



Representing Wayne State Faculty and Academic Staff

# NEWSBRIEFS

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## The Future of Tenure in the School of Medicine

Charles Parrish, President

Three events in the last month have highlighted the ongoing debate in the School of Medicine (SOM) over its future mission: on October 28-29, hearings were held before a neutral arbitrator to resolve the union's long-standing grievance over partial tenure in the SOM's clinical departments; Dean Crissman announced his resignation; and the Associate Provost and Associate Dean for Faculty Affairs of the SOM met with Anca Vlasopolos, AAUP-AFT Contract Implementation Officer, and me to discuss a proposal for restructuring SOM's internal governance. In different ways, all three of these events touch on the issue of tenure, and each, in turn, has implications for the union's role in representing faculty and academic staff.

### Tenure, Economic Security, and Collective Bargaining

Tenure protects the freedom to research, write and speak on whatever issue a faculty member may choose. Its two components are job protection and economic security. Academics are protected from arbitrary dismissal and are provided adequate economic security in their positions so that this job protection has real meaning.

Nowhere is tenure more challenged than in our nation's medical schools. Some elite schools have no tenure at all; others have tenure with no economic guarantees. Some years ago, when I served on a national AAUP committee on tenure in medical schools,

a professor from a Big Ten medical school called to ask if he had any recourse in a situation where he had been told that his tenure would continue, but he would no longer be paid a salary. There was nothing in the university's statutes that guaranteed that tenure include the economic security that makes it a meaningful protector of academic freedom, and there was no union and no collective bargaining agreement to protect him. I had to tell him that he had little recourse. As a very small comfort, he was told by the university that he would continue to have guaranteed priority for tickets to football games.

It is this union's commitment to avoid such situations in the WSU School of Medicine.

The reasons for the lack of tenure protections in some medical schools, and the threats to it in others, lie in the way in which they are financed. Fifty years ago, medical schools were primarily places in which students were trained to be physicians. Two things changed this. First, as the federal government expanded support for medical *research*, there was a sharp reduction in the mid-1970s of federal support for medical *education*, followed by more recent cutbacks in funding by the state and the university's general fund. Second, coincidental with these cuts, there was an expansion of— and growing dependence on— the revenues generated by faculty physicians providing

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patient services through the medical school's practice plans. In the late 1960s, about 6% of medical school budgets nationally were provided through reimbursement for patient services; today, this figure approaches 50%.

Medical schools have become preoccupied with the twin goals of expanding research and generating patient revenues, with the latter becoming all the more difficult as the ranks of the uninsured steadily grow and reimbursements for Medicaid fall. One of the consequences has been to expand the SOM's practice plans by offering faculty status to participating physicians. As the number of clinical faculty expanded,

questions were inevitably raised about their role as faculty members. While they provide essential teaching services for undergraduate medical students and residents, it is not always clear how

clinicians are to be integrated into the other academic activities of the medical school. How can they be granted tenure when the income that supports them comes primarily from uncertain patient revenues? How are they to be promoted through the ranks, from assistant to full professor, when the pressure of generating patient income limits the time available for research?

The answers to these questions are as yet unresolved in Wayne State's SOM, as elsewhere.

### Partial Tenure Goes to Arbitration

One such question concerns the issue of partial tenure. Former Dean John Crissman stated to the SOM Faculty Senate that, regardless of the continuing economic crisis, he would favor giving no more than 25% tenure to any SOM faculty members, whether they were clinical faculty or basic scientists. He essentially threatened the basic science departments that if they did not support this, they would get no more faculty positions except for ones that were joint appointments with clinical departments, in which the appointments would be at 25% tenure.

In 1992, the union accepted the Administration's proposal for 25% tenure for *clinical faculty* because of the special situation in which these physicians find themselves. They are members of a highly paid profession and can readily find lucrative employment outside the practice plan to which they are attached. As a compromise to help the SOM administration deal with its problem of not having enough tenure lines to provide full tenure to clinicians, we agreed to 25% tenure for clinicians. At the time, we did not know that basic scientists were even being appointed in clinical departments, much less at 25% tenure. When we

became aware of this, we initiated a formal grievance and, after the Administration refused to amend its policies, we elected to take the case before a neutral arbitrator, as provided for by the

collective bargaining agreement. The issues were thoroughly reviewed before the arbitrator two weeks ago, and we are awaiting her legally binding decision in the matter.

It seems obvious to us that appointing basic scientists at 25% tenure destroys the purpose of tenure, particularly when, under the present personnel rules, employees do not even qualify for benefits (including healthcare) unless they have a 50% appointment. No basic scientist can enjoy the benefits of academic freedom—based on economic security—with only 25% tenure, and a basic scientist contrasts with a faculty physician in that there is no comparable ready external market for his/her services.

