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March, 2001

the WMU
AAUP



Advocate

At Western Michigan University

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The President's File...

Gary Mathews

A BLAST FROM THE PAST

The last issue of this newsletter included a declaration in my column that the "WMU-AAUP defends the rights of individual faculty members who have been denied due process." Fred V Hartenstein, Emeritus, Department of Management, 1985, wrote to take issue with this statement. Dr. Hartenstein is a long-time AAUP supporter, who continued to consult with the AAUP and to do some contract negotiations for us until 1990. He points out that it is possible for the administration to observe all of the niceties of due process and still deliver unfair, prejudiced, indefensible decisions. The AAUP defends our members against injustices, whether due process is an issue or not. I stand corrected.

AN ASSESSMENT OF THE NEW BARGAINING UNIT APPOINTMENT CATEGORY

Three responses to the *InBetween* recently published on Academic Career Specialists (ACSs) add to the dialogue, and are being published here for your consideration. All letters have been edited for length.

Thanks, Gary for the letter on ACSs. However, I think there's a point that needs clarification. I believe that the contract states that twenty-four credit hours per academic year is the measure of "workload," not "teaching load." Workload is defined in the contract as

including teaching, advising, serving on committees, conducting research, and other professional activities.

Anonymous Author

I personally have no problem with academic career specialists (ACSs) in principle. It is an opportunity, if managed correctly, to really improve the institution. However, I do not want them on the same tenure and promotion committees as regular faculty. They are not capable of reviewing tenure track faculty on traditional tracks. I have no problem with them on committees that review other academic career faculty; in fact they must be there as far as I am concerned. We

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need to be inclusive when it matters. By the same token, we need to do our jobs well and academic career specialists really can't judge standard tenure track faculty, at least not in our situation in the Hawthorn College of Business. I am sure not everyone will agree. Regarding the issue of maintaining the current cap, we often make decisions here at WMU and at many institutions of higher education without questioning our assumptions.

Richard Plank
College of Business

EDITOR'S NOTE: *The "cap" limits the total number of ACSs at no more than 10% of the total bargaining unit for the life of the current Agreement.*

Here are some of my initial reactions to your comments on the new category of academic career specialists:

- a. The category has merit if limited to academic programs where having a Ph.D. is not an expectation for continuous employment.
- b. Letting it morph into a substitute category for adjunct, part-time and graduate instructors invites the creation of a permanent underclass within the University.
- c. Such morphing defies our long-standing contention that there is a positive relationship between research and teaching. It invites the criticism that this was a disingenuous argument that the University used to facilitate its present emphasis on research and is now willing to abandon.
- d. The switch to research agendas, and the necessity for reduced teaching loads by regular faculty to realize this

objective, means that this category will not be limited to covering intro classes in the future. It will extend to a permanent basis the present policy of departments to "temporarily" use adjunct, part-time, and graduate instructors to cover upper level undergraduate courses.

e. Attempts to have credit hours generated within regular academic programs by those in this new category will become a ploy to conceal the reality

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- f. By offering the opportunity for permanent employment among our Ph.D. candidates, it creates a disincentive for them to complete their degrees. This could place in jeopardy our capacity to generate sufficient Ph.D.s to maintain our current status. Even if this does not become a problem, the perception that the University created a disincentive for completing the degree is not likely to bode well with those who judge our commitment to generating Ph.D.s.
- g. The temptation to preclude this course of events by denying our own graduate stu-

dents the opportunity for permanent employment will heighten tensions within the University. How can we justify giving outsiders who have not completed their Ph.D.s the opportunity for continuous employment as academic career specialists while at the same time denying it to our own Ph.D. students? How can we justify their low pay for teaching our undergraduate courses when those in the category of academic career specialist, who have also not completed their Ph.D.s, benefit from a completely different pay scale?

h. Trying to suppress the pay scale of academic career specialists to that of part-time instructors creates its own problems. How legitimate would this category be if it pays wages that are below or at the near poverty level for a family? Would parents, who face the increasing high costs of higher education, think that such low wages reflect the University's lack of commitment to the education of their children? At least with our present situation it is easier to maintain the perception that low wage teachers are an exception and necessary in the case of graduate students for the purpose of their training. But the argument that employing graduate students to teach is a necessary learning experience is contradicted by the reality that the University is preparing them for research intensive careers where teaching undergraduates is not likely to be required!

Richard MacDonald
College of Arts and Sciences

RUMOR CONTROL

There is a rumor going around campus that the administration has made the decision to increase the size of the student population to 35,000. Fred Dobney assures the AAUP that he and President Floyd have made a commitment to keep the student population at no larger than 30,000 for the next five years.

