

The Right Flier

Newsletter of the WSU-AAUP

Volume 1, Number 3, Fall 2001

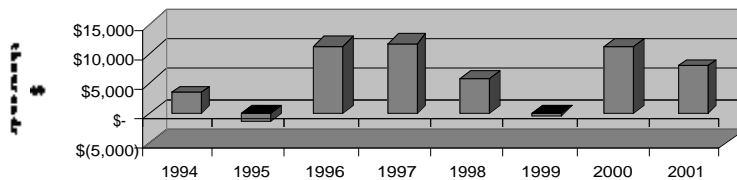
Contract Negotiations:

Can the University Afford Decent Raises for BUFGMs?

by Rudy Fichtenbaum, Chief Negotiator

Yes! Given the current fiscal situation, many of you may be wondering whether the University has the resources to make up the ground we lost in our first contract and provide fair compensation for faculty. The answer, briefly, is yes. Figure 1 below shows the net income (revenues minus expenses and mandatory transfers) for WSU from 1994-2001. Clearly there is considerable variability in net income over the years; however, most of this variability is due to early retirement buyouts paid for in 1995 and 1998. But even with buyouts, over the last 8 years net income has averaged \$6.1 million per year. In three of the last 8 years revenues have exceeded expenses and mandatory transfers by \$11 million. The money is there.

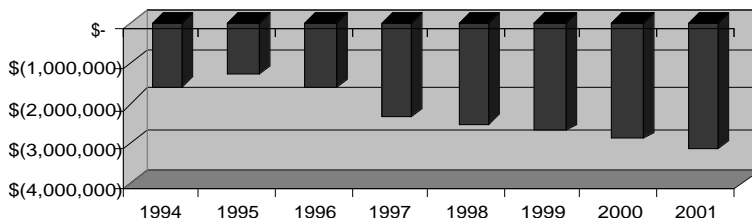
Figure 1
Net Income for WSU



Even with early retirement buyouts and one of the lowest tuitions in the state, WSU net income averages \$6.1 million per year.

Over the same period, the Board of Trustees has allowed tuition at Wright State University to fall relative to the other state universities. In 2000-2001 our tuition was 9th out of the 11 state universities (excluding Shawnee and Central State). Figure 2 shows the growing undergraduate tuition gap. If WSU had simply kept its tuition at the average level in the state today the University would have an additional \$3 million to add to that \$6.1 million.

Figure 2
Revenue Lost Due to Declining Relative Tuition



The cost of keeping tuition low at Wright State University.

The money is there. Where is it going?

In the last few years the University has been shifting resources away from instruction to support a growing administrative bureaucracy. Figure 3 shows that between 1995 and 2001 instructional expenses at WSU increased by only 12.3 percent. During the same (Continued on Page 2)

The President's message

As president of the WSU-AAUP chapter, your faculty union, I welcome you back for another academic year. I know you join with me in extending greetings to all new tenure track faculty who add to the numbers and strength of our bargaining unit. Of 39 faculty members who either came to Wright State University in the Fall of 2000 or gained tenure track status at that time, 27, more than two-thirds, chose to become members of the union. On behalf of AAUP, I want to thank them for that commitment, and I am confident there will be at least the same level of participation among the 20 new tenure track faculty this year.

This will be an exciting and challenging year as we begin negotiations in January for a new contract. The Bargaining Council, 16 of your colleagues representing every College at Wright State University which grants tenure, will begin its deliberations in the Fall quarter. About 63 per cent of the tenured and tenure track faculty have chosen to become members of AAUP, and we welcome input from every one of you.

To those of you who have not yet joined AAUP, we hope you will become members of AAUP during this academic year. It will never be more important for you to make that commitment. -- Allan Spetter

WSU-AAUP regular members will meet at 4 p.m. Friday, Nov. 9 in Room 171MM.

