



TAUP BULLETIN

ISSUE 255 OCTOBER 2008

Temple Association of
University Professionals

President's Message from Art Hochner

Partners or Adversaries? The Disconnect



The most puzzling thing in the current contract negotiations is the "disconnect" between what we expected from President Ann Weaver Hart's negotiating team and what their behavior has been at the bargaining table. President Hart and Provost Lisa Staiano-Coico came to

Temple expressing very pro-faculty and collaborative

attitudes. They both seemed poised to reverse the historic mistrust between faculty and the administration. They meet with faculty, come to the Faculty Senate frequently and show sincere concern for our opinions.

As soon as President Hart arrived in 2006, she began regular meetings with Bill Cutler, TAUP's president. She invited the TAUP executive committee to meet with her in Sullivan Hall. After I took office, she met with Joyce Lindorff (TAUP vice president) and me five times from August 2007 to February 2008. Provost Lisa, Joyce and I sat down to talk: nine times over the past year. We have enjoyed these opportunities to talk frankly about issues in a very cordial atmosphere.

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TAUP and Merit Pay

The salary package is one of the key issues in contract negotiations. TAUP proposed:

- **cost-of-living raises of 5% per year for all**
- **a merit pay pool of 1% per year**
- **an increased compensation pool** (available to deal with equity problems, mismatches between current salaries here and at other institutions, and offers individuals may receive from competing institutions)
- **a pool for salary compression**
- **higher raises for promotion in rank**
- **increases for summer and overload pay**

Temple management, on the other hand, says they want ALL pay increases to be for performance or merit. They have given us no details as yet either regarding the size of the pool to be distributed or the method of distribution.

A few faculty members have told us, directly or indirectly, that they want more merit, or at least a higher percentage of the salary package to go for merit. Some

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TAUP officers and delegates accept the AFT 2008 Professional Issues Award at the AFT Convention in Chicago this July. From L to R: Delegate Billie Goldstein, Vice President Joyce Lindorff, President Art Hochner, and Delegate Karen Palter.

TAUP Executive Committee

PRESIDENT
 VICE PRESIDENT
 TREASURER

Art Hochner
 Joyce Lindorff
 Al Findeisen

All Officers' Terms Expire on 4/30/2009

Terms Expire 4/30/2009

Terms Expire 4/30/2010

Terms Expire 4/30/2011

Terms Expire 4/30/2009
 (Delegates)

Carol Brigham
 Nikki Keach
 Jim Korsh
 Elaine Mackowiak
 Karen Palter

Bill Cutler
 Barbara Day-Hickman
 Patricia Hansell
 Anthony Ranere
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TAUP Wins Academic Freedom Award

By Billie Goldstein

The American Federation of Teachers (AFT) recognized the outstanding work TAUP accomplished on behalf of academic freedom from 2005—2007 at the organization's biennial convention in Chicago in July by presenting TAUP the Professional Issues Award. TAUP President Art Hochner, Vice President Joyce Lindorff and convention delegates Billie Goldstein and Karen Palter accepted the award on behalf of the union.

TAUP received the award for its work in the interest of academic freedom. The major TAUP efforts cited for the award were the Academic Freedom Forums that TAUP sponsored November 2005 and November 2007, and the work of TAUP President Art Hochner in drafting a major new policy statement on academic freedom, published this spring by AFT, as well as TAUP's efforts to defeat the extremist "Academic Bill of Rights" pushed by David Horowitz.

The attendees at the convention heard from many speakers, including several from international organizations that are affiliated with AFT. One of the highlights was hearing from Min Zin, a leading activist from Burma (Myanmar). He became involved in the protests against the ruling junta in 1988 as a fourteen-year-old high school student. AFT presented Zin with its Human Rights award.

Also honored in Chicago was Alabama Goodyear worker Lilly Ledbetter, who received the 2008 AFT Women's Rights Award. Ledbetter's complaint that she was paid less than her male co-workers went from the Equal Employment Opportunity

Commission right up to the US Supreme Court. Her inspirational speech was also a highlight of the convention.

