

# AAUP

# NEWS

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## Administration seeks concessions and cuts in many contract provisions

In the bargaining sessions held July 13 and July 15, the Faculty and administration teams exchanged all of their proposals for the new contract, and discussed some proposals in detail.

According to the Faculty Bargaining Team, the administration's proposals seek cuts, concessions, and give-backs in almost every area of the contract.

Faculty Chief Negotiator John Battistone said, "Under the administration's economic proposals, almost every faculty member would experience a net loss in their earnings. At the same time, faculty members would have a significantly reduced role in institutional governance, and less opportunity and less support for sabbatical leave."

"With all of the proposals now on the table, it's clear that faculty and administration have very

significant differences in our views of what is needed to move the College forward in the future," John said.

"The bottom line of the administration's position at this point seems to be that faculty need to do more work, for less money," John said.

### Compensation: Net loss in earnings for Faculty

According to the Faculty Team, the administration's compensation proposal offers across-the-board salary increases of 2 percent for each year of a three-year contract. However, compensation for overload would be reduced by more than 3 percent per unit (contact hour), and would be frozen at this reduced pay rate for the entire contract.

Also, the administration's proposal for health benefits would require faculty members to pay 5 percent of the actual

premium cost for the Anthem Blue Preferred program, along with increased co-payments (to \$15 per office visit) and increases to all tiers of the prescription drug plan (from payments of \$5, \$12, or \$22 to payments of \$10, \$20, or \$30).

"For a faculty member on a family plan, the cost of health insurance would be at least \$45 a month, and that's if the premiums stay the same as they are now," John said.

"After you figure in the other cost increases for office visits and prescription medications, and compare that to the administration's compensation offer, it's clear that the impact for most faculty members would be the same as taking a pay cut," John said.

Faculty Team Member Ken Stoll said, "The administration's proposal to cut overload pay just **see *Cuts & concessions/2***



**Attend the AAUP Office Open House: 10 a.m., July 28**

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**AAUP Hotline: 513.569.1888**

**Next scheduled negotiations: July 20**

## **Cuts & concessions/ continued from 1**

exacerbates the problem we have now finding quality instructors who can take on the extra assignments needed to serve our growing student enrollment.”

“We already have many excellent faculty members who have stopped teaching extra classes at Cincinnati State and instead are earning additional income by working as adjuncts for other colleges and universities in the area that value our skills and experience, and are willing to pay more, too,” Ken added.

“The administration’s proposal to reduce overload pay, along with their workload proposal that takes away guarantees of access to overload assignments, will make it even more difficult to provide high-quality instructors for all Cincinnati State students,” Ken said.

John said that the Faculty proposal for compensation seeks a real raise for all faculty members that is comparable to the increases earned by faculty at other urban community colleges in Ohio, and seeks increases to overload compensation that are similar to the increases negotiated in past contracts.

Also, the Faculty proposal includes making some adjustments to the existing set of longevity “bumps” and making other adjustments to the compensation system that will correct problems affecting the compensation of a few faculty members.

The Faculty Team proposed retaining the current non-contributory health benefits plan, with some improvements to dental coverage and life insurance.

### **Governance: Senate role in decision-making reduced**

The Faculty Team members said that the administration’s

governance proposal completely removes current contract language that describes the role of the Faculty Senate in making appointments to all College-wide committees and quality teams.

The administration proposal states only that faculty will be “guaranteed representation” in decision-making groups, and removes the current language which gives the Senate two-thirds of the appointments for committees and teams dealing with academic matters, and one-third of the appointments for groups dealing with non-academic issues.

Under the administration’s proposal, the Senate would continue to appoint two-thirds of the membership of the five Senate standing committees that are listed in the contract (Academic Policies & Curriculum, Cooperative Education, Academic Technology, Scholarship, and Professional Development).

Faculty Team Member Joyce Rimlinger, who is a past President of the Faculty Senate, said, “According to the administration’s governance proposals, all decision-making groups—including those that address academic concerns—would have their membership determined exclusively by the administration.”

Joyce continued, “By restricting the Senate’s role in appointing faculty representatives to the five Senate standing committees only, and putting the administration in charge of determining the membership of every other decision-making group, these proposals eliminate the role of the Faculty in institutional governance that has been recognized and respected by past administrations of this College.”

“The administration team said they proposed these changes to the governance language in order to provide more inclusive input into decision-making,” Joyce said. “But it’s clearly not a desire for quality that is at the forefront when faculty members are being removed from having a guaranteed independent voice in institutional decision-making.”

At the July 13 session, the Faculty Team offered governance proposals seeking to clarify the role of the Senate in making appointments to all committees, teams, councils, and other decision-making groups.

The Faculty Team also proposed making changes that would improve the processes for selection and hiring of faculty and academic administrators, which are addressed in the governance article of the contract.

Faculty Team members said that the one of the administration’s governance proposals would create a new College-wide Budget Advisory Team that would include four faculty members selected by the administration.

“The idea of a standing committee for College finances is something faculty members have supported for a long time,” said Faculty Team Member Ron Craig, who also is a current member of the Faculty Senate.

“The Faculty Senate has recommended to the President and to the Board several times in the past that such a group be established, and the Senate even established its own version of such a committee two years ago,” Ron said.

“The Senate also endorsed the idea of a College-wide standing committee that would have ongoing responsibilities for budget review when Chief Fiscal

**see Cuts & concessions/3**

## Cuts & concessions/ continued from 2

Officer Sandi Simpson discussed this concept with the Senate this Spring," Ron added.

