

President's Message

Where the dues increase takes us

In case you missed the email on Friday, April 17th (in the afternoon), announcing it (or missed the red blinking words on our web page), the dues increased passed by a 65%-35% margin. 1802 members voted (about 33%); the appropriate part of the by-laws say (Art. IV.A) dues are determined by a majority vote of the active members casting ballots.

As that email says, given the cooperation of the State System, we will begin the new dues structure with the first paycheck of the fall 2009 semester, Sept. 25th. For APSCUF, this means we'll see the income as October income (the State System kindly holds the withdrawals from our paychecks for a month), so for FY 2009-10, we'll see 7 1/2 months of income, or around \$400,000. In FY 2010-11, we expect the full effect of the dues increase, which should be \$630,000 based on where we think '09-10 dues income will be.

Where will the dues increase take us? Not far, unfortunately. When the Budget Committee originally conceived the 15% increase, we thought it would afford some expansion of staff and increases in service areas like

PR. If you've seen the handout in the dues increase series entitled "Worse-Case Scenarios," you will understand what I mean when I say that we hope to avoid many of the "worst cases" or else the 15% will quickly disappear.

Instead of expansion, let's think about how we're improving the quality of what we have. During Pat Heilman's terms as state president, we negotiated three contracts, and she took office only weeks after the formal signing of the 2004 faculty CBA, so close on four. That rapid fire of organizational energy (and financial resources) left our "ship" in rough order.

My first year has been peaceful and has allowed us to re-order. **Foremost, we have pushed through the negotiations reforms,** finalized at the April Assembly, that change how we handle faculty negotiations. The chapter presidents are now in command of the faculty negotiations ship, instructing a smaller crew on the team, including a professional negotiator (think of that person as our professional navigator). We don't know where they'll take us, but we are comfortable with the new organization.

We've also tightened the state budget. In April 2008 Assembly passed a budget that reduced expenditures by over 2%; since my taking office, we've reduced them farther, a projected 2% plus more. Current projections (after 10 months of the year) show us finishing the fiscal year in the black, something we've not done since '04-05 (we've not done it two years in a row since '01-02/02-03).

We've had a consultant in to look at the contract department and we are in the midst of implementing his first recommendation: a person to supervise the department. We hope that doing so will smooth some of the rough spots that seem to hit that vital part of the organization.

As part of the attempt to smooth our grievance process, state M&D has negotiated (and Assembly supported it in concept) with PASSHE an agreement for a pilot program that provides for meetings after step 3, allowing both sides an opportunity to discuss the merits of their respective cases. The point of this program is to cut down the number of arbitrations we schedule, and currently schedule a year or more out in the future, frustrating our

grievant members and our staff.

Another pilot program in the late stages of negotiation (and supported in concept by April Assembly) is on dual enrollment. Colloquially known as "Cal in the High School," this program eliminates the onerous dual enrollment programs at Cal and Edinboro, maintains the programs that provide dual enrollment ideally (as with the Bloomsburg "bring them on campus for classes" approach), and sets up strict academic and contractual guidelines for new dual enrollment programs at Cal, Edinboro, Cheyney and Lock Haven. The state M&D team is to be commended, again, on the hard work, led by Ken Mash from ESU. Burrell Brown and Michael Slavin need commending here, too, for patiently working for years to kill the old Cal program.

As you all know, we also have a new Chancellor. We have often wasted ammunition shooting at the State System just to keep in practice; we currently are trying to work together, especially as we try to maximize what comes out of the State Appropriation. The tone from the

Dixon Center has changed significantly in the last year and APSCUF leadership is trying to work with that as much as we can, without betraying our union interests.

A series of op-ed pieces signed jointly by Dr. Cavanaugh and myself signal our cooperation in the struggle to correctly present the State System's image as the low-cost, high quality provider of transparent four-year education in the Commonwealth. Those of us on our ship are as galled as those on theirs when our System is portrayed as gluttonous, unconcerned for students, and lax with our instructional duties.

So, as we move into the era of a new dues structure, we do so with shifts in other significant parts of our organization as well: we're trying to be smarter, leaner, and more focused on membership service in the three most important areas – the collective bargaining agreement, government relations, and contract implementation (grievance). The dues increase allows us to safely sail in a good direction without a rebuilding of the ship.



Pa. Senate GOP approves its own budget plan, Senate Bill 850, which hurts PASSHE universities

By a 30-20 party-line vote, the Senate approved its version of the state budget on May 6, 2009, stating that deep cuts are necessary because the state is likely to face over a \$3 billion dollar deficit by June 30 -- the end of the current fiscal year.