One major order of business at the biennial convention was the election of new officers: AFT's president, executive vice-president, secretary-treasurer, and slate of approximately three dozen vice-presidents. All three of the new top officers are women: incoming President Randi Weingarten, incoming Executive Vice-President (and previous secretary treasurer) Antonia Cortese, and incoming Secretary-Treasurer Loretta Johnson. TAUP knows of no other

New AFT Pres.
Randi Weingarten

major national union whose top officers are all women.



AFT
A Union of Professionals
The American Federation of Teachers, AFL-CIO
Presents Its
PROFESSIONAL ISSUES AWARD
TO
Temple Association of University Professionals
Local 4531
FOR THEIR WORK ON BEHALF OF ACADEMIC
FREEDOM, INCLUDING PRESIDENT ART HOCHNER'S
AUTHORSHIP OF AFT'S ACADEMIC FREEDOM POLICY
STATEMENT, THE UNION'S EFFORTS TO PROMOTE
ACADEMIC FREEDOM AT TEMPLE UNIVERSITY, AND
THEIR LEGISLATIVE ADVOCACY TO COMBAT THE
SO-CALLED "ACADEMIC BILL OF RIGHTS" IN
PENNSYLVANIA
AFT 80th Convention
Chicago Illinois
July 2008

Inscription on TAUP'S Professional Issues Award

AFSCME Stands Strong

AFSCME (American Federation of State, County, and Municipal Employees), the union that represents about 700 professional and technical employees on Temple's main and health and sciences campuses, has been without a contract since October of 2007.

Temple's management ceased regular meetings with the union in January of 2008. The University made one final offer at a negotiation session in May, demanding that AFSCME take it to all bargaining unit members for a vote. Such a demand violates fair labor practices according to Pennsylvania law, and AFSCME refused to be so pressured. Temple's management has since made one further "final offer," with terms that were even worse than the previous one, which the union also rejected.

All unions at Temple support fair treatment for AFSCME, and they are wondering why Temple's management will not settle with the union now.

Presidents' Message: Partners or Adversaries ?

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However, in this round of contract negotiations, the TAUP negotiating team have been greeted with an adversarial approach reminiscent of the past. For only the second time in the eight times I've been on TAUP's negotiating team, management is using an outside attorney – this time, John Langel from Ballard Spahr – as their chief negotiator. In fact, management's team contains four lawyers. TAUP's has none. In my 22 years, TAUP has never brought our lawyer to the table, and, until 2004, neither did management. Why did President Hart decide to continue with President Adamany's precedent? I don't know. President Hart has not met with Joyce and me since February, choosing to stay aloof from direct discussions because she felt they might touch on negotiation issues.

The adversarial attitude of management's negotiating team has been manifested in many ways. TAUP came to the table espousing five basic principles (Relationship Building, Cooperation, Shared Governance, Professionalism, and Equity). We explained that our proposals reflected our attempt to fashion solutions to problems identified by the faculty. The management team initially responded to our proposals by claiming that we were forcing them into a "bunker mentality." We were told they like the contract negotiated by Adamany, under which we now work. They don't want to change it very much at all, seeing few problems.

That is contrary to TAUP's view. The 2004-2008 contract negotiations were extremely contentious. It was difficult to achieve very much when we had to contend with the wholesale changes that President Adamany pushed on promotion and tenure standards and procedures, management rights, discipline and dismissal, merit pay, the role of department chairs, the titles and treatment of NTTF (nontenure-track faculty) and so on. To reach a settlement that included adequate shared governance in promotion and tenure, merit pay, and study leaves, and some commitment to fair procedures for NTTF, not to mention a barely adequate across-the-board pay raise, took an incredible effort. Much more work on these and other issues still remains to be done.

As we have outlined in other places, the most common response the management team has had to TAUP proposals has been "no". They have expressed surprise when we characterized this response as negative.

