical or mental disability, sex, sexual orientation, gender identity or any other legally protected group or class.
- D. To act as the labor representative and bargaining agent of its members.
- E. To engage with the employers of its members for grievances, contract terms, and working conditions on behalf of the workers.
- F. To extend our advocacy on behalf of our clients beyond the courtroom.
- G. All other legal purposes, as determined by the Board of Directors ("Board").

2. Who is organizing UDAM?

A coalition of public defense workers across Minnesota have come together to make UDAM a reality. Any public defense worker can join and help with the organizing. We have secured the assistance of a local law firm, **Shulman Buske Reams**, who have helped us do the legal filings and keep us legal. So long as the members approve, they will assist with grievances, lobbying, and other matters moving forward.

3. Can I join UDAM?

Any non-managerial worker who is employed by the Minnesota Board of Public Defense can join—attorneys and core staff!

In addition to membership, any non-managerial public defense worker can fill the Board positions.

UDAM, by Minnesota law, must be state-wide. No district will be excluded. Even if we could organize by district, why would we? We are all workers who are part of a single public defender system: we are in this together.

4. How much will my dues cost?

Once we represent our workers, members will pay \$35 per pay period for attorneys, \$25 for core staff. There is a \$10 initiation fee. There are no monthly dues while we are working to establish UDAM as the union for Public Defense workers.

The amount for these dues are based on input from public defense workers (core staff and attorneys), our lawyers, an analysis of current dues payments and spending, and input from the independent union Clark County Public Defenders in Las Vegas.

5. How will my dues money be used?

Because we are an independent union, we can use our money for any lawful purposes supported by the members. The Union Board will create a budget. Expenses will include paying for lobbying and a qualified person to do bookkeeping. UDAM will cover lost time and expenses for members and officers any time they take to work for union business, including mileage. We also expect to incur costs when it is necessary to have a lawyer assist with arbitrations and other litigation.

A lawyer from the Clark County Public Defender in Las Vegas, who is active in its independent union, told us that many years they spend almost nothing running the union because their board does a lot of the “work on behalf of our members.” He also said “It’s a lot of effort, but that’s the advantage of having a union full of lawyers. We have a very particular set of skills, skills that make us a nightmare for people like The County,” which is their employer.

6. Will each district have a steward?

Yes, the Bylaws state that each bargaining unit in each district and the appellate office is entitled to elect at minimum one steward. We fully expect there will be more than one steward for each bargaining unit in each district.

Further, UDAM hopes to give the districts more flexibility for stewards. For example, the 10th district has many offices. Right now, they are only allowed 2 stewards; one is in Anoka, the other is in North Branch. With UDAM, the 10th could have additional stewards to cover their offices in Buffalo and Stillwater. This kind of decision making lies in the hands of the workers, NOT the Union or the employer.

The stewards are not members of the UDAM Board, but they are advisors to the Board. UDAM will encourage participation from its members and that, combined with the real democracy as required by the Bylaws, will be one of our strengths. Stewards can, however, be members of the board if they choose to run and are elected.

7. Who will negotiate for us?

We, the Public Defense workers, do the negotiating.

From the Bylaws:

The Board shall define the process to determine who will engage with the employer during contract negotiations. In each bargaining unit, every District and the Appellate Office is entitled to have a representative on the negotiating committee.

8. Who will lobby for us at the Legislature?

Our members will lobby with the assistance of a paid lobbyist. Together we will advocate for great working conditions for Public Defense Workers and for better lives for our clients.

In Las Vegas, where they have an independent union, the union and their employer have lobbied together for reforms that benefit their clients.

9. Who will handle grievances?

Public defense workers will handle most steps in the grievance process. We have a relationship with experienced outside counsel, who do labor and employment law, to assist us if necessary.

While the Board initially determines whether the grievance will be arbitrated, that determination can be overridden by the general membership. From the Bylaws:

The arbitration override must be initiated by a petition filed with the Board containing the signatures of at least 30% of the General Membership. Once received, the Board shall review and reverse their arbitration decision or conduct an election involving all General Members. If two thirds of the General Members who return ballots vote to reverse the Board's decision, the decision will be reversed.

10. When UDAM becomes the sole representative for public defense workers, what happens to grievances already pending?

UDAM will pick up grievances already in progress. The UDAM Bylaws, including the above provision about members overriding the Board's decision, will be followed. Under our Bylaws, the grievance belongs to the members, not the Board, not the Union.

