

THE ADVOCATE

THE YSU CHAPTER OF THE OEA

Fall 2013

President's Report

Annette Burden

This new academic year brings with it a great deal of change. We have a new President, a new “modified” initiative based budgetary model, and a new health care broker just to mention a few. According to its latest budget snapshot, YSU claims that it is currently \$6.9M in the red due to a decrease in revenues, increased expenses, and the like. As you are likely aware, in what the Board of Trustees claims a necessary move to bring the budget back to a zero balance, the equivalent of 5 FT employees from ACE, 2 from APAS, and 2 from the exempts have received notification of their layoff. In what is considered an unprecedented move, the four unions took a proactive stance and approached President Dunn requesting the formation of a joint budgetary task force to explore more creative options to balance the budget and try to save these jobs. President Dunn was extremely receptive of the idea. The taskforce was formed quickly and consists of each of the four union presidents and President Dunn. Each president also selected a second representative to serve alongside them on the task force. In addition, we sent an invitation to the Board of Trustees in the hope they would allow one of their members to serve on this important task force. Although they were willing to explore options that they may not have considered when making their layoff decision, they have opted not to have a representative on the task force. I will keep you informed of the progress we have made. As always, I want to take this opportunity to thank all of you for your continued support. Your support has been most appreciated in these difficult times.



Updates from the President

YSU/OEA current membership information: We have had 42 new hires and 7 retire rehires who began this academic year. We had 23 retirements, 12 resignations, 2 deaths, 1 termination, and 10 non renewals last year. So far this semester we have had 4 retirements and 2 resignations.

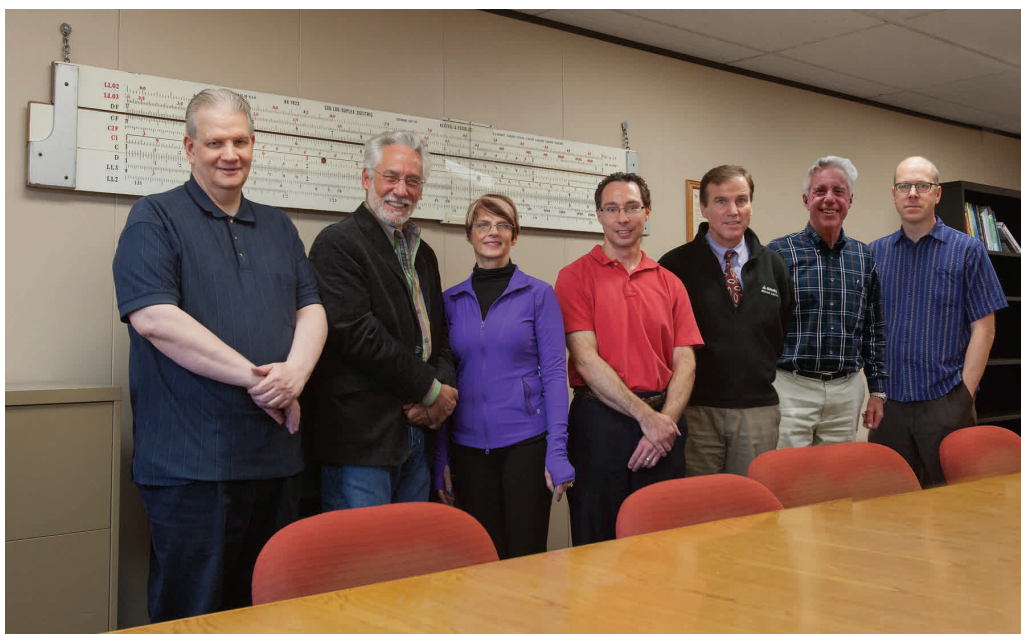
Union Heritage Award We will be seeking applications for our annual Union Heritage scholarship soon. Please let students know about this great opportunity. We are also always in need of donations for this worthy cause.

