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Announcement of Collective Bargaining Task Forces

Dan Kimel, UFF/FSU Chapter President

As the Governor and the Legislature have been reorganizing Florida Higher Education, we have all been witnessing attacks by state leaders on traditional faculty rights and protections –including academic freedom and tenure. Fortunately for us, those rights are currently shielded from abolition by the BOR-UFF Collective Bargaining Agreement, whose negotiated provisions are guaranteed by the Florida Constitution, as well as precedents in contract law.

The present Contract is in effect through July 1, 2002, at which time it can be partially replaced with renegotiated sections. During this next 2001-2002 academic year, the FSU faculty, through their

legal agent, the United Faculty of Florida, will begin negotiating a collective bargaining contract to replace and enhance the one that, under the Board of Regents, has been protecting such faculty rights as academic freedom, tenure, binding arbitration of grievances, intellectual property protection, and a host of other professional protections and benefits.

The Higher Education reorganization in Florida presents the FSU faculty, professional staff, and administration with an enormous opportunity. If local bargaining is authorized in the next legislative session, as many expect, we at FSU can finally craft a Collective Bargaining Contract that includes not only generic benefits and protections, but also FSU-specific provisions appropriate for a Research I university that aspires to be among the top research universities in the nation.

Although the mechanics of bargaining will be done by the experienced UFF bargaining team, suggestions for improvements to the existing contract and new bargaining proposals will come from **all** the FSU faculty and professional staff.

UFF is establishing nine (9) Task Forces, each charged with improving related sections of the current Contract, plus a proposed new section of Shared Governance. The nine Task Forces are as follows:

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1. Salary (including the development of a stable long-term salary structure, addressing compression & inversion, merit pay, and procedures for any special raises like TIP and PEP (Article 23, Appendix G).
2. Health Benefits, Retirement, Parking, other rights & benefits (Articles 24, 21).
3. Academic Freedom, Nondiscrimination, Diversity issues (Articles 5, 6).
4. Tenure & Promotion, Appointment, Non-reappointment, Layoff & Recall, Disciplinary Action (Articles 8, 12-16).
5. Shared Governance (no current article).
6. Intellectual Property Rights, Distance Learning, Conflict of Interest (Articles 18-19).
7. Sabbaticals, Family Leave, & all other leaves (Articles 17,22).
8. Assignment (workload), Evaluations, Personnel File (Articles 9-11, Appendix H).
9. Grievance Procedure, released time to administer the Contract, legal rights of representation and consultation, terminology, etc. (Articles 1-4, 7,20, 25-32, Appendices A-F).

You can be on any Task Force you choose. You can be on as many Task Forces as you choose. There are no nominations or elections. If you submit your name and show up, you are on the Task Force. Just e-mail your name and the Task Force(s) you want to work on to

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These Task Forces are a very practical opportunity for each faculty member personally to make a significant difference! Let's all pitch in and do our part to help move FSU into the top tier of research institutions.

UFF-FSU Administration Summer Consultation

In attendance at the regularly scheduled FSU/UFF consultation were UFF president Dr. Dan Kimel, UFF senators Dr. Susan Losh, Mr. Steven Byrd, and Dr. Bettye Anne Case; in attendance for the Administration were Provost Dr. Larry Abele, Dean of Faculties Dr. Steve Edwards, Dr. Neil Betten, and General Counsel, Mr. William Mcfarlain. The meeting began at 2 p.m. in 212 Westcott Hall on 18 July; the following issues were discussed:

