Bargaining Report #3, March 2020

Session 3—on Wednesday March 4, 2020, 9:30-11:30
UHeights South, Room 133

United Academics (UA) Team: Jane Knodell (lead negotiator) Joel Goldberg, Deb Noel (acting note-taker), Don Ross, Katlyn Morris

Administration Team: Nick DiGiovanni (Counsel, lead negotiator), David Jenemann, Stephanie Dion, Mary Brodsky (Labor Relations), Jim Vigoreaux, Abigail McGowan (Absent: Linda Schadler)

In opening remarks, UA’s Bteam reiterated Ground Rules and expectations: the Administration’s team failed to send electronic copies of proposals after the last session.

Scheduled Sessions Coming Up:

**Tues, Mar 31**, 1-4pm – Waterman 427A
**Tues, Apr 14**, 12-3pm – Davis Center (Frank Livak Room 417)
**Fri, May 1**, 10-2pm – Davis Center (Jost Foundation Room 422)
**Mon, May 11**, 9-noon – Davis Center (Jost Foundation Room 422)

The March 31 session is the mutual deadline for new proposals, including economic proposals.

The Administration’s team responded to some of UA’s proposals in article 9 and 14, and Admin presented new proposals for articles 14, 23 and 24. Here’s a summary of the major items with the most significant new items flagged*:

*Articles 23, Intellectual Property Policy, and Article 24, Conflict of Interest and Commitment:

During bargaining for the 2018-2020 full time contract, the Administration pushed hard for changes to the Intellectual Property (IP) Policy, which UA and our AFT legal consultant regarded as serious over-reach. UA pushed back successfully. At Session 3 of our current negotiations, the Admin team proposed language that would effectively eliminate UA’s ability to negotiate the IP policy by introducing a simple phrase at the end of articles 23 and 24 stating that the policy “may be amended from time to time.”

*Article 14, Appointments and Evaluation of Faculty
14.3: In previous rounds of bargaining, the Administration has fought hard for policies relating to post-tenure review, and UA has pushed back. At Session 3, Admin introduced a new proposal for article 14.3 entitled “Substandard Performance for Tenured Faculty” which attempts to institute a process whereby chairs or deans can impose an “improvement period” “not to exceed one year” for tenured faculty who have “documented performance issues.” This “improvement period” involves a “special peer review” and a series of potential actions by administration including “loss of tenure and reassignment to a different classification” and termination of employment. Our current contracts do not use the term “classification,” and when pressed on the meaning of that term, the Admin team stated that this could involve a shift from full professor to Sr. lecturer, which, in their view, would be a lateral shift and not a demotion in rank.

14.10.b: Importantly, Admin proposed to reintroduce three year contracts for second reappointment of Sr. Lecturers (who now receive four-five year contracts). This extension of contracts for Sr. Lecturers was hard won in previous rounds of negotiation. Admin has not yet responded to UA’s proposal for a new title/rank/promotion opportunity for Lecturers and Sr. Lecturers.

14.1: Admin proposed moving the deadline for appointment letters for Lecturers and Senior Lecturers to “no later than June 1,” rather than May 1.

**Article 9, Right to Information:**

9.5: The administration agreed to provide UA with contact information for new faculty hires but argued that July 15 was too early a deadline; they proposed sending the new faculty list no later than one week prior to faculty orientation.

**Article 14, Evaluation:**

14.3.c: Admin proposed limiting the period under review for annual reviews to one year rather than two, arguing that this two year span for annual reviews introduces redundancy.

14.3.d: Admin has not accepted UA’s proposal that chairs should inform faculty when a negative annual review will be submitted to a dean.

*UA’s team brought proposals for Articles 14 and 16 aimed at transparency in workload and course equivalencies, bridging support for research faculty, and additional language changes to support library, clinical, and research faculty.*

**Article 16, Workload:**

16.1: Members have expressed deep concerns over the lack of clarity in workload assignments and course equivalencies across campus. In an important step toward transparency, UA’s team has proposed new language requiring the course equivalency guidelines must be appended to the workload form.
16.2: UA’s team proposed new language to improve conditions for NTT faculty whose FTE has been involuntarily reduced by ensuring that they would have first refusal of overload opportunities for which they are qualified. We also proposed language linking course cap increases to needs for additional support.

16.4.b: UA added language to this article expanding the nature of the NTT periodic course release; currently only individual “courses” of three or more credits count toward the course release. UA proposed new language stipulating that “course equivalents of credit-bearing activities” would count. UA also pushed back on the Admin’s attempt to prohibit overloads for NTT faculty in the full year during the one course release award.

16.5: UA is pushing for accurate workload agreements for Research faculty who perform service activities. Also in 16.5, UA is advocating for some base funding to support development and submission of grant proposals.

16.6: Responding to Extension faculty feedback, UA’s team proposed adding ‘supervising technical staff’ as a possible duty of Extension faculty, and discussed that when applicable, this would need to be reflected in workload forms.

16.7: Responding to Library faculty feedback, UA’s team proposed striking language formalizing a supervisor’s right to ask for volunteers to work beyond their typical desk shifts.

16.15-19: The UA team did substantial work on this latter section of article 16 to reorganize and bring clarity to the language on development and approval of course equivalency guidelines and access to those guidelines. Among the proposed changes is language requiring departmental course equivalency guidelines for “all credit-bearing instructional activities to which faculty may be assigned” (not simply online and large capacity courses). UA proposed that departments should have control over guidelines for the selection and instruction of online courses. We also added language indicating that faculty can only meet the currently mandated deadline for expanded section descriptions if their course assignments are established by that time.

**Article 14, Bridging Support:**

14.10.f.ii: UA’s team proposed improvements in bridging support for Research faculty, including a new fund to be established in the Office for the Vice President of Research to support Research faculty between grants, and to include both “salary and benefits” in the description of those funds. The team has also proposed revised language regarding the criteria faculty must meet to be eligible for bridge funding; the new language streamlines the criteria for research faculty with more than 6 years of service to request funds if they meet the criteria (rather than simply the dean’s discretion). UA has also proposed that any other research faculty member (those with fewer than 6 years of service) may request bridging support.

Sincerely,

Your United Academics Bargaining Team:
Jane Knodell (lead negotiator) Joel Goldberg, Deb Noel, Don Ross, Katlyn Morris