Union Service and Outreach: We have also started a community outreach committee and a “sunshine committee” to reach out to fellow union members during difficult times. We are in need of two college advocates. Our WCBA advocate became chair of a department and our BCOE advocate retired. We need to fill these vacancies. If anyone in these colleges is interested in serving in any of these capacities, please contact Annette Burden.

Organizational efforts: We applied for and received our first OEA mini-grant. The money was used for our union brochure and the small YSU OEA lapel pins that you should have received via campus mail. We continue to put out the quarterly YSU OEA Advocate for members. The URL for our YSU OEA website is <http://ysuoEA.ohea.us>. Please get into the habit of checking there often for new news. Health Care updates and other information are generally posted there.

Negotiating Team Report

Gabriel Palmer-Fernandez



Our Negotiating Team was elected last spring. The members are: (pictured from left to right) Alvin Shields (Mechanical and Industrial Engineering), Gabriel Palmer-Fernandez (Philosophy and Religious Studies), Annette Burden (by virtue), Jamal Tartir (Mathematics and Statistics), Peter Woodlock (Accounting), Howard Mette (Chemistry), and Stephen Chalmers (Art).

The Team has met four times during the summer and early fall, surveyed faculty through an online instrument, and has completed focus group meetings with all college faculties. Data collected through the survey and focus groups will help us determine faculty interests in negotiations.

The Office of the Provost showed a keen interest in learning the results of our Negotiating Team election last spring. Shortly after the election, we informed them of the results and requested that as soon as the administration appointed a team its Chief Negotiator should contact me to begin preliminary discussions. To date, President Dunn and the Board of Trustees have not appointed a team to represent administration. Consequently, there have been no discussions. What can one make of this?

Assume that the Board will appoint a team prior to Thanksgiving. We might then hold one or two preliminary meetings this semester. But as we all know the semester ends the second week of December, that week is quite busy with grading and other matters pertaining to the end of the semester, and then we go on break until mid-January. Given this scenario, both teams will likely not meet for negotiations until late January or early February, 2014, leaving some ten weeks to negotiate the contract if we are to reach full ratification by the end of the academic year in mid-May. But if the Board appoints post-Thanksgiving, the tempo accelerates – mark it *stringendo* – with rising opportunities for errors and calamities. Either way, control of the calendar yields (some) control of the process as well.

It may be that the Board plans to negotiate well into the summer and perhaps close to the start of the new academic year, much like negotiations 2011. Most of us remember that we were then pushed into a schedule so tight that negotiations proved less than fruitful for both sides and certainly harmful to students and the institution. Enrollment and morale began their precipitous decline on the very same August day the Board and former President Anderson cancelled financial aid to all students – denying them not only tuition and books, but also bread and butter. Remember that day? Enrollment and morale have yet to pull out of their downward spiral.

The tactics of delay and postponement are not new, of course. But under present conditions their only foreseeable benefit is that the Board's lawyer will have less billable hours, and in a time of layoffs that's a good thing indeed. However, it is a benefit that can be realized by other means. We certainly hope that this time the Board will negotiate in a spirit of good faith and collegiality. To that end, one might urge the Board to act expeditiously in appointing a negotiating team.

Meet Your Fellow Faculty Union Members

Assistant Professor of Philosophy and Religious Studies Michael Jerryson just arrived at YSU this year. So far the prolific author of a multitude of books on Buddhism and Violence (*Buddhist Fury: Religion and Violence in Southern Thailand*; *The Rise and Fall of the Mongolian Sangha*; *Oxford Handbook of Contemporary Buddhism*; *Oxford Handbook of Religion and Violence and Buddhist Warfare*) is enjoying getting to know YSU students. Jerryson was drawn to teaching as a result of a desire to use education as a tool to overcome prejudice – this desire impacts his teaching and community service. He was drawn to his subject matter in part through his work in the Peace Corps. Dr. Jerryson who lives in Niles, Ohio, is thrilled to be back in the mid-west. Originally from Chicago, Dr. Jerryson is an avid pizza fan who makes his own (as well as his own wine). When not teaching or writing or speaking in a public forum, Dr. Jerryson can be found reading comic books, making one of his culinary delights, singing karaoke, watching Dr. Who, and spending time with his wife and two children.



