

# AAUP

# Voice

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April 29, 2013

"Academic freedom for a free society"

Tentative Contract Agreement Between the AAUP and the University

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## TENTATIVE CONTRACT AGREEMENT BETWEEN THE AAUP AND THE UNIVERSITY

### FROM THE BARGAINING TEAM

From the middle of February through April 22, the AAUP Bargaining Team (Gerry Turkel, Ted Davis, Kevin Kerrane, Beth Morling, and David Smith) had thirteen meetings with our colleagues on the University Bargaining Team (Tom LaPenta, Stuart Binder-McLeod, Nancy Taggart, Bruce Weber, and George Watson). Negotiations were collegial, respectful, and candid. There was a commitment to resolve issues so that the concerns and interests of both sides would be recognized and that the missions of the University would be served.

The bargaining teams reached a tentative agreement after the April 22 meeting. The tentative agreement was brought to the AAUP Steering Committee on April 24. Steering Committee members considered and discussed the tentative agreement. It was approved by a vote of 14 in favor, 4 opposed, and 1 abstention.

The next step in the process is a ratification vote by members of the AAUP. **An Open Faculty meeting is scheduled for Thursday, May 2 at 3.30 in Room 115 Purnell Hall.** At that meeting, a summary of the tentative agreement and the changes to current provisions as well as new provisions will be presented for discussion. In order to provide faculty members with information on the tentative agreement, the changes to the current contract and new provisions are posted on the AAUP web site at [www.udel.edu/aaup/AAUPtentativeagreement.pdf](http://www.udel.edu/aaup/AAUPtentativeagreement.pdf). As can be seen on the AAUP web site, the tentative agreement provides a number of important improvements in the conditions of employment for faculty. The most significant changes include the following:

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## Employment Security

The tentative agreement includes a new provision that focuses on employment security for faculty should programs or departments be discontinued. Based on national AAUP statements and guidelines, the new provision requires that the University “make every effort to place the faculty member concerned in another suitable position.” This provision is a major step in enhancing security of employment for faculty members.

The provision that focuses on continuing non-tenure track faculty has also been strengthened. For the term of the proposed contract, there can be no changes in the conditions of employment of non-tenure track faculty unless the changes are approved by both the provost and the AAUP. In addition, a committee composed of designees of the AAUP, the Provost, and the President of the University Faculty Senate will make recommendations on including employment conditions of CNTT faculty in the Collective Bargaining Agreement.

## Shared Governance

A new provision on searches requires that all materials be made available to all faculty members eligible to vote on appointment of new faculty members and chairs/directors. Importantly, the provision establishes, by a letter of understanding between the AAUP and the University, that a committee composed of members designated by the AAUP, the Senate, and Provost, develop and recommend policies for more participation and greater representation of faculty members in searches for academic administrators, including provost and deans.

In addition, the Administration will now be required to inform the AAUP of appointment/reappointment of chairs, interim chairs, directors, and interim directors.

## Workload, Promotion and Tenure, Merit, and Peer Review

Based in large part on committees established by the current *Collective Bargaining Agreement*, Articles 11.4 and 11.5 which focus on relations between workload and promotion and tenure, peer review, and merit pay have been reworked to make them clearer and more consistent. In particular, Article 11.4 will now focus specifically on workload, promotion and tenure, and peer review. It requires that assigned workload must be considered in promotion and tenure in a manner consistent with departmental criteria.

## AAUP Voice

A. Timothy Spaulding

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 the editorial board. During contract negotiations or when otherwise warranted, Bargaining Team members also participate on the board.

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Changes in Article 11.8 make credit contact hours the common measure or currency for teaching workload assignments. It does not require that departments or schools revise their current workload policies.

## Benefits

There are several improvements in benefits provided in the tentative agreement. The “Stop the Clock” provision is made more user-friendly. An extension of time for a tenure decision goes into effect by submitting an electronic web form. Also, an extension may be provided for reasons other than childbirth or adoption with the approval of the appropriate chair/director and dean.

A new provision coordinates disability payments and retirement in a manner beneficial to faculty members. And the provision on accommodations for faculty who are ill or injured is clarified and is more faculty friendly.

The provision for the Benefits and Cost Containment Committee, which may be reconstituted upon agreement by the University and the AAUP, is changed to allow for discussion and consideration of changes in benefits beyond health care.

The Family Medical Leave Policy (FMLA) is strengthened to include relief from assigned service responsibilities as well as teaching. The current provision covers only teaching assignments.

## Online Instruction and S-Contracts

A new method of paying s-contracts for teaching online courses as overload will increase the compensation to faculty members compared to the current payment policy on online and distance payment for s-contracts.

## Salary

First year	1% across the board
Second Year	1% merit and 1% structural
	Structural Distribution
	Instructors -- \$500
	Asst. and Associate Professors -- \$1,000
	Full Professors -- \$1,300
Third Year	Same as second year <u>except</u> that the structural increase is distributed on January 16, 2016.

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Over the past two contracts, salaries for faculty members at the University of Delaware have increased on average by almost 18 percent. This increase has enhanced our positions relative to comparators. The University of Delaware is above the median on the list of comparators we have been using in recent contract negotiations. Looking at comparator institutions in our region, the institutions that are above the University of Delaware include Princeton, University of Pennsylvania, Georgetown, New Jersey Institute of Technology, American University, George Washington University, Rutgers (New Brunswick), and Carnegie Mellon University. With the exception of Rutgers, these institutions are either private, in the Washington, DC area, and/or have large numbers of engineers on their faculty.

## **Maintenance of the Contract**

In order to make sure that the provisions of the contract are being met, the AAUP needs timely and accurate information from the University. A number of provisions in the contract enhance the type and timeliness of data provided by the Administration to the AAUP. This will further enable enforcement of the contract.

## **Conclusion**

This is a solid contract proposal that advances faculty academic values and interests. It builds on prior contracts by enhancing benefits, enhancing faculty participation in shared governance, and providing greater employment security. It is very worthy of faculty support.

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