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## Right Flier: Newsletter of the AAUP-WSU Volume 2, Number 1, February 2002

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# The Right Flier

Newsletter of the WSU-AAUP

Volume 2, Number 1, February 2002

## What Happened to Faculty Salaries at WSU?

### The Salary Gap

by Rudy Fichtenbaum, Chief Negotiator and Jim Vance, Secretary, WSU-AAUP

#### What Happened Three Years Ago

Three years ago, in negotiating our current contract, we went to fact finding; the administration had forced us to an impasse over salary. Unfortunately, the fact finder's report gave the administration most of its miserly salary proposal. Since we were a brand-new union negotiating our first contract, we were not in a position to reject the fact-finder's report. But that was then, and this is now.

#### Where We Stand Among Eleven Peer Institutions

As a consequence, Bargaining Unit Faculty at WSU have lost ground relative to our peers at other state universities in Ohio. Our Professors have dropped from 3<sup>rd</sup> place to 6<sup>th</sup> among eleven peer institutions; our Associate Professors have dropped from 5<sup>th</sup> to 8<sup>th</sup>; and our Assistant Professors from 3<sup>rd</sup> to 5<sup>th</sup>.

#### Where We Stand in Term of Dollars: The Salary Gap

Sometimes, a drop (say, from 3<sup>rd</sup> place to 6<sup>th</sup>) involves only a small increment in salary. But that is not the case for us. In 1998, WSU Professors' salaries were \$100 above the 75<sup>th</sup> percentile (the "boundary" between the third and fourth quartiles among eleven peer institutions), but in 2001 they were \$3,300 below: a net drop – a salary gap – of \$3,400. Our Associate Professors dropped from \$500 below the 75<sup>th</sup> percentile to \$2,700 below: a salary gap of \$2,200 dollars. Our Assistant Professors dropped from \$200 above the 75<sup>th</sup> percentile to \$500 below: a salary gap of \$700.

#### WSU Faculty Salaries Compared to 75<sup>th</sup> Percentile

	1998	2001	Salary Gap
Assistant Professors	+\$200	-\$500	\$700
Associate Professors	-\$500	-\$2700	\$2,200
Professors	+\$100	-\$3,300	\$3,400

#### What if We Accept the Administration's View?

Three years ago, the administration voiced the view that faculty salaries at WSU were then appropriate because they were close to the 75<sup>th</sup> percentile at each academic rank. Accepting that view, the salary gap in the table above translates into nearly \$3 million over three years. The administration should have paid that \$3 million into our salaries, just to maintain our standing relative to other state universities in Ohio. Now a \$3 million salary gap is hardly chicken feed, but it pales in comparison to the annual surplus the administration has managed to amass in recent years. (See the Fall 2001

*Right Flier*, online at

<http://www.wright.edu/admin/aaup/rightflier.html>.) The administration **can** afford to close the salary gap, and more.

#### The Bottom Line

Relative to our peers, Bargaining Unit Faculty salaries have dropped precipitously during the current contract. We have a big salary gap, and we must close it. We must recover the ground we lost, and more.

Today, we can reject a fact-finder's report if it does not close the salary gap and undertake job actions that we deem appropriate.

### Contract Negotiations Began January 11

Because our current contract expires June 5, negotiations for a new contract have begun in earnest. The ground rules have been set, and several articles and side letters have been categorized as either "economic" or "non-economic." AAUP and administration negotiators have been meeting weekly since January 11.

In a significant departure from the negotiations of 1999, the administration has announced its intent to submit economic proposals to WSU-AAUP *before* the union submits ours. During our first contract negotiations WSU-AAUP submitted economic proposals first. The administration took a month to respond. Although we responded in turn within a week, the administration was slow to counter. As a result this issue then went to fact-finding. This year, according to the ground rules, the administration will submit its economic proposals by March 15. WSU-AAUP will be able to respond promptly; this should lead to a more efficient negotiation of these important issues.

Bargaining Unit Faculty can follow the negotiations on-line at [www.wright.edu/adm/aaup/aaup.html](http://www.wright.edu/adm/aaup/aaup.html). Click on "What's New" and remember that the relative strength of the faculty's bargaining position at the negotiating table does not depend upon the five members of the negotiating team. It depends upon the size, participation and commitment of WSU-AAUP membership. Almost two-thirds of the Bargaining Unit Faculty are members, but more is always better. It is time for members to get involved and encourage non-members to join.

