

TAUP Bulletin

Issue 252 September 2007

Temple Association of University Professionals

President's Message from Art Hochner

T Minus 13 Months: Ready to Launch a New Contract?



What do we want in our next contract with Temple? We want to make professionally respectable salaries with commensurate benefits; improve our ability to take care of ourselves and our families; and have the tools to do excellent teaching, research, and creative work, as well as service to our discipline, students, University, and the public. As pro-

professionals, we want to be evaluated and treated fairly. We want our voices heard in the academic governance of our programs, departments, schools, and University.

We have the ability to address all these interests in our next contract negotiation. "We" of course includes you, our colleagues, and TAUP leaders. Our challenge is to

create jointly with Temple's administrators and Trustees the best individual and collective conditions to meet our material and intellectual needs.

The countdown to a new contract – replacing the one that expires October 15, 2008 – starts now. Indeed, TAUP has begun planning. What is there to plan for? Many of you don't have much past experience to use for reference. A little more than one out of five (21%) of the almost 1,200 faculty and staff we represent were not here in March 2005, when the current agreement was finalized. In fact, close to one in two (47%) were not here in May 2000, when the previous contract was reached.

I've been either a member of the bargaining team or chief negotiator for the past seven sets of contract talks. But I'm far from being the oldest man on the mountain; over 18% of you have been here longer, including the 11% who were already on the job in 1973 when we won our first contract. But given my background, let me anticipate a few questions you might have.

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Commentary by Eugene Martin

The Role of Nontenure-Track Faculty

As a nontenure-track (NTT) faculty member who is a member and elected Delegate of TAUP, I will try to explain and illustrate what TAUP is doing on behalf of NTT faculty across Temple.

Right now, about 33% of all full-time faculty are NTT. Equal proportions of NTT faculty are TAUP members, i.e., about 61% of each group. The creation of the NTT classification came about as a result of the last union contract. Previously, most full-time nontenure-track faculty were Dean's appointments, who could only hold a position for a maximum of seven years. There were also a small

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Pat Hansell. TAUP Executive Committee member and Senior Lecturer in Anthropology, examines some of the stone tools she has collected from La Mula-Sarigua, Central Pacific Panama, the earliest known sedentary agricultural village in Central Panama. The site was occupied for 11,000 years but the tools shown here date from the 1st millennium BC.

Pat explains: "They are unifacial points, and based on the use-wear patterns I believe these tools are multipurpose, i.e., they have been used to scrape, slice, and perforate. I have not yet done residue analysis that would show what they might have been used on."

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New Members Join the Executive Committee

On May 1, the TAUP Executive Committee welcomed two new members: Barbara Day-Hickman, Associate Professor of History in the College of Liberal Arts, and Lynne Andersson, Associate Professor of Human Resource Management in the Fox School of Business and Management. These two faculty add to the diversity of knowledge and viewpoints already present on the EC. The editors of the Bulletin are happy to present the following short biographies so that you may get to know these interesting women who represent you in the union's governing body.



Barbara Day-Hickman earned a Masters and Ph.D. in Modern European History and Art History from the Universities of California at San Diego and at Irvine. The Smithsonian Institution drew her from Southern California to the East Coast with a postdoctoral fellowship to do research on representations of Andrew Jackson in early American texts, school

books, and broadsides; this project complemented previous work Barbara had done on the political impact of popular representations of Napoleon Bonaparte prior to the revolutions of 1848.

After a year's stint in Washington, Barbara joined the history faculty at Temple as a tenure track faculty member in Modern European History. After having lived most of her life in affluent suburban areas outside Chicago, San Francisco, San Diego, and Newport Beach, Barbara says she was intrigued by the opportunity to work with a diverse student body in a more challenging urban environment.

Barbara's first book addressed the impact of the Napoleonic Legend in French popular art during the early nineteenth century. Her research interests have since shifted to issues related to gender, politics and fashion in Modern Europe. Her current project, "Who Wears the Pants in the Family: Women, the Politics of Dress and the Boundaries of Gender in France" discusses how particular women and groups "wore pants" to more effectively engage in work, literature, art, politics, recreation and the military from the French Revolution through the First World War.



While Barbara continues to teach the political and economic history of Europe and the West, her teaching interests have likewise shifted to gender and comparative politics. Teaching the history of gender, she has become more aware of how unions became a site for serious political and economic improvements in labor conditions, primarily for men. Therefore, "I also include documents from women political leaders and lobbyists" who led the vanguard for socio-economic and political change in countries throughout Europe.

