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October, 2003

**Editor:** Jo Wiley

*Gary Mathews*  
WMU-AAUP President

**Executive Committee**  
President

Gary Mathews  
Vice President  
C. Dennis Simpson  
Contract Administrator &  
Chief Negotiator  
Robert Ricci  
Grievance Officer  
Pam Rooney

Secretary  
Gwendolyn Nagle

Treasurer  
Allen Schwenk

Information Officer  
Jo Wiley

*Representatives*

Johnson Asumadu  
Blair Balden  
Joel Boyd, Jr.  
Sandra Glista  
Mary Anne Loewe  
Gerard Nowak  
William Santiago-Valles  
Leo Stevenson  
Paul Wilson

the WMU  
AAUP



# Advocate

At Western Michigan University

## A Bit of History

The University's centennial year of celebration provided an impetus for recording and recognizing our Chapter's history and involvement at Western Michigan University. Current and past Chapter leadership have worked collectively to bring their knowledge of and experiences with the AAUP together to create an oral history of the Chapter's experiences at Western Michigan University. Video taping of this history took place on Saturday, October 18<sup>th</sup> and culminated in a Chapter-wide Presidents' reception held at The Montague House.

While the driving force behind the organization of the AAUP dates back more than a century, the American Association of University Professors was formally organized in 1915 with its primary purpose to ensure

academic freedom and protect faculty members. Western Michigan University faculty's involvement in the AAUP began in 1950 as a non-bargaining unit with a roster of 95 active members by 1959. However, growing concern about governance, salaries, healthcare, promotion and tenure motivated the Chapter to organize as a bargaining unit. The first contract negotiations began in the mid-1970s and continued for twelve months without reaching an agreement. Lyn Bartley organized a second negotiation team that, after an additional five months at the table, was able to negotiate a successful contract in 1976.

As the saying goes, the rest is history and will soon be available to membership in video form.

## The Current State of the Union

*Gary Mathews, Ph.D.*  
WMU-AAUP President

After four months of negotiating, we have a complete contract that is in effect until September 6, 2005. The Chapter ratified it on October 1st, by an extremely close vote of 246 to 225, and the Board of Trustees approved it on October 7, 2003. While there are members who question the relevance and effectiveness of our union, there are many indications that the union is strong and vibrant.

The American Association of University Professors nationally recognizes our Chapter as an exemplary Chapter, as our leadership has a long history of being active at the state and national levels. Ariel Anderson, our local Chapter past president and

contract administrator, is the current Chairperson of the AAUP Collective Bargaining Congress.

We have a mature contract, which serves as a model for other, younger Chapters. We have an effective system of processing and adjudicating grievances. We have an active and involved Association Council. The Chapter also has a balanced and cordial relationship with the Faculty Senate.

We have a sound financial basis. We pay our national and state association dues on time and are able to put money aside.

While we have a history of clean audits, the Chapter has also incorporated many of the suggestions made by Sheldon Langsam, Department of Accountancy, last year to improve our system of bookkeeping and to insure good stewardship of faculty dues money. Although an .8% of annual salary is considered to be reasonable when compared to other union dues structures, we continually strive to find ways to reduce members' dues.

Of course there is always room for improvement. I have heard, for twenty-five years, that we need to find ways to involve more members, in particular the more recently arrived faculty. This is certainly a goal of the current leadership. However, there are difficulties in realizing their involvement. Many untenured faculty believe that either they are too busy doing the work that will make them successful in their bid for tenure or they may be penalized for their involvement in the Chapter. The "research faculty" sometimes express a feeling of alienation from the union leadership, even though we have had many scholars of note on the Executive Committee.



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We are a faculty of many political views and of many eccentricities which can bring strength and accountability to our Chapter. However, it also requires that the union represent a diverse and complicated constituency. This means that there will always be some members who are not satisfied with some decisions leadership makes. There will

also always be critics ready to find fault with whatever the union does. This is never pleasant, but it does help us to remain accountable to the membership.

Whatever our weaknesses, we will continue to reach out to the membership and search for ways to improve connection, communication and service to the faculty.

## From Your Chief Negotiator...

*Robert Ricci, Ph.D.*

The recently completed contract negotiation was, for me, the most complex negotiation I have experienced. It might have been the most difficult negotiation ever for our Chapter. The main reason for this was the very arduous process of working through the many manifestations of various health care programs and options, all of which was complicated by national health care costs rising 48% in the previous three years.

Both teams, the Chapter's and Western's, found themselves in a similar situation: week by week we were studying yet another version of either an indemnity plan or a possible PPO health care model. It was imperative that both sides understood all modifications, riders, and other permutations since the health plans we were generating would affect not only faculty but also administration and all other non-bargaining employee groups on campus.

The original discussion piece presented by the Administration included only a PPO model. However, after the negotiation team met with a concerned group of faculty, the team responded to the administration with an insistence that some form of the indemnity plan be preserved as an option. While the team's original goal was to avoid any increased member costs, after listening

to our membership we were convinced of the need to preserve the indemnity plan thereby giving members a choice between added costs or a change in health care plans.

My hope is that faculty will find one or the other of these plans effective for themselves and their families. Since the present negotiation only takes us up to the summer of 2005, faculty awareness, analysis and feedback on their experiences with these two health care plans will help guide the next negotiation team as it prepares to bring problems and proposed modifications to the negotiation table.

Each new negotiation puts everything in the contract back to "Go." The administration came into this year's negotiation determined to eventually divest itself from the supplemental retirement benefit, primarily through an incentive buyout. Paramount in the mind of the team was the 2009 terminal date of the extant retirement and the viability of extending dates into the future if the administration was determined to do away with this benefit. Of additional concern was the possibility of losing the current benefit prior to 2009, should other circumstances come to fruition at the university. For example, if another organizing agent, such as the MEA, were to be voted in for our faculty, any dates extending into the future would become essentially moot and probably not tenable.