PRIVACY OF HEALTH RECORDS VS. RESPONSIBILITY TO ENCOURAGE WELLNESS

The University Health Management Committee wants some form of limited access to your medical records to occur. The purpose of targeting employees and dependents with certain medical problems, for example, asthma, diabetes, and heart disease, would be to send them friendly reminders to control the problem, and, by doing so, reduce the number of acute incidents and visits to the emergency room. If you have heart disease and winter is approaching, would you appreciate receiving a letter from a third party or from Sindecuse Health Center recommending that you be inoculated for flu or pneumonia? The administration believes that this would impact positively on health care costs, and thereby postpone the possibility of increased costs for employees. No decision has been made to date.

From Your Grievance Officer...

Elaine Phillips

FMLA GRIEVANCE RESOLVED

We are pleased that the administration and the AAUP have successfully resolved a grievance regarding the use of Family Medical Leave. We have agreed that:

- Members of the bargaining unit *are permitted to use sick leave for up to 30 days in a rolling year (in addition to the twelve weeks of unpaid FMLA)* for the birth and care of a member's child; the placement of a child with the member for adoption or foster care; or to care for one's spouse, child, or parent who has a serious health condition and who resides in the same household as the member. (Article 27.§7.2.7, pg. 82.)
- In the case of a faculty member's illness, *the administration will not count both sick leave and FMLA leave conterminously.* FMLA leave will not be used until such time as other types of paid leave have been exhausted.

ADDITIONAL EMPLOYMENT

In late January, the central administration initiated a request to chairs to develop a system for reporting faculty consultation activities. The administration's concerns, as we at the AAUP understood them, primarily revolved around accountability. Specifically, the administration wanted to ensure that faculty members were not engaged in pursuits that represented a conflict of interest, and that faculty were not so involved in private consultation activities that they were not doing the work of the University. Additionally, the administration reported that they wanted

to be in the position to defend (if necessary) and tout (primarily) the faculty's consultation activities, if legislative interest arose regarding the faculty's activities and/or the University's town-gown relationships.

The position of the AAUP leadership is that, under Article 29, Additional Employment, *the faculty only need to report that they are engaged in professionally relevant additional employment inside or outside the University.* Faculty members do not have to report the amount of money earned, the hours worked, the name of the outside employer, or the exact nature of the work.

This is a privacy issue for the faculty. To require across-the-board reporting represents an unwarranted invasion into the private lives of the faculty. Once information such as this is gathered, it becomes a matter of public record. We argued that when there is no demonstration of need, such information should not be gathered as a matter of course. If, however, a chair believes that, due to additional employment activities, an individual faculty member is not performing his or her duties (i.e., missing classes, not holding office hours), then the chair may request that the faculty member report the details of the additional employment. This has been the interpretation of the contract for many years.

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In discussions with the administration, the issue was resolved and no grievance was filed. The administration and the AAUP agreed to the past interpretation of the contract. The original request from the central administration to the chairs was withdrawn.

The AAUP recommends that any faculty member who is asked to give information regarding additional employment, other than the fact that such employment is occurring, should contact the AAUP for representation. A request for more information indicates that either a mistake has been made by the chair, or the faculty member is being accused of not adequately meeting his or her job responsibilities.

We continue to appreciate the openness with which the current administration discusses issues with the AAUP, and the sincere efforts at communication and problem-solving that occur.

From Your Contract Administrator...

Ariel L.H. Anderson

I have enjoyed stepping back from my role as Chapter president. It is quite interesting to be back in the contract administrator position. There is certainly no shortage of issues to attend to!

PRESCRIPTION COVERAGE AT SINDECUSE

The Chapter office has received several complaints regarding access to name-brand drugs through the Sindecuse Plan. To refresh your memory, any employee who subscribes to the University sponsored indemnity plan, administered by Blue Cross Blue Shield of Michigan, may participate in "The Sindecuse Plan" as detailed in Article 33 of the collective bargaining agreement (see *Agreement*, p. 103). Under this plan, at Sindecuse, generic drugs and medications are cost-free to the employee, and non-generic drugs and medications are available at a \$2 charge per prescription.

Drug costs have been increasing at a rapid rate. This has resulted in higher health care costs for pharmaceuticals, borne by Western, for those in the University health care plan. Generic and non-generic drugs are essentially the same, chemically speaking. In most cases, generic alternatives are just fine for the patient. There are, however, notable exceptions. For example, some long-acting drugs may not dispense as evenly in the generic as compared to non-generic forms. In other instances, patients have reported various side-effects associated with consumption of the generic form of the drug prescribed by their physician.