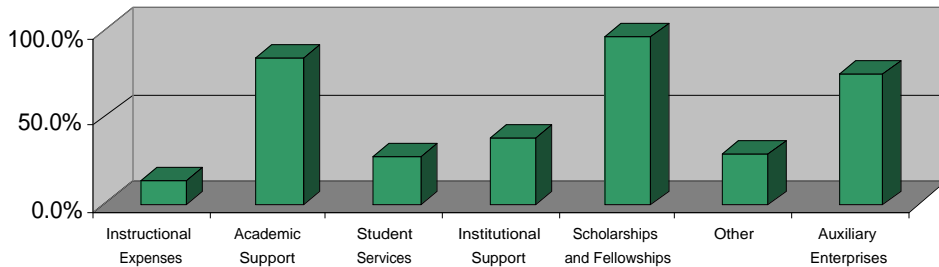
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Money being shifted to non-instruction expenses (Continued from Page 1)

period spending for institutional support (that is, central administrative functions) increased by 37.6 percent. And spending on academic support, which consists largely of dean's offices, the library, and various centers, increased a whopping 84.5 percent. As a consequence, instructional expenses have declined from 45 to 38 percent of the total share of expenses. Taken all together, administrative functions now account for 27 percent of University spending. While spending on administrative functions is needed, it is clear that administrative spending is out of control at WSU.

Figure 3
Percentage Increases in Expenditures 1995-2001



Record suggests there's plenty of money for everything but instruction at WSU.

Finally, the administration and the Board of Trustees have been draining funds to support academic programs by increasing subsidies for auxiliary programs. Non-mandatory transfers from the educational and general budget, which are subsidies that go primarily to intercollegiate athletics, the student union and the Nutter center, increased 75.2 percent over this period.

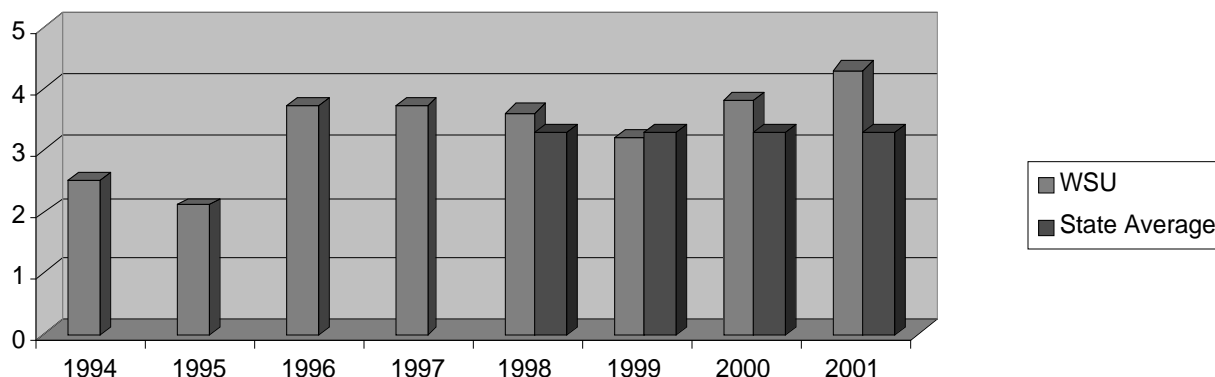
Contracts with other bargaining units at WSU not Spartan

During the last round of negotiations a frequent refrain from the administration was "anything we do for the Bargaining Unit Faculty, we will have to do for all other employees." The university's recent settlement with the Teamsters has demonstrated that this is false. The average raise for the Teamsters in the first year of their new contract is 9.5 percent; they will receive 5.1 percent and 5.5 percent in years two and three. According to the University the Teamsters will receive an average raise of 6.6 percent per year or a 21.4 percent average increase over three years. Meanwhile, other employees at WSU received average raises of 3 percent in 2000-2001 and 2001-2002, while bargaining unit faculty received only 2.75 percent.

WSU financially healthy, but priorities skewed

Unequivocally, the University can afford to give us the compensation we deserve. Figure 4 shows the composite index used by the Ohio Board of Regents to evaluate the financial health of Universities. Since 1995 WSU has dramatically improved its financial health. Among the 11 public universities, only Miami University with a score of 4.5 had a score higher than the 4.3 achieved by Wright State this year. The University is making millions of dollars. Reallocating some of these dollars will provide the University the resources it needs to fairly compensate faculty and provide students with a quality educational experience. (Continued on Page 3)

Figure 4
Composite Scores of Financial Health



WSU's in good shape. Shouldn't its faculty be too?

Faculty members deserve decent compensation (Continued from page 2)

Want a decent raise? Join up!

