

THIS MESSAGE INTENDED ONLY FOR MEMBERS OF THE YSU-OEA



# The Advocate

A Newsletter of the YSU-OEA

Spring 2021

## President's Report

Susan Clutter, YSU-OEA President, [suzclutter@gmail.com](mailto:suzclutter@gmail.com)

YSU-OEA is Opening Lines of Communication and Working on Travel Funds, Calendars, and ARP Issues

Hello Faculty, I hope you all are making progress with vaccinations, and staying as healthy as possible in the current climate.

It has been a very rough 2020-2021 year so far, and we are so proud that faculty have pulled together to make it through with minimal disruption for students. After such a rancorous negotiations process, the Union is trying valiantly to move forward, working where we can to repair our relationship with the Administration. Unfortunately, the hiring of Gray Associates has made faculty justifiably suspicious of the Administrations motives, particularly in such a nationwide climate of cancelling programs due to decreasing enrollment. The Union remains vigilant in keeping up with the process, and is staunchly against any premature 'sunsetting' of programs. Moreover, we strongly advocate that the University hire an outside agency (Gray Associates or something similar) to investigate non-academic expenses, particularly campus expansions, debt service payments, and athletic/ auxiliary costs. We continue to work with Administration and Gray Associates, and we hope for the best possible outcome.

While it has been difficult (and at times contentious), I am pleased to share with you a major effort on the part of the Union Executive Committee to improve communications with the Administration. Specifically, I have a standing monthly meeting with the Provost

AND a standing weekly meeting with the Associate Provost, Jennifer Pintar. At these meetings, we discuss faculty concerns, and try to address potential grievances BEFORE they become formalized. While there are still a fair amount of grievances, we have been able to correct some issues immediately. For example, faculty expressed dissatisfaction when Gray Associates gave us only an hour of powerpoint without time to answer questions. We told the Administration that Gray would have to spend more time with us, and Administration immediately arranged for Gray to come to Departments so we can have one-on-one time with the statistical expert(s) and discuss the Departmental data specifically.

### **Travel Funds**

The Union is in talks with the Administration about what can be done with the contractual money we are owed for travel that could not be used due to COVID. Many of you shared ideas on the listserv, and those ideas have all been compiled for a faculty survey (which will come to you very soon via email). However, we have been told that the money cannot be rolled over into the next fiscal year, so that won't be an option. Also, we prefer not to use this money for reimbursement to faculty for COVID-related teaching expenses (such as printer paper, toner, scanners, etc) because we are hoping to get funding from another source.

### **The Summer, Fall 2021, and Spring 2022 Calendars**

The Academic Senate Calendar and Scheduling Task Force met on 3-30-21, and the first item on the agenda was to discuss the change to the Summer calendars. The facts:

- ✓ Administration had made a proposal back in Fall of 2019 to change all summer classes to 7 weeks instead of having some courses meet for 8 weeks and others meet for 6 weeks. This change also supports the 7-week AP courses as well.
- ✓ HOWEVER, the total teaching time for summer is adjusted over 7 weeks, so faculty are NOT required to work more hours (except to change our summer course curriculum around!). Faculty ARE expected to hold the final exam during week 7.
- ✓ Due to COVID, there were no Academic Senate meetings wherein the summer change was discussed or voted upon. The schedule was presented and voted upon by the Senate Executive Committee in April 2020.

Unfortunately, the new summer schedule has resulted in adverse changes to the Fall 2021 calendar.

- ✓ First, there is no break between Summer session and the beginning of Fall classes.
- ✓ Second, there will no longer be any time for the fall break.
- ✓ Third, Fall courses will go until the week of Christmas.

- ✓ Fourth, the SGA voted to have the Wednesday before Thanksgiving off, but we cannot have Columbus/ Indigenous Peoples Day off, so there will be no three-day weekend in October.

To be clear, the Union cannot do anything about the changes, because our previous contract didn't contain any language about our participation in past calendars. Moreover, while the new Union contract now states that we should be consulted on calendar creations from Fall 21 forward, it is rather pointless when there is no room to make any changes of significance.