Physicians, in general, are used to writing DAW (dispense as written) on prescriptions when they intend for the patient to have the non-generic form of the drug. It appears that this, alone, will not suffice for patients to gain access to name-brand medications through the pharmacy at Sindecuse. I have spoken with the head pharmacist, and have been told that, for the past several years, patients must follow a more involved protocol if they wish to get name-brand drugs at Sindecuse.

When a generic form of the drug is available, Sindecuse will automatically dispense the generic form, whether or not the doctor has written DAW on the prescription slip. To gain access to the name-brand drug, the patient must provide a letter from his/her physician stating that the patient has had an adverse reaction to the generic drug form. A description of clinical *evidence* of incompatibility with the generic form must be included in the physician's letter. Given this specific form of documentation, Sindecuse will indeed stock the name-brand drug for the patient.

According to the lead pharmacist at Sindecuse, most requests for non-generic drugs are *preference* rather than *need* driven. Thus, Sindecuse stands firm on the need for a physician's letter in order to gain access to name-brand medications. Of course, one is free to go to an "outside" pharmacy to gain access to name-brand drugs. Coverage under the University plan is set at 90%. Outside pharmacies generally will follow the DAW instructions written by physicians on prescription slips.

Western is self-insured, which means Western pays the actual health care costs for those employees enrolled in the University health care plan. As rising drug costs account for much of the current increase in health care costs for Western overall, there is little hope that Sindecuse will be convinced to alter the current policy with regard to dispensing name-brand vs. generic pharmaceuticals.

WMU-AAUP Officers' Hours*

Gary Mathews

President

Mon 1:00—3:00pm

Wed 1:00—3:00pm

Ariel Anderson

Contract Administrator

Wed 2:00—4:00pm

Fri 1:00—3:00pm

Elaine Phillips

Grievance Officer

Mon 1:30—3:30pm

Wed 1:00—3:00pm

*And by appointment

cal. The AAUP is not able to do much about this, as there is no contractual club to wield on this matter. If you have further questions, please contact me at the AAUP.

COVERAGE FOR GLASSES FRAMES

I recently received a call from a concerned technician at one of the local optical establishments. This individual reported that a routine call to Blue Cross Blue Shield of Michigan (BCBSM) to clarify coverage levels (necessary before billing each customer) consistently results in BCBSM authorizing coverage for frames at the amount of \$41, rather than the \$100 coverage amount specified in our collective bargaining agreement. This technician was given my name by a customer (a Western faculty member) who knows that it is my job to “go to bat” on issues such as these! What we are running into here is a discrepancy between BCBSM’s standard computer program for processing claims vs. a different coverage rate guaranteed to Western’s faculty as a result of contract negotiations. This technician reported to me that she has processed many claims for Western faculty (and their family members) since 1998, with each instance receiving coverage clearance at the stock rate of \$41. This concerned technician reported that she has consulted with both BCBSM and West-

ern’s benefits office, and has found no satisfaction with regard to improving the situation. She shared with me that if a faculty member checks past claims, and determines that coverage for glasses frames was levied at the rate of \$41 rather than \$100, all one needs to do is to resubmit the claim to BCBSM to recover the difference. *If you think you were not appropriately reimbursed for glasses frames during the past few years, I recommend that you resubmit your claims to BCBSM.* If you run into any trouble in this regard, contact me and I will “swing my bat.”

DEPARTMENTAL POLICY STATEMENTS

I have been working on reviewing/approving departmental policies, and recently sent out a *Bulletin* to help explicate the process under the current collective bargaining agreement. With regard to departmental policies, communication channels between Western and the Chapter are quite open and on track. If you have not reviewed your policies in a while, you would be wise to do so at this juncture. Those who are actively involved in departmental policy development find, with some frequency, that portions of dated departmental policies are now out of synch with the current *Agreement*. Policies which contradict the *Agreement* do not prevail; the contract takes precedence. Thus, if it has been a while since your departmental policies were reviewed and revised, please do what you can to tend to business in this regard.

New colleagues have the right to accurate information with regard to policies and procedures governing their work lives. While more seasoned faculty may have grown aware of errors in departmental policies, and have accordingly adjusted expectations, our newer colleagues cannot be expected to be aware of discrepancies, nor will they necessarily know how to handle them if detected.

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Right now is a *good* time to focus some energy on departmental policies, before everyone is hither and yon for the Spring/Summer sessions. Please let me know if you have any questions/concerns with regard to departmental policies and/or the approval process. Please note that with the transitions in Chapter leadership, it is *possible* (we hope not likely) that some policies have slipped through the cracks in terms of keeping the review/approval process on track. If you think your policy revisions may be hung up somewhere, please contact the Chapter office to let me know.