What will it take to get the administration and the Board of Trustees to give us the compensation we deserve? During the last round of negotiations only about 50 percent of the bargaining unit faculty were members of WSU-AAUP. Today after a year long membership drive we are closing in on the 66 percent mark. In the next few months, we need to continue building our membership. This will let the administration and the Trustees know that we represent the overwhelming majority of faculty at

WSU. If you know of colleagues who are not members, please urge them to join and become active members in our chapter. If we want to be sure that we receive a fair compensation package in the upcoming round of negotiations we need to make it clear to the administration and the Board of Trustees that we are united and prepared, if necessary, to reject a Fact Finders report.

Note: This report was prepared using data from the Audited Financial Statements of Wright State University. -Editors.

Chapter News Briefs

WSU-AAUP Working for You

We are pleased to report that the Provost has agreed to add two more Bargaining Unit Faculty (BUFMs) to the Search Committee for a Dean in the College of Science and Mathematics (CoSM).

This is an **important victory** because only four of the original 12 members of the committee appointed by Dr. Moore were BUFMs. Unlike the administration, instead of unilaterally appointing the new members to the Search Committee, WSU-AAUP will conduct an election among AAUP members in the CoSM.

WSU-AAUP Vigilance Saves Some Some Money

Earlier this year, WSU-AAUP noticed that some BUFs may have been overcharged by 5 percent -- a contract violation—on their copayment for medications on the United HealthCare Preferred Drug List during March 2000 through August 2001.

Using the Grievance process (Article 16), we traced the problem to WSU administrative error and reached agreement on a remedy: affected BUFs who overpaid during that period will be reimbursed in full plus 7 percent flat interest, and the error was eliminated as of Sept. 1, 2001.

For their help in correcting this unintentional error, we thank Associate Provost Bill Rickert, Human Resources Benefits Administrator Rich Johnson, and WSU-AAUP Secretary Jim Vance.

WSU-AAUP Represented at Annual Meeting

Chapter Vice-President Paulette Olson represented the WSU chapter at the AAUP National Conference in Washington, D.C., in June. The three-day conference draws faculty from all over the country who are committed to promoting the interests of higher education workers.

To lobby for higher education issues, Olson and five other chapter delegates from Ohio campuses met with Ohio Representatives Marcy Kaptur (Toledo) and Sherrod Brown (Lorain) and Senator Mike DeWine. Olson also attended special sessions on student evaluations, long distance learning, intellectual property rights and faculty .long distance learning, and intellectual property rights."

AAUP Summer Institute-Negotiations Workshop

Marlese Durr, bargaining council member for the College of Liberal Arts, attended the American Association of University Professors (AAUP) Summer Institute Negot-

iation workshop, in Newark, Delaware, July 19. The workshop covered the importance of strategy in negotiations, isolation of key negotiation points, and the role of the Chief Negotiator and the Negotiation team in the process.

Participants were divided into teams and reviewed the *Winsockee Hospital Merger*, from the side of hospital union members and administrators. Practice negotiations continued throughout the weekend. A final wrap-up had each team still discussing fine points of their arguments and terms of negotiation. Durr recommended the workshop to all members interested in active participation in AAUP.

Look for Fall Headers Nov. 5-7

Coded headers for Fall Quarter Student evaluations will be mailed to all tenured BUFs on Nov. 5. Faculty who need headers prior to the eighth week of the regular term should contact Carol S. Loranger (x 2961; carol.loranger@wright.edu). Email and phone messages should indicate the number of headers needed and the date by which you need them. Headers will be hand-delivered to you.

Headers are clearly marked for use Fall Quarter only and by you only. The code F01 (Fall 2001) appears in columns 16-18 at the top of the sheet. Faculty who misplace their headers are urged not to borrow headers from other faculty nor to recycle old headers.

As of Fall Quarter, CaTS will process any evaluations received with improper headers under the faculty member's name, and numerical reports will be sent directly to the BUF's department chair. If you cannot locate your headers, call or email the number above. Replacements take 48 hours to create and deliver.