11. What is the governing structure of UDAM?

In total, there will be 17 members of the UDAM Board. There will be 3 elected officers: President, First Vice President, Second Vice President. These officers will be elected state-wide via a popular vote.

Each Public Defender district and the appellate office will elect 1 Director to serve on the Board—a total of 11 Directors. They will be elected by a popular vote within that district/office.

There will be 3 additional Directors who will be elected state-wide via a popular vote.

Union stewards will advise the UDAM Board.

12. Are we filing to decertify our current union?

No. We are not filing for a decertification election. We are filing for a change in representation. This means that when we win, we will take over the collective bargaining agreement that is currently in place. We will then negotiate for raises and other improvements in our conditions of employment. UDAM will also assume responsibility for enforcing the terms of the contract.

13. What happens to our current contract when we win?

Once we file a petition to change representation, the Bureau of Mediation Services will issue a status quo order. This means nothing will change in the terms and conditions of your employment.

Then, once we win the election, United Defense Advocates will negotiate a contract on your behalf. The negotiation process will look like previous negotiations, but with UDAM and public defense workers at the helm. Many of us have been around for a long time. Some of us have been involved in negotiations for over a decade. We know the issues, the employer, the workplace, our working conditions, and the contract. We possess the institutional knowledge to do a great job for ourselves.

14. What about a strike fund?

Once we win the election, UDAM will begin to collect dues. The Board, with input from members, will determine a budget. A strike fund can be part of the budget (most unions do not have strike funds) but obviously, a robust strike fund will take time to build if that's what the members decide to do.

UDAM dues are meant to be affordable. This will allow our members to save enough money in the first year of membership to cover what they would get in strike benefits for a week. Also, thanks to the work of our Sisters, Brothers, and Worker Siblings, we have won decent pay in the last contract. Most of us are in a better economic place than we were to endure a strike.

15. Do you have a website?

Yes: uniteddefenseadvocatesminnesota.org

We also have a Facebook Group: UDA of Minnesota (United Defense Advocates of Minnesota.) All public defense workers are invited to join.

16. When are meetings?

Per the Bylaws, both the Board and the General Membership must meet bimonthly. The Board will meet in the odd months, the General Membership will meet in the even months.

Meetings will happen on the first Tuesday of every month at noon. This is subject to change based on the needs and wants of the membership.

Members are encouraged to attend Board meetings. There may be closed parts of Board meetings if a member's privacy will be violated with an open meeting.

17. What if something isn't working for the workers in the union—is there any recourse?

Yes. UDAM is structured so members have the power to change what isn't working for them. Article X in the Bylaws (found on UDAM's website) lays out the procedure for amending the Bylaws. The gist is that amendments to the Bylaws may be brought once a year, and amendments will be passed with at least two-thirds majority of the General Membership.

In the Bylaws, you will see that the 3 initial Board Members (aka the signers of the Articles of Incorporation) could amend the Bylaws if all 3 Board Members agreed to an amendment. This was included in the Bylaws in case there was a glaring error or problem with them. The initial board did not amend the Bylaws.

18. I have more questions, how can I get answers?

1. You can join our Facebook group and ask a question in that group.
2. You can send a message to us via our website; there's a 'contact us' form at the bottom of the page.
3. Join us for UDAM events, such as town halls, lunch meetings, and happy hours.
4. Read our biweekly newsletters. You can request to get on the mailing list, if you are not already signed up.
5. Chat with an Officer or a Board Member. Find us over lunch at the office, at a happy hour, on Facebook, anywhere!

We always welcome questions and feedback.

19. Why do we have to make a new union? Can't we just join another union?

UDAM organizers considered this option. We reached out to several established unions, and while there has been interest in taking us on, no one has agreed to do so without agreement by the Teamsters. This is due to either a "no poaching" policy or fear of reprisal by the Teamsters.

Once we negotiate a new contract as UDAM, we could choose to affiliate with another national union. UDAM is driven by members, so if the members decide to affiliate with a larger union, we can do it.

20. What's next?

In early April, UDAM will file interest cards (the yellow cards) with the Bureau of Mediation Services ("BMS") asking for a change in representation election. BMS will conduct an election in which every member of each bargaining unit will be entitled to vote. **Make sure your address is updated in Self Service so you get your ballot.**

When we win the election, UDAM will take over the existing contract on behalf of our members. We will be responsible for negotiating improvements to that contract and enforcing its terms. We are committed to solidarity and fighting hard for all of us. Together our future is bright.