Their agenda of contract articles to change is very short: (1) remove chairs from the bargaining unit and make them managers [since withdrawn]; (2) use merit for all pay increases; and (3) establish a fixed-term librarian classification, similar to our NTTF, ineligible for permanent (tenure-like) status.

The first two of these items are identical to Adamany's aims last time.

Similarities to previous negotiations go beyond similar proposals. From 1982 to 2006, both of Temple's presidents were lawyers and constitutional law professors, the nature of whose professions guided their attitude towards negotiations. Over the past two years President Ann Hart's status as a scholar of education in the top job has provided a breath of fresh air. However, at the bargaining table the atmosphere is stale, because the legalistic attitude of the Liacouras and Adamany administrations lives on. They expound mini-lectures on legal terminology, constantly focus on "the worst case scenario" when it comes to details of our proposals, and throw bogus legal arguments across the table. The difference is in substantive details, not the overall approach.

Like previous negotiations, this has become a negotiation about power and control. Why isn't it about cooperation and collaborative problem-solving? We have talked for three months with the management team about our proposals. We have modified many of our positions based on their comments and given them revised proposals. They say they have listened and thoroughly discussed our proposals. But their reluctance to agree to changes or to make counter-proposals, except on a very few issues, shows their unwillingness to agree with our view that there are problems to be solved.

Management seems unwilling to put much in writing. They seem to want us to trust them to do the right thing. Personal trust is not sufficient when the contract is silent on so many areas. Moreover, there might be changes in key personnel on either side, but the contract will live on. TAUP is at the table to make a concrete agreement, not to simply express our opinions. Management spends too much time at the table just pointing out the few areas of our proposals they have some trouble with. They should identify the points of agreement and propose solutions to problematic points.

What can we do at this point to reach an agreement? First, TAUP remains committed to working as hard as possible to reach a settlement by October 15. Your negotiating team will clear their calendars to meet with management. Second, the members of our bargaining unit need to show that we are united in our aims.

We have greater bargaining power the more we

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Presidents' Message: Partners or Adversaries ?

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stand together. That is why it is very important that we show up at the rally outside the Trustees meeting at Sullivan Hall on October 14 at 3 pm. Unity and solidarity are what give us the strength to get Temple's management to believe that they ought to negotiate with us over our issues, not just on their own agenda. That is why we need you to stand up and do your part. Wear your "OCT 15" button. Talk with your colleagues. Join TAUP if you haven't done so yet.

Stay tuned. The next few weeks will show us important lessons about the attitude of this administration to the concerns of the faculty and staff. I hope to report to you soon that cooperative negotiations have won the day.

TAUP and Merit Pay

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of them seem to characterize TAUP's position as being opposed to merit pay. That is the gist of a recent story in the *Philadelphia Inquirer*.

Where does TAUP really stand on merit pay? First, we have had merit pay in every contract since the union began in 1973. We embrace the principle of merit pay not only for faculty but also for librarians and academic professionals. Second, we want to improve the process by which merit is awarded, making it more faculty-driven and more transparent.

TAUP has no beef with merit. In our current contract, it was 33% of the pay package. There is a stark contrast, however, between our proposal and management's. We want a fair across-the-board cost-of-living raise, with merit pay on top of that. Management does not want to give everyone a raise to keep up with the cost of living.

Under their stance, some faculty would get no raise at all. How many would that be? Management doesn't say. But last academic year, about 550 faculty received merit awards. This is less than half of the approximately 1,200 faculty. Would the future percentage of recipients be the same? Who knows?

One faculty member wrote to the union, complaining that TAUP wants to protect "slackers" and not the productive faculty. Apparently, all those who do not receive merit awards would fit into this category. However, TAUP

does not protect "slackers". We find the term insulting and demeaning of hard-working professionals. If some faculty are not doing their jobs, they should be reviewed, helped through motivation or counseling, given appropriate work assignments and/or punished. But if you are doing your job, you should not fall behind.

