

# AAUP

# Voice

September 2009

"Academic freedom for a free society"

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## Contract Negotiations This Year

The AAUP and the University will be entering into contract negotiations in the spring semester. In the contract negotiating process, the AAUP leadership represents all full time faculty, both tenure track and non-tenure track. During the fall semester, the Executive Council of the AAUP will conduct a survey of the faculty to help determine the goals of collective bargaining. In addition, the Executive Council will propose a Bargaining Team to the Steering Committee. Once the Bargaining Team is elected by the Steering Committee, it will formulate tentative proposals. The Bargaining Team will present its tentative proposals to the Steering Committee for discussion, modification and, ultimately, approval. These proposals will be brought to the negotiating table.

The AAUP leadership seeks to develop contract proposals that fully articulate the values and interests of the faculty. In order to realize this goal, it is critical for full time faculty members to be AAUP members. *Only AAUP members vote on AAUP officers and on the contract proposals that result from the negotiating process.* In effect, if you want to fully participate in determining your conditions of employment at the University of Delaware, you must be an AAUP member. *There are no local dues or national dues for your first year of membership. Join the AAUP by filling out the dues deduction form attached below.*

Faculty members are encouraged to stay informed about the contract proposals and negotiations by keeping in touch with the Steering Committee members in their college and with their department representatives. Faculty members have a right to have their department representative report on contract negotiations at their departmental meetings, and to invite members of the AAUP leadership to provide information and discuss negotiations with them. These are crucial features of collective bargaining and shared governance.

Faculty members are encouraged to participate in information meetings that will be scheduled once negotiations begin. These meetings are an opportunity for faculty members from across the campus to inform the AAUP leadership and one another of the conditions they face in their teaching, research and service activities. They deepen the knowledge of the leadership and enhance our academic community.

## Special Election For Chapter Treasurer

Sheldon Pollack has resigned as the Treasurer of the AAUP. Sheldon, Professor of Law and Legal Studies, provided dedicated service to the chapter. Beyond serving as treasurer, he served on two AAUP bargaining teams and on the Merit Pay Committee and on the Grievance Committee. The Executive Committee thanks Sheldon for his work on behalf of the faculty through his AAUP participation.

As a result of Sheldon's resignation, there will be an election for Treasurer. Following AAUP bylaws, the Executive Committee has nominated Calvin Keeler, Professor of Animal and Food Sciences, to serve as Treasurer. Calvin is currently serving on the AAUP Executive Committee as Member At-Large. Joan DelFattore, President of the UD/AAUP, will send an email to the AAUP membership announcing Calvin's nomination and calling for nominations from the membership. In order to be nominated, a petition with the names of ten AAUP members must be filed in the AAUP office. Nomination requirements and the scheduling of the election will be specified in Joan's email.

## Work Satisfaction and the AAUP

In a recent survey, "Great Colleges to Work For," conducted by *The Chronicle of Higher Education* in conjunction with ModernThink LLC, the University of Delaware ranked very high in ten categories. In particular, the University of Delaware was cited for its practices and policies in areas that have been the focus of AAUP negotiations with the Administration. These include Overall Satisfaction with Benefits, Health Insurance, Tuition Reimbursement, Disability Insurance, Post Retirement Benefits, and Tenure Clarity and Process.

While all members of the University community should take pride in the fact our conditions of employment rank high relative to other institutions of higher education, AAUP activists and members should be especially pleased. Working with their colleagues in the Administration in the collective bargaining process, they have helped to make the University of Delaware among the best academic workplaces. Through our efforts, we should aim to make the University even better in the future.

## Committee Report on Merit Pay Policies

During negotiations for the 2008-2010 Collective Bargaining Agreement, the AAUP and the University agreed to a 1.5 percent across the board salary increase and a 2.5 percent merit increase for each of the two years of the contract. Since this contract stipulated a higher proportion of salary increases be allocated on the basis of merit relative to across the board compared to earlier contracts, merit pay policies and procedures were a focal concern of both the AAUP Bargaining Team and the Steering Committee. As a result, the AAUP and the University agreed to form a joint committee to examine merit pay policies of academic departments and programs across the University. Members of the committee included Tom Apple, Maxine Colm, and Conrado Gempesaw for the Administration and Sheldon D. Pollack, David Smith, and Gerry Turkel for the AAUP. The committee reported on its work in May 2009.

Members of the committee met with deans and department chairs in each college. Nine such meetings were held between October and December of 2008. Maxine Colm and David Smith reviewed CBA and the Faculty Handbook principles for annual evaluations and merit metrics. Both emphasized that the committee was not established to evaluate or criticize existing college and departmental policies. They did suggest that it was desirable for department chairs and program directors to review policies with faculty members of their units to ensure that procedures are well understood.

## AAUP Voice

Gerry Turkel, Editor

The AAUP Voice is the official newsletter of the University of Delaware Chapter of the American Association of University Professors.

