

AFFIDAVIT OF MICHAEL COURTNEY

STATE OF OHIO)
) ss.
COUNTY OF ATHENS)

I, Michael Courtney, being first duly sworn on oath, hereby swear and affirm that the following statements are true and accurate to the best of my knowledge, information, and belief:

1. I am currently employed by Ohio University and serve as the Director of Labor and Employee Relations.

2. In my role as Director of Labor and Employee Relations, I received copies of the attached email correspondence and documents in the usual course of business, attached hereto as Attachments 1, 2, and 3, which I believe are subject to disclosure as public records.

3. I am submitting Attachments 1, 2, and 3 as examples of documentation in support of the allegations in the objections submitted in Case Number 2024-REP-03-0035.

FURTHER AFFIANT SAYETH NAUGHT.



Michael Courtney

Sworn to and acknowledged before me in my presence by Michael Courtney this 3rd day of April, 2025.





Notary Public
My Commission Expires:



SHELLY M BEAN
Notary Public
State of Ohio
My Comm. Expires
April 10, 2026

ATTACHMENT 1

From: Rapp, Adam <rappa@ohio.edu>
Sent: Sunday, February 9, 2025 12:24 PM
To: Rapp, Adam <rappa@ohio.edu>
Subject: Collective Bargaining Concern

Hello all,

I am writing regarding an issue related to the upcoming collective bargaining vote. I fully understand that as administrators, none of you are permitted to take a position for or against; however, I thought it important to draw attention to concerns many have regarding the disclosure of information.

As a member of the College of Business (CoB) faculty, I (as have many others) have attempted to gather more information regarding the collective bargaining group's position on issues. The CoB has asked for a member of the UAOU group to speak to our faculty. They refused to speak to our group (as evidenced by the recent faculty meeting held on 1/31, which they would not attend.) There is hearsay that we have a (CoB) union representative, however that individual joined the meeting remotely, but as soon as the union representative issue was raised, they dropped from the Teams meeting. I have attempted to attend an informational meeting but was told (at the door) that you have to sign-up and be in good standing to attend the meeting and receive any information. This can be seen on their social media posts (below).

I am merely writing to inform you that it would seem that the UAOU is holding this election in bad faith and is unwilling to disclose or share information publicly. Other faculty and I are filling complaints at the state level regarding this situation.

Again, while I am aware that administrators are not in a position to take specific actions, I believe open and transparent communication is incredibly important with such a monumental decision. As an individual whose future is likely to be impacted by the creation of a currently proposed UAOU for faculty at Ohio University, I am afraid that the process is not being conducted with due diligence and accountability.

Thank you for your time,
Adam Rapp

Dr. Adam Rapp
Ohio University
Academic Director & Schey Professor of Sales
LinkedIn: [linkedin.com/in/adamarapp/](https://www.linkedin.com/in/adamarapp/)
2011-2024 Top Sales University – Sales Education Foundation
Editor: Journal of Personal Selling and Sales Management



United Academics of Ohio University - UAOU is at Ohio University Irvine Hall.

February 3 at 5:19 PM · Athens · 🌐

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Need more info? Have questions? Ready for updates? We got you! ✨ Come to our membership meeting this Wednesday, February 5th at 5 pm in Irvine Hall, room 199. Zoom link available for regional faculty or specific requests. This is open to all members in good standing. Not a member yet but support the union? You can sign up before or at the door! We, your fellow faculty are ready to talk and SO READY TO VOTE UNION YES!

**WEDNESDAY,
FEBRUARY 5TH FROM
5-6:30 PM**

- Discussing plans for the vote!
- Preparing for next steps!
- Answering questions!



Open to all
members in
good standing!



📍 **Irvine 199**

UAOU
UNITED ACADEMICS OF OHIO UNIVERSITY

**Membership
Meeting!**

Membership will be verified at the door,
although there will be an opportunity
to sign up on site prior to the meeting.

www.UAOU.org

UAOU's First Membership Meeting - November 20th

1 message

United Academics of Ohio University via ActionNetwork.org <info+ohio-university-faculty-alliance-info@email.actionnetwork.org>
Reply-To: unitedacademicsou@gmail.com
To: dpittman23@gmail.com

Wed, Nov 13, 2024 at
4:43 PM



UAOU'S FIRST GENERAL MEMBERSHIP MEETING

WEDNESDAY, NOVEMBER 20TH, 5:30-6:30, BENTLEY HALL 240

November 20th will mark the first general membership meeting of the United Academics of Ohio University (UAOU)!

This will be an opportunity for members to get an update on where we are at in our campaign to win our union, to learn more about the UAOU and your fellow faculty who have helped make this possible- and most importantly, a moment for us to come together, share our voices, and reinforce the collective strength that drives our movement.

We will be meeting in-person from 5:30 to 6:30 on the Athens campus in Bentley Hall, room 240. There will be a Zoom link for regional faculty members and on a as need basis.

This meeting is open to all members in good standing of the UAOU. Membership will be verified at the door, although there will be an opportunity to sign up on site prior to the meeting.

Please RSVP here.

Not sure if you are a member or want to learn more about what it means to become a member of the UAOU? Contact dylan@ocaaup.org



UAOU General Meeting - 5:30 to 6:30 Wed Nov 20 in Morton Hall 237

November 20th will mark the first general membership meeting of the United Academics of Ohio University (UAOU)! We'll be excited to see you all there – and we'll have T-shirts for the first 50 attendees to arrive!

