

Union News

**Connecticut State University
American Association of University Professors**

Update on Promotion & Tenure Grievances

SCSU-AAUP filed an individual grievance on behalf of a member who was denied tenure by the president in her penultimate year. The member had received positive recommendations by all evaluative bodies and had been promoted the previous year by the same president. A chapter grievance was also filed on behalf of all members who were denied promotion or tenure by the president but had received positive recommendations from the P&T Committee. SCSU-AAUP and Management did not come to an agreement on either grievance at the Step 2 hearing, and therefore they have both moved forward to our internal arbitration process (Step 3).

The CCSU-AAUP Chapter filed an unfair labor practice (prohibited practice) with the State's Labor

Department on October 25. The complaint charges that the administration violated Section 5-272(a)(4) of the State Employees Labor Relations Act, by failing to comply with the terms of the grievance settlement agreement by permitting a review at a level other than the President's. A hearing has not been scheduled as of the date of printing.

According to the settlement, CCSU President Miller agreed to continue the dialogue with faculty regarding expectations for promotion and tenure. To this end, a joint Ad Hoc Committee on Promotion and Tenure, under the authority of the Faculty Senate, was formed "to

review the promotion and tenure process in order to ensure that the process and expectations are consistent and transparent for all faculty and administrators." The committee consists of five faculty members appointed by the President of the Senate and two administrators, and it is charged with gathering information, holding open meetings, and making recommendations. The Committee has recently asked the faculty to complete an anonymous survey, which will help the committee to identify a starting point for its discussions.

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AAUP Principles and the Contract

By Tony Rosso, English, SCSU

With the support of the SCSU-AAUP executive committee, I presented a paper on academic freedom and tenure in Montreal at the August meeting of the Society for the Study of Social Problems. In preparation I read some 15 statements from the AAUP Policy Documents & Reports commonly known as the Redbook, an experience which proved deeply instructive. I realized that these crucial Redbook texts not only predate academic unions but supply the governing framework for interpreting our own collective bargaining agreement.

I began with what could be the most important statement we have on academic freedom and tenure, the 1915 Declaration of Principles. Two points struck me about this document. First, the relationship between trustees/administrators and faculty members derives from the public nature and social function of teachers and scholars.

"The latter are the appointees, but not in any proper sense the employees, of the former. For, once appointed, the scholar has professional functions to perform in which appointing authorities

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Union Busting at Quinnipiac

In January, the Administration at Quinnipiac declared that the unionization of their faculty was a major obstacle in reaching the full potential of the university and refused to enter into negotiations with the faculty union. The faculty has been represented by American Federation of Teachers (AFT) Local 3394, the Quinnipiac Faculty Federation since 1975.

The administration is citing the Yeshiva University case as its justification for busting the union, declaring that faculty are "managers" and therefore not entitled to National Labor Relations Board protections. However the administration continued to recognize and negotiate with the Quinnipiac Faculty Federation for more than a quarter century after the Yeshiva ruling.

As of June 30, the contract providing for the rights and benefits of Quinnipiac's professors and librarians

expired, and the librarians were stripped of their faculty status. To win support, the union has begun a petition drive. The 3,000 delegates to the 2006 AFT convention this summer approved a resolution calling for the censure of the Quinnipiac University administration, full restoration of collective bargaining rights for the faculty and, if necessary, a political and publicity campaign to win back the rights faculty lost. Quinnipiac is also looking to other higher education unions for support and CSU-AAUP has been in contact to determine the best way to help.

AFT is in the process of organizing the Quinnipiac part-time faculty. If you are a CSU part-time faculty member who also teaches part-time at Quinnipiac, please contact Rob Callahan for more information at rcallaha@aft.org.

Contract Negotiations Update

AAUP disseminated its first *Table Talk* email update on contract negotiations on November 15. If you did not receive it, it is posted on the CSU-AAUP website at www.ccsu.edu/aaup/csu/contract_negotiations.htm.

Negotiations opened on September 28 when both sides exchanged contract proposals. At the next session, more than a dozen clarifications and word changes were agreed upon, none of which made substantive alterations to current practices. The next four sessions were devoted to more contentious issues, including management's proposal to create a new rank of Endowed Chair and the AAUP's proposals to provide more faculty load credits (FLCs) for research and other academic activities.

At the November 9 negotiating session, discussions continued without agreement over distance education, coaches, and the Endowed Chair. Both sides did agree in principle to changes in the promotion-and-tenure procedures somewhat similar to those proposed by management. The provost would replace the president as the final decision maker, except at Eastern, where the president would retain that role. In addition, the provost's negative decision in penultimate tenure decisions would be appealed automatically to the president if two of the three recommendations of the DEC, dean, and Promotion and Tenure Committee were positive. Specific contract language will be drafted to reflect this tentative agreement.

The two teams agreed to resume negotiations on Wednesday, November 22, on the assumption that management will present their financial package.

National AAUP Gender Equity Report

National AAUP announced the release of a new report, *AAUP Faculty Gender Equity Indicators 2006*, which provides data on four specific measures of gender equity for faculty at over 1,400 colleges and universities across the country. The four indicators compared in the report for male and female faculty are: employment status, tenure status for full-time faculty, promotion to the rank of full professor, and average salary for full-time faculty. The report also contains aggregate national tables for each of the four equity indicators by type of institution and an appendix listing the four indicators for the individual colleges and universities.

AAUP has been concerned about the status of women faculty since the formation of AAUP's Committee W on the Status of Women in College and University Faculties in 1918. Considerable progress has been made through many AAUP initiatives but inequity still remains an issue. The AAUP hopes that this report assists colleges and universities in creating actions for improvement.

