

CMU Faculty Continues to Work Without a Contract

In this issue

page 1

*CMU Faculty Continues
to Work Without a Contract*

page 2

SB 5 is on the Line

page 2

*Advice concerning
c.1 and c.2 letters*

page 2

Your Weingarten Rights

page 3

AAUP Texas

page 4

*Legislature Targeting
K-12 Public Employees*

page 4

*Michigan Law
and the Future
of Public Education*

Our colleagues at Central Michigan University are continuing to teach without a contract. After a brief work stoppage, the more than 600 member union was forced back to work through a court order in early September.

Professors have been without a contract since June 30 and have been trying to resolve a number of issues with the administration, including salary and benefits.

The faculty argues that CMU is in a strong financial position, but faces a “leadership deficit” as the newly appointed President George Ross has refused to negotiate in good faith.

The Faculty Association (FA) says “President Ross led an administrative contract table position that threatens the infrastructure of quality with the following set of rollbacks: (a) forcing members to leave the bargaining unit; (b) forcing faculty to accept rollbacks in promotion adjustments; (c) forcing faculty to spend more time in rank before seeking salary adjustments; (d) forcing faculty to accept reductions in retirement contributions; (e) forcing faculty to change to inferior medical insurance, and (f) forcing faculty to submit to overall compensation decreases that keep CMU faculty salary in the lower quadrant of MAC institutions and below average as compared to faculty at mid-MI community colleges.”

On October 3, the Faculty Association Bargaining Team and the administration met for nearly five hours with state mediator Miles Cameron. This was the first time the two sides had met since the conclusion of fact-finding hearings on September 14.

continued from p. 1

The Faculty Association reported that there was “no progress toward a contract Agreement. The administration appears ready to wait for the fact finder report which is not expected before mid- November.”

Faculty Association President Laura Frey said “Our FA Bargaining Team showed up ready to embrace Trustee Chair Opperman’s call to compromise. Unfortunately our FA Bargaining Team was met with the same administrative positions that would result in roll backs for faculty.”

No future bargaining sessions were scheduled at this time.

Informational picketing has continued at campus wide events.

“CMU faculty has continued to provide a quality education to all CMU students while struggling to bring about a fair and equitable contract settlement,” President Frey stated.

Advice concerning c.1 and c.2 letters

The Executive Committee has discovered that some c.1 and c.2 review letters may include problematic recommendations. Faculty who have recently completed reviews should carefully examine their letters to determine whether specific recommendations for their career development conform to their unit’s criteria for procedures and appointment.

At the time of the c.1 or c.2 letter, the administration may not add recommendations or requirements that do not appear in the unit criteria. Since there is only a brief period to challenge these letters, faculty should review these letters immediately upon receipt. Faculty members who believe that such additional criteria are expected by the administration, should contact the AAUP immediately.

SB 5 is on the Line

For Ohioans there is much at stake in early November. Senate Bill 5 is the current legislation that renders unions illegal for state employees. We should be watching Ohio with baited breath, as what happens there will have huge implications for Michigan.

The good news is that more than 1 million signatures were collected successfully to force a referendum on SB 5. This November the citizens of Ohio will have the opportunity to respond. This election will set a precedent for destroying unions, or it will be a great defeat. Either way we should be concerned. Even if Ohio’s citizen’s vote down SB 5, the battle to dismantle unions is sure to continue.

What can we do? The National AAUP has donated thousands to help Ohio fight this discursive battle. Our chapter has also contributed to the cause. Stay alert. This issue will be hot in the first weeks of November.

Your Weingarten Rights

We have had little need to use the Weingarten Rights at Oakland University. However, it is important for the membership to understand that they exist. They are called “Weingarten Rights” based on a 1975 Supreme Court decision (NLRB vs. J. Weingarten).

In the event that you are called into a meeting with a supervisor and you believe that the purpose of this meeting is to investigate your behavior for possible disciplinary purposes or to question your conduct, you may insist to have a union delegate present.

Immediately announce to the supervisor your Weingarten Rights:

“If this discussion could in any way lead to my being disciplined or terminated I respectfully request that my delegate be present at the meeting. Without representation present, I choose not to respond to any questions or statements.”

Do not say anything more without your delegate present. Immediately call Scott Barns at 370-2005.

AAUP Texas

“...individual faculty are viewed as profit or loss centers.”