This will be an opportunity for members to get an update on where we are at in our campaign to win our union, to learn more about the UAOU and your fellow faculty who have helped make this possible- and most importantly, a moment for us to come together, share our voices, and reinforce the collective strength that drives our movement.

We will be meeting in-person from 5:30 to 6:30 on the Athens campus in Morton Hall 237. There will be a Zoom link for regional faculty members and on an as needed basis.

This meeting is open to all members in good standing of the UAOU. Membership will be verified at the door, although there will be an opportunity to sign up on site prior to the meeting.

Join UAOU for Our Spring Membership Meeting on Feb 5

United Academics of Ohio University

4:13 PM



Dear UAOU Members,

We are holding an important general membership meeting ahead of our historic election on **Wednesday, February 5th from 5-6:30 pm in Irvine 199**, and we encourage all members to attend!

[Please RSVP here.](#) There is an option to indicate if you need a virtual meeting link or assistance with childcare during the meeting.

We'll be discussing plans and final preparations for our election, as well as preparing for negotiating our first contract!

Your participation and involvement are vital to strengthening our organization and shaping the future of our union. Whether you're looking to learn more about the election process or contribute to our ongoing efforts, this is your chance to get informed and engaged.

This meeting is open to all members in good standing of the UAOU—and includes all full-time faculty, including CHSP and HCOM. Membership will be verified at the door, although there will be an opportunity to sign up on site prior to the meeting.

Your Fellow Colleagues,

United Academics of Ohio University

ATTACHMENT 2

From: Arauz, Julio <arauz@ohio.edu>
Sent: Thursday, February 27, 2025 6:17 AM
To: daniel.sabol@serb.ohio.gov
Cc: Courtney, Michael <courtnm2@ohio.edu>
Subject: Re: [External] RE: Union Ballots

Hi Daniel,

Thanks for mailing another ballot. As of yesterday (Feb/26), I had not received the original one. I may not be the only one in this situation. Last Friday, 5 people in my dept. reported not having received it, only one person reported knowing someone that received it.

If for some reason, the new ballot gets delayed, I should be able to go to Columbus next week. It does worry me that such a requirement hinders fair access to the process as it is not possible to assume that everybody will have the opportunity or means to drive to Columbus on short notice.

I'm copying Michael again from OU legal. As you mentioned, the process through the USPS has been frustrating, but it appears to me that those frustrations extend beyond just a sentiment but have real fairness implications.

In any case, I appreciate your help with a new ballot, the deadline extension and the possibility to process everything in person in Columbus.

Julio



Dr. Julio Aráuz
PROFESSOR AND GRADUATE DIRECTOR

McCLURE SCHOOL OF EMERGING COMMUNICATION TECHNOLOGIES
SCRIPPS COLLEGE OF COMMUNICATION

SCHOONOVER CENTER, RM. 369
ONE OHIO UNIVERSITY
20 E. UNION ST.
ATHENS, OH 45701

CONTACT INFO

arauz@ohio.edu | ph:740.593.4917

LINKEDIN [linkedin.com/in/julio-arauz](https://www.linkedin.com/in/julio-arauz)

WEB ohio.edu/mcclure

From: Plow, Brian <plow@ohio.edu>
Sent: Wednesday, February 26, 2025 10:37 AM
To: Houser, Cecil <houser@ohio.edu>; Wilson, Aaron <wilsona5@ohio.edu>; Josh Birnbaum <jbirnba2@gmail.com>; deTar, Matthew <detar@ohio.edu>; Courtney, Michael <courtntm2@ohio.edu>
Subject: Re: This is most egregious

Thanks, Cecil.

I am really concerned as well. As of Tuesday, no replacement ballot came for me. I re-requested on Friday. This process appears chaotic. If allowed, I would drive up to Columbus and sign my ballot at SERB offices in person. As of now, to my knowledge, 1 person out of 15 in our department received their ballot.

A 2-day extension on the deadline will be meaningless if the vast majority of us never receive a ballot. How is this legal? The process should remain open until the issue is resolved for everyone. It is our legal right to vote.

Best
Brian

Brian Plow
Associate Professor
School of Media Arts and Studies
Scripps College of Communication
Ohio University

From: Houser, Cecil <houser@ohio.edu>
Date: Wednesday, February 26, 2025 at 10:02 AM
To: Wilson, Aaron <wilsona5@ohio.edu>
Cc: Josh Birnbaum <jbirnba2@gmail.com>, Plow, Brian <plow@ohio.edu>
Subject: This is most egregious

Gentlemen

This morning, I received an email (referenced below) from (UCM) news@ohio.edu. This is another confusing and erroneous attempt by the administration to thwart our right for representation. To remind eligible members to vote, while in the same construct encourage them to *wait until Friday, February 28th to contact SERB* is **absurd**. Sat, Sun are non- mailing days, which means at soonest the Ballot would have to be postmarked Monday / Tuesday at the latest to be counted.

NO, we should all have contacted SERB on Monday asking for a replacement Ballot. In addition, the organizers of the unionization effort should be working with the legal team to extend the voting date.

Those of us at the very bottom of the hierarchy are being bombarded with language trying to appeal to an empathetic view, when in fact this is, *outright bullying*.

