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Right Flier: Newsletter of the AAUP-WSU Volume 10, Number 4, July 2010

American Association of University Professors-Wright State University

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July 2010

Editor: Martin Kich

The Right Flier

Volume 10, Number 4

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Outgoing President's Message

My term as president officially ended May 31, a year sooner than originally planned, but I am looking forward to my professional development leave. I am leaving the presidency in good hands. Barry Milligan's experience as grievance officer and a negotiating team member will serve him well as we enter yet another cycle of Bargaining Council recommendations, negotiations, and finally a vote on another contract.

I want to thank those members who have agreed to serve on the bargaining council. The bargaining council is your voice in the process of reaching a new agreement with the administration. It helps define the issues, points out needed changes, and provides input and feedback for Executive Committee and Negotiating Team decisions. The shift from quarters to semesters will require changes in the collective bargaining agreement. Some of those changes will be as simple as substituting "semester" for "quarter." Others will be more substantive and require careful consideration that should be based on the best information possible about faculty wants and needs.

The union can't fight for your interests unless it knows what those interests are. Inform the Bargaining Council member(s) from your college of any issues and concerns that you have. Member input and support with workload negotiations resulted in standard workloads significantly different from those first proposed by the administration. Your input and support does matter. Some issues and questions about inequities (either perceived or real) between and within the colleges were raised during discussions about workload. Others wanted a better definition of workload. These are all topics that can be raised and better defined in bargaining council discussions.

(Continued Next Page)

Outgoing President's Message (cont.)

On a personal note, I have enjoyed and gained a lot from my involvement with AAUP. It has been a pleasure to work with dedicated people to give faculty the representation they deserve. My first official involvement was as a member of the first bargaining council, followed by my elections as Member-at-large of the Executive Committee, then Vice President, and finally President. I thank you for your support; it was a pleasure to serve you. I thank my fellow members of all the different executive committees; it was a pleasure to serve with you.

Henry Ruminski

Where Things Stand in Workload Negotiations

In September 2009, we started negotiations over workload with the administration. In our first few negotiating sessions, we discussed and agreed upon in principle our approach to dealing with such issues as professional development leaves, parental teaching relief, compensation for overloads and release time for AAUP-WSU. With respect to professional development leaves, we agreed to multiply the number of quarters now available by 2/3. For overload pay we agreed to multiple the current minimum by 3/2. Parental teaching relief will be allotted in semesters although there are still a few details to be worked out with respect to this benefit.

However, for most of the fall, we spent time discussing the semester calendar and how to formulate a workload policy that would cover teaching, research and service and allow for some trade-offs between teaching and research, as well as teaching and service. We also agreed that the implementation of the workload policy would not be retroactive but rather would be implemented five years after the approval of the policy by our members and the Board of Trustees.

During the fall, we were told by the administration that the deans were working on proposals for workloads in each college and that they would present these proposals to us by the end of the quarter. Finally, in December the administration

gave us a first draft of their proposed teaching loads. As it turned out, their draft proposal contained no standard or normal teaching loads but only *maximum* teaching loads. We let the administration know that this approach was unacceptable. In January, the administration took no action to rectify the situation; so on January 26, we issued an "Urgent message to Bargaining Unit Faculty," asking Bargaining Unit Faculty to stop work on the conversion of the curriculum. The response of Bargaining Unit Faculty was supportive and overwhelmingly so; more about this below.

After months of procrastination, on April 2 the administration presented us with another proposal. This time, instead of maximum teaching loads, their proposal contained ranges but also gave them very broad flexibility to set teaching loads. We told them that this was also unacceptable and that we wanted a proposal without ranges—a proposal that would specify "*standard* teaching loads."

On April 16, the administration gave us a "Tentative Outline for a Semester Based Workload Policy," and in it, they specified, for the first time, *standard teaching loads* rather than a range of teaching loads, or a maximum teaching load, for each college. On April 23, we gave the administration a tentative counter proposal (dated April 22, 2010) and told them that we would be willing to make this proposal on the record if they would make their April 16 proposal on the record. The significance of proposals being made on the record (rather than as tentative proposals) is that either side can then take the other side's proposal to binding arbitration and be assured of an outcome that is no worse than what has been presented in the on-the-record proposal of each side. In addition, we also told the administration that if they agreed to these terms, we would also ask our members to resume work on converting the curriculum.