Barbara commented that "my involvement in union work is perhaps a response to research on human rights and the efforts of men and women to achieve greater social, political, and professional equity in the aegis of education and career. Finally, she says, "I am a member of the Religious Society of Friends where the watchwords, "Speak Truth to Power," offer an inspiration to continue the struggle.

Having moved to the South because her father went to work for Ted Turner in Atlanta, Lynne Andersson, Associate Professor in the Fox School's Department of Human Resource Management, decided to stay there for college and graduate school. She received her undergraduate degree from UNC-Chapel Hill and her Master's from Georgia Tech. Then it was back to Chapel Hill for her Ph.D.



Lynne ended her status of "faux southerner" when her husband entered Penn's Masters Program in Architecture in 1994. They moved to Philadelphia the day his classes started, with no place to live and knowing no one. "All we knew about Philly was its proximity to New Jersey and the unlovely view from I-95. We ended up renting an apartment in Powelton Village and quickly fell in love with the city."

When she finished her dissertation in 1996, Lynne took a job with St. Joseph's, the only university in the Delaware Valley that had a position in Business Ethics and Corporate Social Responsibility. As Lynne says, "the Jesuits jumped on the bandwagon early, before the word Enron became blasphemy."

Lynne worked at St. Joe's "fairly happily" for four years,

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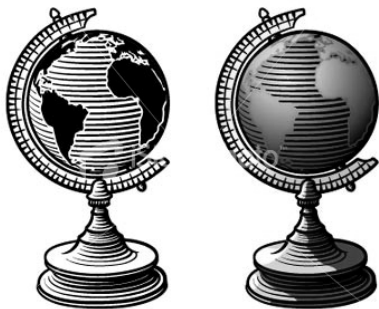
New Members

(Continued from page 3)

all the time keeping her eye on Temple as a potentially much better fit in terms of her research and values. In 2000 Temple finally had an opening in what was roughly her area. "I jumped on it, badgering the heck out of my future colleagues to bring me in for a 'freebie' interview since I was a local." She continued, "I'm thrilled to still be here at Temple, having survived the previous administration's reign of terror. Things are great now!"

Lynne's research and teaching focus on the "dark side" of business organizations, in particular some of the social maladies that are arguably associated with late capitalism ("cynicism and incivility," as Lynne says) as well as the role of social activism in counter-

ing capitalist barriers to sustainability.



Lynne went on to say that she's got several projects these days. In one project she is "investigating the possibility that corporations, rather

than nation-states, are now the 'civilizing force' in the post-imperialist world. An important means by which multinational corporations exert and expand their influence, I'm arguing, is as the harbinger of a globalized social heuristic based upon the preeminence of market relationships and consumer interactions."

Lynne is also working with her colleague T. L. Hill on a project seeking to understand how elite social clubs amass social capital and provide a potentially detrimental linkage between corporate and government interests.

Lynne and her family now live in a rambling Stanford White house in Germantown. Her colleagues might not guess it, but "during Halloween season, I've been known to down a pound of candy corn in one sitting."

Lynne became involved with union work because of her "natural tendency to challenge authority figures." She adds, "That's probably true of most of us academics, isn't it?"

IRAQI LABOR LEADERS RALLY IN PHILLY



On June 19, two Iraqi labor leaders were guests at a public forum at the Philadelphia Friends Center.

Shown L to R: Kathy Black, President, Philadelphia Coalition of Labor Union Women; Hashmeya Mohsen al Hussein, President, Iraqi Electrical Utility Workers Union; translator Shawkat Hammoudeh, Professor of Economics at Drexel; and Faleh Abood Umara, General Secretary, Southern Oil Company Union, Iraqi Federation of Oil Workers.

The Philadelphia Council AFL-CIO, Iraq Veterans Against the War, and US Labor Against the War organized the visit, which was co-sponsored by TAUP and other locals.

COPE STRENGTHENS OUR VOICE

TAUP's Committee on Political Education--COPE--works to secure governmental commitment to public higher education. Lobbying and focused campaign contributions effectively increase support at the state and local level.

COPE funds are separate from regular union dues. Even small monthly contributions significantly enhance our clout. Please consider authorizing \$1, \$3, \$5 or more (for the form, go to www.TAUP.org and click on 'COPE'). If you already participate, we encourage you to increase your designated amount at this time. Thanks, and feel free to contact the TAUP office (215-204-7641; TAUPAFT@aol.com) or Joyce Lindorff, COPE Chair (lindorff@temple.edu) with questions, concerns or suggestions.