I will not apologize for my contempt, this is a fight for a better living wage, better conditions for all and a much better outcome for our students. Higher appointment positions with emphasis on research cannot be the only priority. Especially, given our current federal economic crisis, funding cuts on critical research, and an uncertain future for all, now is the time for greater equity within our university infrastructure, if we are to compete with other institutions.

I have copied below what I'm sure you may have already received. This is nothing more than a Wink-Nod, ridiculous action by the administration. My plea to you is this, TAKE ACTION!

Cecil

Cecil Houser
Assistant Professor of Instruction
Schoonover 329
School of Media Arts and Studies
Media Production Supervisor
Scripps College of Communication Equipment Room
Ohio University
Coalition of Unified People for Constitutional Integrity, Founder CUPCI
houserc@ohio.edu
814.880.2338

Dear OHIO Faculty,

This week, all faculty eligible to vote for the proposed UAOU/AAUP/AFT union should receive mail-in ballots from the State Employment Relations Board (SERB) with instructions to return those ballots post marked no later than Wednesday, March 4.

We have heard from some faculty that they have not yet received their ballots. **If you believe you are eligible to vote on the proposed union but do not receive your mail-in ballot by Friday, February 28,**

please contact SERB's Labor Relations Administrator Daniel A. Sabol via email daniel.sabol@serb.ohio.gov or at 614-466-3569. Additionally, please notify Ohio University Director of Labor Relations Michael Courtney at courtnm2@ohio.edu.

Remember: Those who vote will decide your future at Ohio University. The winning outcome will be decided by majority of those who vote. Often, individuals who are not fervently for or against a union or who are unsure what impact a union might have on their future opt out of voting all together. **Ohio University strongly encourages you to vote.** Read our online [FAQ](#) for information that might inform your decision.

We also encourage you to review publicly-available faculty contracts for other unionized universities in Ohio. Along these lines, one group that has expressed an opinion is a group of OHIO faculty who is openly against unionization and who has [posted its own analysis of contracts](#).

Finally, we want to address a few of the questions we have recently received:

1. We have heard from faculty members who believe they fit the definition of eligible voters. Please note that if you were hired as a faculty member after the agreed-upon eligibility date of November 7, 2024, you will not be eligible to vote. However, you may still be included in the union should it pass by majority vote if you fit the bargaining unit definitions.
2. A question was also asked if we would have two faculty handbooks should a Union be established – one for non-union faculty in the College of Health Sciences and Professions and Heritage College of Osteopathic Medicine and one for union faculty. As stated by the Board of Trustees in its [January resolution](#), “the bargaining agreement will replace and supersede any current terms and conditions of employment in the Handbook,” and “the Faculty Handbook will remain wholly in place and relevant to the terms and conditions of employment only for all faculty members not included as members in a collective bargaining unit.”

Remember to vote by March 4 if you are eligible!

From: Pach, Chester <pach@ohio.edu>
Sent: Thursday, February 27, 2025 7:15 PM
To: daniel.sabol@serb.ohio.gov
Cc: Wilson, Aaron <wilsona5@ohio.edu>; Courtney, Michael <courtnm2@ohio.edu>; unitedacademicsofou@gmail.com
Subject: Re: [External] RE: Missing Union Election Ballot

Dan,

Thanks for your message. Six days ago-Feb. 21-you emailed to assure me that I would get a replacement ballot. I still haven't gotten it or the original one that I was supposed to have receive. Really, how hard is it to mail a ballot to somebody? I understand that mail can go astray, but both the original and replacement ballots? That strains credibility.

I have to go to Columbus tomorrow for other reasons so I will come by your office to cast my ballot. Can I be absolutely sure I will be able to obtain a ballot and cast it tomorrow?

Thanks very much.

Chester Pach

Chester Pach
Professor
Department of History
Bentley Annex 419
Athens, OH 45701
Sent from my iPhone

On Feb 27, 2025, at 7:03 PM, daniel.sabol@serb.ohio.gov wrote:

Use caution with links and attachments.

Aaron and Chester,

Thank you sharing your concerns. I apologize for the concern caused and understand the frustration. Unfortunately, we are unable to offer an option in Athens or the other locations. I understand that coming to Columbus is not feasible for all voters, it is just an additional option we are able to offer. We take these matters extremely seriously and are doing everything in our power to ensure everyone receives a ballot. As an update, **the final day for voters to place a ballot in the mail has been extended to March 11.** Further, while I understand this is not feasible for everyone, during all week days starting from today, February 27 through March 11, anyone who has not received a ballot, can stop by our office between 8:30 AM and 4:30 PM with their ID and receive a ballot, complete it, and then hand it back to us. Also, anyone who

has a ballot but would like to drop it off instead of mail it can also stop by any of those days. Thank you for all that you and your colleagues do! Have a good day.

Dan

Daniel A. Sabol, Esq.
Labor Relations Administrator|Administrative Law Judge
State Employment Relations Board
65 East State Street, Suite 1200
Columbus, Ohio 43215
O (614) 466-3569
F (614) 466-3074
daniel.sabol@serb.ohio.gov

<image003.png>

From: Wilson, Aaron <wilsona5@ohio.edu>
Sent: Wednesday, February 26, 2025 2:39 PM
To: Pach, Chester <pach@ohio.edu>; Sabol, Daniel <daniel.sabol@serb.ohio.gov>; Courtney, Michael <courtnm2@ohio.edu>; unitedacademicsofou@gmail.com
Subject: RE: Missing Union Election Ballot

Daniel,

I agree completely with Chester's assessment that it is unreasonable to require faculty that live in Athens to travel to Columbus to vote. I am not sure if this is SERB's mess up or the post office's but what we are left with is not acceptable in any way.

