

# AAUP

SEPTEMBER, 2009

## **The AAUP officers, Executive Committee and Staff welcome Members to a new academic year.**

It was with mixed feelings that many watched the past academic year come to an end. It was a year of financial storm and sad consequences for the faculty and staff at the university. By a vote of 596 to 171 an agreement negotiated by the State Employee Bargaining Agent Coalition and the AAUP was ratified. The overall agreement served the interests of junior faculty members through cost saving; it provided for one furlough day in fiscal year FY 2009 (taken in FY 2010 by AAUP members); three more in each of the next two fiscal years, a pay freeze for FY 2010 (August 14, 2009), a raise of 5% (in the aggregate) for FY11 (August 13, 2010); and a raise without any furlough days in FY 2012 (August 11, 2011). In contrast, some states have their employees on furlough for two days a month with pay cuts and layoffs.

There are already some issues with when to use the “floating” furlough day, but we hope that most will be easily reconciled.

The overall agreement also provides for a retirement incentive of three years credit for those in the state retirement plan (SERS) and a \$6,000 deferred payment annuity of \$2,000 over three years for those in the Alternate Retirement Plan (ARP). Predictably, almost all sixty-three faculty who retired were in the SERS plan. There were also some changes to the state health care plan.

Reaching an agreement was further complicated by the university refusing to agree on two years’ job security involved in the state-wide agreement for members with “permanent” status. The university wanted the freedom to lay off faculty for reasons of program need or in the event the governor levied another budget reduction. The Constitution of Connecticut authorizes the governor to reduce state appropriations up to 5% without seeking legislative approval. In any event, AAUP’s and UCPEA’s persistence prevailed and protection parity was agreed upon. Unfortunately, despite AAUP’s vigorous efforts, this does not afford the same protection to adjuncts without multi-year contracts and the many people on end-date contracts or grant support.

A new fiscal year begins with the governor’s and legislature’s failure to reach a new budget agreement for two months. Drafts of the budgets in the negotiating period were draconian for many programs and harmful to public higher education. While federal Pell Grants were increased, state aid to students was reduced. Because Governor M. Jodi Rell has interfered with the tuition and fee schedule approved late in the last academic year, to hold the schedule down, she has reduced the quality and diversity of offerings through the many squeezes and cuts in the higher education budget, which is felt in every corner of UCONN.

The effects of the recently approved budget will be difficult, to say the least, for the coming academic year.

## **UCONN HEALTH CENTER FACULTY CONSIDER UNION**

Since the end of the last academic year, there has been a strong surge of interest by the faculty at the UCONN Health Center (UCHC) to have their own union and to subsequently merge with the UCONN AAUP Chapter. The faculty at UCHC has a strong inducement to consider such a change, a change rejected at an earlier date. The UCONN administration has taken the position that tenure can be separated from pay at the Health Center, that faculty pay can be reduced by 25% when faculty do not bring in sufficient (undefined) grant support, and has essentially turned the faculty over to the Hartford Hospital. Contracts are already being reissued with individuals being contracted to a new merged entity before the merger of the Dempsey Hospital and Hartford Hospital is approved. The contracts bar physicians from “competing” (practicing) for a year within 12 miles of any affiliate of Hartford Hospital. A video on President Hogan’s website shows the President discussing with the head of the Hartford Hospital (HH) how HH will manage the space if the state will build a new \$600 million dollar hospital, something the state is not close to approving in the current climate. Every academic knows that whoever controls space controls programs.

Change is inevitable in the UCONN medical and dental schools’ programs, but protection of the academic mission ought not to be subservient to HH or other private hospitals’ needs to drain the lifeblood of the academic mission by clawing the best billable patients out of the public system. Clearly, it is a very complicated system and part of the national health care dilemma, but medical and dental care will not get better in Connecticut without preserving and enhancing the mission of the UCONN medical and dental schools.

An opinion column in the August 23, 2009 *Hartford Courant* by Kevin Rennie has brought some of the issue to the public. It can also be found on the AAUP website.

### **WHAT IS THE FACULTY WORK YEAR? WHAT ARE THE ENCROACHMENTS?**

The furlough day issue of the recent negotiations has redrawn the debate that many would prefer to be on the margins. What is a work day for the faculty? In a Research I university it has long been clear that funded research, scholarship and publication are the keys to tenure or reappointment and professional productivity at all levels. Yet in the recent negotiations the UCONN administration took the position that no furlough days could be taken on any faculty member’s class day. The AAUP took the position that a) students should know that their faculty are faced with time off without pay, and b) a position that infers that only teaching time is valuable, diminishes the value of any research time. The AAUP also argued that in any given semester a faculty member may host guest speakers, attend a conference, or give an invited talk. In the end it was agreed that one of the three days might be a day agreed upon between a faculty member and his or her department head.

Beyond this is the growing administration claim for time of faculty beyond the academic year appointment. In the summer, faculty members are asked to first seek permission for consulting and then to report on the consulting activity. For reasons of ethics and conflict of interest it has not been contested that reports of paid consulting be made, but most recently

the forms from the administration ask not only for categories of pay but for exactly how much was paid as well as from what source. This is highly objectionable as it is not required by law or any CT state rule that the AAUP is aware of. It is being questioned.

The growing expectation of faculty availability during the summer is also leading to confrontation. It has long been quietly acknowledged that many faculty members voluntarily serve on search committees or do other important work during the summer, but the administration seems intent on capturing that time as obligatory to attend workshops on ethics or some other layer of intrusion on faculty time not compensated and then suggests penalties when faculty members do not comply. The University takes the position that academic year faculty are, in fact, year-round employees since they receive health insurance and paychecks in the summer for the previous academic year's performance.

This is not a model of leadership that will produce the best results at UCONN or anywhere else for that matter. Good leadership should show appreciation for the self-initiated faculty drive for excellence and innovation, and demonstrate proof of the adage that leadership is the art of getting others to do what you think ought to be done; directives and mandates to the same end at a university is as successful as pushing a rope. Academic year appointed faculty are not required to attend meetings in the summer. They are not paid for it. There are activities that faculty want to do and need to do, but where these lines cross should not be abused. Collegial support and directed activity are not the same. Abuses should be reported to the AAUP.

### **TITLES AND MULTI-YEAR CONTRACT PROTECTION**

An arbitrator recently ruled that an individual with a title in the "temporary category", who was employed for 11 years, had a "probationary year", whose payroll authorization had a "P" in the End Date box, and who never had a review or reappointment letter was nevertheless an end-date employee. The University was not held responsible for awarding the individual an incorrect job title. The arbitrator ruled that the individual was responsible for the incorrect title.

A few years ago, another arbitrator ruled that an individual who signed a one-year contract after having a series of multi-year contracts had relinquished his right to any subsequent multi-year contracts and was terminated.

In both of these cases the university successfully avoided the trouble of terminating individuals on the merits of the case at hand. Members are urged not to sign a single-year contract after receiving a multiple-year contract without checking with the AAUP and examine the appropriateness of your job titles. There is an appearance of casualness in title assignments which might well leave the holder as a casualty.

### **REMINDERS:**

**HEALTH INSURANCE:** Please remember to notify the UConn Human Resources department to add new family members to your insurance policy.

**PENSION PLAN:** New members have up to 6 months to chose a pension plan. Please contact UConn Human Resources.

## 2009-2010 AAUP EXECUTIVE COMMITTEE

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