

NEWS

Faculty bargaining team frustrated by lack of progress; administration seems unwilling to address some faculty concerns

After the fifth meeting between faculty and administration negotiators, on July 14, Faculty team members expressed frustration about the administration team's apparent unwillingness to recognize faculty concerns on several key topics.

Bargaining sessions on July 11 and July 14 both focused on workload.

During a lengthy session on July 11, the Faculty team explained in detail proposed changes to the Workload article of the contract.

In particular, changes proposed by faculty would provide adjustments for those faculty members whose workload concerns were not fully addressed in bargaining three years ago.

The faculty team also told the administration we are willing to work with them to try to meet some of their interests, especially the administration's need for additional flexibility in assigning full-time faculty loads.

Faculty team members said that during the July 14 session the administration team seemed unwilling to acknowledge any need for faculty workload adjustments.

According to the faculty

The Faculty team had hoped for interest-based bargaining, but the administration team “seems to have no desire to recognize our interests.”

team, the administration team stated that they have no evidence that faculty members are overworked, because the division Deans have not reported any such problems to senior administrators.

Faculty Chief Negotiator Geoff Woolf said, “I’m tremendously

disappointed by what’s happened at the table.”

“My deepest hope when negotiations started last month was that we would really be able to use some mutual-gains style approaches to bargaining this contract,” Geoff said.

“The administration’s team said they wanted to attempt interest-based bargaining also, rather than continuing the highly confrontational approaches of the past,” Geoff continued.

“It was clear at our most recent session that the administration wants us to meet their interests—but they seem to have no desire to recognize our interests,”

Geoff added. “It’s looking likely that we’re headed for fact-finding.”

Faculty team member Dave Simmermon said, “We’ve been talking to the administration about some of their workload

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interests ever since the last contract was signed.”

“I spent a lot of time in 2005 and 2006 at meetings of the FACT committee, trying to find ways to meet the administration’s request for some changes to the contract that we had just settled,” Dave said.

“As a first-time member of the Faculty bargaining team, I had high hopes that we would develop a mutual-interest solution to workload problems together, at the table,” Dave said.

“But we found out at the last session that not only is the administration uninterested in working on solutions together, they don’t even want to acknowledge that any workload problems exist,” Dave said.

“The administration team said that if faculty members were really overworked, we wouldn’t have time to do overload,” said Faculty team member Joyce Rimlinger.

“It’s disheartening to realize that the administration does not understand the many reasons faculty take on overload assignments,” Joyce added.

Faculty team members said that current administration proposals would require almost all faculty members to do more work, for the same or less compensation than faculty receive now.

The administration also has proposed eliminating all contract language related to distance education and has proposed eliminating new tenure-track faculty positions for

the life of the contract.

AAUP Chapter President Paul Davis said, “I’m very disappointed, and concerned, about the apparent lack of progress in negotiations.”

“I had hoped that new leadership for the College would also mean a new attitude at the bargaining table—but that doesn’t seem to be the case,” Paul said.

Geoff said that both teams have agreed to invite a state-appointed mediator, who is expected to attend bargaining sessions starting on July 25.

A bargaining session is scheduled for July 22, when the teams are expected to discuss contract changes proposed by faculty to the language related to hiring new faculty and academic administrators.

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For current bargaining information, call

AAUP Office Hotline

513-569-1888

or read updates online at www.cinstateaaup.org

New message posted after every bargaining session

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AAUP Office Hours for Summer Term

Monday - 1:30-3:00 p.m.

Tuesday - 9:00-10:00 a.m.

Thursday - 10:30-11:45 a.m.

Office Location: Main Bldg., Room 124

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 2, 2008. Negotiations began June 12.

- 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 in July 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 25.

- 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” 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.

Cincinnati State AAUP Chapter Meeting

Wednesday, July 23
2:00 p.m.

Main Conference Center
Room 344

Agenda: Faculty Bargaining Team Report on the Status of Negotiations

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