1. The suggestion by Dan Kimel that UFF have a representative to explain its functions and responsibilities at one of the early orientation meetings of the new Board of Trustees was discussed. Generally the administration seemed to agree this would be a good idea and promised to let UFF know in about a week's time whether it could be arranged.
2. The UFF side brought up the question of the transition to local bargaining and noted that UFF is prepared to bargain either at the state level as has been done previously or at the local level. It was the position of the administration that there can be no local bargaining before the next legislature meets. The required legislation authorizing local bargaining is not in place, and until such legislation takes place, bargaining must remain state wide as it is presently.
3. In the last two consultations, UFF has raised the issue of the large fraction of women who have been rejected for promotion and tenure

in recent years. The promotion and tenure data for the last five years were provided to UFF by the administration and Professor Susan Losh did a statistical analysis of the data for UFF. She presented her results which show clearly in a statistically significant way that women have been rejected for tenure and promotion in the last two years more often than their male counterparts. (See the separate article in this issue of The Faculty Voice by Dr. Losh summarizing her statistical analysis.) Because UFF has been at the forefront in pointing out the probability that women are discriminated against in the promotion and tenure process at FSU, we pointed out it would be appropriate that a UFF member, familiar with the Collective Bargaining Agreement, be on the committee being formed by AWFA and the Provost to look into women's issues at FSU. The Provost promised UFF that he would look into having a UFF member appointed on this committee.

4. UFF asked how much of the money for promotions came out of the 2.5% general faculty raises. Dean Edward reported that only \$14,623 was available for promotion raises from other funds, and that the bulk of the promotion money was taken off the top of the general faculty 2.5% raise money. This left 2.247% which was given to Deans to be distributed to Departments. Thus Departments should receive raise money amounting to approximately 2.247% of their salary base.

5. Mr. Steven Byrd brought up a multitude of issues which face the faculty at the Developmental Research School (DRS). These include the question of the status of DRS faculty within the FSU community as the DRS makes the transition to being a charter school at its new location, the onset of early salary compression, lack of fee waivers for continued education, lack of effective sabbaticals, the loss of the promotion raises in the salary structure, and the need for a more productive relationship between the DRS and the faculty in the College of Education.

The meeting was adjourned at about 3:30 p.m. A fall consultation (yet to be scheduled) is planned. Faculty who have concerns they wished to have raised may contact any of the UFF executive board, or bring them to any of the regular monthly UFF executive board meetings.

Issues in Promotion and Tenure by Gender at Florida State University

Susan Carol Losh for UFF/FSU, July 18, 2001

Here is my interpretation of data (with my analysis) provided by Dean of the Faculties Steve Edwards and Dr. John Kalb in Institutional Research in March, 2001 is as follows:

From the 1996-1997 to the 1998-1999 academic years, there was a trend toward promoting men to associate professor (84 percent) more than women (69 percent), promoting men to full professor (77 percent) more than women (60 percent), and awarding tenure slightly more to men (83 percent) than to women (75 percent). These differences fell short of conventional levels of statistical significance.

However, in both 1999-2000 and 2000-2001, men received promotion to associate professor (86 percent combined) significantly more ($p < .05$) than women did (29 percent) and were awarded tenure more than women (86 versus 42 percent, combined, $p < .05$). In 1999-2000, men were also promoted to full professor significantly more than women (100 versus 33 percent, $p < .05$). Indeed, for the last two academic years, the overwhelming majority of men considered for promotion to associate professor were promoted while the overwhelming majority of women seeking the same promotion were denied. While the actual numbers are small, the gender

differences are so substantial that they are statistically significant.

In addition, over the last five years at FSU (1996-2000), women were 44 percent of sixth and seventh year assistant professors, 31 percent of those going through the promotion process to associate professor, and only 11 percent of the final group who were actually promoted. If assistant professors are not promoted with tenure by their seventh year at Florida State, typically their contracts are terminated. What is not clear is why relatively fewer women than men assistant professors at FSU do not even reach the promotion pipeline in the first place. For example, some may receive notice after a poor third year review, while others in good standing are recruited at other universities.