Finally, on April 29, the administration gave us three addenda to its April 16 Tentative Outline and told us that we could take this package to arbitration, with the understanding that it could take our April 22 proposal to arbitration. In response, we issued a statement to all Bargaining Unit Faculty: "The AAUP-WSU Executive Committee is pleased to announce that we have made significant progress on workload with the administration. Therefore, effective right away, we ask all Bargaining Unit Faculty to resume all work on converting the curriculum from quarters to semesters."

Over the past few weeks we have been working out details of our agreement. Specifically, the parties have agreed to use three separate documents to record the outcome of these negotiations. First is an agreement on portions of a workload policy as specified in our March 2 "Memorandum of Understanding (MOU)" that will apply to Bargaining Unit Faculty. This will ultimately be incorporated into a larger workload policy, to be outside the Collective Bargaining Agreement (CBA), additional parts of which will also pertain to faculty not in the bargaining unit. This larger policy will be subject to Faculty Senate and Provost approval; however, the proposal ultimately adopted by the Senate will not "diminish, alter, conflict with, or delay the agreements reached by the AAUP-WSU and the University regarding the Bargaining Unit Faculty's teaching, scholarship, and service in a semester system."

Second, we will devise a transitional document that will cover teaching, research and service requirements during a five-year period commencing with calendar year 2011. This transitional agreement will also contain some language covering regarding summer compensation and an agreement to review the workload policy in three years to see if it is meeting the goals agreed upon in the MOU of March 2, 2009 and the additional goal that opportunities for Bargaining Unit Faculty to earn income in the summer are not diminished. If the workload policy is meeting all of the goals then both sides anticipate signing an additional agreement establishing the practice of the first three years as "past practice"; this is a legal term establishing these practices as being contractually binding.

Finally, in the third document, the parties will agree to make changes in the current CBA covering professional development leaves, parental teaching relief and release time for AAUP-WSU.

The basic outline of the standard teaching loads by college is: 3-2 in CoLA, CEHS, and RSCoB; 2-2 (or the equivalent) in CoSM; 2-2 in CECS; 3-3 at Lake; and 20 units in CoNH. Faculty who over a five-year period are generally meritorious in service, as specified in annual evaluation criteria department bylaws, and who also meet 50% of the research criteria for tenure will be entitled to the standard teaching load in their college. Faculty with administrative responsibilities or other extraordinary service responsibilities or who are extraordinarily productive scholars will generally have lower teaching loads. Conversely, faculty who do not have

an active program of scholarship (as defined by the "50%" standard) above will generally have higher teaching loads. Departments will have an opportunity to modify bylaws and include a specific section in bylaws to define research and service expectations for establishing workload assignments.

Faculty who disagree with the workload assignment that they have been given will have the right to appeal that assignment to the Provost, who will receive a recommendation regarding the appeal from the Faculty Governance Committee (FGC), a joint management-labor committee. Ultimately if the AAUP-WSU disagrees with the decision of the Provost concerning any workload assignment, we will have the right to take the matter to binding arbitration.

Regarding compensation for summer teaching (for Bargaining Unit Faculty on academic year appointments), the rate at which bargaining unit faculty will be compensated will be 1/36 of the academic year base salary per semester hour; those teaching in half the summer will have the right to up to 6 semester hours per summer at that rate. Further, the administration has agreed to offer at least the same number of credit hours in the summers of 2013, 2014 and 2015 as were offered in the summer of 2009. So if 200 faculty members taught an average of 6 quarter hours per summer in 2009 (i.e., 1,200 quarter hours), the administration will offer at least 1,200 semester hours in the summers of 2013, 2014 and 2015. The net effect of the above is to guarantee an undiminished income stream to the Bargaining Unit for the summer teaching we collectively do.

Let us emphasize that the particulars described above, though likely close to what we will eventually finalize, are not set in stone. However, we anticipate having "final" language for all three agreements by sometime this summer. Once we have agreed to "final" language we will submit all three agreements to our members for a ratification vote early in the fall of 2010. Only after our members vote to ratify will the agreements be final indeed.

Without our union, the administration could have applied any teaching load it wished to Bargaining Unit Faculty, and it could have done so without regard to any semblance of fairness.

