

THE ADVOCATE

THE YSU CHAPTER OF THE OEA

Spring 2019

President's Report

A.J. Sumell

As we approach the end of the academic year, I'd like to thank all of you for your hard work and dedication to this University, our students, and for your support of this Union. The end of this academic year is especially bittersweet for me. As many of you are aware, my term as President of YSU-OEA will end on June 30. Beginning July 1, this Union will be led by the capable hands of my friend and the current First VP, Steven Reale. Having worked closely with Steve on both the Executive Committee and the Negotiating Team for the past three years, I can say with complete confidence that Steve will be a great President of our Union, of which I will remain a proud dues-paying member and supporter.

When I first became involved in Union work in 2014 – first as a grievance officer under the mentorship of Gabriel Palmer-Fernandez - it was based on the belief that Unions are a mechanism for positive change not only for the members whom they serve, but for the University, the community, and for society as a whole. Since having served as a Second VP, a First VP, a member of the negotiating team, and President, that belief is greater today than ever before. This confidence is built on the progress and the accomplishments experienced over the past two years – the more than 200 faculty who came to a YSU-OEA meeting and voted unanimously to authorize a strike, an Agreement which was approved by more than 95% of the faculty who voted, the approval of health insurance coverage for transgender care, the expansion of the YSU student food pantry, the overturning of seven promotion and tenure denials through appeals committees, the ten happy hours, among many other events. None of these accomplishments would have occurred were it not for the hard work and support of our members. There are too many faculty to individually name, but I'd like to recognize and express my deep gratitude to my fellow members of the Executive Committee – Chris Bellas, Loren Lease, Tomi Ovaska, Gabriel Palmer-Fernandez, Steven Reale, Jamal Tartir, and Taci Turel – most of whom serve our Union without any reassigned time or additional compensation.

The success of our Union, or any Union, is not determined by the actions of its leadership, but on the activities and engagement of its membership. This is especially true during negotiations, which begin next academic year. The negotiating team will do everything possible to negotiate the best contract possible for all of us – but their ability to negotiate a good

contract is almost entirely dependent on our support. So please get involved and/or stay involved – show up to Chapter meetings (the next one is August 16th), show up to happy hour (this one's easy), ask or agree to serve on Union committees, go to regional OEA meetings, talk with new faculty or non-members about the importance of the Union, show and express support of other Unions on campus and our part-time faculty colleagues, talk with members of the executive committee about your ideas for Union and/or community events, and talk with members of the negotiating team about what you would like to see changed in the next contract. Do these things not *just* for the sake of the next contract and our Union, but also for the sake of the University, the community, and society as a whole.

Yours in solidarity,

AJ Sumell

Save the Date: Friday, August 16

3:30 – 4:30 pm YSU-OEA Chapter Meeting, Butler North, 562 Wick Ave., Youngstown

5:00 – 7:00 pm Welcome Back Pizza Party, Cassese's MVR, 410 N Walnut St., Youngstown

Your 2019-2021 Executive Committee

President: Steven Reale, Music

1st Vice President: Becky Curnalia, Communications

2nd Vice President: Diana Palardy, Foreign Languages

Secretary: Loren Lease, Anthropology, Gerontology, and Sociology

Treasurer: Taci Turel, Human Ecology

Grievance Chair: Gabriel Palmer-Fernandez, Philosophy and Religious Studies

Chief Negotiator: TBD

College Advocates Chair: TBD

Your 2019-2022 Negotiating Team

Susan Clutter, Criminal Justice and Forensic Sciences

Julia Gergits, English

Megan List, Teacher Education

Gabriel Palmer-Fernandez, Philosophy and Religious Studies

Steven Reale, Music

Michael Pontikos, Marketing

Kriss Schueller, Computer Sciences and Information Systems



Anja Wehler-Schoeck, a Labor, Health, Migration, and Social Affairs Counselor at the German Embassy, gave a lecture titled “Joining Hands in Achieving Economic Strength and Economic Justice: The ‘Social Partnership’ Approach in Germany” in Celebration of May Day. The lecture was held at the Youngstown Historical Center of Industry & Labor. It was co-sponsored by YSU-OEA and the Center for Working Class Studies.