What can be done to have SERB come to Athens to allow voting to occur here? Maybe it could be coordinated with the Athen's city library or county board of elections so that voting doesn't need to occur on campus and can be more confidential? A new strategy needs to happen as a large number of faculty that have requested a second ballot have not received it (me included).

Best,

Aaron B. Wilson, PhD, CPA, CFE
Daley Associate Professor, School of Accountancy
Director - Online MBA Program
Faculty Senate – Chair of Finance and Facilities
Ohio University College of Business
Copeland Hall 636, 1 Ohio University, Athens, OH 45701
740.597.3049 • wilsona5@ohio.edu
[Book time with Wilson, Aaron: Office hours](#)

<image004.png>

From: Pach, Chester <pach@ohio.edu>
Sent: Wednesday, February 26, 2025 12:35 PM

To: daniel.sabol@serb.ohio.gov; Wilson, Aaron <wilsona5@ohio.edu>; Courtney, Michael <courtnm2@ohio.edu>; unitedacademicsofou@gmail.com

Subject: Missing Union Election Ballot

This morning (Feb. 26) a clerk at the State Employment Relations Board telephoned me in response to my telephone call to his office yesterday (Feb. 25) about my failure to receive a ballot for the vote on unionization of Ohio University faculty. The call I made yesterday was my second request to SERB for a ballot. I had previously telephoned on Friday, Feb. 21 to notify SERB that I had not yet received my ballot. I also emailed Daniel Sabol that same day to request a ballot. That email message is below.

The clerk informed me this morning that a ballot would be mailed to me and that the postmark deadline for returning it would be extended two days to March 6. In our conversation on Feb. 25, the clerk also informed me that I could pick up a ballot at the SERB office in Columbus on Feb. 28, Mar. 3, or Mar. 4 and submit it at the same time. I could also return the ballot myself to the SERB office if I received one in the mail.

While I appreciate the opportunity to get a ballot or return one at the SERB office, it seems like a 170-mile roundtrip drive to Columbus is an unfair and maybe illegal burden when I was supposed to receive a ballot at my home via US mail.

I am sending this message to several officials, OU offices, and faculty organizations, including Michael Courtney, the Ohio University Director of Labor Relations; Aaron Wilson, OU Faculty Senate; Daniel Sabol, SERB; and United Academics of Ohio in accordance with advice and instructions I've received from various sources.

I want there to be a written record of my efforts to secure a ballot in the event that this problem isn't promptly resolved.

Many thanks.

Chester Pach

Email Exchange with Daniel Sabol, Feb. 21, 2025

Chester,

Thank you for letting me know. I will get one sent out ASAP. Have a good day!

Dan

Daniel A. Sabol, Esq.
Labor Relations Administrator|Administrative Law Judge
State Employment Relations Board

65 East State Street, Suite 1200
Columbus, Ohio 43215
O (614) 466-3569
F (614) 466-3074
daniel.sabol@serb.ohio.gov

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<image005.png>

From: Pach, Chester <pach@ohio.edu>
Sent: Friday, February 21, 2025 4:03 PM
To: Sabol, Daniel <daniel.sabol@serb.ohio.gov>
Subject: Haven't Received Ballot for OU Unionization Vote

I am an Ohio University faculty member eligible to vote in the referendum on unionization. I have not received a ballot, even though I've been told that I should have gotten one in the mail by Feb. 19. I would like the chance to vote but can't do so without a ballot. Please see that I get a ballot immediately so I can cast my vote before the deadline.

Chester Pach
Professor
Department of History
Ohio University
Bentley Annex 419
Athens, OH 45701

Chester Pach
Professor
Department of History
Ohio University
Bentley Annex 419
Athens, OH 45701

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: Wilson, Aaron <wilsona5@ohio.edu>

Sent: Friday, February 28, 2025 1:29 PM

To: daniel.sabol@serb.ohio.gov

Cc: Courtney, Michael <courtnm2@ohio.edu>; unitedacademicsofou@gmail.com

Subject: Clarification on replacement ballots

Hi Daniel,

I have gotten a couple of questions from faculty that I would like to ask you about related to election integrity. I also share many of these same concerns as an auditor and fraud examiner by trade.

1. With the election being blind ballots and many faculty needing to request replacement ballots, how are you ensuring that each faculty member only gets one vote? Once a ballot is returned are the other ballots associated with that faculty member cancelled and is it a manual or automatic process?
2. If a faculty member requests a replacement ballot and then the original comes, does it matter which ballot is returned? (i.e. does the replacement ballot cancel out the original ballot in your system)
3. Is there a way to verify that a returned ballot has been received by SERB? Many faculty see the issue with the post office working both ways – receiving mail from SERB and returning mail to SERB.
4. What information is shared to the faculty at time of vote tabulation? Do we get to see total votes cast and number for and against?

I am sure I will have more questions but this is a great start.

