

# NEWS

## August bargaining ends with no contract settlement; AAUP prepares for Sep. 23 fact-finding; strike possibility remains

Bargaining sessions held on Aug. 28 and 29 did not provide a resolution to the impasse between the Faculty and administration bargaining teams.

With no additional bargaining sessions scheduled, the Faculty team is preparing for a fact-finding hearing that is scheduled for Sep. 23. The fact-finder is expected to provide a report within 2 to 3 weeks after the hearing.

A legal strike could occur if the fact-finder's report is rejected by the members of AAUP or by the College Board of Trustees.

At the AAUP Chapter meeting on Aug. 26, Faculty Chief Negotiator Geoff Woolf explained that the strike notice AAUP had filed on Aug. 13, anticipating a strike beginning Sep. 2, was withdrawn on the advice of the Chapter's attorney.

"Our attorney told us it was legal to file the strike notice, because it did not appear that we would have a new contract in place by Sep. 2," Geoff said. "However, additional legal research revealed that it was in our best interests to withdraw the strike notice for the first day of the term, and continue with the fact-finding process."

Geoff said, "It's a shame that the Board of Trustees chose to side-step a great opportunity to change the atmosphere at this College."

"Instead of accelerating the healing of the difficult last few years, the Board seems to be using the SERB's technicalities to slow down progress in bargaining, in order to make some sort of point. What that point is, I can hardly guess."

"The result is, we start yet another year in the midst of strife. It's mind boggling," Geoff said.

"What the Board has managed to do, however, is simply postpone the steps. We'll go through fact finding soon. If the recommendations are fair and favorable, we'll recommend that the faculty accept them. If not, we've rejected four fact-finder's reports in the past, so we can reject again, and then, if we have to, we'll file another strike notice and prepare for that possibility," Geoff said.

Chapter President Paul Davis said that Governor Strickland's liaison see **No contract settlement / 2**

### **All contract provisions are still in effect; health insurance problems are being addressed**

All terms and conditions of the 2005-2008 faculty contract remain in effect while fact-finding and other steps toward a new contract settlement are in process. The AAUP has requested copies of all faculty workload assignments for Early Fall and will ensure that all overload payments for Early Fall are handled appropriately.

The AAUP and the Human Resources Office are aware that some health care providers (particularly dental care providers) have informed faculty members that insurance coverage ended Aug. 31. This is not true; all health care benefits remain in effect. The Human Resources Office is taking steps to resolve these problems.

Any faculty member encountering problems with health care providers or experiencing any irregularities or concerns related to the terms of the contract, should immediately inform the Chapter Grievance Officers, John Battistone and Geoff Woolf.

## **No contract settlement / continued from 1**

for Southwestern Ohio, Brewster Rhodes, is aware that contract negotiations are not yet resolved. Paul and other Chapter officers have met with Mr. Rhodes several times in the past few months,

“We discussed with Mr. Rhodes faculty views concerning possible College Trustees. The Governor will be appointing several new Board members soon, to replace Board members whose terms expire at the end of August,” Paul said.

### **Faculty attend BOT meeting**

Over 90 AAUP members attended the Board of Trustees meeting the evening of Aug. 26.

The Board did not make any public statements about negotiations.

However, Chief Fiscal Officer Sandra Simpson reported that the College completed the fiscal year ending in June 2008 with a surplus of \$2.4 million in the General Fund balance.

CFO Simpson also reported that the College’s and a Senate Bill 6 composite score for the fiscal year is 2.7, which is well above State requirements for fiscal stability.

The Board also received a report on the College Master Plan from Woolpert Consulting representative Bruce Rankin.

The report recommends spending up to \$51 million over the next 9 years on additions and improvements to the College physical facilities.

In addition, the Board approved hiring a new College athletic director and several new coaches, as well as approving promotions for some administrative staff members.

### **Mediator requests additional bargaining sessions**

At the request of mediator Earl Leonhardt, the Faculty and administration teams agreed to schedule meetings on Aug. 28 and 29. Mr. Leonhardt was not able to attend on the 28<sup>th</sup>, but was available on the 29<sup>th</sup>.

On Aug. 28, the Faculty team offered a new settlement proposal, building on an offer made by the Faculty team on Aug. 12 that had not been responded to by the administration.