NECESSITY LEAVE

The *Agreement* does provide for short-term, paid leaves for reasons of “personal necessity” (see Article 27. §8, p. 84). Each faculty member is allowed up to 5 days of necessity leave per year, with leave granted *at the discretion of the department chairperson*.

Necessity leaves are *not* a guaranteed right under the contract. The faculty member must disclose his/her reason(s) for requesting such leave, and s/he must abide by the chairperson’s decision with regard to whether or not such leave shall be granted. Necessity leave is noncumulative, thus each faculty member begins each academic year with 5 days (and no more) which are *potentially* available for necessity leave.

Experience tells us that most chairs are reasonable about granting necessity leave when the reasons given for requesting leave are appropriate. Of course, not everyone agrees on what is or is not appropriate. If you experience difficulty accessing necessity leave, please contact the Chapter office for assistance.

OTHER MATTERS...

In addition to the above, my energies are currently focused on matters of contract interpretation, resolving dilemmas faced by those undergoing promotion and tenure reviews, management of some cases where faculty members are under scrutiny with regard to specific behaviors and/or issues related to job performance, handling problematic health care claims, advising and assisting faculty with issues regarding personal leave, sabbatical leaves, and other assorted matters. Life is definitely *not* dull! Please let me know if there is any way I can be of assistance to you.

Productivity or Encumbrance?

*Allen J. Schwenk, Professor
Mathematics & Statistics*

In October of 1999, the administration in the College of Arts and Sciences began collecting data in a spread sheet entitled "Teaching Load Worksheet," that was curiously labeled "WMU Confidential." (I have no idea why it should be confidential. As far as I could see, all the information in it is public knowledge.) The original version was distributed to chairs in Arts and Sciences for their comments. My chair shared it with the department executive committee, of which I was then a member. We noted numerous errors in the original chart. Some involved conceptual errors, such as measuring an inappropriate item, or not adjusting faculty size for a faculty member whose time has been bought out 100% to be spent on grant work. Others involved carelessness in setting up and using the spreadsheet. Indeed, I was able to document this carelessness by setting up my own spreadsheet and entering the same data used on the dean's sheet. By intentionally leaving out a necessary pair of parentheses, I could reproduce the same wacky numbers I saw there.

Some months back, when I volunteered that I could write an article about this endeavor, I envisioned reporting and explaining the numerous errors I had found. However, time has passed, and the spreadsheet has gone through at least two more iterations. It now is substantially correct, collects sensible data, and interprets it in a reasonable way. So what is the need for this article? I would say it is important for the faculty to keep informed about the way decisions are being shaped. While this article applies directly to faculty in Arts and Sciences, others would be well advised to be alert to similar developments in their own colleges.

The thrust of the chart is to measure average "student credit-hour production" per faculty member in each department. Let's stop right here. When the data being collected is called "production" we are subtly assigning it a moral value. Everyone knows that a business seeks to maximize its productivity. More production with the same resources results in more profit. High productivity is "good," low productivity is "bad." But the same data column could just as well be called "credit-hour burden" or "credit-hour encumbrance." Labeled this way, it seems clear that the duty of a manager is to lower burdens, to minimize encumbrances, so that the workers can attain greater accomplishments. Who, then, decides whether this should be called productivity or encumbrance?

Moreover, universities often report the student/faculty ratio. Everyone agrees that a low ratio is desirable and a high ratio is, at least, unfortunate. Hiring more faculty, which has the laudable effect of lowering our student/faculty ratio, also will (most likely) reduce credit-hour productivity. And, allowing the faculty size to diminish will improve productivity while raising the student /faculty ratio. When two plausible sounding objectives pull us in opposite directions, doesn't it behoove us to have thoughtful discussion about which will take priority?

WMU-AAUP
Chapter
Meeting

Thursday,
April 12, 2001

4:00 pm

Bernhard
Center
Rooms 157-158

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I fear that credit-hour production might be used as a proxy for "workload." I do not believe that credit-hour production measures how hard faculty are working, or how much they contribute to their departments. I have frequently taught the 4-hour beginning calculus class with 40 students, producing 160 credit hours. I have also taught a 3-hour advanced graduate course with 6 students, producing 18 credit hours. Without hesitation, I can assert that the graduate course is more work, even though it produces many fewer credit hours. Another professor in my department teaches 200 students in a "mathematical excursions" course for non-majors, producing 600 credit hours. We can have a hearty debate about which course is more work to teach, the low-level excursions or the grad course. But ultimately we would agree they are roughly comparable. Certainly one does not exceed the other by a factor of more than 1.5. But the credit-hour production would assign 33 times as much credit to the large class as to the graduate class. Elaine Phillips and I met with the dean, and she assured us that this was not intended to measure the productivity of individual faculty. But it seems inescapable. If a chair is told to improve the department's productivity, how does he do so without getting certain individuals to increase productivity? Indeed, the simplest way to increase productivity would be to eliminate all small classes, for example, by dropping the graduate program. Our productivity would rise dramatically. Is that what the administration wants?