I have been assured that there are no issues with spring break in future calendars, but the Spring 2022 calendar has not yet been created. It is hoped that this new task force (with Union consultation) be allowed to submit input to those in the Administration who make the calendar, as per BOT policy.

### **ARP Retirement Deductions and Deposits**

A few of our faculty have reported that their questions are not getting answered regarding ARP deductions and deposits. Specifically, several faculty have claimed that their deposits are so random that they don't even know what month is for what deposit, and they have not been able to get assistance from YSU.

After contacting several people in HR, Lisa Reichert (Payroll) and the IT Department have given us ample information about ARP regarding the move to a bi-monthly deposit system. As those of you in ARP already know, deposits to their retirement vendors are only made once per month, versus STRS, wherein their deposits are made bimonthly. The Union has provided language in the new contract indicating that ARP and STRS members be treated as equally as possible moving forward, and we requested that YSU change the deposits to bi-monthly. We are satisfied that the process is moving forward, and IT reports they should be done with the testing phase in the middle of this month. It is hoped that ARP deposits will be changed to bi-monthly by the end of this month. We will keep you posted on this!

## Grievance Report

Gabriel Palmer-Fernandez, Grievance Committee Chair, [gpalmerfernandez@gmail.com](mailto:gpalmerfernandez@gmail.com)

### Have We No Decency?

"I am saddened and embarrassed by the callousness evident at today's meeting, and particularly by the lack of expressed concern for your son. I cannot imagine what [he] is going through - the physical and spiritual hardship can overwhelm even the strong." Thus began an email I recently sent to the father of one of our colleagues in response to a meeting he attended and called by the Associate Vice President of Human Resources/Chief HR Officer with the explicit purpose of terminating a faculty member – his son – who is on unpaid sick leave. Also

in attendance were the Vice President for Administration and General Counsel, the Provost and Vice President for Academic Affairs, an Associate Provost and Director of Faculty Relations (DFR), our OEA representative, and me. Excluding our OEA rep and me, we had two vice presidents (one of them the University's general counsel), one associate vice president, and one associate provost: first stringers in YSU's leadership team.

But those first stringers have yet to learn the crucial plays, i.e., procedures indicated in plain, clear and concise English in our Collective Bargaining Agreement for terminating a faculty member (it's not like current administration lacks experience at this). Per Article 12.5, when administration believes it has just cause (Article 12.1) to terminate a faculty member, "the appropriate administrator shall specify the charges in writing and discuss the matter with the faculty member in a personal conference specifically called in writing for that purpose." In the past, a dean has sent the letter; this time it was HR. HR, headed by an attorney under the direct supervision of another attorney, failed to "specify the charges in writing." It's bad enough that administration is calling a personal conference to fire you. Now they're going to do so without "specify[ing] the charges in writing." One would think that this leadership team (did I say there were two attorneys in their lineup?) would know to give the accused a heads-up about why he's to be fired. Some due process. That, however, might be overmuch cumbersome for them, calling for an openness towards faculty they reject, one of equal respect and its institutional expression in democratic practices.

If at the personal conference referred to above "an understanding is not reached ... the Provost shall furnish the faculty member with a written notice of the Administration's intention to terminate their contract with a full statement of the reasons for such termination with a copy to the Association" (Article 12.5). But the notification of the intent to terminate was sent not by the Provost, but by HR; and not after the required "personal conference," but prior to it, in its initial letter calling for the personal conference, giving the impression to our colleague's father, our OEA rep, and me that Administration simply could not wait to terminate. That certainly was the impression formed by the father who kept asking at this meeting why, when his son has done no wrong, Administration was so keen on firing him.

In consultation with Susan Clutter, our union president, I filed the same day as the meeting an Association grievance alleging violations of Article 12.3 and 12.5. Reasons for the latter are given above. The former calls for commentary.