More importantly, the collective response of Bargaining Unit Faculty to our January 26 “Urgent message” was overwhelmingly supportive: curricular conversion work stopped cold. Over the following weeks, it became clear that the administration felt great pressure from this response. Without it, we would likely have been facing a workload policy similar to that proposed by the administration in December (maximum teaching loads with lots of discretion for administrators) or in early April (ranges, also with lots of discretion for administrators). There would have been no guarantee that opportunities for summer income would have been preserved. Without our union *and the decision of Bargaining Unit Faculty to stand together*, all of the risk involved in converting to semesters would have been borne by the faculty.

Instead, with your support, we are very close to having an agreement with recourse to binding arbitration that preserves the quality of education for our students, is workload neutral for bargaining unit faculty, and is likely to be revenue neutral for the University. The response of bargaining unit faculty to the call issued by our union to stop work on converting the curriculum was magnificent. With our colleagues in the Faculty Senate, we brought the conversion to a screeching halt. Without this action, we would not be in the position that we are in today.

There is an important principle here: when we act collectively--when we all stick together--we, as a faculty, have immense power. Our success in negotiations--whether for collective bargaining agreements or workload policies--does not flow from cleverly reasoned arguments or oratorical prowess of our negotiators. Instead--to repeat--it flows from our willingness to act collectively and stick together.

Rudy Fichtenbaum
Chief Negotiator, AAUP-WSU

The Distribution of Market Raises

The following describes the procedure used to implement the market adjustment specified in Article 23.3.3 of the Collective Bargaining Agreement (CBA). Article 23.3.3 of the CBA calls for 1.5% market adjustments to be distributed in a manner mutually agreed upon by the University and the

AAUP-WSU. Pursuant to this agreement the Executive Committee and the administration have agreed upon the following mechanism to distribute these “market adjustments.”

The starting point was identical to the means the parties agreed upon last year to distribute funds pursuant to 23.2.3, comparing the average salaries of Wright State faculty by rank with the average salaries, by rank, of faculty at public research I institutions. AAUP publishes these data in the March/April issue of *Academe* every year. This data determined the gap between salaries at Wright State and those at public research I institutions for Professors, Associate Professors and Assistant Professors.

| Rank | Prof. | Assoc, Prof. | Assist. Prof. |
|------------|----------|--------------|---------------|
| Salary Gap | \$12,750 | \$4,863 | \$4,018 |

To fully close these gaps would cost more than \$3.1 million, whereas 1.5% of our salary pool is only \$553,984, or about 18% of the gap. Therefore the gaps shown above were multiplied by this percentage; and then a pool for each rank was established, taking into account the number of Bargaining Unit Faculty at each rank.

Next, each pool was divided in half, with the aim of distributing one half as a “Percentage Raise” (a percentage of base salary) and the other half as a “Fixed Dollar Raise”. Faculty members with higher salaries generally favor the percentage distribution method and faculty members with lower salaries generally favor the fixed dollar distribution method. This half-and-half scheme is a compromise between these competing interests and mirrors the method by which merit raises are distributed in each department. Here is the outcome of those calculations. (The “Fixed Dollar Raise” for faculty on fiscal year appointments is 11/9 of those shown in the table.)

| Rank | Professor | Assoc. Prof. | Assist. Prof. |
|--------------------|------------|--------------|---------------|
| Percentage Raise | 1.05% | 0.56% | 0.54% |
| Fixed Dollar Raise | \$1,103.22 | \$420.78 | \$347.66 |

Next, each faculty member individual was assigned a *preliminary* market adjustment using the appropriate figures from the table above.

Then, these preliminary market adjustments were modified based on the average merit scores over the past three years. Because merit scores and the departmental bylaws criteria upon which they are founded differ rather widely from one department to another, the average merit scores were standardized before they were used. The standardization was accomplished beginning with each individual's average merit score for the last three years, subtracting the mean (average) merit score for the department, and then dividing the result by the standard deviation for the department. These standardized scores were truncated so that no standardized score could be less than -2 or greater than 2.

Next, each individual's standardized score was divided by six (giving a result between -1/3 and 1/3); that figure was added to 1 (giving a result between 2/3 and 4/3); and *that* figure was multiplied by the individual's preliminary market adjustment. Thus, the modified market adjustments distribute the pool in each department (the sum of the preliminary market adjustments) according to the performance of each individual relative to that of the department as a whole, subject to the constraint that no individual will receive less than 2/3rds (nor more than 4/3) of his or her preliminary market adjustment.

A final, small modification was then made to insure that the monies distributed in each department matched the available pool.

