

AAUP

NOVEMBER 11, 2009

RETIREMENT: MARKET IMPACT AND MEMBERS OF THE ALTERNATE RETIREMENT PLAN

A meeting on November 18, sponsored by the Labor Education Center at the request of a member of the Eastern Connecticut State University faculty, will be discussing the problems associated with the Alternate Retirement Plan (ARP), formerly the exclusive domain of the TIAA-CREF companies.

The UCONN AAUP has been a participant in discussions with all of the higher education unions to consider what, if any, relief may be possible for those who have been in the ARP and had their retirement portfolios buffeted by the market collapse last year. The more recent partial rebound has not made up for losses.

There are many issues to be dealt with:

- 1) Some individuals believe they were given no choice in the selection of either the State Employee Retirement System (SERS) or ARP. The university has records showing individual choices, but individuals can double-check if their memory is not clear on this.
- 2) Some argue that there can be a new option to allow individuals to purchase an annuity from the state, at full actuarial cost, to now join the state plan. Further, the idea is being advanced that perhaps individuals could withdraw their portion of the ARP to make this purchase and keep the individual portion. Market performance might make this impossible to calculate, but it would greatly diminish the amount available to purchase an annuity should one become possible.
The advantage of an annuity through the state would be to reduce the overhead charges otherwise likely from a private insurer.
- 3) Any changes requiring legislative approval would surely mean that it would have to be at no cost to the state in the current economic environment.
- 4) The higher education institutions will oppose any change that permits choices which were intended to be once-in-a-lifetime (Federal rules may apply here) as any shift of employees to SERS from ARP would increase substantially the cost of the pension because SERS carries with it the cost of all the unfunded liability from repeated borrowing to run the state .
- 5) There are individuals who, despite the urging of the AAUP and other unions in 1991, chose not to join the Social Security program and now find the diminished ARP portfolio combined with no Social Security creates a worrisome retirement scenario. (After 1991 all new employees were required to join Social Security.)

The higher education unions have met and agreed to examine the options that may be available in the coming year or two. The coming legislative session is scheduled to be short and the research and case development on this may be lengthy. Anything that looks like an attempt to reverse the stock market losses will have no chance of relief because the state faces large deficits. If the market continues to move upward, it might not be wise to try to cash out for an annuity, should one be possible in the near term.

RULES AND PAPERWORK: AN OVERABUNDANCE NOT ALWAYS NEEDED

It seems axiomatic in public administration that one mistake leads to a plethora of rules to avoid any repetition of a problem which other rules may have corrected.

When there was an abuse of federal funds and excessive consulting on a certain project, the result was a court settlement which limited the amount of time that could be billed to grants, thereby creating the 12/12ths rule, where individuals could not use grant funds to exceed a salary beyond the academic year base (nine months) extrapolated to twelve months.

In the rigidity of administrative linear thinking, this rule must be extended to all faculty so as to be “fair”. That was before the retirement incentive and hiring freeze, the push for “finish in four” and termination (administration sees this as an end-date, but it feels like termination to those on the receiving end) of many adjuncts and in-residence or other instructional colleagues. In the plan to increase intersession and summer session academic year, faculty find themselves bumping up against the 12/12ths rule. This needs to be corrected to face the reality of needing to pay faculty for teaching outside the academic year.

Similarly, the morality surge in Hartford following the conviction of former governor John Rowland led to new restrictions on faculty consulting and the definition of what is considered consulting. In truth, this cannot be all laid at the doorstep of the president and provost, but they need to see this burdensome work in the light of hindered productivity. The AAUP will be making a considerable effort to reassess the extent and need for (or lack of) all the permissions required of UCONN faculty but not of peers elsewhere. It seems to be astonishing to faculty elsewhere and new faculty here that such things as are expected (book reviews, peer evaluations, articles, referee panels, etc.anything with an honorarium) must be given prior approval. And approvals must be approved at a variety of levels. Some progress was made following an AAUP-sponsored national survey and a subsequent legislative “carve-out” for UCONN, but it seems to be a doubling of work rather than lightening of the load.

Nowhere else in state service is there such a claim on the time and qualifications of employees. The view seems to be that if one does not fill out a time card there are not enough hours being committed for one’s salary. It was said of the early Puritans in Boston that they were worried that someone somewhere might be having a good time. At UConn/Connecticut it is a worry that some faculty somewhere might be earning money for what they are already paid for, not realizing that usual and customary stipends are often for less than any reasonable fraction of value of time. Hiring multiples of personnel to be sure that no extra effort is made simply seems wasteful and a drag on productivity.