The Voice appears four times a year, twice in the fall semester and twice in the spring semester.

The Executive Council acts as editorial board. During contract negotiations or when otherwise warranted, Bargaining Team members also participate on the board.

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### AAUP Executive Council:

*Joan DelFattore, President  
Danilo Yanich, Vice President  
Patricia Barber, Secretary  
Sheldon D. Pollack, Treasurer  
Calvin Keeler, At-Large  
Prasad Dhurjati, At-Large  
Linda Bucher, Past President*

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*Hours: M-TH (9 a.m.-2 p.m.)*

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Several key themes were raised at the meetings that are especially important for faculty members. Annual evaluation and merit pay metric procedures are distinct policies that are linked in their implementation. The evaluation is done by the chair according to criteria which are to be made known to the faculty in advance of the period of review. The evaluation results are then the basis for awarding merit pay through a metric approved by the faculty. While chairs and program directors have sole authority for developing and applying evaluation criteria for their respective units, the merit metric policy is developed by the chair or director in consultation with faculty. In addition, the CBA requires that the faculty formally ratify the merit metric policy at a faculty meeting. The policy takes effect after approval by the dean.

The committee found that the separation of evaluation and merit procedures is very uneven in units across the university. In some cases, existing policy documents do not distinguish between the two. In one case, merit pay is calculated through a very elaborate procedure and evaluation ratings are then determined from merit pay. Some current policies have been reviewed and ratified by faculty in the past five years, some much longer ago. Several were not dated.

Chairs and directors were urged to bring the topic of the merit metric to their faculty for discussion even if no changes were proposed or planned. Five department chairs from three different colleges contacted the AAUP as they prepared to present the topic of merit metrics to their faculty.

Additional issues related to merit pay policies will likely be addressed in this year's contract negotiations. Some of the language in Article 12.3 of the CBA needs clarification with regard to the distinction between evaluation criteria and merit metric procedures. Also, due to its extensive meeting schedule, the committee did not consider alternative approaches to the allocation of salary increases. This topic requires considerable research and discussion. It should be addressed with the time and attention it requires.

## National AAUP: Fight for Quality Higher Education

The Executive Committee of the AAUP Collective Bargaining Congress issued a resolution in August that calls for a stronger role by faculty in confronting the financial crisis and deteriorating conditions in higher education. The resolution puts the current crisis in historical perspective and calls for specific actions by faculty to turn this situation around. The resolution is provided in its entirety:

Recent decades have witnessed: (a) a systematic shift of institutional monies from educational to administrative expenditures; (b) a disjuncture between rapidly rising tuition versus overused and underpaid contingent faculty and graduate student employees; (c) a growing gap between rising numbers of Full Time Equivalent students and the numbers of tenure-track faculty; and (d) a growing gap between faculty/academic professional and senior administrative salaries. Each of these patterns work to the detriment of educational quality, institutional effectiveness, student access and success, and broad social benefit.

Many academic managers suggest that their institutions are facing a financial crisis like that of bankrupt companies or states. Far more make the analogy than is justified by institutions' actual financial health. An emerging managerial approach is to call for salary freezes, pay reductions, and/or furloughs for faculty to address immediate budgetary challenges. A common managerial discourse is to not waste a crisis to further increase managerial "flexibility." We urge faculty to address such proposals in the context of long-term trends that compromise higher education.

The responsible way to address immediate financial challenges is to alter these long term trends, which have reduced institutional commitment to the professionals who teach and serve students, to those people and activities that produce educational and scholarly value in the academy.

The AAUP thereby resolves that faculty should work to turn this situation around, and should not give their pay away in temporary measures that do not structurally readjust higher education's direction. Turning the situation around means that faculty should (a) gain access to full information about institutional finances and all other strategically relevant data, ensuring that institutions open their books to shed light on the institution's overall condition; (b) exercise a fuller voice in analyzing and making recommendations about budgets and strategic directions, opening the boardroom door to take a central role in institutional decision making; & (c) pursue measures that reverse the long standing trends and protect the core academic functions of higher education, opening up educational opportunity by reinvesting in educational expenditures.

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?In those extraordinarily unusual situations in which faculty determine that the budgetary situation is a demonstrably bona fide financial crisis, disproportionate cuts should first come from non-educational expenditures. If faculty determine all other feasible alternatives have been pursued, and that exigency justifies givebacks, they should work to embed in any plan conditions that protect current instructional capacity, provide faculty a greater role in resource allocation, and that reverse the trends identified above, which undercut our ability to serve students and society.

The sustainable path to higher education's recovery, and contribution to the nation's recovery, lies not in further depleting our faculties, the country's intellectual capital, but in building capacity, reinvesting in faculty and academic professionals, who are essential to increasing student access and success, thereby expanding the nation's human, cultural, and social capital.

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