“Once again, the Faculty team tried to offer a new approach to settling the contract, and once again, the administration was unable to collaborate with us,” said Faculty Team Member Joyce Rimlinger.

“The administration team said they were not authorized to accept our proposal, and they did not offer a counter-proposal,” Joyce said.

“We didn’t think much progress would result from another session, but the administration team seemed to think it would be useful to meet with the mediator present, so we agreed to meet,” Joyce added.

The bargaining session on Aug. 29 started at 9:30 a.m. and ended at 1:00 p.m., but according to Faculty team members, most of the time was spent in caucuses and only about 30 minutes was actual bargaining.

According to the Faculty team, at the beginning of the session the administration team responded to some of the non-economic issues in the settlement proposal the Faculty team had presented on the 28<sup>th</sup>.

In addition, the administration team offered a new settlement proposal.

“Their new proposal was essentially a ‘one time offer’,”

said Faculty team member Dave Simmermon.

“They did address a few issues of concern, but as a whole, the administration’s proposal would still leave most faculty members working more and earning less in real dollars. It was not an offer we could accept,” Dave said.

The Faculty team offered a substantial counter-proposal, intended to reach agreement on some items and to reduce the number of issues that will need to be discussed at fact-finding.

However, the administration team rejected this counter-proposal.

At this time, no additional bargaining sessions are scheduled.

The Faculty team is now working on pre-hearing statements that will outline for the fact-finder the unresolved issues and the rationale and supporting data for each unresolved issue.

“The Faculty team will continue to try to develop creative solutions to mutual problems, and we wish the administration team would do the same in the next few weeks,” Geoff said.

“The best way to settle the contract would be through discussion between Faculty and administration,” Geoff said. “But it doesn’t look like the administration team will be authorized to do real bargaining until after we receive a fact-finder’s report.”

## **Economic facts / continued from 3**

If it’s not reasonable, we’ll recommend that the faculty reject it, serve another strike notice and once again prepare for the worst, while we hope for the best.

At that point, if the Board members want to test the resolve of our faculty, then so be it.

And when students start calling

to ask why their teachers are walking on Central Parkway instead of meeting their classes, those “outraged” Board members can look at each other and say *mea culpa, mea culpa, mea maxima culpa*.

Or those who didn’t learn Latin in high school can simply say, “My bad.”

# The economic facts of life (and collective bargaining)

--John Battistone, Faculty Bargaining Team member

It's widely rumored that some members of the College Board of Trustees were "outraged" when they saw the Faculty team's opening proposal for compensation: an 8.5% raise to base compensation and overload. Really?

Let's take a look at some economic facts.

To start, peruse the web page <http://www.bls.gov/news.release/cpi.nr0.htm> from the United States Department of Labor's Bureau of Labor Statistics. The page provides the Consumer Price Index Summary for July 2008. (The summary for August will be published in mid-September.)

For more than three months, while the Faculty team slammed its collective head against the wall in an effort to reason with a recalcitrant Board of Trustees (by way of the administration's bargaining team), the following facts emerged:

- The Consumer Price Index (inflation) for Urban Wage Earners (that would be us) was 6.2% higher than in July 2007 (when the SEIU negotiated a contract that included 3.5% raises.)
- The compound annual rate of inflation for all items, from May through July 2008, was 10.6%
- The inflation rate for food and beverages during the three month period was up 8%
- Transportation costs were up 34.3%
- Energy costs went up a whopping 79.4%

The Faculty's initial proposal was a cost-of-living adjustment plus a little more than a 2% real raise. That's outrageous?

And that doesn't take into consideration the compromise proposal the Faculty team made a few weeks later, trying to avoid the usual fact-finding-rejection-strike-notification scenario. That

compromise proposal would have resulted in less "real" income for faculty this year than we realized last year.

The first proposal from the Trustees and their bargaining team? A whopping 1.5%, but with another percent increase to faculty health care contributions, no cap on escalating health care prices during the term of the contract, and increased workload with less money for overload work.

More work. Less pay. Big time less pay, in real economic dollars.

After 15 negotiating sessions, the administration's official proposal had crept up to an entire 2%, still with more work and more contributions to health care.

The administration's bargaining team has NEVER ONCE said that the College cannot afford the faculty proposal. They just say no.

Just who is it that should be outraged?