The report is available on the National AAUP website at <http://www.aaup.org/AAUP/pubsres/research/geneq2006>. The statistics for the four CSU campuses can be found in Table IIA on page 38 of the report.

AAUP Principles and the Contract

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Have neither competency nor moral right to intervene. The responsibility of the university teacher is primarily to the public itself, and to the judgment of his own profession" (AAUP 295)

The second point is that the AAUP does not seek to protect only the academic freedom of the individual scholar but the autonomy of the profession at large.

"It is, in short, not the absolute freedom of utterance of the individual scholar, but the absolute freedom of thought, of inquiry, of discussion, and of teaching, of the academic profession, that is asserted by this declaration of principles" (300)

In my view, these principles lay a distinctive duty on faculty members over and beyond their commitment to specific fields of expertise; they require active participation in shared governance. The problem of course is that participating in shared governance adds to already full workloads, it's difficult and technical, and administrations don't provide resources that enable us to develop this crucial aspect of our professional responsibility.

But we must perform this work if academic freedom and tenure are to survive. Tenure was won through struggle and collaboration; it was not freely granted and it can be taken away. Building on the *1915 Declaration*, the 1925 AAUP Conference statement became the first code of judicial tenure adopted by a group of university presidents. From this joint effort came the *1940 Statement on Academic Freedom and Tenure*, the primary text on the subject now endorsed by over 200 educational institutions. However, since the 1970s, economic and political changes have undermined the tenure system. Contingent faculty members (both part-time and full-time non-tenure-track) now make up over 65% of all faculty members, an increase from 58% in 1995 and 43% in 1975. In the Fall 2006, CCSU had 453 full-time and 495 part-time faculty; ECSU 214 and 229; WCSU 230 and 284; SCSU 443 and 651! The point is not that the contingent don't teach as well as the full-time and tenured: it's that the situation is educationally unsound and unethical. The untenured (especially part-timers) don't have effective

academic freedom or due process in hiring, evaluation, or dismissal.

In terms of tenure and dismissal, full-timers now also are at risk, as national trends and local decisions by the presidents at Central and Southern portend. However well meaning these presidents may be in terms of addressing standards, they have violated the letter and spirit of AAUP Redbook principles on these issues. Especially relevant is the *Statement on Government of Colleges and Universities*, which lays out the respective domains of shared governance: "differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand" (AAUP 218). The document clearly states that in areas where faculty has primary responsibility, such as instruction or peer review, the "president should...concur with the faculty judgment except in rare instances and for compelling reasons, which should be stated in detail" (221). This principle is reiterated in the two seminal statements on "Procedural Standards in Faculty Dismissal Proceedings" and in "Renewal or Nonrenewal of Faculty Appointments" (11-12, 19-20).

Although CSU-BOT bargaining teams have from the beginning kept the language of "compelling reasons" out of the contract, Redbook principles clearly and explicitly underpin Article 4 on "Professional Rights and Responsibilities," which articulates the respective roles of faculty and presidents in peer review. In this regard, I would urge that these Redbook texts become required reading for all faculty, but especially for members of department evaluating committees, faculty senates, promotion and tenure committees, and union executive committees on all four campuses. While we insist on the historical and philosophical importance of these principles, we must bear in mind that they are only as strong as our collective will to resist encroachments on our professional autonomy.

AAUP Policy Documents & Reports. Ninth edition. Washington, DC: AAUP, 2001.

A tenth edition appeared in 2006. Documents are also available online at: <http://www.aup.org/AAUP/pubsres/policydocs/.htm>

Council Notes

At its October 19 meeting:

- The Council authorized sending up to 14 persons to the National AAUP Collective Bargaining Congress Semi-Annual Meeting December 1-2 in Washington, D.C.
- CSU-AAUP President David Walsh informed members of the Council that over 35 members volunteered to serve on the "Blue Ribbon Committee." The committee will have its first meeting on November 17 at 1:30pm in the Marcus White Living Room at CCSU.
- The Council discussed hosting a four-campus CSU-AAUP conference on Shared Governance in March 2007.
- A member contacted the CSU-AAUP to ask what his medical coverage would be in another country. Business Manger Steve Greatorex contacted the Comptroller's Office and discovered that emergent care is covered when members are traveling out of the country. He suggested that the Comptroller's Office put its policy on out-of-country health care benefits on the website.
- The Council authorized \$50,000 for a public relations campaign targeting the General Assembly.

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CSU-AAUP

We're on the web!

www.ccsu.edu/aaup/csu

Update on Promotion & Tenure Grievances

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President Miller did reverse one of his decisions upon his re-review. The remaining three women who were denied promotion/tenure filed individual CHRO (Connecticut Commission on Human Rights and Opportunities) complaints. They have been supported and assisted in this process by CSU-AAUP.

Election Results

One hundred of the 114 candidates endorsed by CSU-AAUP won their election on November 7. These results include two statewide officers, 24 state senators, and 74 state representatives. Due to changes in the campaign finance laws, this is the last election CSU-AAUP's Political Action Committee is allowed to make political contributions.

Dependent Care/Day Care Assistance

The Dependent Care/Day Care Assistance Program (DCAP) provides a tax-free way for state employees to pay for dependent care expenses such as child care. DCAP is a state employee benefit program made available through the Office of the State Comptroller. Each dollar you put into the DCAP is a dollar not taxed.

To view a flyer explaining how this benefit works, who can be included, and what services are covered, please visit our website at <http://www.ccsu.edu/aaup/csu/DCAP.pdf>.

The open enrollment period for the 2007 plan year will end on December 8, 2006. If you are currently participating in the DCAP program, you must complete a new election form for the 2006 plan year.

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