



Representing Wayne State Faculty and Academic Staff

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October, 2001

Welcome to a Challenging New Academic Year

“The most important element in successful collective bargaining is trust.” Doug Fraser, September 25, 2001

Charles J. Parrish
President

Welcome to the new members of our academic community and to those returning to Wayne State after the summer recess. Your union looks forward to an important and busy year. Our current contract expires in July of 2002, so in the coming months the union will be formulating contract proposals that will address some real problems that we face in the University.

We will begin formulating these positions in an off-site planning meeting for members on Saturday, October 13th at the Southfield Center. It starts at 8:30 a.m. with a continental breakfast and will focus on discussions of the financial context of the upcoming bargaining and on specific proposals and approaches that the union is considering. We hope to wrap up the meeting in the early afternoon. I urge our members to put this date on their calendars. (For details, call or email the office.)

In the last round of negotiations we saw some progress in forging a negotiating environment based on cooperation and mutual trust. We also saw some limitations on the ability of the Administration to put the anti-union attitudes and practices of the past behind it. There are many issues that will be negotiated next spring, but here I will limit the discussion to three basic themes: fair share, anti-union attitudes, and the School of Medicine.

Fair Share

During the last negotiations, the most important unresolved issue centered on union management relations. It boiled down to whether the Administration could accept the principle that all those for whom the union provides representation (negotiating salary raises, the conditions of work, the rules for promotion, tenure and employment security status, the grievance procedure, etc.) should pay their share of the financial costs providing that representation.

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There will be a discussion at the Oct. 13 planning meeting of the variety of arrangements that can meet this goal of fair contribution. We have already lowered dues slightly, and if we are successful in getting a reasonable Fair Share provision in the next Agreement, dues will fall again. In the meantime, I want to thank our members for being willing to carry the burden of the free riders who reap the benefits we negotiate, but who are unwilling to help pay for the representation we provide them.

The Administration argued in the last negotiations that times had changed and that the anti-union feelings of past administrators were no longer relevant. Nevertheless, the Administration refused to consider even our very limited Fair Share proposal. Instead, they proposed, and we agreed to, a joint labor-management committee on union-Administration relations. This committee recommended a series of confidence-building measures, some of which were agreed to and implemented:

- It was agreed that a recruitment letter and an enrollment form from the AAUP-AFT would be included in the packet of materials that are sent to new bargaining unit members. This was implemented without much difficulty.
- It was agreed that there would be a series of meetings to familiarize administrators with provisions of the Collective Bargaining Agreement. Five such meetings have been held, mostly with success.
- It was agreed that there would be a link between the University web page and the AAUP-AFT web page. This was finally done, but only after considerable foot dragging by the Administration. It took nearly a year and more than two dozen entreaties directed to the Administration before the link was established.
- The union members of the committee made a proposal that had been made during bargaining and had been left to the committee to address, for some release time for members to provide a service function in units that have low membership. The Administration refused to agree to any release time.

Indeed, the Administration's response to union initiatives have fallen into a clear pattern: the administrators are prepared to agree with proposals that are likely to help them manage but to reject ones that might help the union in any significant way in expanding its membership or in better serving its members.

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Anti-Union Attitudes

Unfortunately, the actions of some administrators have tested the patience of both the union and members of the bargaining units for which they are responsible. We have had to file a number of grievances and are contemplating several unfair labor practice charges with the Michigan Employment Relations Commission (MERC). I do not doubt that our highest administrators would prefer that things would go more smoothly in these matters, but they have failed to take effective actions that might diminish these frictions.

Moreover, some administrators who held posts under David Adamany have not shed the unfortunate views and attitudes toward collective bargaining that characterized his administration. Other administrators appear to believe that supporting anti-union views would not be looked upon with disfavor by those to whom they report.

President Reid's refusal to negotiate our Fair Share proposal in the last round of bargaining, and the "right-to-work" rhetoric that accompanied that refusal, could easily be taken by these administrators as an indication of an underlying opposition to academic unionism.

The manner in which the Administration has resisted the inclusion of all graduate assistants in the Graduate Employees Organizing Committee (GEOC) provides another example of administrative action that could encourage the view that the Administration is not unsympathetic to anti-union positions. This view is further encouraged by the pattern of salary increases for administrators. Some administrators with a well-earned reputation for anti-unionism have gotten very good raises.

The School of Medicine

The role of the School of Medicine (SOM) in collective bargaining will also be discussed at the Oct. 13 planning meeting. The changes that have taken place in medical schools in the last several decades is greater than in any other sector of higher education. This is certainly true with respect to our SOM. As with most medical schools, the faculty practice plan is a chief means for paying the salaries of clinical faculty; its income amounts to about 45 percent of the SOM budget.

When David Adamany arrived at the university in 1984, 25 percent of the faculty was in the Medical School; today it is 45 percent. Because of a wrong-headed decision by state officials (MERC) in the early 1980s, the union has not been allowed to negotiate the faculty practice plan in which clinical faculty enroll. Is it surprising that many SOM faculty members therefore find that AAUP-AFT membership is not altogether relevant to them? We are committed to addressing the practice plan in the coming negotiations and to making a new appeal to MERC.

