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The Right Flier

The Newsletter of AAUP-WSU

Volume 16, Number 2
2015-2016

Editors: Marty Kich and Linda Farmer

We are One Faculty

Rudy Fichtenbaum
Advisor to the AAUP-WSU Executive Committee

Starting a Union at WSU

In 1998, when WSU faculty first signed cards and petitioned the State Employee Relations Board (SERB) for an election to decide whether we wanted a union, the administration strongly opposed our effort. One of the main tactics of the administration was to argue for a bargaining unit that included the School of Medicine as part of the bargaining unit, believing that physicians would overwhelmingly oppose unionization.

However, Ohio's labor law (ORC 4117) requires that the members of a bargaining unit have a commonality of interest. Faculty in the School of Medicine do not have tenure (except for the faculty in the matrix departments who have joint appointments in the School of Medicine and the College of Science and Mathematics). In addition, most of the income earned by faculty in the School of Medicine (excluding matrix faculty) comes not from the University but from their professional practice plans. Moreover, state support for the School of Medicine is a separate line item in the state budget, unrelated to the state share of instruction, which funds the rest of the University. Therefore, even before MDA budgeting, the School of Medicine was effectively self-supporting, and when there were budget shortfalls in the rest of the University, the School of Medicine was not subject to the same cuts as the rest of the Colleges.

Therefore, when the AAUP petitioned SERB for a bargaining unit, we argued that because medical school faculty did not depend on the University for the majority of their compensation and because they are not tenured, they should be excluded and that the bargaining unit should therefore be defined as consisting of tenured and tenure-track faculty.

At that time, there were only about 50 NTE faculty on campus. After successfully organizing the tenured and tenure track faculty, AAUP-WSU offered on a number of occasions to help organize the NTE faculty, but there was not sufficient interest until the administration ignored recommendations of the Senate on NTE faculty teaching loads as we were making a transition to semesters. Only then did the overwhelming majority of NTE faculty decide that they needed a union.

Organizing the NTE Faculty

When we started the organizing drive for NTE faculty, many NTE faculty and most of us in the leadership were interested in bringing NTE faculty into the existing TET bargaining unit. However, our chapter attorney advised us that the fastest route to unionizing NTE faculty was to create a separate bargaining unit. This advice was based on the fact that we had argued in favor of a separate unit for TET faculty; so, arguing for a combined unit while trying to organize might allow the University to challenge the incorporation of NTE faculty into the same bargaining unit with TET faculty. So we created a separate NTE bargaining unit.

At the same time, we changed the AAUP-WSU constitution and bylaws to allow for NTE representation on the Executive Committee (creating two at-large NTE positions along with two TET at-large positions), allowing NTE faculty to vote for chapter officers, and allowing NTE to serve as chapter officers. When we negotiated our most recent contracts, we used the same negotiating team to negotiate both contracts. So in many ways we already function as a single entity.

Creating a Single Bargaining Unit

The Executive Committee now believes it is time for us to merge our two bargaining units into one. By creating a single bargaining unit, we will send a message to the administration that we are one faculty and that we speak with one voice and cannot be divided. Our strength at the bargaining table, which comes from our membership, will be significantly increased.

Therefore, in the next few weeks, we will be asking department representatives to circulate union authorization cards to members of the NTE and TET bargaining units; these cards will call for the mergers of our two bargaining units into a single one. If the overwhelming majority of faculty in both bargaining units sign these authorization cards, we plan on asking the administration to recognize voluntarily the single bargaining unit, consisting of all faculty currently in the NTE and TET bargaining units. We also plan to use this card drive as an opportunity to ask faculty who are not currently members to join the AAUP-WSU.

Concerns About a Single Bargaining Unit

Will the voice of NTE faculty or the TET faculty be diluted in a single bargaining unit?

Right now we have a single Executive Committee that ultimately makes decisions about negotiations for both units. We use the same negotiating team to negotiate both contracts. The goal of the EC is always to win the best contract we can for all faculty in both bargaining units. Our belief is united we stand, divided we fall.

Don't faculty in the two bargaining units have opposing interests?

Our view is there are many ways to divide faculty. Faculty can be divided by tenure status, by discipline, or by college. The AAUP-WSU has always recognized that there are differing interests among faculty, but we have continually focused on the factors that unite us. When we first organized, one of the arguments made against unionizing is that it would lead to the leveling of salaries. Clearly, this has not happened. We have negotiated virtually the same raises for all faculty. At the same time, we have raised our minimum salaries substantially, which has benefited our lowest paid faculty in both bargaining units without taking away from the general raises we negotiated for everyone in both bargaining units.

Won't the creation of a single bargaining unit undermine tenure?

Providing job security and higher pay for NTE faculty helps to protect the number of TET faculty by taking away the financial incentive to hire less expensive faculty. The collective bargaining agreement we have negotiated for NTE faculty gives the majority of NTE faculty unprecedented job security. Effectively, after six years of service, NTE faculty have virtually the same level of job security as tenured TET faculty.

Will the creation of a single bargaining unit undermine opportunities to for TET faculty to teach in the summer?

We have already given TET and NTE the same rights with respect to summer school; so merging the two bargaining units won't change summer teaching opportunities. Already, both CBA's protect all bargaining unit faculty against the hiring of adjuncts in summer, who might otherwise displace NTEs or TETs or both.

Don't we have different systems of paying for health insurance, with NTE faculty paying on a sliding scale and TET faculty paying a fixed premium?

In our last round of negotiations, we moved the TET faculty to a sliding scale so that we would all be on the same system. This was done largely by lowering premiums for lower paid TET faculty as opposed to raising premiums for higher paid TET faculty. A few of the highest paid faculty had small increases in their health care premiums in 2015, but the overwhelming majority of TET faculty saw their premiums go down and overall the total premiums paid for health insurance by the TET faculty went down by about 2.5%. We were able to accomplish the lowering of premiums because we moved the TET faculty to the same sliding scale being used by NTE faculty.

Will having one bargaining unit change the way criteria are determined for P & T?

No! Right now, most of the language in the NTE and TET CBAs is identical. There are a few differences, however—most notably in the articles covering Promotion and Tenure and Professional Development Leaves in the TET CBA and in the articles covering Appointment and Promotion and Pedagogical Development Course Releases in the NTE CBA. So, in a new unified CBA, there would presumably be a few articles that would apply only to TET and few that would apply just to NTE faculty. In addition, criteria regarding annual evaluation for scholarship for TET faculty and criteria for promotion and tenure for TET faculty would still be in Department By-Laws and would be voted on only by TET faculty.

United We Stand

In conclusion, we know that a union's strength at the negotiating table comes from its members. We are one union, and it is time that we had a single bargaining unit. The more faculty who are members of that bargaining unit, the stronger we will be when it comes to the next round of negotiations. Creating a single bargaining unit sends a message to the administration that we are united and gives us the opportunity to build our membership as we prepare for negotiations in 2017. Therefore, we hope that you will sign an authorization card and ask your colleagues to do likewise. We also hope that if you are not yet a member, you will join the AAUP-WSU. Joining will not result in any reduction in your take home pay because union dues are equal to what non-members pay in fair share fees. By joining, you will strengthen our union and have a voice in determining union priorities by having the right to hold union office, vote in union elections, and most importantly vote on whether or not to approve our next contract.

Benefits Open Enrollment Reminder

Before November 13, 2015, all faculty need to visit the Human Resources web site to select their own and their dependents' health coverages for the coming year: www.wright.edu/human-resources/benefits

Failure to do so by the deadline will result in a financial penalty.