First Vice President’s Report

Steven Reale

It is with both excitement and trepidation that I move into the office of the President of YSU-OEA. I appreciate the support that I have received and hope that my leadership represents a continuation of the fine service to the unit that A.J. Sumell has rendered during his time in this office, as well as in his previous positions of leadership. I can say that as President-Elect, I have been cc’d on the numerous goings-on around campus, and seeing the grievous and worrying situations that many of our colleagues face I am ever more grateful that we have a strong Union standing behind us. If I found myself in the frightening crosshairs that I have seen trained on too many of our colleagues the past few months, I am not sure how I would be able to persevere without a union leader like Gabriel Palmer-Fernandez as my representative in the face of an increasingly harsh and punitive administrative attitude towards faculty (see Grievance Report, below).

It is so easy to imagine that all is well in the years between contract negotiations, but these intervening years are critical for laying the foundation of solidarity that your negotiating team will need behind it to perform its task next year. This is why it is so frustrating to see minimal attendance at chapter meetings during these years. Only a small fraction of the bargaining unit shows up, and it is difficult not to feel as though we preach to the choir when we share with that limited group our belief in the importance of the union. We often implore those in attendance to double attendance by convincing one friend to come with them, and I will so implore you again here.

It can also be frustrating when at these chapter meetings a well-meaning faculty member raises their hand and says, “I think that you should ____.” Such a construction implies that the union is but the handful of people that serve on the executive committee. What I would like to

hear at chapter meetings is “I think that we should _____,” and appended to the comment, a suggestion of how the speaker can contribute to bring forth that vision. This construction acknowledges the reality that the union is the entire membership, and that without the efforts and support of the entire membership, the executive committee can only accomplish so much.

Colleagues, in the face of worsening conditions for organized labor, particularly in post-Janus America, I implore you to remember that the only—*only*—reason that this faculty has the benefits and protections that we enjoy is due to the solidarity of this bargaining unit and the countless hours of service that its members—all of its members—render. As we move forward with a new executive committee in a new round of negotiations, I would ask that every one of you find some way, however small, to contribute to our strength.

I am pleased to introduce the bargaining unit to its incoming First Vice President, Rebecca Curnalia, who writes:

I am looking forward to joining the YSU-OEA Executive Committee in the fall as First Vice President. I see this as a service opportunity where I can learn more about our union, get to know more faculty members across the university, and help as we move toward contract negotiations for 2020. I’ve been involved in various union activities and committees in the past few years, and I see this as a great time to become more involved in the union. YSU-OEA is evolving out of necessity, as higher education and unions have been affected by broader changes occurring in Ohio and across the country. I am eager to be part of this evolution, and I hope to see more of my colleagues actively involved in the union in the coming months and years. Your help is needed as we navigate the changes in higher education with the dual goals of supporting the work of faculty and helping YSU provide innovative, high quality programs that serve our students and our community.

Second Vice President’s Report

Loren Lease

The annual Academic YSU-OEA Union Heritage Scholarship was awarded to Brianna McGuire, a Marketing Major. Here’s a photo of Brianna with A.J. Sumell at the end of year happy hour.



College Advocates Report

Chris Bellas, chair

Hello YSU-OEA union members! For those of you who do not know me, please allow me to introduce myself. My name is Christopher Bellas, and I am an Associate Professor in the Department of Criminal Justice & Forensic Sciences. I have served for the past few years in the role of College Advocate for the BCHHS and College Advocate Chair. For those who may be new to YSU, please let me briefly explain the role of this relatively new body within the Union and underscore how important it is that you become involved in communicating your interests and concerns to your appropriate college representative. You may also want to join the College Advocates as an advocate yourself.

Each of the colleges at YSU is slated to have a college advocate, someone who can be a “to go person” for concerns and interests faculty may have within their college. An advocate will have some familiarity with University policies as well as the YSU OEA Agreement and sometimes the advocate can then answer simple questions, and if he/she does not know the answers, they can relay these concerns to the appropriate body within the Union. Similarly, another role of a college advocate is to communicate information from the Union to his/her respective constituents.

