

March 2010

"Academic freedom for a free society"

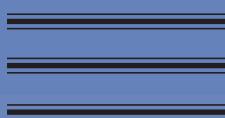
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CONTRACT NEGOTIATIONS BEGIN

The AAUP Bargaining Team has twice met with the bargaining team representing the University. We had an organizational meeting on February 18. On March 1, the AAUP team presented its proposals for a new collective bargaining agreement. Three more meetings are scheduled for March. The AAUP team will be meeting with the Steering Committee to provide updates on the progress of bargaining and to get advice on how best to proceed. Departmental representatives will be invited to these meetings in order to keep them fully informed, and to get their feedback and advice. Steering Committee members and departmental representatives are listed on the AAUP website. If your department does not have a representative, the AAUP members in your department should elect one so that you and your colleagues can be informed about ongoing contract negotiations. In addition, updates will be provided through the *AAUP VOICE*.

DEVELOPING CONTRACT PROPOSALS

Over the past several months, the AAUP Bargaining Team has developed contract proposals in conjunction with the Executive Council and the Steering Committee. In formulating proposals, we have relied on responses to the Pre-Bargaining Survey, proposals from earlier contract negotiations, suggestions from Steering Committee members, experiences with faculty complaints and grievances, issues raised in the course of implementing the contract, and advice and information from national AAUP.

Based on these sources, the Bargaining Team drafted proposals that were approved by the Executive Council and presented for consideration and action by the Steering Committee at its February 18 meeting. Members of the Steering Committee fully discussed the draft proposals and made suggestions for modifying some of them. The Steering Committee then voted unanimously to support the proposals.

A salary proposal has not been finalized in part because the annual salary study prepared by national AAUP has not been completed. The national AAUP salary study provides data for our comparator institutions. In past contract negotiations, the AAUP has presented its salary proposal to the University as early as the end of March and as late as mid April.

AAUP CONTRACT PROPOSALS

The AAUP contract proposals are posted at www.udel.edu/aaup. These proposals, in keeping with the purpose of Article II of the current *Collective Bargaining Agreement* (CBA), seek to “improve the quality of education and to maintain high standards of excellence at the University of Delaware.” The following summarizes the proposals and the reasons for them.

Academic Freedom

As discussed in previous issues of the *AAUP VOICE* and as discussed at the University Forum on February 15, recent court decisions make it necessary to protect the academic freedom of faculty through specific language in the CBA. This language pertains not only to scholarship and teaching but also to shared governance, discussions of campus issues, and public speech. We are proposing a new provision for the CBA that will serve to secure all elements of academic freedom for University of Delaware faculty. This proposal is based on a report prepared by a subcommittee of the national AAUP Committee on Academic Freedom and Tenure, and was developed in consultation with Rachel Levinson, Senior Counsel to the national AAUP.

Leave for Illness or Injury

In contrast to other University employees, faculty at the University of Delaware do not currently have a sick leave policy as such. When faculty need such leave, they negotiate individual accommodations with their chairs or directors. Based on reports from faculty facing serious medical situations and in response to concerns raised by new financial pressures on academic units that result from Resource Based Budgeting, we have formulated a policy for leave for illness or injury that meets the unique circumstances of faculty as compared to other University employees.

Domestic Partner Benefits

In recent years, the Harker Administration has adopted policies that provide a range of benefits to same-sex domestic partners. These initiatives are most welcome. In implementing policies that have long been advocated by the AAUP, the University has begun to approach the benefits provided to same-sex domestic partners by our comparator institutions. The absence of medical-surgical benefits is a glaring exception to this progress. The AAUP has been bargaining for these benefits since 1994. We propose that medical-surgical benefits for same-sex domestic partners be afforded and be implemented.

Workload, Merit Pay, and Promotion and Tenure

Over many years, policy changes affecting workload, merit pay, and promotion and tenure have made in both the CBA and the *University Faculty Handbook*. In addition, new categories of continuing nontenure track faculty have been developed to reflect the reality of faculty activities.

