

UD/AAUP Non-Economic Proposals for Successor to 2013-2016 Collective
Bargaining Agreement

Article III

Continuing Track Faculty: Terms of Employment

3.3 Continuing Track Faculty: Terms of Employment

The Faculty Handbook shall contain a complete copy of the policy governing the terms of employment for individuals holding primary appointments as full-time, **continuing track** faculty. **Any proposed change to the conditions of employment for Continuing Track Faculty must be approved by the AAUP before it takes effect.**

ARTICLE V

Chapter Resources

Article 5.8 shall be revised so that **four** officers or committee members (instead of the current three) of the AAUP shall be given one (3) credit course reduction for each semester. **The President of the University Faculty Senate shall have a one (3) credit course reduction per semester, and the President-Elect of the University Faculty Senate shall have one (3) credit course reduction per academic year.**

Advisory Faculty Vote on the Appointment of Deans, Deputy Deans and Associate Dean

New Article (5.9a)

The advice of a majority of the faculty, by a formal vote of the faculty by a secret ballot within the college, shall be required for the appointment or reappointment of the college's dean, deputy dean(s), and associate dean(s). Depending on the organization of the college, faculty shall have the right to vote on deputy dean(s) and associate dean(s) relevant to their school or department. The procedures for voting in each shall be determined by the faculty members of that college. The vote shall be communicated to the college's dean, to the Provost, and to the faculty members of the college.

Information on the Distribution of Merit Pay

Article 5.12 shall require the Chief Human Resources Officer **to provide the AAUP with the same information that is provided to deans on the amount and distribution of merit pay in the departments and schools in**

the University's seven colleges. The AAUP shall be provided with the amount of the total merit pool for each college and how much of the pool has been appropriated by the dean of each college. For each merit pay distribution during the term of this contract, individual faculty members shall be informed of the total amount of the merit pool for their department or school, how merit pay was calculated, and how their individual salary increase was calculated.

ARTICLE VIII

Article 8.2 defines Step 1, Step 2, Step 3, and Step 4 of the Grievance Procedure. With regard to Step 3, a wholesale change is required. The proposed change eliminates the hearing process and replaces it with an outside mediator in the event that the AAUP and the University do not reach a resolution of the grievance. Here is a draft proposal:

Step 3: If the grievant is not satisfied with the decision at Step 2, and if the AAUP concurs, the grievant may appeal in writing (with copies to the AAUP, the Dean/Director, and the Chairperson) to the Vice Provost for Faculty Affairs within ten work days after receipt of the Step 2 decision. In the case of a grievance filed against the President or Provost, the grievant may appeal in writing to the Chief Human Resources Officer. An AAUP Officer, typically either the Grievance Officer or the Contract Maintenance Officer, the grievant, and the Vice Provost for Faculty Affairs, or the Chief Human Resources Officer in a grievance filed against the President or Provost, shall review the grievance, gather evidence, and call witnesses in an effort to resolve the grievance. Should the grievance not be resolved in twenty work days, the AAUP and the relevant University officer shall select an impartial mediator from an agency such as the American Arbitration Association (AAA). Should a resolution not be reached through mediation, the grievant, with AAUP concurrence, may file under Step 4.

New Article (Article 8.9a): Grievance procedure for faculty complaints

As stipulated in the University Faculty Senate Committee on Faculty Welfare and Privileges Termination and Complaint Procedures, a faculty member may file a complaint against a chair, dean, or other administrative officer. Following the Provost's decision of a complaint initiated by a faculty member against the actions of an administrator, the faculty member who initiated the complaint may seek the advice of the AAUP on the procedures and decision of the complaint process. Should the complainant and the AAUP agree that either the process was violated by an administrator or that the Provost's decision does not provide sufficient remedy, a Step 3 grievance may be filed. Both the AAUP and the grievant should confer with members of the University

Senate Faculty Welfare and Privileges Committee before filing a Step 3 Grievance.

ARTICLE XII (Salaries)

Two proposed changes are added to this draft of proposals:

Article 12.4 on merit pay policy should be strengthened (Changes in large bold type):

"Once the appropriately weighted evaluation has been completed, it shall be used to determine the merit pay allocation according to the approved merit pay policy (metric) of the unit. Changes in the merit pay policy may be initiated at any time by the unit head or by **members** of the unit faculty. In all cases of proposed changes, there must be consultation between the unit head and the faculty. **The modified policy shall not take effect unless it has been ratified by a majority vote of the faculty in a secret ballot at a duly called faculty meeting.**"

Article 12.4 dealing with the administrator performing the annual evaluation should be changed as follows (Changes in large bold type):

Normally, performance shall be evaluated annually by the unit head (department chairperson, director, or dean in units where there is no chairperson or director). **In unusual circumstances where there is good reason to believe that the unit head may have difficulty performing an unbiased evaluation of a faculty member, including, but not limited to situations described in the University's policy 4-34 against nepotism, <http://www.udel.edu/ExecVP/policies/personnel/4-34.html>, or other situations where the unit head has exhibited bias against a faculty member or has engaged in conduct which has resulted in the filing of a formal complaint or grievance against the unit head, the annual appraisal may be assigned by the appropriate dean or by the Provost to another administrator. Such assignment requires the consent of the affected faculty member, the appropriate dean or Provost, and the AAUP.**

ARTICLE XVII (Maintenance of Practices)

Article 17.3

The parties agree that the Board of Trustees, the University Administration, and the University Faculty Senate upon approval by the Administration and the Board,

have undiminished power and authority to establish, change or eliminate policies. The parties also agree that the privileges of the faculty provided in the Trustee Bylaws to advise upon proposed policy and to recommend policy also remain undiminished. In pursuance of these powers and privileges the parties agree that all proposals by the University Administration to establish, change or eliminate University-wide policies which govern the practices enumerated in section 17.1 of this Article shall **be introduced as a formal written motion as new business at a meeting of the University Faculty Senate to the appropriate review committee for subsequent formal senate action before final Administration action. Unless granted an extension by the Administration, the Faculty Senate shall formally act upon each proposal with sixty (60) working days following its introduction as new business. Unless granted an extension by the Administration, failure of the Faculty Senate to act on a proposal within sixty (60) working days shall be considered as Faculty Senate concurrence with the proposal.**”

Salary and Benefits

To be proposed once the national AAUP Salary Study is completed.

ADDITIONAL ITEMS

1. A study of gender disparities in faculty salaries
2. More adequate information and higher structural adjustments for instructors
3. Standard compensation for s-contracts for online courses across colleges
4. Discussion of Appendix B? Should it be modified?
5. Workshops for deans and chairs on salary administration.
6. Definition of the bargaining unit.
7. Article 9.5, “Stop the Clock”: Approving “stop the clock” to include non-medical or family situations, i.e., length of time to get a new lab up and running.