When we examine the credit-hour encumbrance department by department, we find spectacular variations. Some, Asian and Middle Eastern Languages, are as low as 131 credit hours per FTE faculty. Public Affairs and Administration has 138. On the high end, Computer Science manages 480 and Black American Studies 456. I presume that languages must be taught in small sections so that students get individual attention. Public Affairs is largely a

graduate program, which explains the smaller classes there. My guess is that Computer Science and Black American Studies both teach a large number of students in large lecture sections. The dean has set a target of 375 credit hours per faculty, which appears to be already attained, or easily attainable, for most departments. But, adjustments are made for the number of undergrad majors and minors, the number of masters students, and the number of Ph.D. students. Presumably, expected productivity is adjusted to allow time to deal with the extra responsibility these students generate. How that adjustment is computed is very arbitrary, and long arguments could be held about the rela-

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tive demands of these different client groups. Nevertheless, when it becomes clear that a department has no way even to come close to its target, the target has been redefined to be reachable.

So what's the problem? We collect data and try to appear to be scientific, but then we throw out the conclusions when they don't work. Why, then, should we keep the numbers for any department? If languages need a big adjustment, perhaps English needs a moderate adjustment to allow for writing intensive courses. Perhaps mathematics needs a small adjustment to pro-

vide closer attention to student problems. The entire enterprise turns out to be arbitrary, and possibly capricious. The danger is accepting the numbers gathered, and thereby imbuing them with credibility they don't deserve. It is artificial which numbers we choose to collect and which numbers we choose to ignore. In the dean's table, no adjustment is made for research papers published. We might guess that this exercise will tend to reward those who teach extra credit hours and punish those who produce extra research at the cost of teaching fewer students.

Another statistic of dubious value is credit hours per class section. Let me illustrate. Professor A teaches two 4-hour classes, one with 80 students and one with 20, producing 400 credit hours, that is, 200 per class. Being a noble sort, he volunteers to add a 1-hour seminar with 5 students to his teaching load. It's not too much work, and he wants to help out. His personal credit-hour production rises to 405, a 1% increase, but the credit hour per course drops to 135, a 32% decline. By adding more teaching he has lowered his productivity per class. If a department wants to increase its credit hours per class, the most effective strategy is to eliminate all seminars. Then credit hours per class goes way up, and the faculty do less work! I cannot see a sensible way to use the information about credit hour per class section.

At one point the exasperated dean said to me, "Allen, I would think you, of all people, would support using numbers to guide decisions." I do support the idea of using numbers, but one has to know their limitations. If you ask me to rate my three children on various traits, and ultimately give numbers that describe how much I love each one, I would refuse to participate. I don't believe it can be done, and it is insulting to try. Any attempt is flawed from the outset, because if it shows a favored evaluation of one child over another, then I just haven't done a good enough job of

evaluating their traits. I must be leaving something out. In the same way, I am not so much faulting the data collected in the dean's chart as I am questioning why numerous endeavors were left out.

There is a danger inherent in collecting data that one gets more of whatever one measures; one gets less of what isn't measured. Departments get compared on their credit-hour production, and they seek to improve it. If research and committee work are not being measured, then it is easy to ignore contributions in these areas and reward contributions in the productivity area. Even if the dean assures us that that is not intended, it will happen unintentionally when department chairs try to meet their measured goals. The unmeasured goals are sure to be ignored.

At our meeting a year ago we asked the dean what motivated this exercise. The first answer was a vague, "To address a need in the college." Later comments

expressed concern that the state legislature may be about to hold us more accountable. This doesn't concern me. I would be happy to have our productivity in many areas compared with other universities in the state. I recall sitting on a plane next to a computer science professor from the University of Michigan who was complaining bitterly about the recent increase in his teaching load to three 3-hour classes. I was a bit surprised to hear of such a load at the great UofM. But further discussion revealed that he meant three courses per year, not per semester!

Later at that meeting with the dean, she alluded to the fact that the Provost had directed her to add 50 sections to the fall schedule without using more part-time help. This is because the legislature wants to see fewer courses taught by part-timers. She was struggling mightily to accomplish this goal. How could it be done? The answer seems simple to me. Hire 25 more faculty.

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