

# **Union News**

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

# **Looking**



# **Ahead...**

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## Dates to Remember

**12/15-12/21:** Finals exams

**12/18:** Dean must submit recommendations for penultimate year tenure candidates hired in August and all promotion candidates (due 12/14 at SCSU)

**12/30:** Provost (CCSU, SCSU, and WCSU) or President (ECSU only) takes action and informs candidates [January hires] for second or later year renewals. Board awards tenure for penultimate year tenure candidates who were hired in January

## Taking a Trip this Winter?

### Take advantage of your AAUP membership discounts

- As a Universal Orlando Fan Club member, you can take advantage of many exclusive benefits. Enjoy special admission prices and restaurant discounts at Universal Orlando, Universal Studios Hollywood and Wet 'n Wild Orlando, as well as discounts on hotel room rates, merchandise, and tours.
- CSU-AAUP members are entitled to discounts off general admission to Anheuser-Busch Adventure Parks. Parks include Busch Gardens and Water Country USA in Williamsburg, VA; Busch Gardens and Adventure Island in Tampa Bay, FL; Sea World Adventure Parks in Orlando, FL, San Diego, CA, and San Antonio, TX; and Sesame Place near Philadelphia, PA.
- Alamo Rent-A-Car and National Car Rental provide discounts to CSU-AAUP members including up to 20% off regular prices and unlimited mileage. Call the CSU-AAUP office for our company code and then book online or over the phone!

Call your local AAUP office for more information about these benefits and visit our website for a full listing of benefits for CSU-AAUP members!

### *Union News*

CSU-AAUP

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## Update on Promotion & Tenure Grievances

In spring 2006, CCSU-AAUP and SCSU-AAUP filed grievances in opposition to their respective president's promotion and tenure decisions.

### *CCSU-AAUP*

CCSU-AAUP filed a chapter grievance and agreed to a settlement in which President Miller would reconsider his decisions and continue dialogue with faculty regarding the administration's expectations for promotion and tenure. President Miller completed his re-review and overturned one of his decisions but affirmed his decisions on the three other faculty members, who then filed individual complaints with the Connecticut Commission on Human Rights and Opportunities (CHRO). In addition, the chapter filed an unfair labor practice with the State's Labor Board charging that the administration failed to comply with the terms of the grievance settlement by permitting a review at a level other than the President's. There was a preliminary conference for the unfair labor practice complaint in December 2006, after which the Assistant Labor Board Agent recommended a full Labor Board hearing, which is still pending.

The CHRO complaint is awaiting a fact-finding hearing after which a decision will be made by the CHRO Fact Finder whether or not the case has sufficient merit to be recommended for a full hearing. Approximately 2,000 CHRO complaints are filed each year and of those, approximately 400 are found to have merit. During Fiscal year 2006-07, 400 cases were held over after fact finding; 300 were granted a release of jurisdiction and only 57 were held over for a full Commission hearing. The purpose of the conference is to obtain information from the parties and their witnesses. The investigator does so by questioning the parties and witnesses and by reviewing documents produced at the fact-finding conference.

After the investigator completes the investigation, he/she prepares a draft finding of Reasonable Cause or No Reasonable Cause to share with the parties. The parties then have 15 days to comment on the draft. The investigator will review the parties' comments with his/her manager and determine if

further inquiry is necessary. If not, the investigator issues his/her findings.

The investigator will attempt to conciliate a settlement between the parties. If this proves unsuccessful, the case will be certified to the Office of Public Hearings. If the investigator finds that there is No Reasonable Cause, the complaint is dismissed. After dismissal, the Complainant may (within 15 days of the date of notice) request reconsideration from the Commission, or alternatively, may appeal to the Superior Court, as provided by the applicable statutes.

### *SCSU-AAUP*

SCSU-AAUP filed a chapter grievance on behalf of all members who were recommended for promotion or tenure by the Promotion & Tenure Committee but were not granted promotion or tenure by the President. The grievance argued that the President evaluated the effected members on different criteria than those stated in the contract. The chapter also filed an individual grievance on behalf of a member who was denied tenure by the President, but who was promoted by the same president the previous year. SCSU-AAUP and Management were not able to come to an agreement on either grievance at the Step 2 hearing, so it moved forward to internal arbitration (Step 3). The Grievance Arbitration Committee at Step 3 determined that there was no violation in the case of the chapter grievance. The individual grievance was not resolved and it was appealed to outside arbitration (Step 4). A decision was recently rendered in favor of the Administration.

