Dear Colleagues,

WELCOME TO OUR SECOND ISSUE OF THE FSU’S UNION NEWS.

Important things are happening this semester. Foremost of these is the university’s request (of January 2010) that we renegotiate our existing contract and accept concessions. We were asked to (1) put off our negotiated raises from the first day of the fiscal year to the last day for each of the three years of our contract and (2) accept “furloughs” of three to nine days (depending on salary). Our calculations are that the cost of these concessions to the average full-time FSU member would be over $13,000. In a meeting of the Executive Committee and in two meetings of the membership in February, the decision was taken to “just say no” to this offer. The administration’s request for concessions began with the Governor and appears to be more about politics, because UMass is facing no layoffs and has already balanced its budget.

Our local union, with the Massachusetts Teachers Association (MTA) and the other higher ed. unions, have planned a campaign to get our contracts funded by the legislature. As the economy continues to (slowly) improve, we believe our chances of having our contract honored increase. However, political action on our part will help to speed the process. Along with other union presidents, I will be talking with members of the Ways and Means Committee, as well as other key senators and representatives. We will need your help in this also; we’ll soon provide you with information you can use for contacting your senators and representatives to encourage them to fund our contract. This will include “talking points” as well as phone numbers and email addresses.

As many of you know, UMB has signed a 5-year contract with a for-profit Australian education company, Navitas, to recruit, house and educate international students in Boston for a freshman year “bridge program.” The students’ credits are automatically transferred to UMB after that year. The program starts in Fall 2010 with about 25 students, and is expected to grow to about 250 students. Under the collective bargaining agreement, UMB credit-bearing courses are taught by FSU members; therefore, we expect the university to enforce the already agreed upon rules for assigning courses and for per-course payments with Navitas. In a meeting with the administration we have had assurances that this is the case, and we’re in the process of getting a formal agreement to that effect.

Finally, there will be a union meeting before the end of this semester. This meeting will be a good opportunity to discuss your concerns about the current contract situation and a longer-term decline in public funding for public higher education.

Regards,

Catherine Lynde  (Economics)
President, Faculty Staff Union
THE SECOND ANNUAL Hidden Treasure event, celebrating the achievements and service of Non Tenure Track faculty (NTT) will be held on April 6 and 7 from noon to five p.m. in the Campus Center, second floor, in the Alumni Room and adjoining meeting rooms. This year the program, which focuses on the not-always-visible contributions of NTT faculty to the UMB community, has been expanded from one to two days and from participation by CLA to representation from almost all UMB colleges and programs. Panel discussions, presentations, dance and musical performances and readings by NTT faculty from across the university will bear upon a variety of topics including the history of NTT organizing at UMB, the use of technology in teaching, poetry translation, ethics in business and the local economy. John Hess and Victoria Kingsley of the English Department and a growing committee of eleven members from various UMB departments have solicited and received over 17 proposals for this event.

At last year’s inaugural event, Vice Chancellor and Provost Winston Langley spoke supporting the event and the role and importance of NTT faculty in the UMB mission, encouraging those who are involved. “Nothing should be hidden,” Langley said in his remarks, referring to the title of the event. This activity and others on campus serve to remind the university as a whole that NTT faculty comprise half of the teachers on this campus, and are deeply committed to the students and mission of UMass Boston. Most NTT faculty are long term and many have been part of the UMB community for over twenty years, devoting themselves to teaching, service and scholarly and creative activities for the benefit of this university and its students.

Program highlights will be sent to you via email and posted around campus.
Origins of the FSU, Part I: TENURE AND FACULTY PRIMARY RESPONSIBILITY

David Hunt, History

This essay is a personal recollection rather than a fully realized history of the Faculty-Staff Union. It does not address the role and concerns of part-time faculty, who played a major role in creating the FSU, or the library staff who were also involved from the beginning of the campaign. Instead it is written from the point of view of someone who was a junior faculty member from 1969 to 1975 and for whom the union seemed important primarily because of its potential in defending the principle of faculty primary responsibility.