Best,

Aaron B. Wilson, PhD, CPA, CFE

Daley Associate Professor, School of Accountancy

Director - Online MBA Program

Faculty Senate – Chair of Finance and Facilities

Ohio University College of Business

Copeland Hall 636, 1 Ohio University, Athens, OH 45701

740.597.3049 • wilsona5@ohio.edu

[Book time with Wilson, Aaron: Office hours](#)



From: Stevens, Jennifer <stevenj1@ohio.edu>

Sent: Friday, February 28, 2025 1:59 PM

To: Andzulis, Mick <drmick@ohio.edu>; Courtney, Michael <courtntm2@ohio.edu>

Cc: Wyatt, Sarah <wyatts@ohio.edu>; Eisworth, Todd <eisworth@ohio.edu>; Wilson, Aaron <wilsona5@ohio.edu>; Ulmer, Jacquelyn <reesulmer@ohio.edu>; dguttman@bakerlaw.com

Subject: Re: Concern RE Posted Union Election Due Dates

Hi Michael,

As of today, we have had 65 College of Business faculty members request replacement ballots. I estimate that is half of our faculty eligible to vote.

At this point, the entire faculty is questioning the independence and validity of this process. It is entirely unacceptable. This vote has huge implications for our future and the future of our university. SERB has ONE individual managing this process. The room for error is extraordinary. Should one even receive a ballot in time to vote before the deadline, we are now concerned about the length of time it will take USPS to get it returned to SERB. This may result in votes not being counted. **SERB needs to provide confirmations to individuals letting them know they received their ballot back. In my opinion, a re-vote is the only way (done the right way) to ensure fairness in this process.** The union is going to sue if they lose and claim an unfair process, so I hope the university will as well. A re-vote is warranted.

Thank you,

Jennifer

Jennifer Sustersic Stevens, PhD, CPA

School of Accountancy

Ohio University

526 Copeland Hall

Athens, Ohio 45701

stevenj1@ohio.edu

From: Andzulis, Mick <drmick@ohio.edu>

Sent: Friday, February 28, 2025 7:31 AM

To: Courtney, Michael <courtntm2@ohio.edu>

Cc: Wyatt, Sarah <wyatts@ohio.edu>; Eisworth, Todd <eisworth@ohio.edu>; Wilson, Aaron <wilsona5@ohio.edu>; Ulmer, Jacquelyn <reesulmer@ohio.edu>; Stevens, Jennifer <stevenj1@ohio.edu>

Subject: Concern RE Posted Union Election Due Dates

Good morning Michael~

I am writing to express some concern on behalf of COB faculty related to the SERB posted election notices. It's my understanding that the election dates have been extended. However, there are faculty who have still not received their ballots as of yesterday PM who may not receive them until this weekend or next week. While I understand an effort to contact them will be made, and that replacement ballots have been mailed, I was confronted with a SERB notice that remains in the Copeland elevator this morning that still reflects a date of March 4th. Given that not all faculty will check their email or receive notice of the extension, I think it is highly probable that some faculty will see these old SERB notices with the now incorrect date and simply throw away their ballots assuming they missed their chance to vote.

I believe this is more evidence that this election should be failed and a new election should be called to ensure that everyone receives their ballot and has a chance to vote.

Will SERB be replacing/reposting new election notices to ensure that voting is not suppressed? Because the COB seems to have no active UAOU representative to keep them informed, I fear this will impact the 90-95% no vote that will come out of the COB and may ensure that the vote for unionization carries.

While I cannot vote, as a Chair and Faculty Senator I felt it was important to relay this concern to you. Along with the November census date which already disenfranchises those faculty who started in January, this is one more issue that is going to drive a wedge between the two sides when the outcome is known, especially if those who oppose this effort perceive that this was not an election carried out by SERB in good faith (and competence).

Thank you~

MICK

James “Mick” Andzulis, Ph.D., MBA, MSF

O’Bleness Associate Professor & Chair, Marketing Department

Director of Academics, Ralph and Luci Schey Sales Centre

Secretary, Faculty Senate

Ohio University College of Business

514 B Copeland Hall

Athens, OH 45701

(610) 389-5731 – cell phone

(740) 593-2069 – office phone

<https://www.linkedin.com/in/andzulis>

DrMick@Ohio.edu

From: Alost, Stan <alost@ohio.edu>

Sent: Monday, March 3, 2025 8:59 AM

To: Wilson, Aaron <wilsona5@ohio.edu>; Courtney, Michael <courtnm2@ohio.edu>;
daniel.sabol@serb.ohio.gov

Cc: unitedacademicsofou@gmail.com

Subject: Fw: [External] RE: Replacement Ballot Request

Good morning,

It is Monday, March 3, and I still do not have a ballot despite the promise I would. And, as you see below, I was also told that I would be sent a replacement ballot. Still noting. While I have not campaigned for or against a union, it is my responsibility as a faculty member to vote. Now it is suggested that I just drive to Columbus to pick up a ballot and cast my vote. It is inappropriate to ask me to take time away from my job, and to drive 160 miles at my expense, so that I might fulfill my obligation. Compounding the problem are the university's tepid response and the state's apparent indifference. I am more than frustrated. This is unacceptable. This is not shared governance. This is not a fair and open election.

Who is going to resolve this?

