

Contract Language You Should Know About....

Budget Advisory Committee: Article XXXI

Upon a majority vote of the Faculty and Academic Staff members holding tenure or employment security status in the departments or divisions of a School/College or in the Library or Archives, committee will be elected with which the chair/dean/director will consult concerning the general budgetary priorities of the unit. The chair/dean/director must make available on a quarterly basis any accounting reports that may be needed.

Bylaw Committees: LOA: Bylaws (8/19/02) and Article XXVII

It is understood that Academic Staff of each department/school/college and the Faculty members in each school/college/division have responsibility for the development of bylaws consistent with University and school/college statutes and policies and with this Agreement. Those bylaws, and any subsequent revision of the bylaws, shall be subject to the approval of the chair/dean/director/vice-president and the President or his/her designee.

Chair/Director and Dean/Division Selection and Reviews: Article XIII

Committees comprised of elected Faculty and Academic Staff members and an equal number of representatives appointed by the President or his designee, along with one student representative selected by the student council, form the search or review committee. The President appoints the chair from the committee members. This committee makes recommendations to the president as to whom should be hired in cases of a search, and in cases of a review, evaluates the progress of the department and the effectiveness of the chair/dean and forwards a report to the President or his/her designee. Reviews are to take place one year prior to the end of the Chair/Director/Deans employment contract. Contracts cannot be longer than five (5) years long.

Hiring: Article XX.A.2

Insofar as practicable, no full-time term appointments of prospective Faculty members of the bargaining unit shall be made without consultation with the appropriate tenure/promotion committee or the tenured and/or employment-security- status Academic-Staff members of the originating unit. (For the definition of the committee, see Article XXI.D.) The unit administrator is required to call a meeting of the appropriate salary committee to discuss initial salaries of prospective members of the bargaining unit. (See Article XII.B.6)

Lay-offs: Article X

In circumstances other than those stated above it may be necessary because of substantial curtailment or discontinuance of a program or extraordinary financial exigency to make reductions in personnel. No recommendation for program discontinuance or substantial curtailment shall be made to the Board of Governors without prior consultation with the affected unit and appropriate academic councils of the school/college/division and of the University, each of which shall be given the opportunity to submit written advisory reports and recommendations. In such cases the following language shall apply.

In case of impending reductions in a unit which would require the layoff of bargaining-unit members, the President or his/her designee shall appoint a committee according to the following procedures: N members shall be appointed by the President or his/her designee and N members from a slate of nominees furnished by the Academic Senate which shall advise the President or his/her designee on the possible placement of the affected bargaining-unit members in other units within the University. The slate shall contain two names for every person so appointed. There shall also be one Association-appointed nonvoting representative to the committee.

Professional Duties: Article XXIV.II

Allows Faculty members to appeal a change in professional duties he/she considers “contrary to his/her responsibilities.” Please note there are short time limits. For instance, a request for a meeting with the dean/director/vice president “must be made in writing within ten (10) working days after notification of the proposed duties change by certified mail or after having been personally served.” If a resolution regarding these changes cannot be reached via meeting with the dean/director/vice president, the AAUP-AFT can appeal the decision to a Review Committee. If the president disagrees with the committee’s recommendation the union may appeal to arbitration. *No changes in duties can take effect prior to the completion of the review process or arbitration.*

Definitions You Should Know

Academic Freedom: The belief that faculty are entitled to freedom of inquiry in research, publication and course content without threat of repression, job loss, or imprisonment. The legal concept of academic freedom originated in Germany around 1850 and spread to the U.S. in the early 20th century. The AAUP issued its first statement on Academic Freedom in 1915 after Stanford economist Edward Ross was fired for speaking against the gold standard and the importation of cheap labor. The principle grew in greater importance during the Cold War/McCarthy era when professors and other intellectuals were targeted.