UMASS/BOSTON in the years after its founding in 1965 was a very different place from the UMB of today. The only college in the university, Arts and Sciences, was divided into humanities, social science, natural science, and math divisions, and the division heads as well as the dean were also faculty members with roots in their departments of origin. These “founding fathers” were knit together by long-standing friendships and working relations. My impression when arriving on the campus was that the faculty was divided into two sectors, a small, cohesive corps of senior professors stationed in the departments and the administration on the one side and a rapidly growing mass of junior faculty on the other.

The old guard developed a CAS curriculum around a substantial core of courses required of all undergraduates (for example, the Western Civilization class enrolled over 1,000 students every semester), and the hiring of enough instructors to cover all those sections was carried on in a rushed, improvisatory fashion. There were no year-long searches, no massive piles of applications, no winnowing of the pool to the applicants deserving of interviews, no short lists, no day-long campus visits, with prepared talks, meetings with students, and awkward lunches and dinners with search committees and other interested professors. Instead department heads called trusted associates in feeder graduate programs (Harvard and other Boston area universities in particular), hastily interviewed candidates, and made choices in consultation with senior colleagues. I got my job when a graduate-school friend who was already teaching Western Civ., told me the school was recruiting. I placed a call to the department, was invited in for a 20-minute interview, and offered a position a few days later.

In those first years, it seems from available evidence that the tenure process began in the spring of the candidate’s sixth year. After consulting with the head of their division, department chairs invited letters of recommendation from selected colleagues, then made a decision, which was quickly confirmed by the division head, the dean, and the Board of Trustees. There were no outside referees, no protocols such as the later grouping of evidence on scholarship, teaching, and service, and candidates were not invited to present dossiers. Some departments lacked formally established personnel committees. Instead decisions were made by ad hoc groups of department members, plus the division head and the dean.

It was an informal arrangement, and in 1968 Richard McCleary of the English Department did not even know he was up for tenure until being told that his “application” had been denied. It was UMB’s first negative tenure decision, and when McCleary protested, an extended debate ensued, with some colleagues arguing that he had been treated unfairly. Department members, who had first been unfavorably disposed, unanimously supported him when the case was reopened in the following fall, but Dean Paul Gagnon (a senior professor from the History Department) stuck to his original position and the denial of tenure stood.

McCleary’s defenders borrowed from an 1966 American Association of University Professors (AAUP) statement which argued that “the faculty has primary responsibility” in tenure and other personnel cases and that its decisions could be denied by “the highest institutional authority” only “in rare instances and for compelling reasons which should be stated in detail.” Dean Gagnon responded that “the institution has no obligation whatsoever to reveal or defend the reasons for denial of tenure.” Gagnon was a dedicated teacher, active scholar, and outspoken defender of UMB’s educational mission who publicly clashed more than once with the Board of Trustees. He saw himself as part of the faculty rather than as an ally of “the highest institutional authority,” to borrow the AAUP term. Nonetheless his response on the McCleary case drew a line between faculty primary responsibility on the one side and the prerogatives of the administration on the other.

The struggle between the faculty and the administration — the emerging sharp distinction between the two — and the inability of the Tenure and Grievance Committee and other instruments within the domain of governance to protect faculty primary responsibility were to lead to the emergence of the Faculty-Staff Union in the late 1970s.

