

# AAUP

# NEWS

Volume XVI No. 17 August 1, 2005

## Faculty members meet to discuss bargaining impasse and next steps to achieve contract

More than 70 Cincinnati State AAUP members attended a meeting on July 28 to hear from the Faculty Bargaining Team about the issues leading to an impasse in negotiations, and to begin discussing preparations for a possible strike.

Prior to the meeting, AAUP members and others in the College community celebrated the opening of the AAUP's new on-campus office, Room 124 of the Main Building.

AAUP Chapter President Pam Ecker said, "When we scheduled

this meeting, of course we didn't know it would happen the day after reaching impasse in bargaining."

"It's great that so many faculty members were on campus to hear from the bargaining team and discuss what faculty members need to do to make sure we have a new contract in place before Early Fall term classes begin," Pam said.

At the meeting, Faculty Chief Negotiator John Battistone reported on the bargaining session held July 27, where the

team said the negotiations were at impasse and AAUP would request that the State Employment Relations Board (SERB) send a list of possible fact-finders.

John said although tentative agreements were reached on a few contract issues, the administration team's proposals overall would mean faculty would be doing more work, for less money.

"Our team could not bring these administration proposals back and recommend that faculty accept them," John said. "The administration's economic proposals of a 2.5 percent across-the-board raise along with a 5 percent contribution to health insurance premiums, plus higher co-pays and drug costs, would leave the average faculty member with a 2.3 percent reduction in purchasing power, given the current Cost of Living Index—and that's not an acceptable contract agreement."

"The only change the administration made to their compensation and benefits proposals during bargaining was to raise their across-the-board salary offer by half a percent," John said. "They moved all the

### Impasse declared; fact-finding hearing to be scheduled

An impasse in bargaining was declared at the end of the negotiation session on July 27.

On July 28, the AAUP sent a written request to the State Employment Relations Board (SERB) asking for appointment of a fact-finder.

The fact-finder is required by Ohio law to conduct a hearing on the unresolved issues and to make written recommendations for resolving these issues, within 14 days of being appointed.

The SERB is expected to respond this week to the request to appoint a fact-finder.

The contract proposals that will be submitted to the fact-finder include:

#### Compensation

- Faculty - initial proposal was a 6 percent across-the-board raise for each contract year (comparable to raises received by faculty at other urban community colleges in Ohio); make

**see *Impasse issues/3***

**see *Next steps/2***

# Next steps/ continued from 1

way from 2 percent to 2.5 percent.”

John continued, “On the issues of non-tenure-track positions, and workload, the administration never moved very much from their initial proposals.”

“The administration wants all new full-time faculty members to be those who always must work in fear of possible dismissal, and they want all current faculty members to keep working with the same challenges: more students who are less well prepared, and no adjustments to any of the current workload provisions for determining appropriate class size, appropriate annual load, or any other element of faculty load,” John said.

Faculty Bargaining Team member Geoff Woolf said, “The administration bargaining team seems to be out of touch with the work that faculty members do—or else they just don’t care about our work and whether we do it well.”

Faculty Bargaining Team member Ken Stoll said, “The administration is testing our will and testing our unity.”

“We’ve done well over the 15 years of collective bargaining, and now this administration wants us to give back everything we’ve gained,” Ken said.

“It looks like they aren’t going to get serious about bargaining until the entire faculty lets them know we are serious,” Ken added.

Pam said that since the administration is actively planning for a strike (see *AAUP News*, July 25), the AAUP will begin to take steps to prepare for such a possibility.

“Of course, we hope that a contract settlement can be reached without disruption,”

Pam said. “However, it’s clear that the administration is not going to get serious about negotiating a complete contract until after fact-finding occurs, so we will now begin to prepare faculty members for all possible contingencies.”

Any faculty member who wishes to assist with planning should get in touch with AAUP

Communication Committee Chair Dave Simmermon or any other member of the Chapter Executive Committee.

John said that any faculty member who feels they are being intimidated or threatened by anyone in regard to a possible strike should get in touch with a chapter officer immediately.

## The view from the bargaining table

### -- Geoff Woolf, Faculty Bargaining Team Member

Being at the bargaining table for the first time is particularly frustrating to me. During the past three years, as faculty’s challenges have compounded, I began to suspect that the administration of this College was out of touch with—or worse, did not care about—the challenges faculty face. On July 27, at the bargaining table, the administration made my suspicions its official policy.

