

NEWS

AAUP files Unfair Labor Practice charge in response to Human Resources department actions

Cincinnati State AAUP has filed an Unfair Labor Practice (ULP) charge against the College administration because of Human Resources department actions that violate union rights.

The ULP charge was filed on May 1 with the State Employment Relations Board (SERB), by the AAUP Chapter attorney, Don Mooney.

AAUP Contract Compliance Officer Geoff Woolf said the ULP charge arises from an “investigation” conducted by the College’s Human Resources department in April.

Geoff said several faculty members, including union officers, were asked to attend meetings with HR Director Betty Young and Labor Relations Manager Steve Brooks as part of an “investigation” of a complaint filed by a College administrator. The complaint alleged possible harassment, bullying, or defamation of the administrator.

Later, the HR “investigation” was expanded to include possible discrimination against an employee based on sexual orientation bias.

Geoff said that in the meetings with Ms Young and Mr. Brooks, faculty members were asked about conversations that took place during AAUP’s investigation of a possible grievance to be filed on behalf of a faculty member.

“Some faculty members were asked to reveal the contents of discussions they had with union officers, and some College faculty and staff members were asked to inform the HR department about personal conversations they had with friends,” Geoff said.

Geoff said that when union officers were asked to reveal information that was part of an AAUP grievance investigation, Ms Young and Mr. Brooks said these union discussions could not be kept confidential because AAUP members and officers are also employees of the College.

Union officers also were asked to disclose the AAUP’s internal procedures for investigating possible contract violations, Geoff added.

According to Geoff, the union officers who were questioned during the “investigation” refused to disclose any of their

union or personal conversations to Ms Young or Mr. Brooks.

“The AAUP agrees that the College administration must ensure that our workplace is free of harassment, bullying, and bias based on gender or sexual orientation,” Geoff said.

“We understand that the Human Resources department has an obligation to take any such allegations seriously, and to find out whether there is any truth to these allegations,” Geoff added.

“However, when a faculty member in the AAUP bargaining unit seeks assistance in resolving a possible grievance, that faculty member also has an assurance their concerns will be kept confidential,” Geoff said.

“Conversations of AAUP officers and members that are related to finding out if a contract violation might have occurred are entitled to remain private—and that’s what we told Ms Young and Mr. Brooks during their ‘investigation.’”

AAUP Vice President Pam Ecker was one of those questioned individually by HR,

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and Pam also attended some of the “investigation” meetings as a union representative for other faculty members.

Pam said, “At some points, I had a feeling I was being threatened with disciplinary action if I didn’t reveal information about AAUP’s grievance-related activities.”

“Nevertheless, I told Ms Young and Mr. Brooks that I would not discuss with them conversations that were part of AAUP’s processes for determining if a grievance had occurred,” Pam added.

Geoff said the ULP filed with SERB by the Chapter attorney includes numerous examples of court cases that ruled in favor of “union privilege,” the legal term that covers the right to keep certain union communications private.

Geoff noted that in one of the cases cited by the AAUP attorney, the Public Employees Relations Board in another state said that “... the right to union representation would

be meaningless if, upon disclosing the facts needed for representation, the disclosure were then available to the employer upon asking. The union representation would become little more than a conduit.”

“It’s important for our members to feel ‘safe’ when they seek AAUP’s help with a possible grievance,” Geoff said.

“If faculty members are afraid that the concerns they share with AAUP officers could become the topic of an administrative ‘investigation,’ our ability to protect members’ contractual rights will be seriously harmed.”

Geoff said the SERB has followed up on the ULP filing by asking some questions, and offering to provide mediation for this dispute.

“After consulting with our attorney, we have declined mediation,” Geoff said. “We believe this violation of union rights is egregious, and should be the subject of a full hearing.”

Geoff added, “We don’t know exactly how many people were summoned to HR for this ‘investigation,’ and we don’t know if other faculty or staff members felt like they were being forced or coerced into revealing information they think they should not have been required to share.”

“If any faculty members feel their rights have been violated, and have not let the AAUP know, I hope those faculty members will talk to me, or get in touch with another AAUP officer right away,” Geoff said.

“If other concerns come to light that are related to how this ‘investigation’ was carried out, we can and will modify the ULP charge,” Geoff said.

“It would be illegal for the College to retaliate against a faculty member who assisted in bringing these concerns to the AAUP’s attention,” Geoff added. “The officers of AAUP will continue to ensure that our members can utilize their contractual rights, without fear.”

AAUP Community Service Committee seeks members

The Cincinnati State AAUP Executive Committee has appointed Neisha Wiley to be the Chair of the AAUP Community Service Committee.

Chapter President David Simmermon said, “Our service committee has had some great past accomplishments, but the committee has not been active for the past few years.”

“We are pleased that Neisha has agreed to take on the task of revitalizing the committee, and re-examining its mission for the future. We hope other Chapter members will volunteer to assist

with this important task,” Dave added.

In the past, the AAUP Community Service Committee has focused on some projects that supported educational endeavors throughout the greater Cincinnati area, such as Project Connect, which assists homeless students who are attending Cincinnati Public Schools. The committee also has supported other types of service such as food drives.

In addition, the committee has been involved in helping to promote Chapter projects such

as the Sick Leave Bank and the AAUP Scholarship.

Dave said the committee may want to develop new goals for the future.

“The Executive Committee will be happy to hear new ideas about the kinds of community service our AAUP Chapter should support and encourage,” Dave said.