The vague and arbitrary tenure process of the early years was bound to crumble as large numbers of junior professors...
worked their way up the ladder toward their tenure decision years. In 1965-1968, there were only eight candidates per year, in 1968-1972, there were 26 per year, in 1972-1976, there were 32 per year. Meanwhile administrators began to worry that within a short period of time the university would be stuck with a bloc of young tenured faculty, locked into place for the next generation. With this concern in mind, Chancellor Frank Broderick called for a tenure quota in 1971. Some faculty members were also uneasy about high numbers of tenure grants and were beginning to think that departments themselves ought to take the lead in imposing a more stringent policy. They feared that they might not be able to prevent the administration from overturning positive recommendations. Whereas positive department recommendations followed by negative administration decisions would make manifest the erosion of faculty primary responsibility, they reasoned, negative department decisions would be welcomed at higher levels and would sustain the illusion that the principle remained intact. A college-wide faculty committee endorsed the idea of a tenure quota in 1972. This changing state of mind became apparent when departments denied 11 tenure candidates out of 34 in 1971-1972 and 11 more out of 38 in 1973-1974.

By 1974, sentiment within departments had changed again. When the administration repeated its call for quotas, now rechristened “parameters,” they did not find much of an audience on campus. One-hundred-eight faculty had been tenured in the 1970-1974 period, and many of these newcomers were less inclined to support the administration’s continued attempt to impose departmental limits on new hires. The political mood on campus must also be taken into account. Many undergraduates were energized by the multiple protest currents of the 1960s and had demonstrated an impressive capacity for organizing and agitation in the anti-war university strikes of 1970 and 1972 and in other campus campaigns. Important too were the ties they had forged with like-minded younger faculty, many of whom were indistinguishable from them in dress and comportment and who shared their political passions. It was apparent to all that negative personnel decisions had the potential to turn into controversies more explosive than the Faculty Senate debates that had followed on the McCleary firing.

The university on the Amherst campus, in response to a claim of workplace violence which included physical contact, claims it is not obligated to honor the requirements under the Executive Order and, therefore, has refused to conduct the level of investigation guaranteed all other state employees. The UMass Amherst Local, MSP, has filed a grievance over this issue.

For its part, the administration was also gearing up for the coming rounds of tenure cases. College personnel committees came into existence in 1974-1975, their members appointed by the deans and mandated to conduct formal reviews of each case, while the deans themselves, the provost, the chancellor, and the president now also claimed the right to voice an independent opinion. (The provost position was created in 1972, when the College of Liberal Arts was split into two separate colleges and the College of Public and Community Service was created, a division that lasted for four years.) As a result, 1974-1975 was the first time going through the tenure process became a year-long ordeal. In addition, while departments were elaborating their own standards, the administration was also tightening tenure criteria, most notably by demanding two excellent and a strong in scholarship, teaching, and service, a standard first imposed in 1975-1976.

The stage was set for the battles of the late 1970s, surely the most tumultuous in the history of faculty-administration relations at UMB.

Part II will appear in the next issue of the Union News.

MOVING AHEAD TO ASSURE A SAFE WORK ENVIRONMENT

By Mickey Gallagher, MTA Consultant for Higher Education

JANE SWIFT, WHEN GOVERNOR, ISSUED AN EXECUTIVE ORDER ON OCT. 2, 2002, requiring all state agencies to establish workplace violence guidelines to assure that state employees are provided with a safe work environment free of workplace violence. The Executive Order provides a definition for workplace harassment and due process rights for victims of workplace violence.

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The FSU has been pursuing the same issue here on the Boston campus through the collective bargaining process. The CCDE team proposed that the Boston campus honor its obligations as established in the Executive Order. While bargaining is ongoing, the administration has responded to our proposal by agreeing to establish much of the specifics of the Executive Order into a new university policy.
Interview with Mickey Gallagher
FSU/MTA UNION CONSULTANT

Conducted by Dorothy Nelson, English

The idea for this interview came to mind when I learned that a few colleagues who had met Mickey Gallagher in newly formed committees wanted to know more about her role on this campus. In addition to attending FSU Executive Board meetings and participating in union negotiations and bargaining sessions, Mickey works with members of the Continuing, Corporate, Distance Education (CCDE) committee and numerous labor/management committees. She handles specific grievance matters and is constantly advising Grievance Officers and the Grievance Committee. Working with CCDE committee members to rewrite the contract language has reinforced her commitment to revise more of the FSU contract. “We’ve got some contract language that administrators can’t administer,” she explained. “We must communicate in ways that people understand.” Mickey has worked in higher education representing bargaining units for the past twenty years. She began as consultant to the FSU three years ago.