Article 12.3 requires that an administrator must complete corrective action training – and termination is the most serious of that sort – prior to imposing discipline. "Administrators must successfully complete corrective action procedures training prior to implementing these procedures. This training will be designed by the Administration. Documentation showing the completion of the training shall be inserted into the personnel file of those administrators who successfully complete the corrective action and termination procedures training." When Susan Clutter asked me to attend this meeting I reviewed several documents, including the initial letter sent by HR, and submitted to the DFR an information request (Article 24.3) for confirmation on successful completion of the required training by the head of HR. The DFR wrote, "I hereby confirm that Ms. Cynthia Kravitz has successfully completed training per 12.3," and I replied, "Is there any documentation? As I recall, in the past there's been a document stating successful completion and date." I heard nothing back until a week later when I pushed the issue. And then this came: "Cynthia Kravitz serves as the Human Resources Director. Kevin Kralj, then director of labor relations, drafted the training. It was then presented to, reviewed, and

approved by Ms. Kravitz. Since subordinates do not train their supervisors and since Ms. Kravitz was the individual assessing and approving the training, a document that you are seeking does not exist.”

I do not wish to belabor the matter interrogating the (lack of any) logical structure in this second communication, but that the “document ... does not exist” must mean that the first communication – “Ms. Cynthia Kravitz has successfully completed training” – is rather doubtful. Did she “successfully complete training per 12.3,” just like every other administrator who is charged with implementing corrective action? No administrator is excluded from the requirements of 12.3 (no, not even President Tressel). If so, there would be a document as required. If not, was that first communication an accident? An error? A mistake? A slip of the pen? A passing thoughtlessness? Did Ms. Kravitz report to the DFR that she had “successfully completed training,” even though all she did was to assess and approve it? Which is it – assess, approve, complete? Words matter. Or did the DFR fabricate it? Would that some explanation had been offered. But none at all has been provided to me – other than silence - thus leaving as one reasonable explanation the possibility that the first communication was an invention made out of whole cloth in response to a union request for information pursuant to our Collective Bargaining Agreement - an unreality created by HR. Is it any wonder that at YSU labor relations remain crappy? I’ve been hoping that the DFR or the Provost – preferably the Provost – in the light of the second communication contradicting the first would express some clarification, disappointment or regret over what appears to be a total fabrication, and appeal to a common standard of decency, i.e., to truth-telling. In cases such as this one, there must be some rehabilitation of truth. Silence just won’t do.

## Treasurer’s Report

Taci Turel, YSU-OEA Treasurer, [tacibaht@gmail.com](mailto:tacibaht@gmail.com)

Operating Account: \$118,229.27

Scholarships:

-Savings Account: \$1,548.89

-CD: \$7,906.32

There is not anything new on the investment account; the current value should be around \$50,000.

## First VP's Report

Beckey Curnalia, First VP, [drcurnalia@yahoo.com](mailto:drcurnalia@yahoo.com)

### OEA Updates

I attended the OEA's Higher Education Advisory Council (HEAC) meeting on April 8 and heard from several universities' union leaders who are facing issues similar to what we face at YSU. Leaders are reporting that their institutions are planning to return to pre-Covid on-campus instruction in Fall 2021. Leaders also reported on the financial fall-out of declining enrollments and the effects on faculty and bargaining at their universities. OEA reported that they are working more on higher education issues and they have research and legal services available to support our units as we navigate these challenges.

OEA also reported on two issues relevant to our YSU-OEA members: the PRO Act and STRS board elections. OEA's communications regarding these issues are below for your consideration.

#### **AFL-CIO's PRO Act**

OEA is supporting the PRO Act. The purposes of the Protecting the Right to Organize (PRO) Act (H.R. 842 and S. 420) are simple: (1) to ensure workers can push for the changes we want to see at our jobs without fear of retaliation; and (2) to strengthen workers' right to form a union and negotiate for those changes if we so choose. Currently, there are no penalties for employers who illegally retaliate against or fire workers for collective action. The bill is necessary because our woefully outdated labor laws are no longer effective as a means for working people to have our voices heard. Read more on the [AFL-CIOs website](#).