Academic Governance: Also referred to as “shared governance” or “collegial governance” is a well-established doctrine within institutions of higher education going back to medieval Europe. Its purpose, as articulated in the AAUP’s *Statement on Government of Colleges and Universities*, is “to foster constructive joint thought and action” among governing boards, administrators and Faculty, “both within the institutional structure and in protection of its integrity against improper intrusions.” The AAUP-AFT contract extends the rights and responsibilities of academic governance to Academic Staff members - advisors, librarians, counselors, etc.) Unlike the traditional “business model” of management, academic governance recognizes the expertise and institutional commitment of employees as a central component to effective decision at a university or college. Academic governance is closely tied with Academic Freedom in that it provides a mechanism for Faculty and Academic Staff members to ensure fair and uniform standards.

Academic Senate: A body comprised of Faculty and Academic Staff members whose purpose is to ensure that university academics participate in the development of academic policy at a university or college. The Wayne State University Academic Senate is an 85-person body with about a dozen standing committees. Faculty and Academic Staff members, as well as administrators with retreat rights back to the bargaining unit, can be elected to the Academic Senate for three-year terms. Nominations are traditionally called in the spring.

Bylaws: Rules adopted by Faculty and Academic Staff members, and approved by the dean/director/vice-president and the President or his/her designee, to “insure orderly conduct” within each division/ school/college. (Faculty members also adopt bylaws for each department/division/center/institute.) Bylaws are required as per Article XXVII of the contract and outline procedures for standing committees, appointments and elections. Bylaws cannot be contrary to the union contract or university policy.

Consult: This word appears throughout the union contract and is defined by Webster's New World Dictionary as follows: "to deliberate, consider, ... to call together, as in *consulere senatum*, to gather together the senate, hence ask (it) for advice...to talk things over in order to decide or plan something; confer; 1.a) to seek an opinion from; ask for the advice of...; b) to refer to or turn to, esp for information...; 2. To keep in mind while acting or deciding, show regard for, consider; 3.a) to confer about; b) to plan for." Contrary to what some administrators think, "consult" does not mean notification after a decision is made.

Factors: The contract mandates that each unit draw up factor statements that describe the "particular mission and diverse characteristics" that will be considered in the evaluation of Faculty members in a particular classification. They distinguish and describe the three main categories on which Faculty members in a particular unit are evaluated: Scholarship, Teaching, and Service. Factors are extremely important in reviews and in guiding prospective candidates and administrators through the tenure and promotion process. The factor statement should be made available to Faculty members early in their employment. Article XXII.D.1.a (pp 4) and Article XXIII.A.3.a (pp 4) both state, "*Factors used in a given case shall have been issued at least twelve months prior to their use and shall have been distributed to each faculty member in the unit.*"

Factors are written, reaffirmed and revised by the Faculty members and must receive the approval of the dean/vice-president of the school/college/division prior to implementation.

Grievance: A violation of a collective bargaining agreement by either party. A grievance is typically filed against administration/management by the labor organization. A grievance cannot be filed by a labor organization against its own member(s).

University-wide Committees: Committees of Faculty and Academic Staff members as stipulated in Article XXX of the AAUP-AFT contract required in decision making procedures as per contract, including committees determining Faculty members' factors and tenure in units without a tenure committee. Nominations are called by the Provost's Office before the end of each winter term. Faculty and Academic-Staff members may nominate themselves or be nominated (with their consent) by their colleagues and/or the administration of the unit. The required number of eligible individuals will be selected for each committee by the dean/vice-president in consultation with the appropriate Faculty or Academic- Staff committees such as a Faculty council or the executive committee of the Faculty council or senate of the school, college, or division. The Academic Senate Policy Committee and the Provost will select members of the committees from the slates presented, with membership to start at the beginning of the fall semester. If someone on the list for a given committee is found to be ineligible, the members of the committee will be chosen from among the remaining names on the slate.

Voting/Participation Rights: Article XXVII.B spells out these rights stating: *The rights of bargaining-unit members to participate with vote in the academic-governance activities...shall not be abridged. Their rights to participate with vote in academic-governance activities, including activities addressed in Articles XX (Term Appointments), XXI (Employment Security Status Procedures), XXII (Tenure Procedures), and XXIII (Promotion Procedures), shall be determined under the bylaws of the units and under other provisions of this Agreement and such additional rules as may be agreed upon by the University Administration and the Association.*