The outcome will be reported to you in the raise notice letter you receive as a "market adjustment" pursuant to Article 23.3.3 in the CBA.

The following example will illustrate how market adjustments are determined. Let us imagine a hypothetical department with three Professors, three Associate Professors and three Assistant Professors with all on academic year appointments. Preliminary raises are determined by giving each Professor 1% plus \$1,000, each Associate Professor 0.5% plus \$500 and each Assistant Professor 0.5% plus \$350.

[See Table on Next Page]

In this hypothetical department, the average merit score was 3.0, and the standard deviation was 0.43. The preliminary market adjustment for Professor A is 1% of her base salary of \$100,000 plus \$1,000 more, which totals \$2,000. She has a three-year-

average merit score of 3.5, and thus her standardized score is $\frac{3.5 - 3.0}{0.43}$, or 1.15. Since her average merit score is above the department average, her modified market adjustment is higher than her preliminary market adjustment:

$$\$2,000 \cdot \left(1 + \left(\frac{3.5 - 3}{.43} \right) / 6 \right) = \$2,385 .$$

When a similar calculation is made for each member of the department, the sum of the modified market adjustments is \$10,531, which is more than the \$10,495 that has been allocated to the department. Thus, each individual's modified market adjustment is multiplied by .996 (\$10,495/\$10,531). Professor A's final market adjustment is thus \$2,385 times .996, or \$2,377.

**Rudy Fichtenbaum
Chief Negotiator and
Jim Vance
Communication Officer**

Committee W of AAUP Reconstituted

The Executive Committee of AAUP-WSU recently appointed the following BUFM to Committee W:

- Anna Bellisari, COLA
- Linda Farmer, COLA
- Doris Johnson, CEHS
- Audrey McGowin, COSM
- Marjorie McLellan, COLA, Chair of the Committee
- Larry Prochaska, COSM/BMB
- Kelli Zaytoun, COLA

The Committee has been charged to examine other universities that have collective bargaining agreements and also other institutions' policies to find provisions that pertain to issues of special interest to women faculty (e.g., child care, maternity/paternity leave, work/life balance, career advancement and leadership opportunities, campus safety, etc.) which would enhance the recruitment and retention of women faculty. Also, the Committee will be asked to prioritize their findings and draft putative language that can be used in upcoming contract negotiations.

Lawrence Prochaska

| Name | Base Salary | Merit Score (3-year average) | Standardized Score | Preliminary Market Adjustment | Modified Market Adjustment | Final Market Adjustment |
|-------------|--------------------|-------------------------------------|---------------------------|--------------------------------------|-----------------------------------|--------------------------------|
| Prof. A | \$100,000 | 3.50 | 1.15 | \$2,000 | \$2,385 | \$2,377 |
| Prof. B | \$98,000 | 3.00 | 0.00 | \$1,980 | \$1,980 | \$1,973 |
| Prof. C | \$94,000 | 2.50 | -1.15 | \$1,940 | \$1,567 | \$1,561 |
| Assoc. A | \$85,000 | 3.50 | 1.15 | \$925 | \$1,103 | \$1,099 |
| Assoc. B | \$78,000 | 3.00 | 0.00 | \$890 | \$890 | \$887 |
| Assoc. C | \$72,000 | 2.50 | -1.15 | \$860 | \$694 | \$692 |
| Assist. A | \$64,000 | 3.50 | 1.15 | \$670 | \$799 | \$796 |
| Assist. B | \$54,000 | 3.00 | 0.00 | \$620 | \$620 | \$618 |
| Assist. C | \$52,000 | 2.50 | -1.15 | \$610 | \$493 | \$491 |
| | mean | 3.00 | <i>Pool</i> | \$10,495 | \$10,531 | \$10,495 |
| | standard deviation | 0.43 | | | | |