COMPLIANCE AND COMPULSION

In the assessment of what is necessary at UCONN, the AAUP has encountered a complaint system which is tilted away from tenets of fairness.

Specifically, it is the process used in Office of Diversity and Equity (ODE) in which individuals are denied copies of complaints, even with names redacted, and therefore, denied the chance to refute claims which may well be false.

In a particular case, a faculty member was charged by a student with discriminatory behavior. A class was rescheduled by the university, and it fell on a holy day for a particular faith. The faculty member denied requiring attendance and denied any discriminatory behavior in making a common salutation in that faith.

The faculty member has a lifetime of sensitivity dealing with discriminatory actions.

The accusation, even with the name redacted, was not provided to the faculty member. The ODE officials declined to interview students in the class, as requested by the faculty member, beyond the one recommended by the complaining student.

The end result cleared the faculty member but with half-hearted language that suggested the faculty member really, really came close to crossing some lofty line enunciated in some court cases. The ODE office must make a report at the end of each year to the state. This means that reports that suggest that someone almost got away with something can be an offensive record when the report should be “Innocent”.

Many faculty are feeling the heat from complaining students and others when there is no penalty for filing false claims, and for what sometimes amounts to harassment. This system begs for change.

AAUP President’s Message What Does the AAUP Do for Me?

We rely on our contract to set the ground rules for a productive, professional, and dignified work experience. Like many of us, I am committed to the ideals and terms of our contract; after all, I have been on the bargaining teams. But underlying our contract is a sense of fair play that results in justice coupled with treating people as people rather than as interchangeable parts or commodities.

1. It negotiates a contract with minimum terms. If I personally can negotiate better terms, all the better for me. The contract is simply a guaranteed floor.
2. It negotiates processes and procedures that mean fair treatment rather than caprice or personal relationships. My salary, working conditions, and benefits can’t be cut arbitrarily, unilaterally, or to “teach me a lesson.”
3. The grievance procedures under the contract means that I have a place to turn if I judge that I am being treated unfairly and I can make my case with dignity (and with the help of a professional, if I so choose), not hat in hand. These procedures protect “at-will” employees from becoming “at-whim” employees.
4. It gives me a seat at the table when big decisions about my working conditions are being made, so that my concerns are voiced and taken into account. We are represented on committees (such as parking) and we speak up on matters such as changes in the university’s bylaws. This representation is our own, not hand-picked by the administration.
5. It gives me a role in the State Employees Bargaining Agent Coalition (SEBAC) that negotiates on pension and health care and was instrumental in negotiating a response to the financial crisis last spring.
6. The UConn AAUP chapter has negotiated a) multi-year contracts for members not on a tenure track, b) daycare reimbursement, c) equity studies about salary disparities, d) unpaid leave and stopping the tenure clock, e) travel/professional development funds, f) a fair shake on merit with standards adopted annually by individual departments, and g) more, much more.

What Does the AAUP Do for the University?

The UConn AAUP chapter takes a macro, long-term view of its role. It consistently works for mutual interests rather than “winning” and principle rather than advantage.

1. We share with the administration a professional interest in making this the best university we can. We worked hard to be members of a fine public institution. We continue to work hard to sustain that excellence throughout our careers at UConn. We know that it takes decades to build a fine university but only one rough budget round or misguided management team to tear it down. Since 1991, the UConn AAUP chapter voted three times to sacrifice contractual salary increases to preserve the university’s integrity.
2. We advocate for what is both right and realistic by a) strengthening our constructive relationships on our campuses, in the legislature, and among friends and alumni in the state, and b) cultivating new relationships and creative avenues to position our members and institution to survive these difficult times. We work continuously and openly with other UConn unions, the administration, the alumni and advocacy groups, the students, our friends in the legislature, SEBAC, and the broad Connecticut community.
3. Public relations, sustained co-operation, on-going open communications, enlightened lobbying, an energetic PAC, solid media relations, and transparency and mutual trust are core components of the UConn AAUP’s strategy.

The national AAUP and its chapters throughout the country are the established and most recognized advocates for and guardians of academic freedom, the core value that makes the legitimate pursuit and transmission of knowledge possible.

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AAUP President, UConn Chapter, 2009-2010