This budget has been viewed as a scaled-down counterproposal to Gov. Rendell's proposed budget in February, one that would reduce state funding for public schools, welfare, and economic-development programs.

The GOP's \$27.3 billion plan is nearly 6 percent less than the \$29 billion spending plan proposed by Rendell in February and would use \$2.7 billion in federal stimulus funds to help compensate for some of the cuts.

Legally, a state budget must be approved by July 1. Since Rendell took office in 2003, no budget has been passed on time.

The Senate's proposed budget bill, as introduced, cuts funding for the State System of Higher Education by \$15 million; slashes

PHEAA Grants to students to levels not seen since 2007; and slashes the Governor's proposed allocation to the state's 14 community colleges by \$5 million.

Among the cuts to PHEAA programs is a 15.5 percent cut to the Agricultural Loan Forgiveness program and a 23 percent cut in the Nursing Shortage Initiative.

SB 850 also transfers a total of \$7.9 million from the Higher Education Assistance Fund to the General Fund to help balance the budget.

The House Appropriations

Committee recently held hearings on Senate Bill 850 on May 21 and 22 in Harrisburg.

Next, the Appropriations Committee, and then the full House, will have to decide which budget to approve—SB 850 or Rendell's proposed budget, or whether to craft a compromise bill, which would go back to the Senate.

It appears that the Democratic members of the House Appropriations Committee have no plans of approving the budget adopted by Senate Republicans.

Advocacy by APSCUF members is vital during the month of June when budget negotiations take place.

If you were unable to participate in APSCUF's Lobby Day events on June 2-3, you can still be a positive factor in the battle against budget cuts. Please contact your local legislators by phone, email or letter, and let them know your outrage. You can find your local legislators by entering your zip code on APSCUF's website at www.apscuf.org. Click on the "Zipsticker" icon.



KNOW YOUR CONTRACT

Individual Bargaining and Protection of the Bargaining Units

By CJ Elder
Contract Department

Article 1 of the Collective Bargaining Agreement (CBA) is entitled "Recognition." This article states that the State System and the Universities recognize APSCUF as the sole and exclusive bargaining agent for the faculty members who teach at State System universities. The Coaches CBA has similar language in Article 2. Although these CBA articles appear to state the obvious, they represent the fundamental principle of collective bargaining – union representation regarding faculty and coaches wages, hours and working conditions. It doesn't get more basic or more important than that. Therefore, it is incumbent upon faculty and coaches to help preserve and to take full advantage of those negotiated rights.

Individual bargaining takes place when management seeks to modify the rights secured in the CBA by bargaining with an individual employee. An example of individual bargaining would be when a dean attempts to bargain with a department chair regarding the amount of stipend paid for his/her work as a department chair. The amount of the stipend paid for department chair duties is specified in Article 6.C. of the Faculty CBA and was negotiated and agreed to between State APSCUF and the State System. Therefore, any modification of that stipend

must be negotiated and approved by State APSCUF and the State System. This kind of modification cannot be agreed to by individual faculty members or even by local APSCUF and the University Administration.

Another example would be if a provost were to meet with a faculty member to discuss granting him or her promotion outside of the promotion approval process in Article 16 or for some other benefit in exchange for an increased workload without paying overload compensation for the extra work. Again, the terms and conditions of promotion and workload were negotiated by APSCUF and the State System and cannot be changed without approval by both sides at the State level.

A third example would be where the Administration offers a coach a salary increase below the minimum required in Article 10 of the Coaches CBA with the understanding that the coach would not be expected to carry out fundraising duties. This kind of arrangement would have to be reviewed and approved by State APSCUF, as coaches compensation was negotiated into the CBA for that bargaining unit.

There are many possible scenarios of individual bargaining, and when it happens, it is an assault on the collective bargaining process and harms the bargaining unit in general. Unfortunately, it is often the case that individual deals struck with



State Grievance Committee Meets

APSCUF's Statewide Grievance Committee met at State APSCUF headquarters in Harrisburg on April 25. Pictured are:

Front Row (seated, left to right): Michael Gambone (Kutztown), BJ Mullaney (Cheyney), Nadene L'Amoreaux (IUP), Mike Coolsen (Shippensburg)
Back Row (standing, left to right): Howard Congdon (Lock Haven), Fred Keen (Clarion), Mollie Whalen, SWGC Chairperson (East Stroudsburg), MJ Campbell (Edinboro), Rand Martin (Bloomsburg), Brian Loher (Mansfield), Arcides Gonzalez (California), Seth Kahn (West Chester), and Sharon Sykora (Slippery Rock)

management that escape the notice of the Union end up hurting the faculty member or coach who struck the deal in the first place. Such deals are usually unwritten and exist solely at the discretion of management. Therefore, when management suddenly

against management for individual bargaining.