Over the last few years we’ve all seen our work change. Our classes are larger, our students are more demanding, and technology, while useful in the teaching and learning process, demands more of our time than it ever has before. The volume of student email, alone, has increased geometrically over the last three years (and if administrators don’t believe this, they should ask Mark Cain about the health of our Exchange server).

All of our students want and deserve fast and well considered responses. The time for these responses was not budgeted for in contracts three years ago or six years ago, and that was fine because six years ago, our current workload formula made for a marginally manageable worklife. But the past six years have seemed seemed like decades in instructional technology.

We’ve recognized the need to change the ways we do dozens of things at this College in response to

technology. Faculty workload is no different. And technology changes are not the only changes faculty deal with in our worklives.

When I went to the table more than a month ago, I went in the hope that the faculty could work with the administration to find ways to help faculty continue doing their jobs the way we always have—so I and others could continue to provide to our students the highest quality instruction possible.

The faculty members I know believe in academic rigor and never want to sacrifice the quality of our work because we are spread too thin. I want to believe that this administration shares that belief, and cares whether we are capable of doing a good job, not just cycling as many FTEs as we can through the balance sheets.

But as of last Wednesday, I have no evidence that this is true.

Perhaps what’s most frustrating, though, is that while so many of us feel pushed to or pushed beyond the limits of our endurance, the administration believes we are “coasting.” The administration believes that we could take on more, if only we wanted to.

So what would the administration have us sacrifice: All of our personal pursuits? Our family lives? Our health?

If that’s not out of touch, I don’t know what is.

## **Impasse issues/ continued from 1**

adjustments to the longevity bumps, and make other adjustments to correct compensation system problems that affect a few faculty members. Increase the overload compensation rate by 6 percent each year.

- Administration - initial proposal was 2 percent across-the-board raise for each contract year; reduce the overload compensation rate by 3.2 percent and keep the reduced rate in effect for the entire contract period.

### **Benefits**

- Faculty – initial proposal was keep health insurance at current rates; increase life insurance coverage and maximum expenditures on dental coverage.

- Administration – initial proposal was that all faculty contribute 5 percent of the

premium cost for Anthem Blue Preferred (total would be about \$540 per year for a family plan at current premium rates, which are expected to increase in September), also increase co-payments for office visits and for prescription medications.

### **Tenure**

- Faculty – no major changes proposed.

- Administration – establish all new full-time faculty positions for the contract period as non-tenure-track, one-year jobs. Any current tenure-track faculty member who is non-renewed could be appointed to a non-tenure-track job.

### **Workload**

- Faculty – initial proposal was to make adjustments in formulas for determining load for instructors, program chairs, area

chairs, certificate coordinators, and co-op coordinators.

- Administration – initial proposal was to eliminate the restriction on the number of programs, majors, or options that can be assigned to a co-op coordinator. No other changes to workload contract language proposed.

### **Governance**

Governance issues will not be part of the set of issues taken to fact-finding. A tentative agreement was reached on July 27 which would retain most of the current contract language regarding faculty participation in College decision-making. The tentative agreement also establishes a new Budget Advisory Team (with representatives appointed by the Faculty Senate) and makes changes to contract language regarding selection and hiring.



### **To the Editor:**

When I read about the administration's proposal to create non-tenure-track positions for new faculty at Cincinnati State, my first thought was, "Oh no; now we will never get quality instructors."

I have served on many hiring committees over the years (as a faculty member and as an administrator). Several times, we have had to re-advertise or re-open a search because our pool of qualified candidates was insufficient.

For some hard-to-fill positions, we have had to re-open the search twice, or even three times, in order to have qualified candidates to invite to be interviewed.

In a recent search I was involved in, the top candidates would not have even submitted their resumes if the opening had not been a tenure-track position. At least one candidate already had a tenured position; another candidate had a non-tenure-track position at another school.

The fact that we offer tenure-track faculty positions is a benefit to Cincinnati State in our attempts to attract excellent instructors in a highly competitive market. Eliminating the possibility of tenure for future positions would only exacerbate the problem of attracting top quality people.

While I understand that some people outside of higher education do not understand or appreciate the full meaning of tenure, our institutional leaders

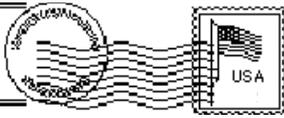
need to realize that tenure is an accepted part of academia--and Cincinnati State is an educational institution, as well as a business.