AAUP has several concerns with this recent decision. In her decision, the arbitrator does not address the significant change of the President's opinion from one year to another, nor does the arbitrator address whether there is a duty for the employer to tell an employee that they are not meeting their standards.

Leaders from CSU-AAUP and SCSU-AAUP have met with President Norton to discuss the decision and what can be done to avoid a similar matter in the

## **National AAUP Collective Bargaining Congress Meeting & Restructuring**

National AAUP has proposed a plan to restructure the AAUP into three separate, but related, entities. The rationale for this separation is tax-related. Due to the AAUP's tax status as a 501(c)3 public charity, the organization must operate exclusively for educational purposes. However, this classification limits the activities the Association can engage in, including developing and distributing publications that are relevant only to its members' interests and lobbying.



The proposed restructuring would break the AAUP into three organizations: AAUP, the AAUP Foundation, and AAUP-CBC (Collective Bargaining Congress). All current members of AAUP would continue to be

members of AAUP and in addition, members of unions would belong to the AAUP-CBC.

CSU-AAUP sent 16 representatives to the CBC meeting on November 30 and December 1, which discussed what restructuring would mean for the organization. According to Cary Nelson, AAUP President, restructuring would help to strengthen collective bargaining for the local chapters. Educational resources could be available through the organization's website. The organization would be able to lobby in support of or against legislation as well as establish a strike fund.

Restructuring will be voted on by the June 2008 Annual Meeting in Washington, D.C. Also in June 2008, the CBC will vote on the adoption of a new constitution to replace the current CBC bylaws.

### **CSU-AAUP Council Notes**

At the November 15 CSU-AAUP Council meeting:

- A resolution was approved to send an additional two Council Representatives to the Collective Bargaining Congress Semi-Annual Meeting in Washington, D.C.
- President Walsh reported that he met with the Vice Chancellor for Human Resources, who agreed to create a Frequently Asked Questions document for faculty on what activities constitute the new requirement to report outside consulting and research activities.
- The Board of Governors for Higher Education Representative, Candace Barrington, stated that 14 individuals have applied for the position of Commissioner of the Department of Higher Education.
- The Ad Hoc Committee on Workload reported that it is in the process of drafting a RFP (request for proposals) to hire a consultant to perform a workload study at CSU next year.
- SCSU-AAUP President Steve Larocco reported that their Administration is having difficulty finding individuals for their dean positions without a guarantee of faculty retreat rights (in other words, if things do not work out for them, they would be able to retreat back into the faculty). This item will be discussed again at the next meeting.
- It was noted that a federal case decision affected how CSU-AAUP handles agency fee rebates. From now on, agency fee payers only have to request the rebate once and it will remain effective unless they choose to change their status.

## ARP/403(b) Plan Outperforms TIAA-CREF Annuities

In January 2006, Connecticut began offering its state employees new investment options for its defined contribution plans, including the Alternate Retirement Plan (ARP) and the 403(b) plan. From 1976 through 2005, participants in the ARP were restricted to variable annuities offered by TIAA-CREF. A significant number of participants in the 403(b) plan also invested solely in the TIAA-CREF annuities.

A recent academic study reports that significantly higher returns are possible under the new offerings of the ARP/403(b) plan. This study was performed by finance and mathematics professors at Claremont Graduate University in California. The researchers compared how a portfolio based solely on TIAA-CREF variable annuities would compare to those that might be achieved by participants with access to a broader range of investments. The authors concluded that over a 20-year period an employee could gain as much as 40 percent more in “terminal wealth” if they had access to a wider range of investments than TIAA-CREF alone.

More information about this study can be found on the Comptroller’s website at <http://www.osc.state.ct.us/empret/reports/Execsumm112307.pdf>.

## Grievance Update

*(Continued from page 3)*

future. Denial on penultimate tenure should not be the first warning that a faculty member is given that they are not meeting the President’s standards.

However, since these decisions were made in spring 2006, there have been changes in the promotion and tenure process. For each CSU campus with the exception of Eastern, the Provost makes the recommendation to the Board for promotion and tenure unless s/he disagrees with two of the three evaluative entities and denies tenure in the penultimate year of service, in which case the decision will automatically be appealed to the President.