The negotiated window severance incentive plan and modified supplemental retirement benefit, while admittedly controversial, secured a level of supplemental retirement for all faculty. As with the health care benefit, with faculty input the Chapter will have the experience and the data to bring back to the table.

I remember, as a WMU faculty member in the early 1970s, the incipient attempts to organize a union and how problematic it was for many faculty members to even think of joining and

then how difficult it was when we went on strike. Western came down hard on our union when challenged about the way faculty had been treated. Salaries were pitiful. There was no grievance avenue to pursue. Faculty control over workload and meaningful shared governance was, essentially, non-existent.

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Our union  
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representative of  
the needs of all.

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The Faculty Senate did its best to speak for faculty concerns, but often the deliberations there fell on deaf ears because there did not exist a structure that mandated the legal rights of the faculty. I do not personally feel that administrators are intrinsically driven by negativity toward the union, but there is no question in my mind that power, when it is localized in one body only, has the tendency to see things in one light, and that light in the past resided in the halls of the administration building.

Even though there will always be problems to solve, conditions are better now. The union and the administration have worked together in many productive ways. I would hate to see the time come when all of this progress is either dissipated or lost because of apathy, inactivity or simply lack of involvement.

Our current contract, while negotiated by the team, is the result of member involvement. Nevertheless, our union needs more participation by the larger faculty body in order to remain representative of the needs of all constituents. The closeness of the vote is illustrative of this fact. The union has been

operating with a small coterie of dedicated faculty for too many years now. In particular, younger faculty members have not been participating in a significant way. The reasons for this are understandable. When people are consumed with "making it" at the university, getting tenure, doing research, working for promotions and grants in addition to keeping up their abilities in the classroom, participation in the union probably seems like the least of their worries. In the meetings held by the union over the summer and into the fall semester, most of the faculty attending were in their late 40s and above.

We must maintain our strength and our heritage. To do so, you need to become involved if at all possible. Run for a position on the Executive Committee. Participate in the deliberations of the Association Council. Run for office in the hierarchy of the union. Discuss problems with colleagues around the campus. Come to meetings. Drop in to the union offices at Montague House. Read the *Advocate*. The future of your lives as faculty depends upon your personal commitment to not only your own personal development but to the larger complex of the university and your colleagues. I think being a professor is still a great career. It is the job of all of us to see that it remains just that.

## From Your Grievance Officer...

*Pam Rooney, Ph.D.*

The role of Grievance Officer is somewhat akin to being a mediator, negotiator, and counselor rolled into one. My responsibilities include helping faculty members prepare, initiate, and present individual grievances; counseling faculty members concerning the contractual and political considerations in initiating grievances, and attempting when

possible to resolve problems related to contractual issues by means other than a grievance. In addition, I work with the Executive Committee, Chapter officers, and the Chapter's attorney when we believe a Chapter grievance is more appropriate than an individual one, which might occur if the issue to be resolved would impact on more than one individual in the bargaining unit.

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On one level my ability to assist you is bound by the Agreement, which means I can assist you if someone in the administrative ranks has violated or misapplied a portion of the contract. The key words here are "administrative ranks." While on occasion unpleasantness or disagreements do unfortunately arise among faculty, we cannot grieve each other. The Agreement, if you will, does not necessarily protect us from ourselves. If there is a contractual violation, my task is to follow the guidelines set forth in Article 12: Grievance Procedure (pp 16-22). Once the process begins, it is my responsibility to be with you every step of the way and to work with the administration as well to ensure regularity and fair play.

In situations where it is your right to have a Chapter representative present for hearings, I will go with you. In severe cases, which sometimes arise, I will also assist you in finding appropriate legal representation. Unfortunately, there are circumstances when such representation is necessary.

My current workload illustrates the variety of issues that arise at any one

time. A Chapter Grievance has been initiated in the College of Arts and Sciences regarding an inappropriate and excessive workload assignment given to a fiscal year faculty specialist. I am working with another faculty member in the College of Arts and Sciences regarding the timing of review periods for tenure/promotion and the granting of credit for prior experience.

Since the start of the semester I have been working with a faculty member to resolve an issue related to student complaints regarding performance. At issue in this situation is whether signed student complaints equal substantiated allegations and, therefore, proof of some deficiency. I am also working informally with another faculty member regarding the use of an anonymous student complaint as a platform for discussions about performance. In both cases, I believe the apparent position of the administration is that

complaints that are signed are substantiated and that administrators can use anonymous complaints if they do not put them in personnel files. The Union disagrees with this position and feels it bears closer scrutiny. These situations offer a reminder to all of us to periodically exercise our right to examine our records set forth in Article 11, specifically 11.6.1 (p. 14).

While my ability to assist you “officially” is bound by the conditions above, I am still available to offer support and what assistance I can if you find yourself in a difficult situation. The Executive Committee and the Chapter officers need to know when incidents arise that indicate changes are needed in the Agreement. Only if we know about concerns can we try to act on them. I encourage you to contact me any time you have a question or concern of any kind. If I don’t know the answer, I’ll find it; and I will do whatever I can to assist you.

## WMU-AAUP Officers’ Hours\*

### Gary Mathews

President

Wed 9:00am—12:00pm

### Robert Ricci

Contract Administrator

Fri 11:00am—1:00pm

### Pam Rooney

Grievance Officer

Mon 3:30—4:30pm

Wed 3:30—4:30pm

### Jo Wiley

Information Officer

Tues 9:00—11:00am

Fri 12:00—3:00pm

\*And by appointment



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