Our institutional leaders should not make decisions that will be detrimental to our organizational best interests, or those of our students.

Tenure is one of the things that keeps us in the mainstream market when we seek to hire quality instructors.

Jan Hoeweler,  
Sciences Division

# Letters



## To the Editor:

So let me get this straight: the Administration, and presumably the Board, want to create a new non-tenured full-time faculty classification . . . and these non-tenured positions would be the only new full-time faculty jobs created during the next contract period.

The reasons cited are administrative “flexibility” and the “laziness” that apparently afflicts faculty once they achieve tenured status. (Laziness is decoded from Mr. Breyer’s statements, quoted in the *AAUP News* on July 25, that tenured faculty are “not willing to go the extra mile” and are instead “coasting.”)

Since I have been a Cincinnati State faculty member for almost 18 years and will probably be “coasting” for the next 15 years or so, let me tell you how I interpret the administration’s, and presumably the Board’s, position on tenure.

What their position is NOT about is getting people to go the extra mile. Without the work of the faculty there would be no student clubs, no Science Olympiad, no academic league competitions, no ACE mentoring, no student nurse mentoring, and much less of a lot of other activities that support student learning both inside and outside the classroom.

I believe their position IS primarily about the ability to “manage” without being challenged. Without tenure, the risk of being non-renewed is ever-present. Without the ability to be tenured, how many faculty members would be willing to serve on Faculty Senate or as an AAUP officer, speak their mind while serving on a committee or “quality team,” or take a difficult

stand in a disagreement with their divisional administrators about how to maintain academic quality? A few might. But I suspect many would not.

Now, I can hear the administration saying that their proposal does not affect those who are already tenured faculty members, or in tenure-track positions (except that they have proposed to make the probationary period a couple of years longer).

My concern is what the faculty will look like in ten years. In all likelihood, the ranks of tenured faculty will be eroded away, leaving a very different kind of faculty bargaining unit.

Will the future faculty be more active or will they become “yes-men” and “yes-women”? With the threat of non-renewal hanging over their heads every moment of their work lives, it’s easy to predict how future non-tenured faculty will behave.

The administration’s tenure proposal affects more than just faculty. It has the potential to institutionalize poor decision-making for years to come.

Organizations that operate under a culture of “Just Say Yes” face a much higher probability of reacting slowly to change, missing opportunities, and making poor decisions. In such an environment, people find it easier to safely agree with their bosses than to challenge them to proceed in a new direction.

Last year, the College was sent reeling from an unexpected financial crisis. For many years leading up to this crisis, faculty argued for a meaningful role in the budget process and were largely ignored.

Now, many faculty wonder if a culture of “Just Say Yes” played a

role in bringing the College to the financial brink.

Did people who could have argued for needed changes, like increasing tuition more than once every five years, “just go along” with decisions because they found it easier to agree rather than disagree?

Won’t faculty who can never be tenured feel that same pressure related to decisions that affect the quality of our learning environment?

I assume the administration’s concept of “flexibility” may have something to do with their desire to be able to remove faculty that they feel are not “doing the job” and the unfortunate belief that the granting of tenure is “automatic.”

Not all faculty are “born” at Cincinnati State in a state of perfection. Many new faculty members arrive on campus with the knowledge and behaviors that contribute to becoming excellent—but they must depend on faculty peer support and administrative support to become truly excellent in teaching and fulfilling other faculty responsibilities.

I have chaired and served on several Peer Mentoring committees with the aim of helping new faculty progress towards excellence in their teaching and service to the College.

From what I’ve seen and heard, the administration role in mentoring, supporting, and assessing new faculty is, well. . . passive, at best.

If the administration needs to remove “bad apples” they have plenty of opportunity to do so. If poor performers can’t or won’t do the job after year 1, don’t renew

**see *Who’s Coasting?*/5**

## Who's Coasting?/ continued from 4

them. Year 2? Year 3? Year 4?  
Don't renew them.

When the tenure review process starts, in the fifth year of a faculty member's service at the College, information is collected, and the granting of tenure *only* requires recommendations from the Faculty Tenure Committee, the appropriate Dean, the appropriate Vice President, and the President.

Even the members of the Board have the opportunity to examine tenure application materials if they choose to do so.

Certainly, in this five-year, multi-step process, there is ample opportunity to remove from the College community those faculty

members who cannot achieve the standards expected of them.