There was an agreement in the last bargaining round that basic scientists could be hired with 50% tenure. The Administration put this proposal on the table early in the negotiations and pressed hard for its inclusion in the final agreement. When it was still unresolved at the eleventh hour, we had to make a judgment call. The question was

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simple: if we made this a strike issue, would SOM faculty give meaningful support to such an action? Past history suggested otherwise. We therefore settled on a compromise in which basic scientists could be hired with 50% tenure, but only if the faculty of the basic science departments vote in favor of each such appointment. The Administration's initial proposal had no provision for such a faculty vote, which at least gives members a tool to prevent such appointments in their departments.

There has been much speculation about this outcome, with some concluding that the union compromised in return for gaining the "Fair Share" agency fee. Nothing could be further from the truth. Put bluntly, we got agency fee because we joined the AFL-CIO through our joint affiliation with the Ameri-

can Federation of Teachers. The political process in the Democratic Party in Michigan is such that, while the state AFL-CIO cannot name the nominee for governor or senator, it does have a major role in selecting nominees for other state-wide offices. With the support of the Michigan Federation of Teachers and the state AFL-CIO, we had input into the nominating process, which assured that the Democratic Party candidates for the Board of Governors in 2000 were firmly committed to the principle that the Fair Share fee is the most equitable means for spreading the cost of union representation across the entire bargaining unit. Consequently, a majority of the Board of Governors supported the Fair Share fee, and when such agreement emerges, the Administration usually finds it wise to support it. We did not have to trade anything away to win the principle of Fair Share.

### **Tenure, Promotion and Academic Governance in the SOM**

Recently the union leadership was approached through the Provost's Office with a proposal from the SOM Administration that we endorse a change in

the constitution of the SOM Executive Committee. Presently the SOM's Bylaws call for an 11-member committee composed of the Dean, four Senate officers (President, Vice-President, Secretary and Treasurer), and six other members elected by and from the Senate. The Executive Committee has the responsibility of advising the Dean on policy and to review and vote on all academic appointments. In addition, the Executive Committee, according to the Bylaws, "shall serve as the School's promotions and

tenure committee as required by the Agreement between Wayne State University and the WSU Chapter of the AAUP." Because of this provision, the SOM proposal came to the AAUP-AFT.

Since most clinical faculty members do not have tenure,

they cannot serve on a committee that passes on candidates for tenure and promotion, as required by the collective bargaining agreement. However, having no clinicians on the committee is thought by some to be unfair when the committee turns its attention to the promotion of clinical faculty. The proposal brought to us would address this by adding six members to the Executive Committee, all elected by the clinical faculty in a separate vote.

The union is certainly willing to accommodate the SOM faculty with respect to their concerns for the better integration of clinical faculty. However, we are reluctant to endorse proposals that have not been thought through carefully by the faculty and that might fundamentally alter the nature of faculty governance in the SOM. After all, tenured faculty physicians can now be elected to the Executive Committee. A change of this magnitude requires careful consideration by the SOM Executive Committee, whose decision on such a matter should be in the form of a resolution that represents faculty opinion. Thus, the union has demurred on the proposal for the present, pending a more thorough review.

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## Conclusion: The Union and the SOM

The AAUP-AFT represents all the faculty and academic staff in the university. With the advent of the Fair Share agency fee, the leadership of the union realizes that we have to work especially hard to bring the benefits of collective bargaining to the attention of academics in the SOM, while we also make the union more relevant to the concerns of its faculty and academic staff. It is to that end that we are fighting the 25% tenure issue in arbitration, and, whatever the arbitrator's decision, we intend to put this issue on the bargaining table in the upcoming negotiations for a new contract. Tenure is evolving in the SOM, but we will fight to assure that it has real meaning.

The union provides other protections for academics, including contractual language that safeguards due process and collegial governance. The recent review of the SOM played a role in matters surrounding the resignation of Dean Crissman. The report gave ample praise to Dean Crissman for his significant accomplishments, while also raising points of criticism. While the decision not to reappoint Dean Crissman came before the report was issued, it provided support for that decision and its recommendations will help guide the search for a new dean. This review was

mandated by the collective bargaining agreement, which also defines the composition and procedures of the search committee for the new dean. Can anyone really believe that there would be elected faculty members of the search committee if such a provision was not included in the collective bargaining agreement?

The AAUP-AFT leadership is aware that the SOM has special problems that are not faced by other parts of the university. For its part, the union is currently establishing a SOM committee to examine issues that should be addressed in the coming negotiations for a revised collective bargaining agreement. We are also preparing a survey to assess matters of concern to SOM academics in this respect. With negotiations for a new collective bargaining agreement less than a year away, it is our hope that we can arrive at a common agenda for the SOM across the remarkable diversity of its many departments, specialties, and sub-cultures.

We look forward to hearing from SOM academics, and from those elsewhere on campus, by email ([aaupaft@wayne.edu](mailto:aaupaft@wayne.edu)), campus mail (103 Belcrest), or phone (577-1750).

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