#### On The Back:

What does the Collective Bargaining Law Say?  
President's Message

Mail to:

# What Faculty Need to Know About Ohio's Collective Bargaining Law

By Rudy Fichtenbaum,  
Chief Negotiator, WSU-AAUP

Collective Bargaining for public employees in Ohio is governed by Ohio Revised Code (ORC) 4117. This law gives public employees certain rights, but it places certain limitations on them as well. As we begin negotiations for our second contract it is important that Bargaining Unit faculty understand the basic features of ORC 4117 as they pertain to contract negotiations.

It is the stated goal of ORC 4117 to promote "orderly and constructive relationships between all public employers and their employees."

**Collective bargaining means that employers and the employees must meet to negotiate about "wages, hours, terms and conditions of employment and the continuation, modification or deletion of an existing provision of a collective bargaining agreement." Neither side can be forced to accept the position of the other side; however, they must negotiate with the intent of reaching an agreement.**

How does the negotiations process begin? At least 60 days prior to the end of an existing contract, if either party wishes to modify the existing agreement, they need to provide written notice to the other side stating their intention. Once this notice has been served the parties are required to begin negotiating.

Since neither party is required to accept the position of the other side, ORC 4117 has a built-in dispute resolution procedure. It allows the parties to agree to an alternative dispute resolution procedure, which is acceptable to both parties including binding interest arbitration. Without an alternative dispute resolution both sides are governed by the dispute resolution procedure contained in ORC 4117.

The dispute resolution procedure contained in ORC 4117 states that if the parties cannot reach an agreement within 50 days before the expiration of a contract, either side can request intervention by the State Employee Relations Board (SERB). If SERB determines that both sides have been bargaining in good faith but have reached an impasse or they have not reached an agreement 45 days before the end of an agreement then SERB can appoint a mediator. The job of the mediator is to try and help both sides reach an agreement on outstanding issues.

**If the mediator reports to SERB that an impasse exists or that the sides have been unable to reach an agreement 30 days prior to the expiration of the contract then SERB must appoint a fact finder (or fact finding panel) selected by the parties from a list provided by SERB.**

The fact finder(s) may engage in mediation efforts. If these efforts fail then a fact-finding hearing is held. The

fact finder(s) must make a recommendation no later than 14 days after his or her (their) appointment by SERB unless both parties agree to extend the deadline.

When a fact-finding report is issued it is in the form of a recommendation to both sides. Either side may reject the fact-finding report by a three-fifths vote of its total membership. This means it takes three-fifths of the Board of Trustees or three fifths of the WSU-AAUP membership to reject the fact-finding report. If neither side rejects the report then it is determined by SERB that both parties have reached an agreement. If either party rejects the fact-finders report they can then voluntarily agree to resume negotiations, adopt an alternative dispute resolution procedure or go on strike after a ten-day written notice to the employer.

**It is critical for WSU-AAUP members to understand that unless one of the sides rejects a fact-finding report we are prohibited from going on strike.**

Rejecting a fact-finder's report is a necessary condition, according to ORC 4117, to give public employees the right to strike. However, rejecting a fact-finders report does not automatically mean that we must go on strike.

## President's Message

To all tenured and tenure-track faculty: your union, WSU-AAUP, is now in negotiations with the administration of Wright State University. We expect to obtain a new contract before the current contract expires on June 5.

We are in a very strong position as we enter negotiations, with a large majority of the tenured and tenure-track faculty as members of the union.

We have an outstanding negotiating team in place: Rudy Fichtenbaum, Chief Negotiator, Economics, David Barr, Religion, Adrian Corbett, Physiology and Biophysics, Charles Hartmann, Management, and Jim Vance, Mathematics and Statistics.

I want to extend the appreciation of the Executive Committee to our 16 colleagues who gave much of their time to serve on the Bargaining Council. They represent every college at Wright State which grants tenure.

They are: Martin Arbagi, Liberal Arts, Steve Frederick, Education and Human Services, Marlese Durr, Liberal Arts, Chris Hall, Liberal Arts, Thomas Hangartner, Engineering and Computer Science, Barbara Hopkins, Business, Burga Jung, Education and Human Services, Inder Khara, Business, Audrey McGowan, Science and Mathematics, Arthur Moliterno, Lake Campus, Virginia Nehring, Nursing and Health, Randall Paul, Liberal Arts, Lawrence Prochaska, Science and Mathematics, Henry Ruminski, Liberal Arts, Ed Rutter, Science and Mathematics, and Munsup Seoh, Science and Mathematics.

**Allan Spetter, President**