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Right Flier: Newsletter of the AAUP-WSU Volume 4, Number 1, September 2003

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The Right Flier

Newsletter of the WSU-AAUP

Volume 4, Number 1, September 2003

Grievance and Contract Administration Information

The Executive Committee is pleased to announce that Dr. David Barr, Professor of Religion, has accepted the position of *Grievance and Contract Administration (GCA) Officer*. He brings a wealth of experience and expertise to the position as a member of the second negotiating team, the former President of the Faculty, and the former director of the Honor's program at Wright State University. We wish him success in his new position.

Regular chapter members who are interested in training for the position of *Assistant GCA* are encouraged to contact David Barr at david.barr@wright.edu. For more information about the process of grievance and contract administration, please see article below by David Barr.

Know Your Rights

By David L. Barr
Grievance & Contract Administration Officer, WSU-AAUP

I hope you never have to deal with me in my new role as AAUP Grievance Officer, but then I hope for world peace and an end to poverty. Certainly a few of you will call on me for assistance in resolving issues that arise under our contract. This is the first of periodic (he says vaguely) reports on the status of grievances and the process for filing them.

Staff

The AAUP executive committee has recently expanded our ability to assist you by appointing a grievance committee, consisting of Mel Goldfinger, Charles Hartmann, and me. All three of us have extensive experience in the university and Mel brings a wealth of experience in the grievance process. I will be chairing the committee, which will meet regularly to discuss and allocate cases. We are all available for consultation, but in general complaints should be directed first to me (david.barr@wright.edu or 775-2293).

History

In the past year we have processed twenty-nine cases (grievances, inquiries, or disciplinary questions), three related to promotion and tenure, eight related to compensation, and sixteen on other issues. In addition, there are currently five cases at some stage of the grievance process. Of those already resolved, twenty-

three were resolved in favor of the bargaining unit member, while five were resolved for the other side. Most were resolved through a process of reasonable compromise.

Process

In general terms, the grievance process consists of 3 -- possibly 4 -- stages. In the preliminary stage, one attempts to resolve the issue through a meeting of the bargaining unit member and the administrator involved. It is important at this stage that you formulate your complaint as precisely as possible and base it on some provision(s) of the contract. (See the Grievance Form at <http://www.wright.edu/admin/aaup/GrievanceForm.pdf>) We are available for consultation at this stage. The next stage -- called Step One in the contract -- involves the filing of a formal grievance and a meeting that involves the administrator, the grievant, and one of the grievance officers who will be handling the case. This grievance must generally be filed within forty days of the event giving rise to the grievance. (See the contract, Article 16.4 for the official details.) If the grievance is not resolved at this level, it proceeds to Step Two, a meeting of the grievant and the grievance officer with the provost. Nearly all grievances are resolved at or before this stage. If it is not, and if it is of sufficient importance and merit, the AAUP may submit the grievance to binding arbitration. This action is taken only by the authorization of the Executive Committee.

This summary is meant only to give a broad view of the grievance process. You are encouraged to study the official description in Article 16 of the contract. If you want a copy of the contract, contact the AAUP office by email (connie.jacobs@wright.edu) or phone (775-3608), or just stop by 016 Millett Hall -- next to the mailroom. Or read it on line at:

<http://www.wright.edu/admin/aaup/Contract.html>

Party Time!!!

Friday, September 19 (5-7 pm) Millett Hall Atrium
Music by *The Wright Profs*
Cash Bar and Free Food

If you plan to attend please RSVP by September 12 to:
Connie.jacobs@wright.edu or x3608

2003 AAUP Summer Institute

By Dan Voss, Member-at-Large, AAUP-WSU

AAUP-WSU officers David Barr, Larry Weinstein and Dan Voss attended the 2003 AAUP Summer Institute at the University of New Mexico July 24-27. The Summer Institute, conducted annually by the national AAUP, has been an invaluable source of training for and networking by our chapter leadership and membership.

The middle two days consisted of intensive workshops on a variety of topics, including for example: *Contract Negotiations, Contract and Grievance Administration, Data on Faculty: Status Trends, Compensation, Gender Equity, and Institutional Priorities, Negotiating Benefits, Working with Benefits, Membership Recruitment, Strategic Communication, Shared Governance, Faculty Handbooks, and Collective Bargaining Chapter Management*. The first and last days are lighter, including for example, short seminars on: *AAUP 101: Getting to Know Us, Threats to Academic Freedom, Sexual Harassment on Campus, Academic Work and Family, and Agency Fee and Duty of Fair Representation*. Evening social events enhance the opportunity to meet and continue discussions of the day with national officers, workshop and seminar leaders, and members of other local chapters.

If you are inclined to become more active in AAUP-WSU, or if you simply want to learn more about collective bargaining (and secretly miss dormitory living), consider attending next year's AAUP Summer Institute! Let your chapter officers know if you are interested, or talk to David, Larry or Dan for further details!

Nominations Deadline Sept. 12, 2003

In March, 2003, the AAUP-WSU chapter revised its bylaws. In the process a new position was created on the executive committee; a communications officer. Jim Vance, our current chapter secretary, has agreed to move into that position and the executive committee has voted in favor of this move. Consequently, we are seeking nominations for the position of *Secretary*. In addition, we are seeking nominations for the position of *President*. The term of office for both positions will expire when new officers are elected at the spring quarter 2004 chapter meeting. For duties of each office visit:
www.wright.edu/admin/aaup/Chapter_Bylaws.html

Send Nominations to: Paulette.Olson@wright.edu
With your nomination, please state whether you have ascertained the nominee's willingness to serve.

Administration and WSU-AAUP Sign Memorandum of Understanding

By Rudy Fichtenbaum, Chief Negotiator, AAUP-WSU

Recently, Wright State University and AAUP-WSU signed a memorandum of understanding concerning promotion & tenure and annual evaluation in department and college by-laws. The primary purpose of this memorandum is to clarify and explain the provisions of the Collective Bargaining Agreement (CBA) that deal with promotion & tenure and annual evaluation.

The first part of the memorandum explains the choices that a Bargaining Unit Faculty Member (BUFM) has when going up for promotion and/or tenure if her or his offer letter predates the approved departmental bylaws (CBA 13.4.2). Candidates for promotion and/or tenure whose offer letter predates approved departmental bylaws may be judged using criteria based on past practice or criteria in approved departmental bylaws. In addition, the memorandum also explains that if a candidate elects to be evaluated under criteria in approved departmental bylaws, then all participants in the process must use these criteria. Moreover, the memorandum points out that the criteria in departmental bylaws are both necessary and sufficient.

The memorandum also addresses the issue of soliciting external letters and explains the difference between soliciting such letters for candidates being considered using approved departmental bylaws compared to candidates being considered under past practice.

Finally, the memorandum explains when annual evaluation criteria in bylaws become effective and addresses the issue of what happens in the interim period.

Every BUFM has been sent a copy of the memorandum. In addition, a copy of the memorandum is posted on the WSU-AAUP web site (see www.wright.edu/admin/aaup/mou.pdf). We urge all BUFM's to read this memorandum carefully. If you have any questions about the memorandum please call Rudy Fichtenbaum at x3085 or send an email to rudy.fichtenbaum@wright.edu.