How did you get involved with public sector unions?

I was an economics/history major as an undergrad and found myself drawn to labor history. So when I went to graduate school I decided to go to the labor studies program at UMass Amherst. I interned at the National Labor Relations Board (NLRB) as a field agent conducting unfair labor practice investigations and thought I would go to work for them. As I was finishing my degree a part-time position came up working with the classified unit on the Amherst campus. It was perfect except the part-time work really demanded full time effort. After several years I filed a charge at the NLRB to have the position accreted into the full time unit. The NLRB agreed. That was 20 years ago. Since then I’ve worked in every segment of higher education representing every bargaining unit.

What is your background?

While working for the MTA (Massachusetts Teachers Association) I took a part-time job teaching in the labor studies program for a couple of years. After working with the MTA for 10 years or so I decided to go to law school. I went to Western New England School of Law in 1998 and graduated in 2002.

What motivates you?

Developing mechanisms that assure members’ needs are met; righting a wrong; finding a way to de-personalize issues and move toward problem solving; helping people to feel like they are a part of something bigger than themselves; that moment of grace when learning occurs; having fun; helping to create an organization that reflects the needs of its members; and, let’s not forget, golf!

Describe your job.

My primary job is to act as a liaison between the MSP/FSU (Massachusetts Society of Professors at UMass Amherst and the FSU at UMass Boston) to assure the locals receive all the benefits they can from the MTA and NEA. My responsibilities include: to represent the locals at the bargaining table and to help administer the contract; assist the locals with membership issues and concerns; and represent members and/or the locals at the Labor Commission and other state agencies. I represent both the Boston and Amherst campuses. Just as important, my job includes organizational development to assist the FSU in being as strong a local as possible with an ability to provide its members with a wide breadth of representation.

What are the issues that UMass Boston Faculty are facing in your opinion?

Oh boy, here’s a question! I’ll start with a list: Public awareness and appreciation for the value of the work performed by faculty; need for expansion of resources allocated to the Boston campus (more faculty and facilities); appropriate integration of non-tenure faculty (NTT) within academia and the university; proper acknowledgement of the existing workload of all faculty at the University. All these issues are important and must be confronted simultaneously.

The specific issues we are confronted with here at UMB include: assuring that the collective bargaining agreement is funded; finalizing the switch from ORP (Optional Retirement Program) to SERS (State Employee Retirement

“Our role is to assure that our members are treated fairly, provided the opportunity to contribute to their profession and help steer the course.”

Photo: Courtesy of Mickey Gallagher
Program) for a segment of the NTT faculty; securing a new collective bargaining agreement for the NTT faculty that provides rights and benefits members can easily assert; negotiating an agreement for distance education courses that acknowledges the unique complexities of teaching in that modality; developing a system that will assure timely response from the administration; educating the administration on the contractual rights and benefits of our members; securing a research intensive semester for pre-tenure faculty and a phased retirement plan for all unit members … that’s just this year!

What would you like the members to know about you and the MTA and this Local?

First and foremost, as corny and repetitious as it is, I would like members to know that these organizations (MTA and FSU) are only as good as we make them. Historically our role has been one of reaction. The employer acts and we, through representation, react. And, in part, that is as is should be. The administration’s role is to administer, and I’m happy to have them do just that. Our role is to assure that our members are treated fairly and provided the opportunity to contribute to their profession and help steer the course. The FSU provides members the opportunity to enhance their work life – in whatever form one can imagine. The FSU is very member oriented and open to assisting members in pursuing a wide range of concerns and interests. That is a very positive organizational trait and something the FSU can be proud of.