In light of Provost Larry Abele's April 13, 2001 memo, "Expectations, Annual Evaluations and Promotion and Tenure: a follow up to Promotion and Tenure Document located at: <http://www.fsu.edu/~acaffair/tenure/tenure.html/>", many faculty are deeply concerned. In that memo, the Provost warned that departments which approved the promotion of an assistant professor who was subsequently denied promotion to associate professor with tenure at any higher level of University review, stood to lose that faculty line once it was vacated. Many faculty interpret the statistical odds to mean that chairs and departments should deny promotion to women assistant professors, since three-quarters of women during the last two years were denied promotion to associate professor, compared with only one-seventh of male candidates. Over half the women applying at all rank levels at Florida State University were denied tenure in 1999 and 2000 compared with only 14 percent of men.

If, in spite of these discouraging probabilities, a department supports a woman for promotion to associate professor and tenure, and she is denied it at any higher level for any reason, the line is swept. And, in fact, the Provost has personally denied tenure and promotion to women who were supported through the highest peer review committees at the University.

UFF's position from the beginning has been that the Provost's policy on promotion and

department line reduction is unwise and that this presumptive policy should be immediately and indefinitely discontinued. In light of these findings on gender and promotion and tenure at FSU, our feelings are far stronger. The statistical sex biases in the Provost's policy are inescapable and the policy presents department heads with a draconian dilemma, for which one "solution" is illegal and unethical sex discrimination.

UFF focuses on promotion to associate professor because it is much more difficult to estimate the eligible base for those who seek promotion to full professor, largely due to large variations in years of service at Florida State University and elsewhere. In order to guard faculty privacy, only limited and aggregate data can be analyzed. Note, however, that the trend is also for men to be more successful in promotion to full professor, significantly so in 1999. United Faculty of Florida/FSU supports the Association of Women Faculty and Administrators at FSU in its requests to:

1. have the Provost appoint an *ad hoc* committee to investigate issues in gender equity, including "climate" at Florida State University and
2. to commission an outside research firm to study gender equity at FSU.

We also request that a United Faculty of Florida member who is familiar with the BOR/UFF Contract be placed on this *ad hoc* committee because so many of the issues it will raise directly concern the contractual terms and conditions of employment for Bargaining Unit members at Florida State University.

July 19, 2001

PROMOTION AND TENURE AT FSU BY GENDER, RANK AND YEAR

Percent Promoted (Case base in parentheses)/
Chi-square and phi statistics presented only when statistically significant
(All Chi-square statistics are corrected for continuity.)

Academic Year	Original Rank: Assistant Professor		Original Rank: Associate Professor	
	Men	Women	Men	Women
1996-1997	78% (9)	57% (7)	72% (18)	40% (5)
1997-1998	90% (10)	78% (9)	80% (15)	80% (5)
1998-1999	100% (12)	100% (4)	71% (17)	86% (7)
1999-2000	89% (9)	29% (7)	100% (13)	33% (3)
	$X^2 = 3.85$ $p = .05$ $\Phi = -.62$		$X^2 = 4.75$ $p < .05$ $\Phi = -.79$	
2000-2001	84% (19)	29% (6)	71% (7)	100% (6)
	$X^2 = 5.05$ $p < .05$ $\Phi = -.53$			

Percent Approved for Tenure (Case base in parentheses)/
Chi-square and phi statistics presented only when statistically significant
(All Chi-square statistics are corrected for continuity.)

Academic Year	Men	Women
1996-1997	73% (11)	73% (11)
1997-1998	92% (12)	77% (13)
1998-1999	96% (22)	100% (6)
1999-2000	86% (14)	44% (9)
	$X^2 = 2.67$ $p = .10$ $\Phi = -.44$	
2000-2001	86% (22)	40% (10)
	$X^2 = 5.20$ $p < .05$ $\Phi = -.48$	

Due to presenting Chi-square statistics corrected for continuity, the statistical significance tests presented above are conservative estimates of sex differences in promotion and tenure at Florida State University.

Susan Carol Losh for United Faculty of Florida/FSU and the Association of Women Faculty and Administrators, July, 2001