
THE FACULTY VOICE

The Newsletter of the FSU Chapter, United Faculty of Florida

Website: <http://www.fsu.edu/~uffinfo/>

FEA/NEA-AFL-CIO
Volume 17, No. 1

Mar. 2002
Editor: Dan Kimel

Report on Special Master's Recommendation

Special Master William J. McGinnis has made his recommendations on the resolution of the Bargaining Impasse between UFF and the Florida Board of Education (FBOE). The recommendations were received by the parties on February 19.

Non-discrimination.

The Special Master failed to find "a broad compelling public interest" for including sexual orientation in the non-discrimination part of the Collective Bargaining Agreement (Article 6), and recommended the FBOE position that current language be maintained.

UFF is very disappointed in this recommendation and is considering various courses of action.

Salary.

Aside from some technical issues involving reporting of raises, details of grievability, and the like, the key recommendations were by and large favorable to UFF's position (only changes from current language are discussed here):

- As UFF proposed, there should be a Cost of Living Increase to all eligible employees. The recommended amount was 1.5%. (Although UFF originally requested 3.4%, recent government recalculations of annual inflation are consistent with the 1.5% recommended).
- Because of budget problems, Departmental Merit Raises should be replaced by

performance bonuses this year, as proposed by FBOE. The amount of bonuses was specified as 1% of the total. (The FBOE proposal did not specify any particular amount for these bonuses). UFF had proposed funding Departmental Merit increases at the rate of 1.6%

- As UFF proposed, promotion raises should be given at the rates of 9% in addition to other raises and bonuses.

Summary of salary recommendation:

1.5% Cost of Living
0.3% Estimated total of promotion raises
1.8% Total raises

plus 1.0% Performance based bonuses

The Special Master's Recommendations are non-binding on the parties. According to the law, "... each recommendation of the Special Master shall be deemed approved by both parties unless specifically rejected by either party...within 20 days after the date the party received the ... recommended decision [20 days from 2/19/2002]".

UFF is analyzing the details of the Special Master's Recommendations and considering how to respond.

Statement of UFF's President, Dan Kimel, at the Meeting of the FSU Board of Trustees

Chairman Thrasher, members of the Board, President D'Alemberte, Provost Abele. I want to add my voice of appreciation to all of you for accepting positions on the Board and bringing your expertise and distinction to the service of Florida State University

With its excellent foundation in faculty and facilities, I believe FSU has the diversity, energy, and creativity to move to the very highest ranks of research universities. I know, after the tragic events of Sept. 11, there will be painful adjustments to make, but The United Faculty of Florida will work to contribute to achieving the long-term goal of moving FSU forward among research universities. As has been shown in Austin Texas, and in the Research Triangle of NC, this process will bring synergies hugely benefitting not only FSU but the whole surrounding community.

UFF has what I believe to be collegial and mutually supportive relations with the Faculty Senate (I have been a Faculty Senator myself) The Faculty Senate and UFF have distinct missions in representing faculty. Generally the Faculty Senate concerns itself the educational policies, academic matters and well as with issues of general concern to the university. The United Faculty of Florida, on the other hand, is the faculty union and by law is the representative of faculty and professional staff with regards to the terms and conditions of employment, as spelled out in the Collective Bargaining Agreement, which I have distributed to all of you. The United Faculty of Florida has been the faculty union at FSU for over 25 years and presently represent approximately 1600 faculty and professional staff.

The two major functions of the United Faculty of Florida, which I would like to mention today are

1. Negotiating the Collective Bargaining Agreement;
2. Helping to administer and enforce the Collective Bargaining Agreement.

UFF believes a well-crafted Collective Bargaining Agreement, mutually agreed to by both the administration and faculty, can be a big contributor to attracting and keeping an outstanding faculty.

In recent years FSU has been successful in recruiting world class faculty at the senior level and very promising faculty at the junior level. But in either case, it takes years for new faculty to transfer fully (for senior faculty) or to support and develop (for junior faculty) their research programs at FSU. Research is a long-term process, and a comprehensive Collective Bargaining Agreement helps provide a *framework of transparency* where excellent faculty can feel secure, supported and thrive.

There are here in the Table of Contents 32 Articles covering all facets of working conditions at FSU. I'd like to bring your attention to a few articles of the contract which are particularly important to faculty.