What’s the most difficult part of this job for you? What’s the hardest thing about it?

MG: Time and distance. I like to be hands on and find that difficult to do given I work with both Amherst and Boston campuses. My goal is to develop mechanisms that assure a quick response to members’ needs while also focusing on organizational development and broader representation issues (like the Revenue Enhancement Campaign). The FSU has been very receptive to making organizational changes that will aide in accomplishing this goal. It’s an ongoing process.

What are the differences between the situations at UMass/Amherst and that of UMass/Boston?

The faculty is about double at UMass Amherst and, therefore, there are more resources available to both the campus and the union in Amherst. The MSP has three staff members (two full time and one part time) to assist with the daily activities of the union while the FSU only has one full time position. The FSU has to depend upon member activism to accomplish some of the basic tasks otherwise done by staff. The FSU members have stepped up to that challenge by supporting the work of the local Negotiations; Grievance; and, NTT Committees. These committees are heavily engaged in pursuing issues that most concern our members.

You threw yourself into the campaign to beat back the no tax ballot initiative in Massachusetts. You gave an inspired talk and presentation at an all union meeting at UMass in 2008 to enlist people to work towards defeating this referendum. In fact it was defeated in November, 2008. How much can you credit the work of the MTA for this victory? Do you play a role in helping the MTA decide what larger issues to support? How important are the broader problems to the vibrancy and strength of our union?

As an organization that represents the educators of Massachusetts, we have a great responsibility and opportunity to educate the general public about the basic obligations and benefits of PUBLIC education. We took this challenge on during the last referendum campaign to eliminate the state personal income tax and won that battle with a significant margin of success. The members of the MTA can take much credit for that defeat. We not only activated our members, we also took a leadership role in building coalitions with all organizations that were willing to join us and brought the issue to the general public.

I have long pressed the MTA to take a more active role in directing the public discourse on these kinds of issues. I would prefer us to be out there educating our members and the general public about why we need to increase public funding for public higher education rather than spending time and energy fighting against a campaign to reduce taxes. We need to have our own ballot question. What better group to lead the way then our most educated members in the university system.

As a result of the work of members from both the FSU and the MSP in the anti-tax battle, the MTA created a standing committee – the Revenue Enhancement Committee. This group has been meeting since last year and is developing a strategy to educate our members and the general public about the value of public services and the need to invest in PUBLIC education. Their goal is to bring this issue to the public. Now, that excites me!
At UMass Boston, non-tenure-track (NTT) faculty have been fortunate to have strong union representation when compared to their colleagues elsewhere in the Boston area. Winning union representation for NTT faculty has been especially difficult at local private universities; nevertheless, at a few, such as Berklee, Curry and Emerson Colleges, as well as Suffolk University, such efforts have succeeded.

At Suffolk University, the Suffolk Affiliated Faculty (SAF), a collective bargaining chapter of the American Association of University Professors (AAUP), signed their first contract in July 2009. This NTT local unit ended nearly three years of negotiations with gains that included substantial pay raises, health benefits for more Suffolk part-time faculty, a grievance procedure with binding arbitration, and protection for academic freedom.

In addition, the SAF scored a landmark victory this fall in winning an agency shop, the first all-NTT faculty unit in the AAUP ever to do so. With an agency shop, all covered faculty must join the union or pay an agency fee to cover the cost of representation (as we do here at UMass Boston). The SAF achieved this by increasing its membership from 60 to over 200 faculty members, thus triggering the agency-fee threshold in the union contract – 55% of the approximately 350 part-time faculty in Suffolk’s Arts & Sciences and Business schools. In addition to making Suffolk’s union financially viable, this promises to encourage further organizing at private schools, as national unions such as the AAUP or NEA will be more likely to recover their organizing costs. A similar drive will take place at Emerson College within the coming year.