Although the Midwest has dominated much of the national debate concerning higher education, Texas is emerging as a new center of controversy. Over the past three years, Governor Rick Perry has increased pressure on his state's university system to embrace the “Seven Breakthrough Solutions” first proposed by **Jeff Sandefer**. Although innocuous on their face, the attempted implementation of these solutions in Texas reveals a concerted effort to end higher education as we know it.

Rick Perry's proposed “reform” of Texas higher education is designed to bring business efficiencies to the hiring and firing of faculties. Under this vision, individual faculty members are viewed as profit or loss centers. At Texas A&M, Perry's alma mater, faculty are now ranked according to their record of bringing money into the university. At the top of the scale are faculty with substantial extramural grants and those who teach large, introductory surveys. At the bottom of the scale are those who teach writing intensive courses or mentor student research projects. A&M has also implemented a merit pay system based solely on anonymous student evaluations.

Perry's recommendations for change have met resistance at many of the Texas campuses, particularly at UT Austin. Faculty and students at that campus have resisted Perry's attempts to completely separate teaching and research at the university.

Most recently, Perry has called on the Texas universities to provide an undergraduate education for under \$10,000, “complete with textbooks.” Gene Powell, current chair of the University of Texas board of regents applauds the initiative, arguing that there is nothing wrong with a university offering a low cost degree. However, these tuition cuts presume that there will be no increase in state funding to the public university system.

When asked about the logistics of creating a university education for less than the cost of a community college associate's degree, supporters of Perry's proposals argue

Jeff Sandefer first became interested in reforming Texas higher education in 2002 after a dispute with the University of Texas Austin over a program in entrepreneurship that he had offered to fund. When Sandefer offered money to establish the program, he insisted that the faculty be comprised entirely of part-time faculty whose primary interest was the business world.

When UT demanded tenure track faculty lead the program, Sandefer withdrew his money.

Sandefer has been a strong campaign contributor for Rick Perry since 2000. In 2008 he donated \$125,000 to the Perry campaign; this was the same year that he took on a major leadership role in the 2008 education summit between the governor and the members of the governing boards of the state's six university systems.

Sandefer sits on the board of the Texas Public Policy Foundation, a conservative think tank.

that it could be achieved through a shift to on-line coursework, use of lower paid contingent faculty, and adoption of open-source textbooks. They concede that these would be terminal degrees, not designed to prepare students for advanced university work.

Collectively, Perry's efforts will undermine the quality of public higher education. They accept the notion that students educated at public universities should not receive the same training as those who receive degrees from private universities. They are dangerous to the concept of higher education in a democratic society.

Legislature Targeting K-12 Public Employees

While Michigan's legislative rules regarding higher education and K-12 differ somewhat, it is important for employees and unionized faculty in all of public education to be aware of legislative activities impacting each. Many of the bills currently moving through the legislative process in Michigan targeting K-12 public employees might be harbingers of future efforts to change rules and laws impacting those of us in higher education.

According to the Michigan Education Association, there are several bills currently being considered in the state legislature targeting unionized faculty in all areas of public education and others that, at least for now, target K-12 specifically. A few noteworthy examples are discussed below.

- **House Bills 5023-5025** among other things would **impose substantial fines on employees and employee unions for each day of a strike** (day's pay/day for employees, \$5,000/day for the union). The bills would also require annual written consent from employees to have payroll deduction of their union dues, while freeing employers in labor disputes from having to state in employment ads that they are looking for "scabs."
- **PA 152**, recently signed by Governor Snyder, **requires public employees to pay substantially more for their health care**. While this law, at least for now, does not apply to higher education, as such changes would require a constitutional amendment, it is fair to say that AAUP members should be concerned that such a move is possible.
- **HB 4929 and SB 636** would **completely prohibit the deduction of union dues by public school employers**. Supporters argue that this would put more money in teachers' pockets, which seems to run counter to PA 152 which takes a substantial amount of money out of teachers' pockets.

While these are only a few examples, they represent a concerted effort to limit the activities of public unions, their right to collective bargaining, and the rights of public employees to have union representation.

Michigan Law and the Future of Public Education

Wednesday
November 2
Noon to 1:00 pm

Fireside Lounge
Oakland Center

Michael Bailey, Executive Director of the Michigan Conference of the AAUP, will be on campus to explain the current legislation before the Michigan State Legislature.

This has been a year of enormous change in the law regarding public education in Michigan. More legislation is pending.

Come to learn about what has already happened and what may face students and faculty in the near future.