

AAUP

Voice

June 2010

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A new *Collective Bargaining Agreement* was ratified by a vote of the UD/AAUP members on May 19. The vote was 306 in favor of the proposed contract and 12 opposed. The balloting was conducted electronically.

From February 18 through April 30, the AAUP Bargaining Team and the University Bargaining Team had nine meetings. The AAUP leadership sought to make the negotiating process as open as possible to the faculty. The balloting followed an Open Faculty Meeting held on May 10. At this meeting, the proposals were presented and fully discussed. In addition, three Steering Committee meetings were held during the contract negotiations. Two of these meetings were open both to Steering Committee members and to Departmental Representatives in order to maximize participation and disseminate information about contract proposals. A summary of the proposed contract and all of the agreements signed by the AAUP and the University were available online on the UD/AAUP web site prior to the balloting which was conducted from May 11 through May 19.

The new contract will go into effect on July 1, 2010 and will be in effect through June 30, 2013. The summary of the contract and signed agreements are still available on the UD/AAUP web site. The contract was signed by the AAUP leadership and the Administration at a celebratory luncheon meeting on June 8. The new contract will be posted on the UD/AAUP web site as soon as possible.

Key Elements of the New Contract

The new Agreement between the UD/AAUP and the University extends academic freedom, and the powers of the faculty in matters affecting working conditions. The Agreement also enhances the economic status of UD faculty by providing meaningful salary increases and improvements in benefits. The specifics of the new contract will become part of the fabric of academic life as the provisions are implemented. The AAUP leadership encourages all members of the faculty to become familiar with the provisions of the contract and to fully exercise their rights in realizing the educational and scholarly missions that are central to higher education at the University of Delaware.

Among its key elements, this Agreement includes an academic freedom provision that addresses core concerns raised by recent federal court

decisions that have eroded speech rights of faculty. This new provision gives contractual status to a definition of academic freedom that includes speech directed at institutional governance and public discussion as well as teaching and scholarship. In addition, faculty rights in determining merit pay policy are enhanced, as is the centrality of workload in decisions affecting merit pay, promotion and tenure, and peer reviews. The Agreement provides for a 2 percent merit increase in the first year and a \$1,000 structural adjustment, regardless of rank, that goes into effect on January 1, 2011 and will be paid in full through August 31, 2011. In the second year, the Agreement provides for a 2.5 percent merit increase and a \$1,000 structural adjustment for all ranks that goes into effect on September 1, 2011. The third year provides for an across the board salary increase of 1.5 percent and 2.5 percent merit. In addition, the contract provides for greater clarity and transparency for salary equity adjustments. In addition, floor salaries for instructors and assistant professors will be increased by \$1,000 in the first year of the contract above the adjustments based on the structural and merit portions increases.

Letters of Understanding

The negotiations for the new Agreement were collegial, friendly, constructive, and deepened the working relationships among members of both teams. Recognizing that not all issues could be fully explored, analyzed, and resolved during the pressures of contract negotiations, the AAUP and the Administration agreed to four letters of understanding. These letters of understanding, which will be published in the new contract, provide for activities and discussions that will have important implications for future contract negotiations and faculty working conditions.

There are four letters of understanding that will structure relationships between the AAUP and the Administration over the next few years. First, the AAUP and the Administration will conduct workshops for department chairs and deans on the CBA, including issues relating workload to merit pay, promotion and tenure, and annual evaluations. Second, the AAUP and the Administration will form a committee to study and make recommendations regarding approaches for the distribution of salary increases in future contracts. Third, the AAUP and the Administration will establish a committee to examine different categories of instructional activity and how they should be related to workload. Fourth, the AAUP and the Administration will establish a faculty committee to resolve conflicts between the Faculty Handbook and the CBA recognizing, as provided in Article 17.1 of the CBA, that the CBA prevails in such conflicts. In fulfilling these letters of understanding, the AAUP will require the support and participation of AAUP members across the University.

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:

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Patricia Barber, Secretary
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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.)

UD/AAUP Elections in the Fall

As stipulated in our chapter bylaws, an election of officers shall take place within the first 90 days of the first day of the semester following the effective date of a new CBA. The AAUP will hold elections for president, vice president, secretary and treasurer. The current Executive Council is charged with circulating a slate of nominees for each office four weeks prior to the election. Other candidates may be nominated if they have ten members in good standing signing a petition supporting their nominations. These petitions must be submitted to the AAUP office no less than three weeks prior to the election.

The June National AAUP Meetings

The work of national AAUP is extremely important for our chapter. In the last contract negotiations, the report of the subcommittee of the Committee on Academic Freedom and Tenure focusing on the *Garcetti* decision was fundamental to the new academic freedom provision in our contract as was the support and advice of Rachel Levinson, AAUP Senior Counsel. The salary data which formed the basis for comparisons with other institutions was created by national AAUP. The analysis of University of Delaware finances was prepared by national AAUP. The knowledge and experience generously shared by AAUP leaders across the country helped to frame issues for our negotiations. For these reasons, it is important for UD/AAUP leaders and members to recognize the importance of the national AAUP and its activities.

This year's annual AAUP meetings were held in Washington, DC from June 10 through June 12. Leaders of the national AAUP reported that the organization's finances are strong, and that the AAUP is engaged in a variety of activities to fight for the values and integrity of our profession. Among the many interesting sessions was one on the *Garcetti* decision. Larry White, Vice President and Counsel for the University of Delaware, was one of the distinguished members of this panel. The AAUP is engaged in a variety of efforts to unionize faculty across the country, including the University of Oregon, the University of Illinois Chicago, and Bowling Green University. At the annual meeting, the AAUP voted to change the dues structure for faculty who are not members of collective bargaining chapters. The new dues structure will be progressive and simple, making it possible for lower income faculty members and academic professionals to join. All of this is very good news since the greater the success of national AAUP and colleagues across the country, the better positioned we all are in our home institutions. This change in dues structure does not apply to UD because we are a collective bargaining chapter.

UD/AAUP Undergraduate Student Awards

The UD/AAUP Undergraduate Awards Committee, chaired by Joan Couch, did an excellent job in reviewing applicants. The selected Mathew Churgin and Brittany Scott as this year's recipients of the UD/AAUP Undergraduate Student Awards. Each of these exceptional students will receive \$2,000 as they proceed to fulfill their ambitions to continue their studies in graduate school. The AAUP is proud of their accomplishments and wish them both every success in the future.

Matthew Churgin majored in Electrical Engineering and will continue his graduate studies at the University of Maryland. He participated in undergraduate research for two years under the auspices of Professor Takashi Buma. He wrote an honors thesis on the construction of a novel microscope which he used to determine biological tissue elasticity. Matthew has won awards and scholarships while a student at UD. He published an article on research with Professors Buma and Liu. He also played guitar in the pit band.

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Brittany Scott majored in Sociology and will continue her graduate studies at the University of Delaware. She has been engaged in research at the UD Disaster Research Center since her first year at UD. Acting on advice from Professor Joel Best, she began researching the improvised waterborne evacuation project of Manhattan that was implemented on September 11, 2001. She is currently preparing a paper on international disaster response for publication. She has served as co-coordinator of the Disaster Research Center's Experience for Undergraduates funded, in part, by the National Science Foundation and the Department of Defense. Brittany completed a thesis on the medicalized narrative of drug addiction which was presented with Professor Tammy Anderson at the 2010 meetings of the Eastern Sociological Association.

AAUP

**UNIVERSITY OF
DELAWARE**



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

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