President's Message

(Continued from page 1)

Can negotiating for a new contract actually address our core interests?

Yes, to large degree. The law allows us and requires Temple management to negotiate over pay, benefits, workload, and our professional conditions - which covers a lot of ground. There are certain aspects of managerial policy that are not *mandatory* subjects of bargaining. Nonetheless, as the legal representative for 1,200 people in 13 schools and colleges, TAUP has a strong and legitimate influence. Management listens to us. With a new Temple management team, I expect a more cordial and cooperative working relationship in discussions. We're already having regular talks with President Hart, Provost Staiano-Coico ("Provost Lisa" from now on), and Vice President for Human Resources Debbie Hartnett. Remember - the culmination of our influence, discussion and relationships is a binding legal document. Our con-

I want to hear from you so we can address your concerns.

tract sets the conditions that will help us work together to implement it.

Don't economic issues - i.e., pay and benefits - dominate the process?

There is no denying that bread-and-butter issues are vital to us all, including the administration, as it considers its current and future spending. However, compensation and budget priorities underscore the value placed on academic issues and on our work, both individually and collectively. In addition, keep in mind the *vital importance of academic issues* in the 2004-05 negotia-

tions - tenure and promotions; research and study leaves; procedures and standards for nontenure-track (NTT) faculty; removing the seven-year limit for NTTs; and several others. These issues were equally important to economic ones for both TAUP and the administration.

What's the timetable for negotiating a new contract?

I expect we'll start bargaining during spring '08, looking for a settlement by the contract expiration date. But a deal can be struck at any time. Indeed, in three of the negotiations I led, we settled, respectively, in January, February and May, well ahead of the target date.

So, what do we do between now and then?

Plenty! First, we have to understand our issues with the current contract. Then we need to understand our priorities and those of Temple's administrators.

How do I get my voice heard in the negotiations?

There are many opportunities for you to speak up and be heard.

First, soon we'll ask you to spend a few minutes answering questions in a survey about salaries, benefits, professional conditions and procedures, and whatever else is on your mind. Are you concerned about merit pay? Cost of living? Tenure standards and procedures? Multi-year appointments for NTTs? Fair treatment by your dean?

Second, don't wait for the survey if you have ideas. Email me directly at ahochner@temple.edu. I'll pass them on to our contract issues committees.

Third, you'll be asked to participate in these issue groups to do research (e.g., about practices and policies at peer institutions) and to help formulate and recommend contract proposals to bring to the table. We have a bottom-up process. The issues com-

mittees should complete their work by early in the spring semester.

How important is it that I'm a TAUP member?

There truly is strength in numbers. Our current contract was ratified by 98% of our members - a very diverse group - because the TAUP leadership listened to what you wanted. We persisted until we got the best deal we could, though it took extra work and worry, going without a contract for over 4 months.

You help your colleagues by being a TAUP member, making our voice at the bargaining table stronger.

TAUP represents everyone; whether or not you are a dues-paying member. I want to hear from you so we can address your concerns. However, you are more effective by being a TAUP member. Only members can serve on committees. *Only members can vote* on the contract, whenever it comes. You help your colleagues by being a TAUP member, making our voice at the bargaining table stronger. Your voice is amplified by your colleagues.

If you're not a member yet, please join now. Membership is fundamental to launching our new contract. We have made much progress in negotiations, even under unfavorable conditions. This time, we can accomplish great things in a more congenial atmosphere. Let's get started! The clock is ticking.

The Role of Nontenure-Track Faculty

(Continued from page 1)

number of Special Appointment Faculty (SAFs), who were eligible to stay for longer than seven years. The new contract also provided for the first time that NTTs would start to receive pension benefits, study leaves, promotions in rank, and better and clearer recognition for merit pay. For example, an NTT Lecturer's promotion to Senior Lecturer includes the same 7% raise in base salary as a tenure-track Assistant Professor's promotion to Associate Professor. These are all important markers to help recognize the contributions of NTT faculty to the quality of Temple's academic programs and departments. But there is much more to be done.

Most importantly, there is language in the latest contract which stipulates that the processes surrounding the appointment, reappointment, and retention of NTT faculty would be created by the administration. This is what is known as an "off the table" issue, meaning, "we will work it out later." As many of you know, this responsibility has largely fallen to the deans of the schools and colleges. Many of you also know that they are lagging behind in this effort. TAUP has been working with the administration to move this process along. The longer these guidelines take, the longer that many NTTs are left wondering how and when they are going to be evaluated for renewal, promotion, and merit.