Finally, I'll admit that I had to chuckle when I read Mr. Breyer's remarks about the "extra mile" and "coasting." Why did I chuckle? Because I had to assume Mr. Breyer simply made a poor choice of words. A true belief in those words would indicate that our administration has a very bleak picture of the College community.

I have always tried to hold a positive view of people, and to believe that faculty, staff, and administrators all want to work to achieve success.

The administration's position on tenure disturbs me because I have

believed for the last 18 years that all of us who work here want this College and its students to succeed and prosper.

If changes in the tenure system are made, and a culture of "Just Say Yes" is further institutionalized, who will live with the consequences? The answer is simple--those of us who have committed ourselves to the College for the long haul.

I care because I will be here, "coasting" hard, for the next 15 years.

Can those who favor these changes to tenure say the same?

Tom Burns,  
Engineering Technologies

### Marc Baskind's Memorandum regarding use of course materials (see *Letter*, page 6)

To: Dan Cayse, Dean

From: Marc Baskind, Instructor

Re: Course Materials

Date: August 1, 2005

Dear Dan,

As I understand the law and our collective bargaining contract, all course materials developed by me are owned by me. This includes syllabi, lab assignments, help notes and anything else authored by me.

As you know, I have encouraged adjuncts and others to use my materials when they are assigned courses that I teach. It is one way for me to influence the quality of what is delivered in the classroom for the courses for which I am responsible.

We are entering a difficult period of the negotiating process. As of July 28, impasse has been declared. Therefore, I rescind the right of anyone to use my materials for any courses or any other purposes, such as Industry Training or Promotion, starting September 6, 2005, or until such time as a contract agreement between the AAUP and the administration has been reached. Please notify all adjuncts accordingly.

Since my materials also are on Blackboard, I'm sending copies of this letter to Mark Cain, CIO, and Tracy Metsch, the Bb administrator. Because my materials are stored electronically does not mean that they are owned by anyone else but me. I will consider it a violation of the law if these materials appear anywhere else but in my courses taught by me under the provisions of an approved contract.

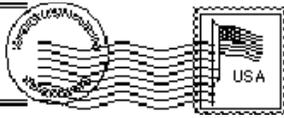
Thank you for your attention to this matter.

Sincerely,

Marc Baskind

Cc: Mark Cain, Tracy Metsch, Donna DuVall

# Letters



## To the Editor:

It's certainly discouraging to learn that the College administration thinks that I've been "coasting" for all these 29 years that I've been a faculty member at Cincinnati State.

During the past seven years, I have worked closely with—or, to rephrase it, I have been eyeball-to-eyeball with the President of the College, more than one of the Vice Presidents of the College, and at least one of the members of the Board of Trustees of this College, in a variety of activities, many of them having something to do with "quality," and sometimes in some very stressful situations.

I do not believe that the individual administrators and trustees with whom I have interacted think that our faculty members are "coasting." I know better. They know better.

**Let me say it loud and clear: There are no college faculty members anywhere in the nation who work longer, work harder, or care more for their students, their College, and their community than the faculty of Cincinnati State.**

If there are a few individual "bad apples" in our bunch, the administration already has all the flexibility and management rights they could possibly need to deal with problems.

If there's "deadwood" that needs to be pruned, the administration has all the power it needs to deal with problems affecting untenured as well as tenured faculty—without making any changes to the existing contract language. They have done so in the past and they can do so in the future.

We do our jobs. They need to do theirs.

A few years ago there was a popular movie titled "Sleepless in Seattle." Today, it's obvious that someone (or more than one someone) is "Clueless in Clifton."

They don't know what we do for a living.

Since the administration thinks that I'm just "coasting," my course materials must not be of much value to them. In the past, I have given permission to share my intellectual property, such as my course syllabus and other materials, with other instructors. I'm now withdrawing that permission, as my memo to Dean Cayse states. [See *Memorandum* on p. 5 of this newsletter.]

The administration's strike planning committee can keep coasting along, without my help. I'll be getting ready to demonstrate what Cincinnati State faculty members are really worth.

Marc Baskind,  
Business Technologies



**Get bargaining updates on the  
AAUP Hotline: 513.569.1888**

**AAUP Communication Committee  
Meeting Monday, Aug. 1, 4 p.m.  
(Call Dave Simmermon for more information)**

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