Stan Alost

Professor

Graduate Director School of Visual Communication

Ohio University

Scripps College

School of Visual

264 Schoonover Center

<https://www.ohio.edu/scripps-college/viscom>

Please visit:

The School of Visual Communication <https://www.facebook.com/viscomohiou/>

Thinking Outside the Box: the Communication Media Arts MFA <http://ouscrippsmfa.com>

Delta Jewels: a wonderful book By Dr Alysia Burton Steele from the deep South

<http://www.hachettebookgroup.com/titles/alysia-burton-steele/delta-jewels/9781455562831/>

Dream Shot: a fantastic book by Josh Birnbaum

<https://www.amazon.com/Dream-Shot-Wheelchair-Basketball-Championship/dp/0252083040>

Test of Faith: the Duke Center for Documentary Studies/Honickman First Book Prize in

Photography by Lauren Pond [https://www.amazon.com/Test-Faith-Salvation-](https://www.amazon.com/Test-Faith-Salvation-Documentary-Photography/dp/0822370344)

[Documentary-Photography/dp/0822370344](https://www.amazon.com/Test-Faith-Salvation-Documentary-Photography/dp/0822370344)

The In-Between Land: a beautiful book by Daniel Owens completed as part of his master's degree. <https://www.blurb.com/b/10057300-the-in-between-land>

Soul of Athens: multimedia done right:[[http:// soulofathens.com](http://soulofathens.com)] soulofathens.com

The Waiting List: the most painless gift you will ever give:

<https://www.facebook.com/endthewaitinglist>

OU VisCom blog: a look behind the scenes of VisCom and inside my head

<http://ouviscom.wordpress.com/>

From: Arauz, Julio <arauz@ohio.edu>
Sent: Monday, March 3, 2025 9:14 PM
To: daniel.sabol@serb.ohio.gov
Cc: Courtney, Michael <courtnm2@ohio.edu>
Subject: Re: [External] RE: Union Ballots

Dear Daniel,

I just wanted to let you know that I just got home a few minutes ago and neither the original ballot nor the replacement one has arrived at my house. Since Feb/14/2025 we have received numerous mail pieces from the Columbus area, as well as taxes forms from Ohio and other states, USPS packages, etc., ie., **the mail service has had no issues.**

I'm copying Michael, as now I will need to go to Columbus tomorrow to make sure I can vote. I do want to state that I am very dissatisfied with the process as these issues can easily result in biases in the outcome. Nobody has shared information on how many ballots were not received and what distribution describes them (by some meaningful metric that can suggest or not the existence of biases). Independently of the reason of why this happened, **this simply should have not happened** or be an extremely rare occurrence at a level that was previously agreed and communicated to all of us (e.g., a very small % of cases previous agreed upon the parties as allowable, I have not been informed if such provision exists - I hope I'm wrong).

In any case, I appreciate your help with arranging in person voting. I am expecting to be there in the morning and sadly had to cancel pre arranged academic activities in Athens.

Julio



Dr. Julio Aráuz
PROFESSOR AND GRADUATE DIRECTOR

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arauz@ohio.edu | ph:740.593.4917
LINKEDIN [linkedin.com/in/julio-arauz](https://www.linkedin.com/in/julio-arauz)
WEB ohio.edu/mcclure

From: Arauz, Julio <arauz@ohio.edu>
Sent: Sunday, March 9, 2025 10:57 PM
To: Courtney, Michael <courtntm2@ohio.edu>
Cc: Wyatt, Sarah <wyatts@ohio.edu>
Subject: Ballot process

Dear Michael,

As you know, there were numerous issues with my ballots during the process. I'm copying Sarah Wyatt as well as when I contacted Angela Brock, she copied Sarah at some point and Sarah reached out to me.

Below is a detailed description of what happened.

On Tuesday, February 25, Angela Brock sent the email to the community indicating that if by Wednesday, February 26 ballots haven't arrived we should contact Daniel Sabol (SERB).

After a couple of email exchanges with you and Angela it was suggested that I should contact Daniel immediately. I contacted him on Tuesday Feb/25 at night. Wednesday Feb/26 morning Daniel indicated he will send a replacement ballot immediately.

Neither the original nor a replacement ballot arrived on Friday February 28,, Saturday, March 1 or Monday, March 4. I emailed Daniel multiple times with updates on the missing replacement ballots, he replied again on Monday March 4, indicating a second replacement ballot will be mailed immediately.

Given the circumstances and a growing distrust in the process, I voted in person in Columbus on Tuesday, March 4. The process was easy and fast. The log I signed only had one other name of a person that had voted in Columbus. That night, I thanked Daniel, told him no replacement ballots (or the original one) had arrived by Tuesday night and that I would like him to email me the address he had sent those to. I told him that we had no mail missing at home and that all bills, tax forms, UPS packages and other mail sent from within Ohio and other states to my residence have arrived without issues over the past 8 weeks. Daniel, did not respond to my request to see my address.

This is quite troubling to me, as I can't understand how potentially three pieces of mail were lost and never made it to my house. Today is Sunday March 9. Neither the original nor any replacement ballots have arrived.

While I can't understand the reason for these issues, I do want to report that my position on the union voting is well known to representatives from the future union. Approximately 18 months ago, they came to my office asking for support to start the process. After I questioned numerous aspects of their process and explained to them how it made me feel quite uncomfortable the way the process was being put together, I told them on two

occasions I will not be supporting the request to start a union. 18 months later, potentially three of the ballots for the process never make it to my residence. I am not suggesting anything in particular, just providing the facts.