Merit decisions do not always recognize some basic activities faculty perform to keep this institution going – like teaching of basic and GenEd courses, committee service, or even workmanlike research. How much merit is given to those who teach 150-200 students per semester, with token or no teaching assistance? How much merit is given to those who teach 9 or 12 credits per semester? How much to those who serve on hiring, tenure and promotion, curriculum, faculty responsibility and other committees? Do you have to be clearly excellent to be considered for merit, even in research and creative activity? How do we recognize all the important contributions faculty make to our institution?

Most of the attention goes to the highly productive research scholars, especially those who bring in grants. Those scholars certainly deserve merit. So do many others, in our outlook.

TAUP's bargaining proposals are based on the views of members of the bargaining unit. We conducted a survey in late 2007, reported in the May 2008 *TAUP Bulletin*. We received 335 responses. Regarding factors important for determining a pay increase, merit pay came in fifth (with 49% rating it important), far behind cost-of-living raises (with 75% support). Moreover, 64% of the NTTF and 30% of the tenured and tenure-track faculty who responded reported not receiving any merit pay over the four years of the contract.

In fact, on average we have all fallen behind inflation. From October 2004 to August 2008, inflation was 14.7%. In the 2004-08 contract, the average pay increase (annually 2% across-the-board plus 1% merit) was 12.6%. That is, on average we are earning 2.1% **less** than we were four years ago. We have all suffered a cut in real pay, except for those receiving higher merit awards or increased compensation awards. Those receiving no merit pay over the last four years actually received an even more serious cut (6.5%) in real pay.

TAUP wants merit pay in the salary package. But we also want a decent cost-of-living raise for all. Even a 2% raise is too low for these days of high inflation. Should there be more merit? We will consider that if management will back off its all-merit stance. Is Temple's management's willing to treat faculty fairly? Call on them to back down from their rigid stance.

“Faculty and College Excellence Campaign” Helps Part-Time Faculty

By Maida Odom

Temple’s part-time or adjunct faculty members work under the worst professional conditions of any at the university. They earn less, receive no benefits [in an about-face, Temple is offering partial health benefits as of the last week of September] and have no job security. However, they teach a large proportion of Temple’s classes. Their counterparts do the same at many other universities.

The American Federation of Teachers (TAUP’s national affiliate) has organized a national campaign to address these deficiencies. Known as the Faculty and College Excellence (FACE) campaign, it covers both full-time and part-time contingent faculty (those on fixed-term contracts). The drive calls for state legislation that would reduce the proportion of full-time nontenure-track faculty (NTTF) and part-time or adjunct faculty as compared to tenure-track and tenured faculty.

According to Craig Smith, Deputy Director of the AFT’s Higher Education Division, FACE is seeking to foster a return to a 1970s-era norm of 75 percent of undergraduate classes being taught by tenured or tenure track professors. It is striving to convince the nation’s public officials that excellence in higher education is coupled with—in fact, *requires*—both a strong, secure full-time tenured faculty corps and the fair and equitable treatment of part-time/adjunct and other nontenure-track faculty.

NTTF are better off at Temple than adjuncts. TAUP represents NTTF, and has achieved a measure of equity for them in the union contract, although their working conditions are still far from satisfactory.

Many part-timers worry that if the legislation proposed by FACE is enacted, they will lose their jobs. The changes in staffing, however, are meant to be implemented gradually over time, minimizing the job loss for adjuncts while giving some at least a chance to achieve full-time status. Under FACE some NTTF should also have a chance to move into tenure-track positions. TAUP is currently negotiating for NTTF to have the right to apply for newly-opened tenure-track positions.

Representative James Roebuck (D – Philadelphia) introduced FACE legislation in the Pennsylvania House in March 2007. Philadelphia Democrat Vincent Hughes (D – Philadelphia) introduced a FACE bill in the Senate in January 2008.