Tenure in the SOM is another issue that inevitably will be on the bargaining table. Almost a decade ago, a provision was incorporated into the Agreement that allowed the Administration of the SOM to give less than 50% tenure to physicians in the clinical departments.

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The Administration argued that this deviation from traditional tenure status was needed so that more clinical faculty could be hired to provide services that brought significant income to the School through the practice plans. We agreed to that limited provision.

The SOM Administration now wants to extend the partial tenure provision to the basic science departments. The current AAUP-AFT Agreement, however, prevents it. This issue is an important one that will require careful study and deliberation on our part. As part of the deliberative process, we intend to encourage better representation of the interests of the SOM faculty in the bargaining process. It is not reasonable to have the future of faculty-administration relations at the SOM negotiated between two bargaining teams that do not fully understand the school's complexities. It is unfortunate that we have so few members from the SOM; this membership gap makes our task especially difficult, but it does not relieve us of the obligation to do our very best.

One of the useful things that came out of the last negotiations was the proposal that there be an annual lecture in the area of labor-management relations jointly funded by the Administration and the AAUP-AFT. The first of these lectures was held on September 25th and the speaker was Douglas Fraser. Doug was entertaining and informative, as usual, and the affair was a great success. In response to a question about what is the key to successful labor-management relations, he replied that the basis of good relations is trust.

At Wayne, a beginning has been made over the past several years in achieving this trust, but from my perspective there is still a very long way to go to get there. As Doug indicated, trust must be earned. The leadership of your union intends to do its part to earn it.

An Open Letter to Academic Staff

Dear Member of the Academic Staff,

As negotiations for a new collective bargaining agreement are scheduled to begin next spring, we as part of the Wayne State University community need to address the issues that academic staff on our campus currently face. I will outline just a few here.

We have a situation in the Division of Student Affairs in which the Agreement is being repeatedly violated. Dr. Charles Brown, Vice-President of Student Development and Campus Life, refuses to remedy this situation. In the past, he approved an unfair process for the annual review and selective salary evaluation for members of one of his units. Specifically, the review subverts the collegial process mandated in the collective bargaining agreement under which academic staff in every unit are to recommend "factor statements" that define the unit's mission and the basis for selective salary increases for all academic staff, as well as the annual review of non-tenured, non-ESS members.

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One of the unit's members protested this evaluation process. After a meeting that the Associate Provost for Academic Affairs (Li Way Lee) chaired, an understanding was reached that all annual reviews and salary deliberations would conform to approved unit factors and the WSU/AAUP-AFT Agreement.

As I write this letter, Dr. Brown now disputes this understanding.

In addition, Dr. Brown has decreed that his unit members **cannot** teach UGE 1000 courses either during the individual's workday or after work hours. He is within the contract as to the workday, but it is a violation of the contract to limit one's right to work after hours.

Another example of his disregard of the contract is his failure to live up to the spirit of a letter of agreement reached September 5, 1994, regarding Vacation Buy-Out. Even though the academic staff member's immediate supervisor agreed to a vacation buyout request, he did not. His stated reason was that no one else on campus allows vacation buyouts.

The University is undergoing change. The College of Lifelong Learning is being reorganized, and the Union is watching closely as to how and where academic staff are reassigned. The Library System is also undergoing reorganization. Again, the Union is watching to see that academic staff positions are neither corrupted nor abolished.

The Union has held Article XXIV hearings on the Review of Professional Duties or Request for Review of Change of Duties. A key case held during the last academic year (2000 - 2001) upheld that the academic staff member in question (OFSA) was correct, although a copy of that opinion has yet to be made available to the union.

The Union protects academic staff on term contracts and those who have not yet achieved tenure or Employment Security Status (ESS). When agreed-upon unit factors are disregarded, it is the Union that intervenes to make sure that due process occurs. When someone feels that an issue is important and should be included in the next contract, the union offers opportunities for dialogue. If the negotiating team feels that the issue is important, it will be "put upon the table" as a bargaining item.

For the above reasons and many others, I urge non-members among the Academic Staff to join the AAUP-AFT for the year prior to bargaining. Those of us on the Executive Board feel that the up-coming negotiation will be particularly difficult given both the state of the economy and the University. We need your support in order to produce for you. It is with strength that we will be able to have an equitable contract, but our strength is uneven. In most units, a majority of academic staff have joined and support the union, but there are academic staff who hesitate to join, despite the protections and salary increases they derive from the collective bargaining agreement.

Please consider what your position would be if you had to negotiate- as an individual- all aspects presently covered by the contract (e.g. benefits, salary, work conditions, vacation time, etc.). I believe that you will find that it would be to your advantage to support the Union in this year leading up to bargaining. A strong united academic staff will have a greater impact on the negotiations with the administration.

Do you really want to go it alone?

Sincerely,
Naida Simon, PhD
Academic Services Officer III, School of Medicine
AAUP-AFT Executive Board, 1999 Bargaining Committee