Part-time faculty organizing began at Suffolk University in 1998 when a group of interested adjuncts began meeting to seek ways to improve their conditions. Shortly after the national Coalition of Contingent Academic Labor (COCAL) conference in Boston in 1999, and the resulting Boston Organizing Project arising out of that conference, Suffolk's long-dormant local chapter of the AAUP was revived. Although there was a surge in part-time faculty memberships at that time, it would take ten more years for Suffolk NTT faculty to finally sign their first union contract.

Union Achievements, Rights and Benefits Described for Non-Tenure Track Faculty in English Department

On December 15, 2009, the English “part-time” steering committee and the Faculty Staff Union (FSU) sponsored a lively gathering of lecturers—or non-tenure track faculty (NTT)—in Wheatley hall to discuss the historic and present role of the Faculty Staff Union in promoting the interests of our “part-time” faculty members. In attendance were a dozen English lecturers, including John Hess, FSU Executive Committee member, and Lorenzo Nencioli, the Membership Coordinator of the FSU. Over pizza and salad (non-Sodexo at that!) we had the privilege to hear both Hess and Nencioli describe the uniquely influential role our union has played in forging a robust and secure role for NTT employees here at UMB. Hess, who began teaching at UMB over twenty years ago and has been actively involved with the union since, offered an array of colorful stories and reflections on his experience as English lecturer and committed union soldier. Nencioli provided a detailed explication of our contract and the rights and benefits of NTT faculty.

It was interesting to note how many lecturers—including myself—were not fully aware of the structured provisions for promotion and security contained in our own contract! These “provisions” were not always there, of course, and are the result of people like Hess, Larry Kaye, FSU Vice-President, and many other active FSU Officers and members who continue to work for secure, meaningful and lasting benefits for NTT faculty, including: health insurance, a retirement pension, and the implementation of categories of Lecturer I, Lecturer II and Senior Lecturer (representing increasing professional floor on which to stand and build. As Hess, explained, “What this means is that the possibility of having a career at UMB as NTT faculty is open to us. You won’t get rich but you won’t starve either. That is an extraordinary achievement.” And it is. Just ask your adjunct friends at any number of other universities.

It is a testament to the FSU’s efforts that many lecturers at UMB (at least in the English Department!) stay here and take great pride in their work, without feeling diminished by their status as NTT faculty. Hess also noted the support of tenured professors in the English Department, who...
The Fight to Save Public Education

By Lorenzo Nencioli, FSU Membership Coordinator

ON MONDAY, MARCH 8, OVER 100 STUDENTS, AS FACULTY, staff, and alumni gathered at the Massachusetts State House for a campaign rally and march in support of public higher education. The event was organized by PHENOM (The Public Higher Education Network of Massachusetts) as a response to recent budget cuts (37% since September 2008) and the general trend of disinvestment from public higher education in the state.

MTA Vice President Paul Toner and others spoke passionately about the importance of public higher education in the state and the problems that it faces. They noted that Massachusetts ranks 46th in the country in expenditures on public higher education when ranked on the total percentage of state income. They claimed that the public higher education system in Massachusetts is currently underfunded by almost $1 billion. This has resulted in a drastic increase in the percentage of total costs borne by students in tuition and fees over the last 10 years as well as a major drop (when adjusted for inflation) in the average faculty member’s salary. Speakers stressed the need to maintain a well-funded public higher education system as the cornerstone of a thriving state economy and citizenry. They pointed to the broader trends of disinvestment and privatization and the damage these trends cause to the core values of a vibrant public sector.

After the rally, attendees held a lively march around the State House that culminated in a gathering at the Grand Staircase. It was here that the first Public Higher Education Caucus in the State Legislature was announced. This new caucus is comprised of legislators from both houses who will advocate on behalf of public higher education within the State Legislature.

Anyone interested in working for a well-funded UMass system, should contact the FSU office or PHENOM directly (www.phenomonline.org; 413-577-4121).