Rep. Roebuck is prepared to hold public hearings on the House bill during the next legislative session, according

to Pat Halpin-Murphy, Government Relations Director for AFT-Pennsylvania. However, that session, which began September 15, will be abbreviated because of the November election and hearings on the matter may have to wait until 2009, said Chris Wakely, Executive Director for the House Education Committee.

Pennsylvania’s proposed legislation in most instances would require:

- Equal pay based on comparable qualifications on a pro-rata basis
- Eligibility for the health plan
- Eligibility for the retirement plan
- A ratio of three undergraduate classes taught by tenured or tenure-track professors for every one taught by an adjunct or an NTT in departments with eight or more full-time professors
- A 10 percent shift in staffing ratios each year until the goal is met

As noted, at Temple NTTF already have many of these benefits thanks to the union contract. Elsewhere, they would be phased-in using an institution-developed plan and would be subject to collective bargaining.

“The idea of FACE is not something that will be implemented overnight,” said AFT’s Director Smith. “It is intended to be phased in over a number years and we’re proposing that it shouldn’t be done at the expense of contingent faculty who are already teaching.”

Update on Allen Hornblum

As many colleagues were aware, Allen Hornblum was suddenly informed late last spring that he was not being renewed as a Lecturer in Geography and Urban Studies, CLA. Hornblum, author of cutting-edge investigative books, including the landmark exposé, *Acres of Skin: Human Experiments at Holmesburg Prison*, began teaching part-time at Temple in 1982. He was hired on the full-time, nontenure-track in 2003. Hornblum’s research was the cause of an arbitration between Temple and TAUP.

TAUP went to bat for Hornblum, and an agreement was successfully worked out and signed by all parties in May. Although the terms are confidential, Hornblum is now able to devote full-time to work on his next book.

Hornblum was featured in recent New York Times articles reporting on his role in the successful court battle to release sealed archives relating to the Rosenberg case.

Nontenure-Track Faculty Bothered and Bewildered

By Pat Hansell

This past summer the Provost circulated two documents relative to nontenure-track faculty (NTTF). The first, from May 5, 2008, dealt with titles, appointments and promotion procedures. The second, from June 12, 2008, was a reworking of hiring, rehiring and promotion guidelines. Most colleges implemented the Provost's new procedures in July 2008.

The new titles show a marked improvement over the old. Unfortunately, they have not been systematically applied within and between colleges.

For example, most of the NTTF who were previously titled "instructors" seem to have retained that rank. But in some colleges, lecturers became assistant professors and senior lecturers became associate professors. However, in at least one college the lecturer/senior lecturer titles were retained while the Dean was given more time to establish discipline-specific titles.

But in a third college, most NTTF, regardless of previous rank, contributions and experience, were given the rank of assistant professor, resulting in what amounts to a demotion for senior lecturers. In this same college even lecturers who were rehired and promoted in May/June were then told in July that they would henceforth be known as assistant professors, although they will receive the promotion raise required by the contract. In no instances have NTTF been given an explanation for their new labels.

As might be expected, numerous NTTF have contacted the TAUP office confused and frustrated. Despite what one would expect, procedures for promotions were not well formulated in either of the Provost's documents. Rather they simply stated that criteria will be developed in accordance with the TAUP Collective Bargaining Agreement, Article 15.A.6. (p. 39). Although the University has had a mandate from the 2004 - 2008 contract to produce such procedures, it has waited almost the entire life of the current contract to promulgate them, and the rules differ in unexplained ways from college to college.

Multi-year contracts are another source of concern and frustration for NTTF. Although both the President and the Provost have indicated that they welcome multi-year contracts for NTTF, some colleges seem to have gotten this message, while others clearly have not. Currently, NTTF can work at Temple for an unlimited number of years and can be appointed for up to five years at a time. However, Deans have continued to treat NTTF as short-term hired hands.