With the appointment of the new Provost, Lisa Staiano-Coico, TAUP is moving ahead to make sure the administration is aware of the urgency of this issue for our many NTT members. There are several areas that make this a difficult process. The way that CLA evaluates an NTT faculty member may be quite different than the way CST or SCT evaluates an NTT. A dean from a college can't simply cut and paste guidelines from another school and apply those. In my school, Communications and Theater, the Senior Associate Dean of Academic Affairs, Tom Jacobson, has asked for input from NTT faculty on the renewal guidelines. Again, this points to the unique concerns of particular disciplines. It also clearly shows the need for leadership within the ranks of NTT faculty. TAUP is aware of this, and we are actively seeking NTT members to become more involved in their departments, schools, and within the union itself.

Another big issue surrounding several departments with large numbers of NTT faculty, such as CLA's department of Intellectual History (which has about 30 NTTs with nearly all on one-year contracts), as well as the university in general, is the issue of contract length upon renewal. TAUP is committed to help develop standards for this process. This is where all NTT faculty can contribute to

this effort. For example, NTT faculty in each department should ask to have at least one NTT faculty member included on the Personnel Committee.

The Personnel Committees in each department evaluate all the faculty members, and vote on renewal recommendations, which are then sent to the Dean's office and then on to the Provost for final approval. One standard that TAUP discussed at a recent Executive Committee meeting would be for NTT faculty to be evaluated every year for the first three years by their department and College. After that, TAUP suggests that if the NTT faculty members were considered to be doing strong work in teaching, then they would be offered three-year contracts.

Right now, TAUP is looking at models like these to bring to the administration. It is clear that we as NTTs have a large investment in our careers at Temple. TAUP is actively developing NTT union members into leadership positions within the union, and NTTs will be strongly represented once again at the bargaining table in 2008. We need your input about what you feel are the important issues. That way, when TAUP sits down with the administration, we can negotiate for what you feel are the most important items that you want addressed. Your input is welcome, your membership is necessary, and your participation is vital.

Eugene Martin is a Lecturer in the Department of Broadcasting, Telecommunications, & Mass Media in the School of Communications & Theater

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ULP Win

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[Because of space limitations the editors have excerpted from Mr. Moore's written statement.]

George Moore, University Counsel, responded to the Bulletin's request for comments on the ruling by saying, "These unfair labor practice proceedings are a side skirmish to a grievance over the scope [of a provision] in the Temple-TAUP contract. ... [T]he hearing examiner's proposed decision ... is flawed, especially as it relates to individual faculty rights. ... The University also disputes the proposed findings of undue delay in providing certain information to TAUP.

"While I regret that TAUP filed these proceedings without first sitting down with appropriate University representatives to discuss these issues, I want to thank TAUP for giving me this opportunity to respond to the hearing examiner's proposed decision."

Temple is appealing the ULP finding to the PLRB. TAUP's counsel said that the complete PLRB, which has jurisdiction, rarely overturns a ruling by a hearing examiner.

Thinking of joining TAUP?

Call the TAUP office (1-7641 or 215-763-32287), and a member of the union will come to you and answer any of your questions.

Third Year Reviews Mandatory for Tenure-Track Faculty

Are you a tenure-track faculty member in the third year of your appointment?

The TAUP – Temple University contract (Article 11, Paragraph F, page 20)

