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Signs When Positional Authority is out of Control

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When one speaks of administration, it is a generic term referring to the highest position of authority within an organizational unit. Thus, in a Faculty the term administration is commonly used in reference to the positions of Directors, Vice-Deans, and the Dean. Within this grouping, it is the position of the Dean that is normally the focus. The reason is, it is this position that has the final responsibility and authority on matters within the Faculty. Responsibility and authority are guided by negotiated Collective Agreements between the University and the Union representing the Professors of the University. The general guidance of the Collective Agreement is functional and purposeful to the daily operation of the organization, the University, and its sub-units, the Faculties.

There is a foundational part that works in an unchecked manner. The ability of the individual holding position of authority is assumed to be of high standard. This is to say, the individual has the skill and thereby the knowledge of how to appropriately work with the intent of the negotiated agreement so as not to created a situation of bullying or harassment. This is a key aspect. To have an individual given the authority of the Collective Agreement without the knowledge and skill base requirement will lead to abuse of the authority.

In this article, various scenarios are shared to illustrate the abusive use of positional authority. The scenarios are real with the professional lives of individuals seriously affected as a result of abuse.

Scenario 1:

A professor is seriously injured in a non-work related accident and required major reconstructive surgery. The professor returned to work within the year but was able to maintain ability to perform all required tasks. As a result, the professor is on and off sick leave. The professor is under continual medical care in attempts to rebuild physical capacity to reclaim professional life. The Collective Agreement allows the Dean of a Faculty to require an Independent Medical Examination (IME) of any professor on sick leave. Without the provision of a reason, the Dean demanded an IME. The IME is asked for without the Dean first receiving information as to the reason for the sick leave. The medical certificate from the professor’s medical physician provided the reason but the Dean has not waited to receive this information. In other words, the Dean took on the role of medical physician and decided the professor’s condition was such that a sick leave was not justified. When the professor requested a reason for the IME it was refused and when further information was offered it was denied as necessary.

The process for the identification of an IME specialist is defined in the Collective Agreement as consultative between the member and the University. The University adopted a non-consultative process and just informed the member who would be doing the IME, where and when. Furthermore, the University demanded the member sign an open medical release consent form. When the member reminded the University of the Consultative Process that must be honored, the University became more aggressive. Suddenly, the member was problematic and unreasonable while the University was being very reasonable and consultative.
The member’s exercise of right was not to be tolerated. The University would use its position of authority to put the member in place thereby reminding the member that the administration holds the authority and power not the member. Despite invoking the consultative process, the member’s salary and benefits were stopped by the University. Now, not only was the member under medical hardship, all source of income was removed. The University had shown who is in control.

Under obvious distress, the member maintained right to the consultative process and eventually the process resulted in a mutually agreed to specialist for the IME. The member maintained the right to not sign an open consent form. When the University was asked, on a number of occasions, what exactly was the question they wanted the IME to answer, the University refused to respond. A consent form listing the medical certificates provided to the University was signed, no other release was provided to the University.

Scenario 2:

Faculty member writes to the University administration with a request for an explanation of why the university has refused to investigate a serious situation brought to their attention. In the correspondence, the member attached copy of the e-mail sent to the University Liaison Officer, by the member’s Union.

On numerous occasions the Union has asked the University Liaison Officer about the progress of the investigation and has provided her the name of the student in question. Unfortunately, no investigation has taken place. This is very surprising as the University is responsible for the provision of a safe and healthy working environment of its professors. The University administration refused investigation and its decision that no action at all would be taken appears to be in conflict with its responsibilities under the Collective Agreement. The adopted position would imply that faculty members cannot look to the University for help on matters affecting the health and safety of professors. An explanation is requested of the University administration. No acknowledgement of the request is received. The matter remains outstanding.