Sarah mentioned SERB is a third party with no position on the issue. While I don't doubt it; I have no way of raising these concerns through any other venue. It is quite strange to me that I never received any of the ballots that were supposedly mailed and how Daniel at the SERB never replied with my request for my address he indicates has on file. The process at some point was broken and there seems to be, to the best of my knowledge, no ongoing audit of how these irregularities in the process started or were handled. It is my impression, I'm being asked to accept all these rare circumstances be overlooked as SERB is an independent entity to the process.

Please let me know your thoughts.

Thanks,

Julio



Dr. Julio Aráuz

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ATTACHMENT 3

From: Ridpath, Dave <ridpath@ohio.edu>
Sent: Monday, March 24, 2025 2:45 PM
To: Cano-Kollmann, Marcelo <canokoll@ohio.edu>
Cc: College of Business Faculty <cob-dg-faculty@ohio.edu>; Leo, Donald <donleo@ohio.edu>; Loukx, Adam <aloukx@ohio.edu>; Ohio University Board of Trustees <trustees@ohio.edu>; President <president@ohio.edu>
Subject: Re: Kudos to Dean Rees Ulmer!! We have a Faculty Union!!!

Don't care what you think!!

Solidarity!

Sent from my iPhone please excuse any errors

On Mar 24, 2025, at 1:52 PM, Cano-Kollmann, Marcelo <canokoll@ohio.edu> wrote:

David,

I want to address the parts of your message that suggested that those who disagree with your position should consider leaving. Your statements, whether intended as rhetorical or not, come across as threatening:

- *"I urge you to get on the winning side"*

- *"Help the union become the best it can be. If it is something you feel you cannot do or refuse to accept, then you need to make some decisions about moving on elsewhere"*

- *"If you must leave because this is a change you cannot accept, then Godspeed and good luck"*

I take comments that imply consequences for dissent seriously. With or without a union, this is not acceptable.

Marcelo Cano-Kollmann, Ph.D.
Associate Professor, Strategy and International Business
Director, International Business Certificate
Director, Double Degree Programs
College of Business, Ohio University
536 Copeland Hall
Phone 919-943-3003
Email: canokoll@ohio.edu

From: Ridpath, Dave <ridpath@ohio.edu>
Sent: Monday, March 24, 2025 12:22 PM
To: College of Business Faculty <cob-dg-faculty@ohio.edu>
Cc: Leo, Donald <donleo@ohio.edu>; Loukx, Adam <aloukx@ohio.edu>; Ohio University Board of Trustees <trustees@ohio.edu>; President <president@ohio.edu>
Subject: Kudos to Dean Rees Ulmer!! We have a Faculty Union!!!

College of Business Faculty:

This is a momentous day and one of the better things to have ever happened at Ohio University!! We have unionized as a faculty and I could not be happier or prouder of all who really did the work to make this happen because it needed to happen. Mostly we all need to thank our own COB Dean—the esteemed Jackie Rees-Ulmer—who did more to sway votes for the union—along with our clown show of a general counsel’s office, specifically a university lawyer who should be disbarred—Adam Loukx. While their stupidity is boundless—they need to be thanked today by all of us who wanted this union to happen. I will be detailing this in some well-placed op-eds soon, but this is all good information for the COB to know firsthand. I am also copying the president, provost, trustees and others. I don’t pull punches, and I call it like I see it. You may not like how I see it—but if anything, I am transparent, factual and tell it like it is. This is long but provides needed facts and perspective for all to understand.

Our Dean and Mr. Loukx for some reason thought it was a smart thing to try to lure a faculty member (you guessed it--me) to a meeting without announcing a lawyer would be present in said meeting. Not only is this improper and unprofessional, it is highly unethical from a legal perspective. As stated in a pending Faculty Senate resolution implications of such interactions can have substantial personal, fiscal, and possible civil and/or criminal implications for faculty. It is a direct and implicit threat and has no place in a civil and professional workplace. The proposed resolution goes on to state:

The 6th Amendment to the United States Constitution guarantees the right of the accused access to legal counsel, Article 10, § 1 of the State of Ohio Constitution guarantees the right of the accused access to legal counsel, Rule 4.2 of the Ohio Rules of Professional Conduct for Attorneys and the American Bar Association Model Rule 4.2, imply that it is unethical for an attorney to engage in activities against an agent without informing that agent that they are an attorney and allowing them to secure their own legal counsel. Transparency in all interactions between the University, its agents, and faculty is desirable to foster a climate of open and free inquiry, professional loyalty, and a free desire among all parties to pursue a positive fiduciary duty for the benefit of the University community.

While the resolution is strong, and should prevent this type of abhorrent unethical behavior in the future, it still would have taken time through a byzantine process that ultimately the Provost would have to approve. It would seem he would not consider that option as currently the administration either overtly or tacitly accepts this behavior because it was allowed to happen. A Faculty Senate only advises—a union negotiates, and Rees-Ulmer’s actions are just a microcosm of the culture and climate against faculty on this campus and why unionization is here.

There was not even a legal issue to speak of and they know this. Even if there was an actual legal issue concerning me—then all the more reason legally and ethically to specifically spell out that a lawyer would be present to protect all parties. Even after I found out by accident that Loukx would be at said meeting, I nicely inquired what this meeting could be about and received no response from our Dean or Loukx. Imagine if I did the same to the Dean and brought a lawyer to a meeting

without notice or context? A breakdown and mistake of this magnitude by supposedly smart and experienced administrators is inexplicable but only codifies even more why we voted for a faculty union.