Report of the Grievance Officer

1. The G&CO attended the meeting of the University Promotion and Tenure Committee.
2. A BUFM in COSM asked for assistance with a promotion and tenure appeal.
3. A BUFM in COLA asked for assistance with a promotion and tenure appeal.
4. A BUFM in CEHS reported being required to take unnecessary sick leave, the Provost's Office was contacted and the sick leave was restored.
5. A BUFM in COBA reported problems accessing software in classrooms. The problem was forwarded to the Academic Service Committee.
6. The G&CO attended a promotion and tenure information meeting in COLA.
7. Members of the AAUP-WSU Executive Committee met with the Administration and a representative of Express Script to discuss the problem with the mail order prescription system.
8. The G&CO attended a disciplinary meeting for a BUFM in COLA.
9. A BUFM in COLA asked for assistance obtaining classroom support to cope with a short term disability.
10. A BUFM in COLA asked for assistance in arranging summer teaching.
11. A BUFM in COSM asked for assistance in arranging a secondary appointment.
12. A BUFM in COLA asked for assistance in preparation of a grievance related to teaching assignments.
13. The G&CO attended the initial meeting of the University Promotion and Tenure Appeals Committee.
14. The G&CO met with a BUFM in COSM to discuss a problem with an annual evaluation.
15. Members of the Executive Committee met with several BUFMs in the COSM to discuss a potential problem with gender based discrimination.
16. A BUFM in CEHS reported a problem with tampering of teaching evaluations.
17. A BUFM in COBA asked for assistance when a chair scheduled a meeting that violated requirements in the departmental bylaws.
18. A BUFM in CECS reported the university was charging faculty \$10 to replace worn

university identification cards. The Provost was contacted and an agreement was reach allowing faculty to replace worn cards for free.

19. A BUFM in CECS reported not receiving check to access a HSA account. HR was contacted and the checks were sent out.
20. Multiple BUFMs have reported being required to show their billing statement to obtain reimbursement after using a personal VISA for authorized university expenses. Members the Executive Committee are scheduled to meet with administration to discuss this policy.
21. The G&CO met with a BUFM and the Dean of the CONH to discuss several problems related to teaching and peer evaluation.
22. A BUFM in COLA asked if faculty can review the original (handwritten) teaching evaluations. The BUFM was told they may review the original evaluations after grades are submitted.
23. A BUFM in CONH reported administrators were given access to WebCT online courses without faculty member's consent. CTL was contacted and the administrators were removed from the accounts.
24. The probationary period for two BUFMs in COSM was extended when their research laboratories were not available for an extended period during remodeling.
25. A BUFM in CECS asked for clarification of the procedure for determining how BUFMs and non-BUFMs are assigned summer teaching.

Matt Rizki

Recommendation to Review and, If Necessary, Revise Bylaws

Because a number of departments and colleges have confronted issues related to the composition of search committees—in particular, administrative search committees—the chapter's executive committee is recommending that all departments and colleges review their bylaws to insure that the composition of such committees is very clearly and equitably defined.

AAUP-WSU Survey about Undergraduate Advising in COLA: Results

Jim Vance, Communications Officer

At the request of some of our members in the College of Liberal Arts (CoLA), AAUP-WSU conducted a survey of our Regular Chapter Members (RCMs) in CoLA – a survey about the advising of undergraduate majors in CoLA. Indeed, we understood the CoLA Dean to believe that CoLA faculty would like to continue advising undergraduate majors after our conversion to semesters, but some individual RCMs believed otherwise.

As of this writing, we have received fully completed [respectively partially completed] surveys from 52 [2] of the 120 persons invited to respond. Here is what our Members said on two of the key questions pertaining to “ordinary” advising (as opposed to the special advising needed for the transition to semesters):

I believe that academic advising for undergraduate majors in CoLA should be done primarily by department faculty.

| Answer Options | Response Percent | Response Count |
|---------------------|------------------|----------------|
| I strongly agree | 18.9% | 10 |
| I somewhat agree | 18.9% | 10 |
| Neutral | 5.7% | 3 |
| I somewhat disagree | 15.1% | 8 |
| I strongly disagree | 41.5% | 22 |

I believe that official academic advising for undergraduate majors in CoLA should be done primarily by professional staff.

| Answer Options | Response Percent | Response Count |
|---------------------|------------------|----------------|
| I strongly agree | 47.2% | 25 |
| I somewhat agree | 17.0% | 9 |
| Neutral | 7.5% | 4 |
| I somewhat disagree | 17.0% | 9 |
| I strongly disagree | 11.3% | 6 |

As you can see, a solid majority of the respondents believe that the advising responsibility should be borne by staff rather than faculty.

You may view all the results on the chapter’s web site. See:

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

**8th Annual AAUP-WSU
Fall Faculty Social**

Friday, September 24, 2010

Millett Hall Atrium

4:00 pm – 6:00 pm

More details coming in September.