Scenario 3:

On May 17, 2007 the Chair, Working Group re Work Climate within the Faculty convened a Faculty meeting for the stated purpose “to explain the survey process and to highlight results for both the University and for our Faculty”. Director, Organizational Development of the University was invited to attend the meeting. The documentation provided at this meeting and a subsequent meeting point to a serious problem in the management of the Faculty.

Despite this fact, the summary of the Consulting firm used to conduct the survey implied a different scenario within the Faculty. Summary of Themes for the Faculty under the heading “relationship with management and leadership” would suggest no problems with the management and leadership of the Faculty. The summary, however, is not supported by the item analysis of the survey (see below). The discrepancy in the results presented by summary and the actual results of the survey required explanation but the administration and the Faculty Working Group were silent.

<table>
<thead>
<tr>
<th>Item #</th>
<th>Item statement</th>
<th>% in Agreement with Statement</th>
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8 I have a voice in the decision-making that affects the direction of my faculty/department/service 33%
13 Differing views are valued and openly discussed when making decisions 35%
18 I believe my faculty/department/service is well managed 29%
20 My Dean helps create a supportive environment 24%
30 I have confidence in the communications I receive from my Dean 33%
32 My Dean inspires me to seek new perspectives on my research 23%
33 My Dean inspires me to seek new perspectives on my teaching 24%
34 My Dean inspires me to seek new perspectives on my academic service 19%
36 My Dean helps me get the resources I need 34%
38 My Dean provides me with feedback I need to succeed in my work 27%
42 I feel my Dean understands my problems and needs 35%
43 My Chair/Director inspires me to seek new perspectives on my research 15%
44 My Chair/Director inspires me to seek new perspectives on my teaching 22%
45 My Chair/Director inspires me to seek new perspectives on my academic services 14%
46 My Chair/Director does a good job of being available when needed 41%
48 I have a good working relationship with my Chair/Director 46%
49 I have a good working relationship with my Dean 48%
78 The morale in my faculty/department/service is good. 35%
87 In my faculty/department/service, teamwork and cooperation are rewarded 23%

The above results clearly indicate the majority of faculty has serious concerns about the management of the Faculty. The importance of these results is further highlighted by the fact that 55 per cent of the faculty is seriously considering leaving (as per Item #55 – At the present time, I am seriously considering leaving the University).

The University response was to give the Dean a second mandate without review of the management and leadership within the Faculty. Several faculty members have left the Faculty and there continues to be litigation against the Dean.

Scenario 4:

First meeting between a professor and students is of great significance as it establishes the tone and sets the parameters to be observed throughout the course. Expectations of the professors and those of the students are explored to create the foundational starting points for their weeks together. If the professor has had past experience with some students but not others then it is important to establish an unbiased approach to course structure (for example, the grouping of students) so all feel they have a fair opportunity to do well and possibly excel in the course.

During this interaction between the professor and students, the Dean walks in uninvited and without prior communication with the professor. The professor is surprised and cut off mid-sentence by the Dean. The Dean proceeded to address the class and in doing so invited them to bring complaints about the course to her directly. Personal E-mail address, direct phone line number, and office hours they can come to discuss the course are provided to the students by the Dean. The Dean then leaves the classroom without further comments. The professor is left to deal with what just happened.

Each of the scenarios has shown the damage resulting from abusive use of authority. Most Collective Agreements within the university setting do not have clauses dealing with work harassment from the administration. Human Rights organizations are reluctant to get involved because of the existence of a Collective Agreement. The result is often the willing sacrifice of the professional for the “greater” need to have cooperation between the administration and the union on more sweeping organizational issues. The only recourse for the affect professor is private litigation. This process is extremely expensive and the wheels of justice are generally slow. As this process takes its normal time the professor continues to work within the environment that violates the individual professionally and personally. There is no guarantee the environment will change at some point to a more positive and healthy state. The only guarantee is the professor will have paid a price that cannot be recouped in litigation. The standard of accountability of those in position of authority needs to be somehow entrenched so that the apparent glass ceiling of protection is shattered.