I know we are all very busy but please, come and participate in union meeting/events and consider becoming a college advocate for your fellow workers. It is critical that your voice be heard! We are seeking new college advocates from all colleges at this time, so if you wish to be considered to represent your college, please email me at cmbellas@ysu.edu

Have a great summer break!!

Grievance Report: A New Time: Insubordination, Discipline, and Punishment

Gabriel Palmer-Fernandez, chair

This spring term has brought to me the consciousness of a change in administration's attitude toward faculty. I have represented faculty in contractual disputes with administration for over a dozen years and have developed a fairly good feel of the ebb and flow of grievances, of a certain predictability or regularity in the nature of the disputes and how administration is likely to respond to them. History matters; it educates; shows a promissory character. But what I have experienced in the past few months departs from that history of faculty-administration disputes I have come to know. It's more than a departure, but a rupture, a leap, or compulsion so profound that we may have entered upon a New Time.

I cannot account for the cause(s) of this New Time. The nature of our present faculty does not explain it as we are more responsible and productive in all performance areas; we are more engaged with our students and in the university community; and the number of faculty who are recognized for their excellence has increased. One would think that with this excellent faculty administration would strive to resolve disputes rather than become more adversarial and belligerent, flexing its power over us. A new spirit seems at work, an immersion or conquest, a will to victory beyond habituation that contorts, disfigures language of the Agreement without remorse and with impunity.

Perhaps I am mistaken, overreacting to a few cases, misreading administration's (re)actions, assuming incorrect premises, or intoxicated with *ressentiment*. All possible in our small institutional world marked by mistrust. But when a departmental chair requires faculty to attend recruitment events off-campus in late June (when we are not under contract to perform any work) and this imposition of an extra-contractual unpaid requirement is supported by administration and faculty are threatened with insubordination, discipline, and punishment should they not appear at those events; or when a faculty is ordered to turn over her classroom lecture notes and PowerPoints or face potential penalty of insubordination, discipline, and punishment under the claim that those products of our academic labor are the property of the institution (ha!); or when a faculty member is required to respond to an investigation by a chair of student complaints one year and twelve months later that same chair trumps up the same complaints and for a second time the faculty member has to respond to a second investigation of the same complaints; or when the Board of Trustees adopts a policy requiring faculty members to report to administration events in our private lives (e.g., being arrested for some infraction, say, trespassing upon federal property while protesting US policy toward Yemen), as if our private lives belong to them and the State, we are not in the realm of sanity and civility but in a New Time.

It is a time when insubordination, discipline, and punishment are instruments for rendering faculty compliant with administration's dictates. Totalizing Power. And they are doing this and more as we enter the next round of contract negotiations. *Si vis pacem, para bellum*. Save your money and be kind.

Recollections of the Formation and Evolution of the YSU-OEA, 1971-1986

Tom Shipka

Part II: The Organizing Drive

In the spring of 1971, a group of pro-union activists established a chapter of the National Education Association and the Ohio Education Association on campus, elected officers, drafted a constitution and bylaws, staffed various committees, and published a newsletter which the leadership chose to name *The Advocate* as a symbol of the new group's intention to vigorously protect faculty rights and interests. *The Advocate* became the principal tool of the organizers to raise key issues, project the new organization as *the* voice of the faculty, and build a sense of community among the more than 300 full-time faculty.

Among the early issues tackled by the leadership of the YSU-OEA were access to university records, especially salary data; the content, location, and accessibility of personnel files; reinstatement of an instructor in a summer course; and evaluation of faculty by students.

YSU-OEA wanted to study faculty and administrative salaries but salary data were not readily available. The officers therefore demanded that the administration make the budget and accompanying salary papers accessible to any person during open hours and copy them upon request at the requestor's expense because they qualified as "public documents" under Ohio law. The refusal of YSU officials to do so prompted a lawsuit by YSU-OEA to force compliance with the law. Eventually the suit was dropped when, in the spring of 1973, negotiators for YSU and YSU-OEA reached an accommodation on this matter in the negotiation of the first master agreement.