#### **OEA's STRS Endorsements**

When it comes to the oversight of retirement funds for Ohio's teachers experience matters. That is a big reason why **YSU-OEA supports Carol Correthers for re-election to an active member seat on the STRS Board**. Carol is an intervention specialist with over 20 years of experience in the Lorain City Schools. She is active in her local association and a former member of the OEA Board of Directors. Correthers has served on the STRS Board since 2009. During this time, the funding level of the STRS pension plan has improved significantly. This makes the future benefit payments for active teachers more secure. She is absolutely committed to acting in the best interest of all STRS members and ensuring that STRS is strong and stable for the long haul.

In early April, STRS will send ballots to active members to vote for a representative on the STRS Board. We encourage all members to vote for Carol Correthers.

Also, OEA has endorsed two retirees seeking re-election to the Board. Rita Walters retired with 35 years of experience as a classroom teacher with Switzerland of Ohio Schools. As an active teacher she also served as president of her local association and on the OEA Board of Directors for 12 years. She was elected to the STRS Board Ohio in 2017. Robert Stein is a retired teacher from Strongsville City Schools and was also a Praxis III assessor with the Ohio Department of

Education. He has served on the STRS Board since 2009. If you know any retired STRS members, encourage them to vote for Rita Walters and Robert Stein.

## Second VP's Report

Diana Palardy, Second VP and Crisis Committee Chair, [dqpalardy@gmail.com](mailto:dqpalardy@gmail.com)

### YSU-OEA Scholarship Recipients Announced



This Spring, we received significantly more applications for the YSU-OEA Union Scholarship than we have received in previous years. With so many well-qualified and deserving applicants, the Executive Committee decided to award five scholarships: one \$1,000 award for the first-place winner and four \$500 runner-up awards.

#### First Place

The first-place award went to Aleishka Rodriguez, an Early Childhood Education major who graduated from Youngstown Rayen Early College. In her essay about unions, she affirmed: "Unions are necessary for many individual workers as a protection against the arbitrary exercise of power by the highest-level executives."

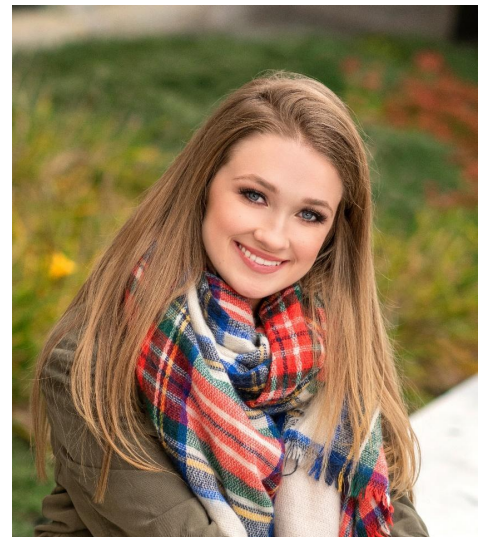
### Runner-up Award Recipients



**Truman Littler**

Truman Littler is a Music Education major who comes from a long lineage of union workers. He is known for his leadership skills, asking tough questions, and taking charge of his own education.

Avery Jones, a Chemical Engineering major from North Ridgeville High School, is one of the best students to have gone through the undergraduate Organic Chemistry sequence at YSU and plans to go to graduate school after she graduates.



**Avery Jones**



**Madeline Woodward**

Madeline Woodward, an English major with a minor in Linguistics and a certificate in TESOL, is interested in helping people of all ages and from all backgrounds succeed. She became a strong supporter of Unions after witnessing first hand how her parents' working conditions improved as a result of working in unionized positions.

Maddie Stears is a Biology major with a 4.0 GPA both in high school and at YSU.



**Maddie Stears**

Maddie's thoughtful reflection on unions revealed not only an understanding of the history of labor movements, but also the significance of the most recent strike at YSU. She highlighted the value of and the need to protect shared governance and intellectual property at YSU, and in academia in general.

We are proud of these students and believe that by investing in them we are investing in the future of unions.