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AAUP Voice

Gerry Turkel, Editor

The AAUP Voice is the official newsletter of the University of Delaware Chapter of the American Association of University Professors.

The Voice appears four times a year, twice in the fall semester and twice in the spring semester.

The Executive Council acts as editorial board. During contract negotiations or when otherwise warranted, Bargaining Team members also participate on the board.

AAUP Executive Council:

Joan DelFattore, President
Danilo Yanich, Vice President
Patricia Barber, Secretary
Calvin Keeler, Treasurer
Douglas Buttrey, At-Large
Diane Ferry, At-Large
Linda Bucher, Past President

Leon Campbell
Contract Officer
831-6767

David Smith
Grievance Officer
831-2275

Rita Girardi
AAUP Office Manager
301 McDowell
Phone: 831-2292
Fax: 831-4119
Website:
<http://www.udel.edu/aaup/>

Hours: M-TH (9 a.m.-2 p.m.)

In reviewing these policies, it is clear that often these policies are neither presented in a fully coherent manner nor aligned properly with one another. As a result this lack of coherence and clarity, the implementation of policies has, at times, generated confusion and unnecessary disputes. In order to rectify this situation, our proposals include a new provision in Article XI of the CBA that aligns workload and promotion and tenure policies more clearly and a revision of Article XII that brings together in clear language policies dealing with workload, annual evaluations and merit pay.

Use of Part-Time Faculty, Full-Time Temporary Faculty, and S-contracts for Persons Who Do Not Hold Appointments as UD Faculty

Article XIII of the current CBA specifies the conditions under which part-time faculty may be used for teaching. The clear intent of this provision is to limit the use of instructors who are not continuing members of the faculty in order to foster high quality education and commitment to the University's mission. Since the category of "part-time" faculty is too limited to realize the purpose for which Article XIII is intended, the AAUP is proposing that additional categories be included, specifically full-time temporary faculty and S-contracts for persons who do not hold appointments as UD faculty.

Extending the "Stop the Clock" for Tenure and Promotion Decisions

Under current policy, an untenured faculty member who becomes the parent of a newborn or newly adopted child is eligible for a one-year extension of the pre-tenure probationary period. The AAUP is proposing that this policy should also cover untenured faculty members who are granted a leave of absence pursuant to the Family and Medical Leave Act of 1993. In addition, the proposed provision makes it clear that an extension of the pre-tenure probationary period does not affect the faculty member's right to apply for tenure prior to the terminal year.

Funding Salary Equity

During the 2008 contract negotiations, the AAUP and the University agreed to conduct a salary equity study during the fall semester of the first year of a new CBA. The AAUP is proposing that a fund be established adequate to make adjustments based on salary equity studies conducted during the first year of each new CBA.

Wellness Program

The AAUP proposes that Wellness Dollars be increased from \$50 to \$100.

Enhancing the Effectiveness of the AAUP

The AAUP is responsible not only for representing the faculty in negotiating collective bargaining agreements, but also for implementing the provisions of the contract for all faculty members. In fulfilling these responsibilities, our AAUP chapter relies on faculty members who serve as elected and appointed officers. With the exception of one part-time office coordinator and the occasional use of consultants, all of the chapter's work is done by its elected and appointed officers. In order to enhance equity and the effectiveness of these officers, the AAUP is proposing that the University provide S-contracts to the units of those faculty members taking course reductions for AAUP activities as stipulated in Article 5.8. In addition, the AAUP is proposing that reasonable use of email in accordance with University procedures be stipulated, and that reports on such matters as faculty contract renewals be provided to the AAUP in a timely fashion.

JOIN AND PARTICIPATE

The power and quality of AAUP representation are heightened by faculty participation, especially during contract negotiations. Stay informed and join the AAUP if you are not a member. Only AAUP members have the right to vote on contract proposals when they come up for ratification. The membership application is available at www.udel.edu/aaup.

AAUP

**UNIVERSITY OF
DELAWARE**



**Rm. 301 McDowell
Newark DE 19716
Voice 831-2292
Fax 831-4119
aaup-mail@UDel.Edu**