When Dr. William Hunt of the political science department was fired at the end of the 1969-70 academic year, questions surfaced about documents which were rumored to be in the hands of administrators but not accessible to Hunt. Hunt felt that these documents revealed the administration's real (and inappropriate) reasons for dismissing him. As faculty discussed Hunt's predicament, we discovered that there was no uniformity in personnel files at YSU as to their contents, location, or accessibility, and that there were secret or confidential files on faculty kept by several department chairs. Later, in the first master contract, faculty negotiators would make personnel files a top priority.

The summer assignment in question involved Dr. Dan O'Neill, later to be a union leader. Dan had signed a summer contract which the administration attempted to void unilaterally. A course scheduled to be taught by Dan's department chair was cancelled due to low enrollment and the chair sought to preempt Dan in accord with what the administration claimed was an established institutional practice. The YSU-OEA protested and the administration relented, bringing relief to Dan and credibility to the new faculty group.

Evaluation became a hot issue when the YSU Student Government designed its own instrument for student evaluation of faculty, sought administrative support for its use, distributed evaluation packets with questionnaires and scan sheets to all instructors requesting their "voluntary" concurrence, and published and disseminated several thousands of copies of the results of every participating instructor's student ratings in a thick booklet. Those who declined to be evaluated were so noted. To some readers a declination constituted *prima facie* evidence of poor teaching on the premise that strong teachers would have nothing to hide. Aside from the

obvious issue of the reliability and validity of the questions, and the fact that the published booklet had dozens of serious mistakes, faculty were also concerned over the uses to which the results would be put by students, administrators, faculty, the media, and the general public. The administration assured the faculty that these student ratings would play no role in personnel decisions and would serve a) to inform the consumers (i.e., students) and b) to provide helpful feedback to the instructors.

When copies of the Student Government evaluation booklet were seen by faculty on the desks of certain administrators, however, the YSU-OEA took a stand that the student designed evaluations were unacceptable and that all matters pertinent to evaluation should be negotiated to the mutual satisfaction of the parties. Also, the YSU-OEA leaders assured Student Government leaders that if they agreed to discontinue their evaluation system and support the impending drive for unionization, the master contract would require evaluation by students of all faculty. Leaders of Student Government at the time, including student body president, Peter Isgro, saw this as a fair deal and Student Government then phased out its system of faculty evaluation.

In late 1971, the leadership of the YSU-OEA created an organizing committee with representatives from all the colleges and charged it to do two things: build support for collective bargaining among the faculty and induce the YSU Board of Trustees to authorize an election in which the faculty had the opportunity to opt for collective bargaining. It is difficult today to appreciate the apprehension of the faculty at that time. Many were afraid to embrace the union movement publicly for fear of retaliation. Given market realities, losing a job at YSU could terminate one's academic career. The organizing committee therefore convened small meetings off campus at my house on Upland Avenue on Youngstown's north side. We invited faculty in groups of eight to twelve to these meetings to give our organizing pitch. Simultaneously, the committee published a series of campaign documents outlining the case for unionization.

When the moment seemed ripe to demonstrate faculty support for unionization, this strategy was adopted. With the approval of the leadership, I visited a local conservative common pleas judge – Sidney Rigelhaupt – who had been a vocal critic of teachers' strikes in our area but who enjoyed a reputation as a fair and decent person. I requested that he assist in a project whereby he would mail authorization cards to YSU faculty on which they would designate YSU-OEA as their bargaining agent, receive and tabulate the signed cards, and report only the number of signed cards to the YSU Board of Trustees and the leadership of the YSU-OEA. He asked for a day to think it over. When I returned to his office, he quoted to me a passage from the code of ethics of the American Bar Association. His point was that litigation over the drive to unionize the faculty could reach his court and therefore he should not personally participate in the plan that I had proposed because to do so would create a conflict of interest. As an alternative, he offered to contact the common pleas judge in charge of the juvenile court – Martin P. Joyce – to request his cooperation. Judge Rigelhaupt did so, Judge Joyce consented, and the authorization drive resulted in 44% of the faculty returning signed cards.