1. Article 5: Academic Freedom and Responsibility.
An open, supportive, secure environment. Free and honest discourse and thought in research and actions are fundamental for creative research in a great university. I want to thank President D'Alemberte for his steadfast support for academic freedom during his tenure as President.

2. Articles 9-16: Assignment of Responsibilities, Evaluations, nonreappointment, layoff and recall, promotion and tenure, and discipline. These articles give the framework showing faculty what is expected of them, what performance is required for promotion and tenure, and what action or lack of performance will result in dismissal and discipline.

3. Article 20: Grievance Procedure and Arbitration:
The grievance procedure is the structure whereby violations of the contract, alleged by faculty and professional staff, can be resolved. There are three steps in the process, with the last step being outside arbitration. One of the main functions of UFF is to represent faculty and professional staff in the grievance procedure. We have a grievance committee made of people knowledgeable about the Collective Bargaining Agreement and trained and experienced in the grievance procedure to handle this function. I'm happy to say that at least 80% of the grievances brought to the attention of UFF are either settled or dropped before the step 1 meeting. UFF believes the grievance procedure in effect at FSU is an excellent way to resolve internal conflicts involving the faculty and professional staff and does much to reduce the litigation which would occur if the grievance procedure were not in place.

As you know the collective bargaining contract is being bargained this year on the state level between UFF and the Florida Board of Education. As I understand it, there is no progress to report at this time, mainly due to the uncertainty caused by the previous and upcoming Special Session of the Legislature.

I understand that probably collective bargaining will devolve to the local level next year. Of course this depends on the explicit action of the legislature. In many ways local bargaining would be a much better way to tailor the collective bargaining contract to serve the needs of FSU, as a major research university. The FSU Chapter of UFF has an experienced bargaining team in place at the present time. When and if local bargaining begins, we are ready for it.

As I said before, we in the United Faculty of Florida are looking forward to working with you to help FSU reach its full potential. Thank you.

UFF LEGISLATIVE UPDATE

February 27, 2002

Llona Geiger, State UFF Executive Director

Halfway through the Session-or maybe not? Normally at this point lobbyists are scratching off their list a number of bills that show no forward movement. However, this year the Session threatens to last way into April, largely driven by reapportionment concerns. That leaves the door open for some additional positive developments - the revenue estimating conference next week might ease constraints on the budget, for instance; but it also leaves open the possibility for some lousy bills to get reinvigorated.

The most important issue beyond reapportionment and the budget remains therewrite of the School Code. For faculty and professional employees this rewrite is more important and far-reaching than a year's appropriation. Picture 1,000 pages of laws, each page with two columns regulating and determining everything from articulation to adjunct educators, from courses of study to corpses in medical schools, from facilities to faculty, from personnel policies to public records, from school buses to scholarships. The demands for the rewrite arise out of the total reorganization of Florida's education governance system, including the demise of the Board of Regents and the State Board of Community Colleges.

To accomplish the total revision, the patchwork quilt of school laws needs to be carefully cut into pieces, with some patches thrown away and new ones designed and stitched. Then the collection has to be reassembled in a logical pattern that results in a totally different looking quilt. Begun under the aegis of the new BOE, a small work group of knowledgeable practitioners was established, among them university and community college designees and representatives from our Union. This group carefully disassembled the quilt, looking at each square and recommending the appropriate action: amend, move, or delete. The end result is to be a new School Code which is more user-friendly, more organized, and shorter (from 19 sections to 14). Right now the project is in the hands of legislative staff. The work lies in long rows, carefully labeled, in a conference room on the 13th floor of the Capitol. It's entirely transparent: you can follow the development of each chapter by looking at each stack and tracking the various recommendations and suggestions.

This Sunday the entire final rewrite will get one last look by the practitioners; then the new School Code will be assembled into a gigantic bill to be voted on as early as Tuesday. Most legislators who have not been a part of the process will have no clue about what's in the bill, so the opportunity for serious mischief is limited, but not impossible. We will be watching this very closely. Only after the bill has become law can the different agencies, like the Division of Community Colleges, revise their own rules.

UFF has had a hand in designing and shaping those critically important sections on community colleges and on universities and their personnel. If you are a member and want specific information on an issue of interest, please call or e-mail.