A union exists to preserve and protect the CBA rights of the employees in its bargaining unit. APSCUF protects the rights of faculty members and coaches. Therefore, it is important for each faculty

discussions and second, to ensure that the deal that is finally struck complies with the conditions set forth in the CBA.

If you find yourself in this kind of situation, contact your local grievance chairperson. Below is a list of the Faculty

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and unilaterally abandons the deal, the faculty member or coach is left with no recourse or remedy. The Union is then unable to assist the faculty member or coach because the deal was created without the Union's knowledge and its creation violated the CBA. In fact, such a situation would most likely result in the Union filing a grievance and/or an unfair labor practice charge

member and coach to contact local APSCUF when he/she is approached by management regarding an individual deal or when he/she is considering approaching management to strike such a deal. Bringing the Union into these discussions will serve two important purposes: first to ensure that the faculty member or coach is backed by the power of the union during the course of the

and Coaches Grievance Chairpersons at each State System University. Your Grievance Chair can help you to determine if individual bargaining is taking place and advise you regarding your rights under the CBA.

UNIVERSITY	FACULTY GRIEVANCE CHAIRPERSON	COACHES GRIEVANCE CHAIRPERSON
Bloomsburg	William Hudon	Vacancy
California	Arcides Gonzalez	Pablo Montana
Cheyney	Warren Gooden	Vacancy
Clarion	Fred Keen	Al Modrejewski
East Stroudsburg	Mollie Whalen	Jeff Wilson
Edinboro	Dave Obringer	Christopher Rhodes
IUP	Nadene L'Amoreaux	Vacancy
Kutztown	Ruth Perkins	Bernie Driscoll
Lock Haven	Brent May	Patricia Rudy
Mansfield	Brian Loher	Mike Rohl
Millersville	Richard Glenn	Darlene Newman
Shippensburg	Robert Hale	Robert Brookens
Slippery Rock	Sharon Sykora	Noreen Herlihy
West Chester	Seth Kahn	Kathy Krannebitter

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Mansfield's Bill Chabala receives APSCUF's Distinguished Service Award



"Humbled, honored, and very unexpected." That was Bill Chabala's reaction when he was asked how he felt upon receiving APSCUF's Distinguished Service Award at the April Legislative Assembly.

"While it was awarded to me, it represents the efforts of countless faculty and staff I have had the pleasure of working with over the years," Chabala said.

"In a very real sense, I view the award as much theirs as mine."

Chabala has deep union roots. Revealing that his father was a member of the United Mine Workers Union, Steel Workers Union, and Pipefitters Union, Chabala proudly offered a "strong tradition of union membership and activity in the family."

What caused him to be active in APSCUF?

"Along with my family's history, Dr. Larry Miller and Dr. Bob Swinsick both encouraged me to become active in APSCUF -- first at the local level, and later at the state level initially through the CAP and Legislative committees."

In addition to Miller and Swinsick, Chabala credits past State APSCUF Presidents Terry Madonna, Jim White and Bill Fulmer, plus leaders

like Don Mayer, Barry Benson, Wilma Cavill, Helen Bieber, Jace Condrary, Steve Kokoska, and Burrell Brown with providing a positive influence on his APSCUF career.

Chabala says part personal motivation and part "believing I can make a positive contribution to the organization and its members" are the driving forces behind his leadership role in the organization.

The veteran Mansfield APSCUF activist believes it is vital for young faculty to become involved with the organization.

"With increasing emphasis on scholarship and increasing student demands on each campus, it is easy for newer faculty to overlook one of the critical elements of the Academy -- Shared Governance," he said.

"Along with Academic Freedom, there is no other more important facet of our profession. It is also easy to take for granted the benefits and responsibilities that currently exist."

Chabala adds that APSCUF must be diligent in protecting the hard won elements of our CBA while

acknowledging that changing times require changing strategies.

What issues does Chabala believe are the most pressing for APSCUF in the coming years?

"Outsourcing faculty work, increasing class sizes, and shrinking state appropriations," he noted.

"We must help our faculty develop an appreciation for the role APSCUF plays for them personally, professionally, and for public higher education in Pennsylvania," Chabala stressed.