Any faculty member who is interested in becoming a member of this committee should get in touch with Dave, or with Neisha (neisha.wiley@cincinnatiastate.edu).

AAUP Scholarship for 2015 is awarded to Pre-Business major

The Kenneth V. Stoll Cincinnati State AAUP Scholarship for 2015 has been awarded to Nicholas Grieco, a Pre-Business Administration student with a 3.86 cumulative GPA.

Nick has been attending Cincinnati State since 2009 and has been a full-time student since Fall 2013.

Nick is also a Sergeant in the U.S. Marine Corps.

AAUP Scholarship Chair Darlene Grey said the committee was impressed by Nick's application and letters of support from College faculty members. "Nick is well qualified to receive the scholarship," she said.

Nick's goal after graduating from Cincinnati State is to attend the University of Cincinnati to earn a degree in operations management, economics, and international business. His career goals include founding a business specializing in manufacturing and distribution of military equipment.

One of Nick's instructors, Paula Kirch Smith, described him as "a role model to the students around him in every way."

The AAUP Scholarship provides \$2,000 to be used for tuition, books, fees, or other academic expenses. The funds are disbursed using the standard processes established for other Cincinnati State scholarships.

The AAUP Scholarship was established to recognize students who demonstrate academic excellence while pursuing an associate's degree at Cincinnati State.

Preference in awarding the scholarship is given to a student with a union affiliation. Nick's father is a member of Teamsters Local Union No. 100 in Cincinnati.

The scholarship is named in honor of Ken Stoll, who was a member of the College's first graduating class, and returned to the College for a career as a faculty member and an academic administrator. Ken also served as an AAUP officer and a bargaining team member.

Faculty Senate President begins attending Deans' Council

Faculty Senate President Ryan Shadle is now attending meetings of the Deans' Council, at the invitation of College Provost/Academic Vice President Dr. Monica Posey.

Ryan said Dr. Posey suggested recently, in a meeting with some faculty leaders, that adding a faculty representative to the Deans' Council meetings would improve communications and bring a valuable faculty perspective to the topics discussed at the Deans' Council.

Ryan said he has attended two meetings so far, and believes that including faculty in these meetings can help improve organizational efficiency.

"So far, being part of these meetings seems like a good idea," Ryan said. "We appreciate that Dr. Posey was willing to reach out and seek direct faculty input when she meets with academic administrators."

Ryan said he is sharing the topics and issues discussed in Deans' Council with the other members of the Faculty Senate.

"We know that within the divisions, the Deans use a variety of methods to share information and gain faculty input," Ryan said.

"By taking information directly to the Faculty Senate also, we may be able to improve the ways in which faculty become informed, and also improve how faculty can provide input on academic issues and other College concerns," Ryan added.

Ryan said that in the future, other members of Faculty Senate may be designated to attend the Deans' Council.

"In some cases, the faculty representative might even be someone who is not a member of the Senate, but is well informed about a specific issue," Ryan said.

In addition to the four division Deans, the other council members are the Library Director, the Distance Learning Director and the Retention Director. For some meetings, Associate Deans also attend.

Cashing out some leave days?

Consider donating days to the AAUP Sick Leave Bank.

Get more information:

www.cinstataaap.org/service/sick-leave-bank/

Ohio AAUP president talks to legislators about higher education costs

(Some information in this report was first published by the Ohio Conference of AAUP, at www.ocaaup.org)

On May 20, Ohio Conference AAUP President John McNay, a professor at the University of Cincinnati, delivered testimony to the Ohio Senate's Finance Higher Education Subcommittee.

Dr. McNay expressed that faculty have grown weary of being scapegoated for driving up costs at Ohio's public colleges and universities.

He told legislators that less than 24 percent of institutional operating budgets is spent on professors' salary and benefits, also known as "instructional compensation," and that instructional compensation actually has declined by over 4 percent over the last 10 years when adjusted for inflation.

"As college costs have continued to rise, faculty compensation has dipped below inflationary levels. Clearly, other factors need to be examined," he stated.

Dr. McNay went on to discuss how administrative bloat, athletics, and never-ending building projects are driving up costs for students. He also pointed to the direct relationship between state support and tuition costs, noting that tuition has risen as state support has declined.

In addition, he urged the committee to investigate the effects of the new funding formula, to examine the College Credit Plus program critically, and to reinvest in the Ohio College Opportunity Grant (OCOG).

Chairman Randy Gardner (R-Bowling Green) thanked President McNay for his testimony and said that the Legislature is trying to take positive steps to reinvest in higher education.

Various students testified at the hearing, including several members of the Ohio Student Association.

They wore swim floats and goggles as a sign that they are "drowning in debt." They gave compelling accounts of their personal struggles to afford

college and now pay back their loans.

The Ohio Conference encourages faculty members to get in touch with members of the Ohio Senate to express concerns about higher education funding in Ohio.

More information is available on the Ohio Conference website at www.ocaaup.org.

The Ohio Conference of AAUP represents 12 collective bargaining chapters, including Cincinnati State, and 13 advocacy chapters (active AAUP chapters that are not also the faculty union).

The newest advocacy chapter is at Miami University, and was formed in April this year. Over 100 Miami faculty members attended the chapter kick-off event.

Cincinnati State faculty member Ryan Shadle is currently serving as the Secretary of the Ohio Conference Board. Paul Davis, a past president of the state organization, is the Cincinnati State representative on the Conference Board.

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