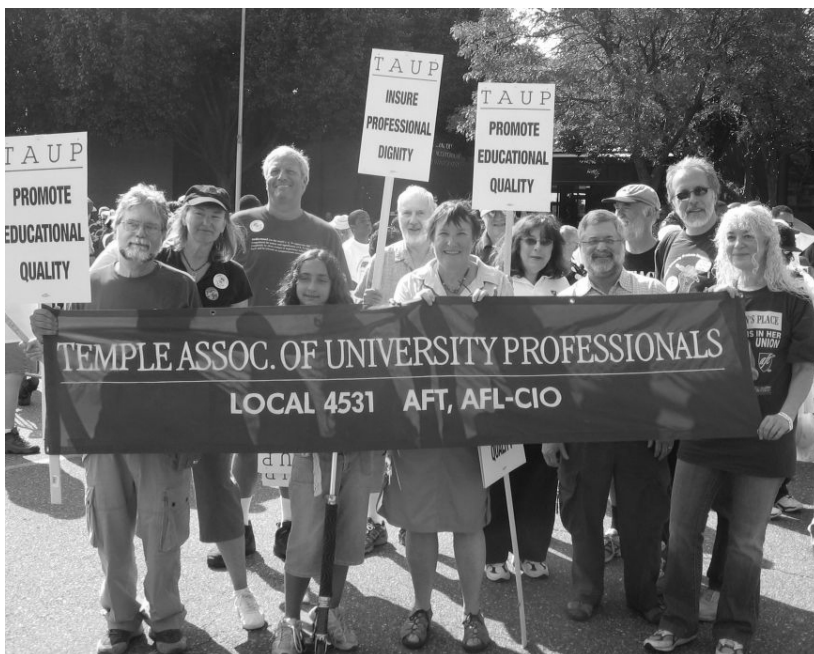
requires that your department and college review your performance in your third year at Temple. The Dean must provide you a written copy of this evaluation.

This process benefits tenure-track faculty by giving them guidance concerning their progress towards promotion and tenure. If some kind of changes prove necessary, your evaluation will identify those areas in time for you to make modifications in your teaching or research.

First and second year faculty should pay attention as well to this required performance review, so that they may be ready when their third year evaluation approaches.



Labor Day Spirit Moves Marchers in Parade



TAUP officers, Executive Committee members, delegates, along with other union colleagues, their families, and even a union dog, turned out September 3 for a rousing Labor Day Parade up Columbus Boulevard in Philadelphia.

Vice President Joyce Lindorff remarked, "As always, this parade was a festive chance to get together with labor colleagues from all over the city and strut our TAUP banner. I also enjoyed getting lots of compliments for my new 'A Woman's Place is in Her Union' T-shirt."

From L to R: Tony Ranere; Sue Dickey; John Sorrentino; Sue's daughter, Elizabeth Isaacs; adjuncts Ralph Flood and Regina Bannan; Rhoda McFadden, President, Montgomery County Community College Faculty Federation; Mark Stier, former Temple faculty in IH, Dave Lindorff, cofounder, National Writers' Union; TAUP President Art Hochner; and TAUP Vice President Joyce Lindorff.

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TAUP Victory In Unfair Labor Practices Charge

“The decision upholds the contract and the whole reason we have collective bargaining.”

claim that Temple had been unlawfully slow and obstructive in making required disclosures of evidence relevant to the faculty member’s grievance.

TAUP President Art Hochner said, “The decision upholds the contract and the whole reason we have collective bargaining. In this case, the private deal involved a faculty member’s inadvertently giving up rights under the contract. The administration shouldn’t be making these deals and faculty should not be taken in by them.”

Direct dealing means that management may not negotiate outside the collective bargaining agreement with a member of the bargaining unit concerning wages, hours, or terms and conditions of employment.

Based upon evidence presented during a one-day hearing November 9, 2006, the Pennsylvania Labor Relations

Board (PLRB) hearing examiner found that “Temple’s actions establish quintessential direct dealing.” He added that “Temple’s own documents and witnesses establish the direct dealing violation in this case.”

TAUP won a stunning victory this summer in a sharply-worded Unfair Labor Practices (ULP) ruling which found that Temple administration had engaged in direct dealing with a union member in violation of Pennsylvania labor law.

TAUP won its charge that the university had illegally circumvented the union when the administration negotiated a confidential, private deal directly with a faculty member. In addition, TAUP prevailed on its

The ULP decision also harshly criticized the administration for improperly withholding information pertaining to TAUP’s claims concerning a grievance which was filed in early spring 2006. As with discovery in a civil lawsuit, Commonwealth law requires Temple to produce documents relevant to TAUP’s grievance action. Temple sat on the TAUP’s requests for more than eight months, and only produced a certain portion of the information during the hearing itself.

At the hearing, University Counsel George Moore testified that “I don’t think that I have any obligation to compile or make up” new documents to satisfy TAUP’s information requests. The hearing examiner observed that Temple had failed to provide “any legal authority” supporting the “we don’t have to make up any lists’ theory.”

In his ruling for TAUP, the hearing examiner cited case law that states “our Commonwealth Court has ruled that employers do have statutory duty to supply relevant information pursuant to a union’s request, *even when that entails creating a written document to supply the requested information.*” The examiner noted that “even in the face of case law that required Temple to write down and turn over the requested information, it simply refused to do so.”

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