

12-7-1998

Fort Hays State University Faculty Senate Minutes, December 7, 1998

FHSU Faculty Senate

Follow this and additional works at: https://scholars.fhsu.edu/sen_all

Recommended Citation

FHSU Faculty Senate, "Fort Hays State University Faculty Senate Minutes, December 7, 1998" (1998).
Faculty Senate. 884.
https://scholars.fhsu.edu/sen_all/884

This Minutes is brought to you for free and open access by FHSU Scholars Repository. It has been accepted for inclusion in Faculty Senate by an authorized administrator of FHSU Scholars Repository.

representing all points of view in order to discuss of issues relating to faculty governance and collective bargaining. This special meeting of the Faculty Senate was called in response to a request from President Hammond. He wanted input from the Faculty Senate with regard to AAUP's request that it be designated as the collective bargaining agent of FHSU faculty.

The Faculty Senate resolved into a Committee of the Whole to discuss the AAUP's collective bargaining initiative, the Faculty Senate resolution about the same, and AAUP's letter to President Hammond requesting that it be recognized as the collective bargaining agent of FHSU faculty. Senator Marty Shapiro, chair of the University Affairs Committee, directed the discussion. President Hammond was present to consult with the Faculty Senate. Representatives of AAUP were present to answer the Senate's questions. Many FHSU faculty members were present to hear the discussion and participate.

Senator Jim Hohman remarked that he favored a vote by the entire faculty on whether AAUP should be the collective bargaining agent of the faculty rather than leaving the decision to President Hammond.

Professor Norman Caulfield, representative of the AAUP, observed that the AAUP's letter to President Hammond requested that he acknowledge that the majority of FHSU faculty had requested that the AAUP be their collective bargaining agent by designating it as such.

Professor Keith Campbell observed that the attempt to delay the vote on making AAUP the collective bargaining agent was a strategy to derail the AAUP's collective bargaining initiative. The Faculty Senate's resolution to delay the vote on collective bargaining works against the designation of the AAUP as the collective bargaining agent.

President Hammond observed that no one can stop the AAUP from filing the authorization cards. As president he must respond positively or negatively to its request that he designate it as the collective bargaining agent of the FHSU faculty. He wants the advice of the Faculty Senate.

Senator Joe Aistrup, author of the Faculty Senate resolution on AAUP's collective bargaining initiative, insisted that the resolution was not a statement against collective bargaining. It is a request that the AAUP hold off on filing the cards so as not to upset the state legislature. The BOR's salary initiative is more important than collective bargaining.

Senator Tom Guss asked that the Faculty Senate resolution on AAUP's collective bargaining initiative be read aloud in its entirety. Acting President John Durham read the resolution. He distributed the AAUP Executive Committee's response to the resolution.

President Hammond objected to the AAUP Executive Committee's statement that there is "no concrete evidence, and no good logic, to support the claim that submitting the cards will result in the state legislature not supporting reasonable faculty salary increases". He pointed out that when the KU administration agreed to fringe benefits for graduate assistants, who are organized, the state legislature refused to fund the agreed upon benefits. It told the KU administration to fund the benefits using existing resources. The legislature and the Department of Administration has a written policy to not legislate any item that is a matter for negotiation in a union environment.

Professor Keith Campbell observed that the collective bargaining initiative is not just due to the desire to improve salaries. It also reflects concern about faculty representation and university governance.

Senator Tom Guss, who is also president of FHSU's chapter of AAUP, remarked that AAUP's letter to President Hammond was a good faith attempt to respond to the Faculty Senate resolution and to keep the discussion about collective bargaining confined to the FHSU faculty. The fact that the media has reported on the AAUP's collective bargaining initiative makes the concerns expressed in the Faculty Senate resolution mute.

President Hammond explained that if he granted recognition to the AAUP, they would become the bargaining agent for tenure-track and tenured faculty, including library faculty but excluding all supervisory and other employees. If he rejects the AAUP's request, then there will be negotiation about who the AAUP will represent before a vote is taken. Professor Norman Caulfield responded that if President Hammond chooses not to make AAUP the collective bargaining agent of the faculty, the AAUP will file the authorization cards and submit a list of employees to the state's Public Employees' Labor Relations Board. Unit determination, i.e., the determination of who will be represented by AAUP, is worked out between the AAUP and the Labor Relations Board. He also noted that he is disturbed by the idea that the state legislature's anti-union sentiments would lead them to discriminate against FHSU faculty. In seeking union representation, FHSU faculty members are exercising their rights under the law.

Senator Greg Farley observed that it would be quite naïve to think that the legislature's attitude toward faculty would not be adversely affected by a decision to unionize.

Senator Steve Kitzi remarked that it is regrettable that the environment at FHSU has become polarized into "us" vs. "them". The environment was much more laid back when he arrived on campus four or five years ago.

Professor Norman Caulfield observed that since over 75% of the faculty have signed cards indicating that they want AAUP to represent them as their collective bargaining agent, AAUP should simply be designated to represent the faculty. He read the text of the card that faculty signed. It states that the undersigned does designate AAUP to represent him/her in negotiations concerning salary, benefits, and working conditions. However, many faculty members indicated that they signed the cards with the understanding that the signed cards would lead to a vote on whether the AAUP should be the collective bargaining agent. Professor Caulfield responded that AAUP had two options once it had collected enough cards. It could ask President Hammond to designate the AAUP to be the collective bargaining agent or it could file the cards. It sent a letter to President Hammond asking him to designate AAUP as the collective bargaining agent as a courtesy. By having to put the issue to a vote after the majority of the faculty have signed cards requesting that the AAUP represent them, AAUP in effect has to win its election as the collective bargaining agent twice.

Professor Ralph Gamble voiced opposition to giving President Hammond only a week to respond to AAUP's request to be designated as the collective bargaining agent. He observed that such a decision should not be made hurriedly or under pressure. He signed a card with the idea that all the faculty would meet together and make a decision with ample time for discussion and consideration of the issues.

President Hammond raised the question of whether it is legal for faculty members, who are considered professional employees under state law, to organize for the purposes of collective bargaining. Professor Norman Caulfield responded that it has been determined in the courts that faculty members at state institutions have the same rights as other public employees to be represented by a collective bargaining agent.

Acting President John Durham stated that he would duplicate an article that appeared in Academe on the story of collective bargaining at Cleveland State University. Before he adjourned the meeting he remarked that if the discussions on AAUP's collective bargaining initiative leads to greater faculty participation and makes them better informed and better able to lead, the entire FHSU academic community will benefit.

The special meeting of the Faculty Senate adjourned at 5:56 pm.