## Fall Enrollment Statewide

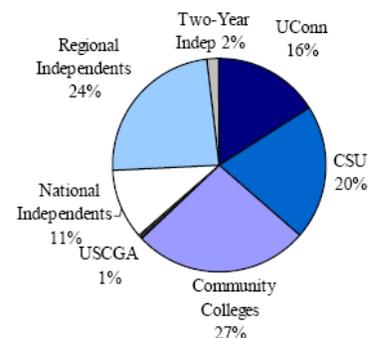
A recently released report from the Department of Higher Education shows that total headcount enrollment increased by 2,295 students (1.3%) at Connecticut’s colleges and universities. Enrollment at public institutions increased more sharply than those at private institutions, 1.5% versus 0.9% respectively.

However, the growth in the public sector is due to a substantial growth in community college enrollment (4.2%). For the first time since the Department of Higher Education began collecting data, enrollment at all twelve of the community college increased. UConn enrolled 196 additional students for an increase of 0.7% over 2006.

Connecticut State University lost 411 students overall (-1.1%). However, full-time enrollment has increased 2.3%. This is representative of a larger trend at CSU. During 2002 and 2007, CSU enrollment declined, while enrollment grew or remained stable at other institutions. However, there has been a twelve percent increase in full-time undergraduates and 21 percent decrease in other students. For fall 2007, Western was the only CSU institution to see an increase in enrollment, with 125 more students than in 2006.

There is also another trend that the data masks. “Over the last two decades (1987-2007), enrollment at Eastern increased 19 percent, Western saw a small gain (1%) and both Southern and Central registered losses (3% and 10%, respectively). Enrollment at Eastern peaked in 2001, but the other three campuses had their maximum enrollment within one year of the systemwide peak in 1989” (Fall of 2007 College and University Headcount in Connecticut, Department of Higher Education Report, November 2007, p.8).

FALL 2007 ENROLLMENT BY SECTOR



## Maintaining Our Legislative Success

Building relationships with members of the General Assembly is an essential activity for any organization that relies on state funding. As a public university system, the amount of state funding allocated to CSUS is crucial in order to keep the cost of tuition affordable to our students, to be able to hire new faculty, and to develop and strengthen our academic programs. CSU-AAUP employs the lobbying firm of Betty Gallo & Company to monitor the General Assembly's activities; lobbies both individually and collectively with other bargaining agents in SEBAC to improve benefits such as salaries, health care and retirement; and organizes and encourages the membership to contact their legislators on issues that will directly affect them.

AAUP's efforts in organizing, political activism, and public relations over the past several years lead to some significant gains during the last legislative session. Over one million dollars in funding was appropriated for additional full-time faculty at CSUS. This has resulted in the addition of 23 new full-time faculty positions and CSU committed additional funding from its operating budget to support 38 other full-time AAUP positions for a total of 61 new full-time AAUP lines. In addition, the General Assembly approved the state bonding package which includes \$950 million for "CSUS 2020" over the next ten years and \$80 million which will be released immediately to the university. The General Assembly also approved the 2007-2011 CSU-AAUP/BOT Collective Bargaining Agreement, containing one of the largest salary increases of any bargaining unit in the state.

These successes resulted from a number of different efforts, organized

by AAUP and carried out by the membership. Every member who attended a "CSUS Day at the Capitol", acted upon a request to contact your legislators, testified in support of additional funding for full-time faculty at the Capitol, attended a legislative meeting with AAUP leadership, and wrote editorials as part of the public relations effort made these legislative successes possible.

The next legislative session begins in early January and AAUP will be asking you to continue these efforts so that we are able to maintain a high level of legislative success as we move forward.

### ***Confused about Whether or Not You Need to Report Outside Consulting or Research Activity Under the New Requirement?***

FAQ about this form, including examples of what activities must be reported, can be found on CCSU's HR website at [http://www.ccsu.edu/HumanResources/Faculty\\_Consulting\\_Research.htm](http://www.ccsu.edu/HumanResources/Faculty_Consulting_Research.htm). AAUP suggests that faculty err on the side of caution and if you are unsure, report the activity. Reporting protects YOU from liability.

#### **CSU-AAUP**

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###### *Secretary*

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