Associate Professor of Nutrition Rachel Pohle-Krauza believes in hands on experience as a way of teaching her students. As a clinical researcher who works primarily with the chronically-ill, Dr. Pohle-Krauza brings her students with her into a hospital setting to do clinical research, demonstrating to them first-hand how their future careers will help improve the lives of people in the community. Another hands on experience she provides—thanks to colleague and fellow YSU-OEA member Dr. Mark Womble—came from her own most memorable moment as a doctoral student when she went to a Gross Human Anatomy lab to examine cadavers. As a result of the effectiveness of this experience, she makes sure to bring her own classes to see in 3-D what happens to the human body as a result of a person’s diet and lifestyle choices. Dr. Pohle-Krauza explains, “*Alcoholic Cirrhosis*” now becomes the reality of a hardened, distended liver, wrought by years of substance abuse.” When not mentoring her students or actively engaged in her research, Dr. Pohle-Krauza can be found reading doomsday novels, celebrity gossip, and drinking wine (not necessarily in that order).

Grievance Report

Fall 2013

Gabriel Palmer-Fernandez

At this time, we have more grievances and arbitrations than at any time in nearly a decade. We don't go out looking for them. They come to us. Our colleagues contact us and we respond by meeting with them and exploring their options. On some occasions, the matter is handled without filing a grievance – this is the choice of the faculty member. Frequently, a faculty member feels so aggrieved by a department chair or dean that a formal grievance seems absolutely essential.

Once the grievance is filed, the Administration seems to make no attempt to resolve the dispute. They dig in their heels, close ranks, and circle the wagons. Perhaps the new leadership of President Dunn will result in a change of culture with administrators following the rules.

An arbitration hearing was held on September 16, 2013 on the notion of past practice. In a grievance finding the administration claimed that there was a “past practice,” a “normative practice,” or a “norm” which superseded the actual language in the contract. Essentially the argument was that if it had always been done in a certain way, it did not matter what the contract actually said. This idea that past practice can trump the language of the contract could be a Trojan Horse: allowing the administration to smuggle into the contract matters that have not been negotiated. Obviously the union has a strong interest in avoiding this.

On October 14, 2013 we have a second arbitration hearing. At issue is that administration failed to process a grievance/arbitration “expeditiously” (Article 8.2). It took the administration's appointed lawyer some six months (18 emails) to respond to our request for a meeting. The meeting we requested was not optional, but required by federal law. In its official finding the administration wrote: “It appears that both administration's outside counsel and the union's LRC could have been more aggressive in scheduling a time to select an arbitrator.” 18 emails and six months are not aggressive enough. What, after all, is the meaning of “expeditiously”? It was only after my direct appeal to former President Anderson and her intervention that the University's General Counsel decided to act.

Other grievances include gender discrimination in promotion decisions, failure to reaffirm department governance document, failure of a chair to evaluate faculty, hostile work environment, scheduling faculty to teach overload without their consent, and scheduling full-time faculty on MW courses 4-5 pm, when the contract explicitly prohibits that (so that faculty may attend Senate meetings, union meetings, and department meetings).

Grievance work has been so demanding this semester that I have not been able to keep up with the work. Thankfully, Helene Sinnreich has stepped in. After following my work on several grievances she began to process some of them on her own, and has done truly outstanding work. Once we enter negotiations and my time is taken up with those matters, she will take on added responsibilities for grievances.

Thank you!

A special thank you to YSU-OEA member and Assistant Professor of Art Richard M. Helfrich for designing our new newsletter banner!