Many NTTF have worked at Temple for multiple years – even 10 or more years – on one-year contracts. Currently, 67% of NTTF are on one-year contracts. Only 15.5% have appointments of three or more years. Yet, as of September 2008, approximately 60% of NTTF have been working here for three years or more. Under the new guidelines, some NTTF who previously had multi-year contracts were rehired with only one-year contracts for the academic year of 2008-2009 without proper explanation.

At the September Faculty Senate meeting the Provost did indicate that there were indeed problems in the way some colleges applied the new guidelines and that she had given individual Deans time to draw up new procedures. Unfortunately, NTTF have not been given a timeline explaining when the Deans will implement these new procedures. The NTTF deserve to know that first, the procedures for arriving at their ranks are standardized, transparent and implemented uniformly across all colleges of the university and second, that Deans will award multi-year contracts when they have an expectation that NTTF will be required for multiple years.

UNION-THEMED PLAY BENEFITS HOUSEKEEPERS

Last May, grant support from the Labor Education Center of Indiana University of Pennsylvania enabled TAUP to realize a year-long dream producing the prize-winning play, "Organizing Abraham Lincoln." Written jointly by playwrights Lonnie Carter and Rich Klimmer, AFT labor organizer extraordinaire, the play is a fictionalization of a successful graduate student unionization campaign. Veteran director Mahayana Landowne and a cast of 11 traveled to Rock Hall from New York to present a spirited and moving staged reading. The actual organizers from TUGSA on whom the characters were based took the stage for a lively discussion following the performance.

Generous donations received at the door from unions and individuals will provide a festive Thanksgiving for the families of Embassy Suites housekeepers, members of Local 274, UNITE HERE!, who remain unemployed after courageously refusing to cross a building trades picket line. Of the original 32 who so dramatically demonstrated their solidarity, all but 7 have found new jobs.

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Accentuating the Negative

Temple Says “NO” to TAUP’s Proposals

Summary Of Contract Talks (Late September)

TEMPLE MANAGEMENT SAYS “NO” TO TAUP’S PROPOSALS ON:

Salaries & Merit: minima; cost-of-living raises; summer teaching; overload; equity; compression; merit transparency

Benefits: dental; increase sick leave; New Child Leave; Family Flex-Load; long-term disability; life insurance; pension; transition to retirement plan; etc.

Department Chairs: selection; stipends

Research: real sabbaticals; 75% pay for full-year leave; travel funds

Joint TAUP-Temple Diversity Committee

Fair Share fees for nonmembers

Dismissal & Discipline of Faculty: just cause; suspensions

Other TAUP proposals on Intellectual Property, Personnel Files, Safety & Health, Working Conditions, Union access to email system, Academic Freedom, Workload

TEMPLE UNIVERSITY’S PROPOSALS TO TAUP

Salaries: All increases through merit only [still no details or amount]

Benefits: Increase employee contributions [still no details on how much]

Chairs: Make them managers [Withdrawn]

Promotion and Tenure: expedited procedure for tenure on hire

Librarian Appointment, Promotion and Termination: new “fixed-term” track for librarians

TEMPLE MANAGEMENT’S COUNTERPROPOSALS IN RESPONSE TO TAUP PROPOSALS

Promotion and Tenure: two extensions to tenure clock

for new child or other family and health problems; remove student from University Tenure and Promotion Advisory Committee and add student input at departmental level; add Council of Deans to process

Nonrenewal of Nontenure-track Faculty: two-months written notice of nonrenewal after five years’ service

Nontenure-track Faculty: uniform, University-wide procedures; multi-year contracts; job security; evaluations [some movement on these items]

Benefits: Work-Life Balance: eliminate teaching for tenure-track or tenured faculty; not a leave of absence

Research: Eliminate named administrators from Study Leave Committee; give Provost more power to appoint members of committee; rename study leaves to “sabbaticals”; increase in summer research awards



TAUP President and Chief Negotiator Art Hochner and TAUP Acton Committee members Tony Ranere and Jim Korsh take questions about Temple’s responses to TAUP’s contract proposals at a General Meeting September 10.