I don't go to meetings with lawyers without context and I was advised not to attend by legal counsel, and I don't think anyone reading this would accept this happening to them either whether you are pro union or not. It is a matter of leadership, ethics and basic professional courtesy. Something our Dean seems entirely incapable of doing. This was supposed to be a one-on-one problem-solving meeting and if a Dean wants to make changes or say something uncomfortable to me or others, he or she can do that whether the faculty member likes it or not. I had met with the Dean numerous times one on one before cordially and professionally. There was not one iota of a reason to have a lawyer present—certainly not in an unfair planned ambush meeting with the intent to entrap the faculty member.

I sought out advice and every legal mind I spoke to instructed me to exhaust every university process in attempt to work it out before taking any legal action. The theory was, If I could demonstrate that the university has no actual process for the faculty member to get relief in situations like this, then all faculty could be in danger of this happening to them. I have tried every avenue through faculty senate, ECRC, several grievances and the Ombudsman to no avail. I even tried after this abomination to attempt one last time to try to forge a workable detente with our stellar Dean and work through mediation to somehow move forward professionally from this—and like a gutless coward she continues to refuse any attempt to diffuse this situation. That is not leadership and that is not shared governance—that is pure spinelessness, and she should be ashamed as a Dean to lack any semblance of a backbone. Candidly, it's embarrassing.

Consequently, my union friends and legal contacts said let's use their idiocy to our advantage and leverage it by telling the story that there was no university recourse for faculty in a situation like this. Both legal counsel and union reps said to me that people like Jackie and Adam are ones that if you give them enough rope, they will hang themselves and hang themselves they did. In telling this story over the last year I have easily swayed 50-100 plus votes to union yes just based on this scenario alone. Every faculty member I spoke to was outraged but also fearful that it could happen to them if this was allowed to go unchecked. In other words, while salary, benefits and other things are important, most faculty here want basic protections and for administration to not have the ability to entrap, bully, harass or intimidate faculty members to achieve their own selfish ends. Many faculty I spoke to over the past year were not pro union and initially not persuaded to vote yes but outrage at this scenario pushed dozens directly to vote for unionization and countless more were indirectly influenced by word of mouth. One Engineering faculty member said—"Dave this would have never happened in a union shop" so I can take solace that this type of behavior won't happen again and that highly paid incompetent Deans cannot run away when confronted with an issue and attempt to hide behind a more incompetent university lawyer because we are a union shop now!!!! I can assure you that without the union, this could happen to anyone because it was allowed by our administration. Behavior is a language, and past behavior demonstrates likely future behavior, and this is the type of behavior faculty—not just me—have had to or endure here. I have been shocked at some of the other stories I have heard and we as a faculty truly had no real recourse to seek relief. Well today is a new day and this type of bullying, harassment and intimidation by Ohio University administration is over.

Shared governance should really work but present and past administrations leave us no choice. The present administration is suffering from horrible decision making and malfeasance of administrations past, but they also have to look in the mirror and know they offered no viable alternative to a faculty union except trotting out "shared governance" as some kind of a utopia when we have not had true shared governance here since President Ping. I love Ohio University and

Athens, few are as invested in this university as me. I am an alum, donor, I was married in Athens, my kids grew up here and went to OU. I have worked here twice and came back to Ohio University as a destination. I am not going anywhere and will continue to fight for what is right. I voted against unionization in 2011, but we had no other choice this time and I know as a lifelong Bobcat this is one of the best things to happen in 220 plus years of Ohio University history.

To my college of business colleagues. I don't care what you think about me and my skin is thicker than an alligator, so say to me what you want. Please do not direct your ire at the faculty who fought for this for so long and deserve what this union will do for them. I am not the only one that has been victimized by power hungry, poorly trained administrators. It is endemic here and no administrator has stepped up to truly change the culture and improve faculty working conditions. Direct your ire at our Dean, our "stellar" legal department, our Provost, BOT, President and others. Dean Rees-Ulmer herself is responsible for more union yes votes than probably any single individual on campus. I have read your emails and the poorly put together Forever Ohio website. You never were on the right side of history, you didn't have the ground game, nor did you really want to change Ohio University for the better—not when things like this were allowed to happen on this campus.

We are not going back, and faculty unionization is here to stay. The faculty finally have a negotiating seat at the table and no longer will administrators be able to bully, threaten, harass, intimidate and entrap. We can finally improve faculty working conditions which improve student learning conditions. We can now be a needed check against administration and not have a faculty handbook that is merely suggestive. I urge you to get on the winning side. Use your time, treasure and talent to help the union become the best it can be. If it is something you feel you cannot do or refuse to accept, then you need to make some decisions about moving on elsewhere. No one is irreplaceable, there is always someone as good or better than any of us. The university was here long before us, and it will be here long after any of us. If you must leave because this is a change you cannot accept, then Godspeed and good luck. Ohio University will go on and thrive even better with faculty having an equal seat at the table. At the very least--this will prevent poorly prepared lawyers and Deans from doing something so stupid and reckless again in the future. Regardless of any situation—this should never happen and there are ways to do things and ways not to do things. Now the university is going to have to start doing it the right way. We have power and our own lawyers behind us now. So while I took a bit of a bullet, it was for the greater good of getting the union voted in, so thank you again Jackie and Adam we could not have done it without you.

On to a new and better day. Solidarity.

Regards

B. David Ridpath (Dave)