As for advice for younger faculty, Chabala cited a quote from activist Robert Abernathy: "I don't know what the future may hold, but I know who holds the future."

"It's up to the new generation of faculty to determine what role APSCUF will play in helping to provide access and opportunities for the citizens of the Commonwealth," he said.

"Our responsibility as faculty does not stop at the classroom door."

APSCUF is certainly a stronger organization because of the efforts of great members like Bill Chabala.



From left: Presenter Burrell Brown (California), Distinguished Service Award Winner Bill Chabala (Mansfield), and State APSCUF President Steve Hicks.

APSCUF Whitepapers on APSCUF website

The first submissions for APSCUF's Whitepapers project are now available on the State APSCUF website.

These two essays are by Bill Hendricks, a member of California University's English department since 1990. Most of Hendricks's recent writing has been in the area of academic labor.

"Making a Place for Labor: Composition and Unions" attempts to redress the relative neglect of faculty unions in the flood of publications since 1995 that have described and bemoaned poor working conditions for college composition teachers.

Hendricks proposes that to ignore unions "is to relinquish the single most important instrument that composition teachers and other workers have to effect social justice."

And his essay lays out what a "greater appreciation for and participation in organized labor could mean for composition teachers and their work."

The other essay, "Teaching Work: Academic Labor and Social Class," moves beyond the field of composition to take a broader view of contemporary academic labor as a whole.

Hendricks demonstrates that, whatever their individual class identifications, most college teachers now have working class jobs. In terms of erosions in compensation, job security, and workplace autonomy, today's contingent academic workers (college teaching's "new majority") are no longer middle class.

Drawing in part on his experience in APSCUF,

Hendricks argues for the value of "inclusive" unions (contingent and tenure-stream faculty united) in beginning to reverse the debasement of academic jobs.

Both essays have been previously published. "Making a Place for Labor" was originally published in *Tenured Bosses and Disposable Teachers: Writing Instruction in the Managed University*, edited by Marc Bousquet, Tony Scott, and Leo Parascondola (Southern Illinois University Press, 2004). "Teaching Work" first appeared in 2005 in *JAC: A Journal for the Interdisciplinary Study of Rhetoric, Writing, Multiple Literacies, and Politics* (Volume 25, Number 3).

To view the papers, go to: apscuf.org/whitepapers.html.

Smoking Ban APSCUF wins PLRB decision

The Pennsylvania Labor Relations Board (PLRB) has ruled that PASSHE committed an unfair labor practice when it failed to negotiate with APSCUF regarding implementation of the Clean Indoor Act. The ruling was dated May 19, 2009.

The PLRB upheld APSCUF's exceptions regarding the PLRB Hearing Examiner's Ruling and vacated that order.

The PLRB informed PASSHE that it must rescind the outdoor portion of the smoking ban and post the PLRB's decision "in a conspicuous place readily accessible to its employees and have the same remain so posted for a period of ten (10) consecutive days."

"Although having smoking on campus is a controversial policy, it is a vindication for APSCUF that the Labor Board recognized our rights as a bargaining unit," State APSCUF President Steve Hicks said.

As this edition of the Newsletter went to press, APSCUF learned that PASSHE decided not to appeal the PLRB ruling to Commonwealth Court.

Healthy U participation rate hits 85%

The first two phases of Healthy U are now over. Each APSCUF office has been provided with their campus participation figures.

The total number of eligible employees within all units is 6,262. A total of 5,308, or 85% of those eligible, successfully completed the requirements by May 15, 2009. Nine hundred fifty four (954), or 15% of those eligible, did not complete the requirements successfully by the deadline.

The PASSHE is preparing a notice of Phase II participation status that will be distributed to all members in the near future.

For those who believe that they completed Phase II but are informed that they did not, notification on the appeals process will be provided along with the form.

Please keep your notice and/or any of the documents

you have on file indicating compliance until you receive and review your first payroll stub after July 1, 2009 for accuracy.

Remember the contribution period for Phase II runs from July 1, 2009 through June 30, 2010.

**COMING SOON -
Healthy U Phase III
Effective start date
July 1, 2009**

**Deadline for completion/
credit – May 31, 2010**

The next participation phase of the Healthy U program starts on July 1, 2009. The system used to track current completion requirements will be “re-set” for all participants beginning with that date.

Phase III will include choices. Some of the program components will continue to be mandatory, but once these

are completed, eligible participants will be able to pick and choose among a multitude of programs and activities to meet the remainder of the requirements.

Beginning July 1, 2009, members and eligible spouses/partners will have 11 months to complete Phase III requirements.