Now, thwarted by bureaucratic State regulations and forced once again into fact-finding situation (because the administration team apparently is not permitted to negotiate with us until the fact-finder renders an opinion), the Faculty team is preparing its case.

Fact-finders are obliged by law to look at comparable data. Let's all look at some.

One important piece of data is the Ohio Association of Community Colleges HR Compensation/Benefits Survey. This report contains information provided by Human Resources departments at all the two-year colleges.

A cursory glance shows salary increases like:

3% (one college); 3.5% (two colleges); 4% (three colleges); 4.4% (one college); 4.75% (one college); 6% (one college).

But pay attention here: these numbers are increases to these schools' "salary schedules," which

already have built-in step increases. So faculty members are getting raises between 5 and 8 percent, and in some cases much more.

Twelve of the reporting colleges have already realized another raise since this report was published.

Not one of the 23 two-year colleges in Ohio posted a "last raise" equal to or smaller than that which our Board of Trustees believes we're worth, as expressed by their last official proposal at the bargaining table.

At the end of August we went back to the table. We heard that the Board realized an ongoing strike threat might be bad for the College. We hoped the administration team would finally make a reasonable proposal.

They didn't. So the faculty will reluctantly but dutifully hop through the fact-finding hoop and await a fact finder's recommendation, and then move on to the usual next steps.

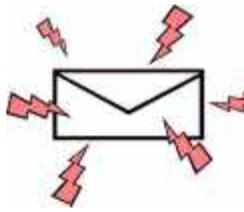
Since 1989 I've participated in over ten rounds of negotiations, eight of which required fact finding, five of which resulted in a rejection of the fact finder's report, and four of which resulted in a Notice of Intent to Strike by the faculty and then preparations for the actual strike.

In the past, that strike threat has been the only thing that suddenly wises up the Board of Trustees and gives the administration team the authority to bargain for real.

For faculty, a strike threat is always "for real." We were prepared to strike, if necessary, on the first day of the Early Fall term--before the forces of red-tape technicalities made us postpone.

So we'll all jump through the hoops again. We'll see what a fact finder says. If it's reasonable, the Faculty team and the AAUP Executive Committee will recommend acceptance.

see *Economic facts* / 2



# Letters

To the Editor:

One of the most frustrating parts of the entire bargaining process, for me, is the issue of our "raise." It is ludicrous to even have a "cost of living" increase as a part of the bargaining process.

A cost of living increase is simply additional pay to meet the increased cost of life's expenses. This type of pay increase should be automatic for everyone and should not be viewed as a raise at all.

A "raise" is a pay increase above the cost of living. But we are not negotiating for that.

We are actually negotiating and deciding whether we should receive a cost of living pay increase. The simple fact that we're bargaining this shows our administration's perceptions of the merit or worth of faculty members.

A cost of living increase should have nothing to do with merit or worth. It should be provided to all faculty members so each of us

does not progress through our careers making proportionately less money each year.

Bargaining for raises above and beyond the cost of living is understandable, and should be based on perceptions of the collective worth of the faculty. But we should not be bargaining for our cost of living pay.

Over the years, each compensation increase is more than just a percentage. If we take a smaller percentage increase this time, it makes subsequent raises worth less as well. If we take less now, it follows us through the years and into retirement.

We must stand strong and fight for our "cost of living" increase. It is intolerable for the administration to turn a cost of living increase into a measure of our worth.

Like many of you, I took a substantial cut in pay for the love of teaching. I am committed to my students and to this College. Like many of you, I will continue to give my best work no matter what "raise" we gain.

I will continue to put in many more hours than required because I think my work makes a significant positive contribution to

our students, to our community, and to society in general.

Students are affected by division between administration and faculty, and as Abraham Lincoln said, "A house divided against itself cannot stand." It is in the best interest of everyone to be a team.

I don't think it's wrong to expect a raise that provides a real cost of living increase. Such an action by the administration would contribute to a stronger team all the way around.

Michael Chaney  
Respiratory Therapy  
Health & Public Safety  
Division

### Clarification:

In the Aug. 18 issue of the *AAUP News*, an item stated that three of the current Deans were, in the past, asked to give up their faculty tenure and refused to do so.

Dean Dan Cayse asked that we clarify that the item did not apply to him, since he was not ever asked to give up his tenure.

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