With this done, the YSU-OEA leadership officially requested that the Board of Trustees recognize the YSU-OEA outright as bargaining agent for the faculty or accede to a secret ballot election to decide the matter. To strengthen the request, several steps were taken. Prominent individuals in the community were asked to write letters to the trustees supporting our request. A petition drive was undertaken in the community in which individuals were asked to lend their names to the request. This petition drive was bolstered, ironically, by a strike at the General

Motors Assembly Complex at Lordstown. When strikers visited the union hall to collect their strike checks, they were asked by their union leaders to sign our petitions. Some 4,000 of the nearly 7,000 signatures collected on our petitions came from the Lordstown strikers. These petitions were then presented to the trustees at one of their meetings in full view of the media. Also, at the request of YSU-OEA, Student Government sent a formal letter to the trustees supporting an election.

The pressures on the trustees were considerable but they alone did not cause the trustees to acquiesce. The key player on the board was the chair, Robert Williams, then president of GF Business Equipment and former president of the Youngstown Sheet & Tube Company. Williams personally endorsed the right of workers – professionals included – to bargain as a group. He phoned me one day to report that he intended to ask his colleagues to authorize an election. Although YSU-OEA leaders anticipated some resistance from his peers, we were confident that there would be an election because of Williams' prestige in the community and the tradition of the trustees following the lead of their chair and speaking in one voice on virtually all matters.

When the trustees announced their decision, the YSU-AAUP quickly geared up to oppose the YSU-OEA in the election. A spirited battle ensued during the spring of 1972. Sometimes civility suffered, as when one senior faculty member in economics attacked me as a “power-hungry neophyte.” One event which the YSU-OEA staged was a cocktail party for the faculty in the Butler Museum of American Art. This was the first of annual YSU-OEA cocktail parties at the Butler. NEA and OEA furnished YSU-OEA with support staff and generous funding but permitted local leaders to run the campaign.

The election was conducted on campus by the Youngstown office of Ernst & Ernst, a national accounting firm, in May, 1972, in two stages. The faculty voted first on whether there should be collective bargaining. Nearly all the eligible faculty voted and 90% of the voters said “yes” to collective bargaining. The faculty voted the next week on whether they wished to be represented by YSU-OEA or YSU-AAUP. With more than 90% of the faculty voting, 59% voted for the former and 41% for the latter. Bob Hare of the English Department, who led the YSU-AAUP campaign, commented after the results were announced that the YSU-OEA “outlied us,” referring to the party at the Butler. I gave a public statement on behalf of the YSU-OEA leadership congratulating the YSU-AAUP for their efforts, inviting them to join us for our mutual gain, expressing gratitude to our many supporters on and off campus, and, with Vietnam in mind, telling YSU students that we hoped that our recent success demonstrated to them that social reform was possible through peaceful means.

Although our organizing committee had done an effective job of buttonholing every single faculty member except our known adversaries immediately prior to the second vote, and most committee members expected a win over the AAUP, I was not all that confident and I had prepared two statements, one for victory and one for defeat.

One sidelight deserves mention. In the early 1970s, John J. Gilligan, a Democrat from Cincinnati, was Governor of Ohio for one term. My older brother, Bob, had been on his paid campaign staff in Columbus, my father, a labor leader, had mustered support for him in the labor movement, and I had been his campaign manager for the Youngstown-Warren area. Since YSU trustees are appointed by the Governor and YSU had never had a trustee from the ranks of

organized labor, I checked out Ohio law to see whether any conflict of interest provisions prevented my father from serving as a trustee, and when that issue was settled, I lobbied the Governor successfully for my father's appointment. So, during the campaign to unionize the faculty, the YSU-OEA leadership benefitted from a strong labor voice among the trustees and I benefitted personally from enhanced job security, although my father routinely abstained from voting on any board business that involved the YSU-OEA or me personally.