"If the Senate's role in appointing faculty representatives is maintained, establishing an ongoing Budget Advisory Committee could be helpful for the entire College," Ron said.

### Encouraging move re: hiring

Faculty Team members said that in the bargaining session on July 15, the administration offered some new proposals concerning the selection and hiring processes for faculty and academic administrators.

"It was encouraging that the administration indicated interest in making some genuine improvements to our hiring processes," Joyce said.

"The Faculty Team proposals reflected hard work done on this topic last year by the FACT committee, which was never implemented," Joyce said. "Perhaps we'll be able to accomplish in bargaining what didn't get done in FACT."

### Professional Development: Cuts to Sabbatical program

The Faculty Team said that the administration proposed several

changes to the contract provisions regarding sabbatical leave.

Under the administration's proposal, faculty members granted a leave of three or four terms would receive only half of their salary during the sabbatical period. Under the current contract, faculty members receive full salary for their entire sabbatical leave period, regardless of length.

The administration's proposal also says that a faculty member who is granted a sabbatical leave will have to wait seven years, rather than the current four years, to apply for another sabbatical.

In addition, if 10 terms of leave were not awarded by the Sabbatical Board each year, the unused leave would be "lost" rather than carried over to the next year, as stated in the current contract.

The administration also proposed that a faculty member who fails to submit a final report on his or her sabbatical leave would be barred from all future eligibility for sabbaticals, and would have to reimburse the College for the cost of the leave.

At the July 13 session, the Faculty Team proposed changing the date for submitting sabbatical leave applications, clarifying the timelines for eligibility after a first sabbatical, and clarifying the expectations for providing reports about sabbatical leave activities.

At the July 15 session, the Faculty team made proposals intended to meet some of the administration's concerns, without reducing compensation while on leave or reducing the amount of sabbatical leave available.

### Bargaining to continue with assistance of mediator

Faculty Team members said that bargaining sessions have been scheduled for Wednesday, July 20, and Friday, July 22.

Earl Leonhardt, a mediator appointed by the State Employment Relations Board, is expected to join the teams at the Friday session. (*See story on page 4 for more about bargaining steps and timelines.*)

"We hope that with the assistance of a mediator, we can make progress in moving toward a contract settlement that will be acceptable to both teams," John said.

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## Background on bargaining law/ continued from 4

voting on individual recommendations is not allowed.

- To reject the fact-finder's proposed settlement, **three-fifths** of the total membership of the Cincinnati State AAUP chapter (or three-fifths of the members of the Cincinnati State Board of Trustees) **would have to vote "no."** Voting by proxy is not permitted.

- If neither side rejects the fact-finder's report by the

required three-fifths vote, then the fact-finder's recommendations become part of the contract. The sides may, through mutual agreement, modify and then accept the fact-finder's recommendations.

- If either side rejects the fact-finder's recommendations, the SERB makes the report public. Negotiations could continue if the parties wanted to.

- If either side rejects the recommendations, and the

parties do not reach an agreement within seven days after the fact-finder's report has been made public, then the Cincinnati State AAUP bargaining unit has the **legal right to conduct a strike.**

- The law requires that notification of intent to strike must be given to the SERB and to the Cincinnati State administration at least 10 days in advance. Of course, negotiations could continue prior to or during a strike.

# Background: Ohio law guides steps & timeline for collective bargaining process

The negotiations process for Ohio public employee unions like the Cincinnati State AAUP occurs under the provisions of Ohio Revised Code 4117, the “collective bargaining law.”

The intent of the law is to ensure that unions (like Cincinnati State AAUP) and employers (like the Cincinnati State Board of Trustees) reach negotiated agreements and establish contracts.

The law contains specific provisions that establish a timeline for bringing negotiations to a conclusion.

- When a contract is already in effect, **negotiations** for a new contract must begin no later than 60 working days before the current contract expires. This legal provision has already been met. The Faculty Unit 1 contract expires at midnight on September 5, 2005. Negotiations began June 17.

- The law requires that a neutral **mediator** be appointed by the State Employment Relations Board (SERB) no later than 45 days before the contract

expires. Both sides agreed on July 13 to notify SERB that a mediator should be appointed. Mediator Earl Leonhardt, from the Cincinnati office of the Federal Mediation and Conciliation Service, is expected to begin meeting with the two teams on July 22.

- The law states that no later than 31 days before the contract expires, if a settlement has not yet been reached, then a **fact-finder** is to be appointed. The two sides will receive from the SERB a list of five possible fact-finders, and will use an alternating strike-off process to select a fact-finder who is acceptable to both sides. Fact-finders generally are individuals with education and experience in the law and collective bargaining.

- If the parties determine that they are at **impasse** in negotiations, the SERB is notified. The law states that the fact-finder will conduct a hearing and submit a written report within 14 days of being appointed. The parties may continue to hold negotiation

sessions during the time periods before or after the fact-finding hearing is conducted.

- At the **fact-finding hearing**, the law requires both sides to submit to the fact-finder written contract proposals for all issues that are unresolved. Sometimes, fact-finders try to mediate some of the unresolved issues prior to conducting a formal hearing.

- In his/her **fact-finding report**, the fact-finder may recommend resolving an issue by using the proposal submitted by one of the sides, or the fact-finder may recommend his/her own approach to resolving an issue. The fact-finder must recommend a resolution for every unresolved issue that was presented at the hearing.

- No later than seven days after receiving the fact-finder’s report on recommendations for resolving the contract, both sides must **vote to accept or reject the fact-finder’s recommendations**. The report must be accepted or rejected as a whole; “line item”

**see Background on bargaining law/ 3**

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