While this appears to be a large block of time, members and eligible spouses/partners are encouraged to start the process as early as possible.

Due to the varying lengths of time required to complete some of the optional programs, members and eligible spouses/dependents will need to make sure when a program is selected that it is initiated soon enough to ensure that it is completed and the necessary credit is received by the deadline.

The Joint Health Cost Containment Committee has



made some improvements to the methods used to track and report completion of program requirements.

The Committee members received a great deal of feedback from you about the confusion that existed with verifying completion under Phase I and II, and this feedback was used to improve the process.

The new tracking method is driven by points – participants will accumulate points based upon the completion of programs and/or activities.

Each program and activity will be assigned a point value. Once the participant has attained the required number of accumulated points, Phase

III will be successfully completed.

Accumulated points can be very easily checked, at any time, by the participant by simply logging into the system.

Due to the fact that Phase III will offer more choices for successful completion, this also means there will be a lot of information required to explain each of those choices.

Please anticipate and carefully read upcoming announcements and explanations regarding the Healthy U program.

Members are advised to watch the APSCUF website (www.apscuf.org) for the latest news.

APSCUF news release calls for increased state support

(Note: APSCUF issued a news release to all state media on June 1. The release called for increased state support for PASSHE. Some excerpts from the release are included in this article. To read the full release, visit APSCUF on the web at www.apscuf.org/print/index.html.)

PERCENTAGE OF STATE SUPPORT NEEDS A BOOST

“Our faculty members and coaches are committed to providing the best education possible to our students,” APSCUF President Steve Hicks noted. “It’s time for Pennsylvania to return to the funding percentage levels of the 1980’s. When PASSHE

was founded in 1983, the Commonwealth provided 63% of the funding necessary to operate the system. Today, that percentage stands around 35%. Our Pennsylvania students and their families deserve stronger support, especially in these challenging times.”

Non-traditional students, including Pennsylvania’s workers, also need support now.

As unemployment rises, leaders from Gov. Rendell to President Barack Obama have asked workers to go back to school. Both leaders have pledged or proposed support to pay for this additional higher education and retraining for Pennsylvania workers. Those calls will require additional support.

PASSHE FACULTY ACCOMPLISHING MORE WITH FEWER RESOURCES

Since 2000-01, the number of students in the PASSHE has increased 17% — to a record 112,597. The faculty complement has not kept pace with that surge, growing only 7.8%. The number of tenure-track faculty members is up just 1.8% over the same time span.

“So far, our faculty members have managed to maintain quality despite constantly increasing class sizes,” Hicks said.

“We are serving more students than ever before. Current tenure-line faculty are shouldering more and more of

the university’s committee work while advising larger and larger numbers of students and teaching a heavier workload than some two-year colleges.”

APSCUF CONTRACT SETTLEMENTS HAVE HELPED PASSHE CONTAIN COSTS

The last two faculty contracts have played a major role in helping PASSHE contain its costs and demonstrated APSCUF’s willingness to help during challenging times.

The 2004 contract featured no general pay increases in the first two years, as well as no step increments in the first and third years. The result

was a total salary freeze for all faculty members in the first year, and a two-year salary freeze for senior faculty at the top of the scale.

The 2007 contract contained no general pay increase in the first year. In addition, faculty and coach contributions for medical coverage have increased.

QUALITY MUST BE PRESERVED

“APSCUF is dedicated to the academic quality of our 14 institutions. But, that academic quality is tied tightly to the quality of our faculty – and our coaches,” Hicks said. “We must be able to attract and retain quality professors during this critical time.”

KU APSCUF wins 2009 Public Relations Contest



Kutztown University APSCUF's public relations committee has won the State Public Relations Committee's 2009 PR Contest.

KU created a new Outstanding Faculty and Coach Award in which students and alumni had an opportunity to nominate a particularly inspiring professor or coach.

“We anticipate that this event will increase awareness of the union with KU students and alumni,” said Eric Johnson, chair of the KU Public Relations Committee.

KU was pleased with the response to the new award, as competition was strong and resulted in three recipients

being recognized as KU's finest.

In the photo to the left are Peter McConnell (student scholarship recipient), Dr. Heather Thomas (outstanding faculty member), Ms. Stephanie Allen (student scholarship recipient), and Dr. Curtis Herr (outstanding faculty member).

Dr. Mahfuzul I. Khondaker also earned an outstanding faculty member award, but he was unable to be present to accept the honor.

The State Public Relations Committee wishes to thank the 2009 entrants and hopes that more entries will be forthcoming next year.