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FLORIDA BOARD OF GOVERNORS
BY TELEPHONE CONFERENCE CALL
TALLAHASSEE, FLORIDA
JULY 1, 2005

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The Chair, Carolyn K. Roberts, convened the meeting of the Florida Board of Governors by telephone conference call, 1605 Turlington Building, Tallahassee, Florida, at 9:00 a.m., July 1, 2005, with the following members present: John Dasburg, Vice Chair, René Albors, Ann Duncan, Dr. Stanley Marshall, Bill McCollum, Sheila McDevitt, Lynn Pappas, Ava Parker, Peter Rummell, Chris Schoonover, and Dr. Dreamal Worthen.

1. Clarification of Board Delegation of Collective Bargaining Responsibilities

Mrs. Roberts thanked Board members for their willingness to participate on this conference call prior to the Fourth of July weekend. She said there had been some confusion about the Board's delegation of collective bargaining responsibilities to the University Boards of Trustees in light of the Governor's signing of HB 1001 the previous week. She invited Mr. Woodring to explain the issue.

Mr. Woodring said there was some discussion among the University General Counsels as to whether the Boards of Trustees or the Board of Governors was the public employer for purposes of collective bargaining with the unions. He said that on January 7, 2003, this Board had designated the Boards of Trustees as the employer for collective bargaining purposes. The unions had challenged this designation and brought suit. The First District Court of Appeal had ruled that the Board of Governors had the authority to designate the University Boards of Trustees as the public employer. The Supreme Court had denied the request for review of this decision. He said the language in HB 1001 might be construed in such a way that the Board of Governors is the "public employer." He said to allay any confusion, he had recommended that the Board clarify that it has designated the University Boards of Trustees as the "public employer" for collective bargaining purposes pursuant to the Board of Governors' constitutional power.

Ms. Duncan moved that in light of House Bill 1001 becoming law, the Board of Governors clarify that the designation of University Boards of Trustees as the public employer for each university, as approved on January 7, 2003, and as affirmed as a constitutional power of the Board of Governors by decision of the First District Court of Appeal on March 22, 2004, is still in full force and effect, and each University Board of Trustees is directed to act accordingly. Mr. McCollum seconded the motion.

Ms. McDevitt inquired whether action on these collective bargaining matters by the University Boards of Trustees would have to come back to this Board for action. Mr. Woodring responded that they would not.

There were no further questions. Members of the Board concurred in the motion unanimously.

2. Adjournment

Having no further business, Mrs. Roberts adjourned the telephone conference call meeting of the Florida Board of Governors at 9:10 a.m., July 1, 2005.

Carolyn K. Roberts,
Chair

Mary-Anne Bestebreurtje,
Corporate Secretary