Bargaining Council is Working

Our current contract will expire on June 5, 2002. The Bargaining Council (BC) is established to facilitate communication between Bargaining Unit faculty and our Negotiating Team -- those actually negotiating with the administration. The BC is charged with making recommendations to the team regarding proposals and priorities for the contract. Bargaining Unit faculty are encouraged to contact BC members representing their college with any contract-related concerns. See the WSU-AAUP web page for a roster of BC members or ask any officer who your representatives are.

Contract FAQ: Article 14 "Discipline"

by Carol S. Loranger, Assistant Grievance and Contract Administration Officer

Since disciplinary actions imposed on faculty have been rare at WSU and since most of us do not envision scenes in which we might be subject to discipline, most of us have given little thought to what might happen. Our rights and obligations having to do with discipline are carefully spelled out in our contract, in **Article 14, Discipline**. If, as I did when I received my first copy of the contract, you skipped over this article in favor of more immediate concerns, like salary, benefits, and promotion and tenure, you may have some questions.

"There's been an incident and I may be disciplined. What will happen?"

Article 14 prescribes a timetable for disciplinary proceedings and, together with Articles 5, "Academic Freedom and Professional Responsibilities," and 15, "Suspension and Tenure Removal," delimits the types of discipline appropriate to different faculty behaviors. Administrators may not deviate from these provisions. You will be formally notified that an investigation will take place at least 5 working days before any meeting with your chair or dean can take place.

"Shouldn't a dean or chair act swiftly to settle a discipline issue?"

Not that swiftly. Under Article 14, you are entitled to receive sufficient notice that a disciplinary meeting will occur—our contract specifies least five working days—as well as information necessary to help you prepare an explanation or defense of the events in question. Additionally, the contract requires that WSU-AAUP be notified about the specific charges to be discussed five working days prior to the meeting. You are entitled to have a union representative, your Grievance Officer or that Officer's designee, present at any such meeting or hearing. Our contract also clearly outlines the process administrators must follow in disciplinary cases.

"Will my chair or dean follow the process outlined in the contract?"

At the beginning of Fall Quarter, as a remedy in a recent disciplinary grievance brought by WSU-AAUP, the Provost's Office sent a memo instructing all deans and chairs in their contractual obligations in managing faculty discipline. The administrative memo clearly explains the process to deans and chairs, even suggesting that notification be hand delivered, in order to ensure the minimum five day advance notice. You should not participate in any disciplinary meeting if these conditions are not met. If you feel you have been made to participate in a disciplinary meeting in violation of Article 14, you should file a grievance.

"I'm kind of embarrassed about the whole thing, why should I let any more people than necessary—e.g. my Grievance Officer-- know about it?"

Your privacy is important. So are your contract rights. Your Grievance Officer and the Executive Committee keep all such information in strictest confidence.

Your union representative serves both as a witness to the proceedings and as a contract-savvy protector of your rights and your job. The U.S. Supreme Court has upheld the right of union representatives to assist union members during disciplinary meetings.

Don't assume that the situation can be more amicably settled without involving the union, that requesting union assistance may hurt you later in other ways. **Don't** assume that any member of the bargaining unit can sit in on the meeting. These are all bad ideas. At the very least, you may find yourself with a letter in your personnel file which perhaps need not be there. At the very worst, you may find yourself making statements that would justify suspension or tenure removal. Why take the chance? Misstatements or misunderstandings that occur during a disciplinary meeting can come back to haunt you if a later civil or criminal case arises. Your union representative can help you organize your thoughts before the meeting and understand your case in contractual terms during the meeting.

"Why make such a big deal about it? Can't we just settle this collegially and informally?"

Since any statement or admission you make during a disciplinary meeting can be used further on in the disciplinary process, and may even be admissible for related criminal or civil suits, let your rights, your contract, and your union protect you. It's important that you have adequate time to prepare for any disciplinary meeting. If you are not notified of the specific charges to be discussed at least five working days prior to the meeting, and if you cannot determine if your WSU-AAUP has also been notified, contact your Grievance Officer or your nearest union representative immediately. Similarly, if you feel that discipline has been improperly imposed upon you, you should contact your Grievance Officer and file a grievance.

"How do I contact my Grievance Officer?"

Mel Goldfinger, Grievance and Contract Admin. Officer x4180, mel.goldfinger@wright.edu

Carol Loranger, Asst. Grievance and Contract Admin. Off. x2961, carol.loranger@wright.edu