

“Faculty members at UD are simply stronger together. Being in the AAUP-UD is the manifestation of that togetherness.”

*--Michael O’Neal
Grievance Officer*

**MANIFEST TOGETHERNESS:
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TO JOIN THE AAUP-UD**

Bargaining Update

The accounting firm Belfint, Lyons, and Shuman and the AAUP-UD Steering Committee’s Financial Analysis Subcommittee have completed their review of the financial information provided by UD administration to support their request for our return to the bargaining table. This review will be discussed by the Steering Committee in a meeting on Monday, February 15. In an email shortly thereafter, we will update you on any decision that the Steering Committee makes about whether or not further faculty sacrifices in compensation and benefits—the inevitable result of new bargaining—are warranted under the circumstances.

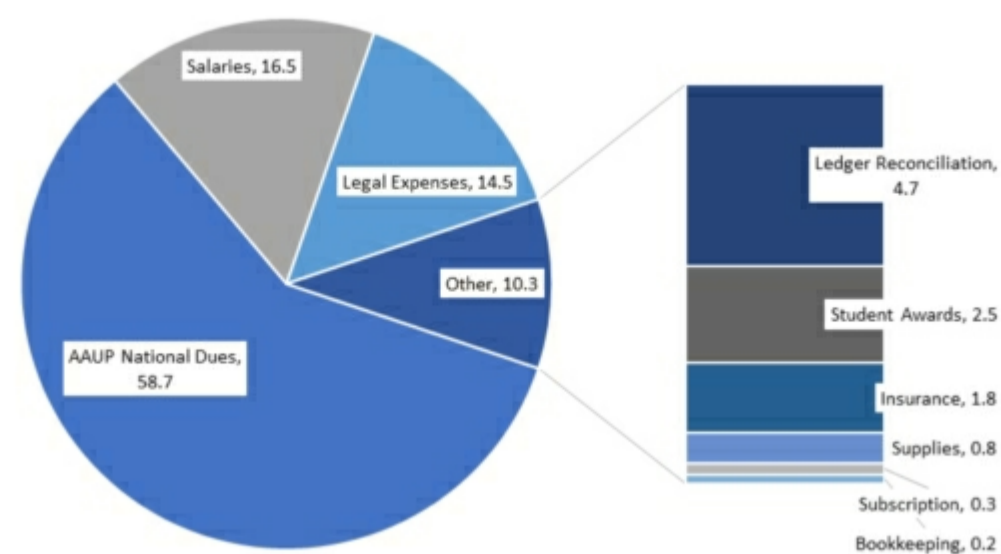
Your Return-on-Investment as an AAUP-UD Member

At the AAUP-UD, we strive to be careful stewards of member dues and to keep them as low as possible. In fact, our chapter dues are lower than those of many comparable chapters. For example, chapters at Hofstra, the University of Cincinnati, and Utica College charge dues equal to 1% of faculty salary, which means that a faculty member earning \$100,000 would owe \$1,000 of dues annually. For membership in the AAUP-UD, however, faculty members currently pay a flat annual fee of \$432.25 (\$18.01/paycheck) for dues, which means that faculty members at all levels of the salary scale are still paying less than they would at many comparable institutions.

Despite the fact that the AAUP-UD might be called a relative “bargain” where dues are concerned, we still accomplish much. Whereas some of our activities are obvious, such as those involving bargaining, others involve behind-the-scenes advocacy work about which most faculty are unaware. Martha Buell, our Contract Maintenance Officer, for example, logs many hours making sure that the administration is abiding by the terms of our latest bargaining agreement. Michael O’Neal and Brian Hanson, our Grievance and Deputy Grievance Officers, respectively, advise individual faculty members who feel they might have a grievance against the administration. If the grievance officers and the members of the Executive Council agree that a grievance is warranted, the officers will then guide the faculty member through the grievance process, sometimes with the help of lawyers retained and compensated by the AAUP-UD. (To learn more about all the work and success of our grievance officers, see a summary of their activities for Summer 2020 to present at the end of this newsletter.)

Even though most faculty never need to consider filing a grievance, they still benefit from the grievance process. In general terms, the existence of this process serves to deter administrators from violating the Collective Bargaining Agreement or the provisions of the Faculty Handbook. In specific terms, these grievances often lead to procedural or policy changes that prevent further violation of faculty rights. So, having a strong grievance process protects all faculty members. What else are your dues paying for? The chart below categorizes the AAUP-UD’s expenditures for calendar year 2020 and breaks them down by percentage:

AAUP-UD Expenditures by Percentage, 2020



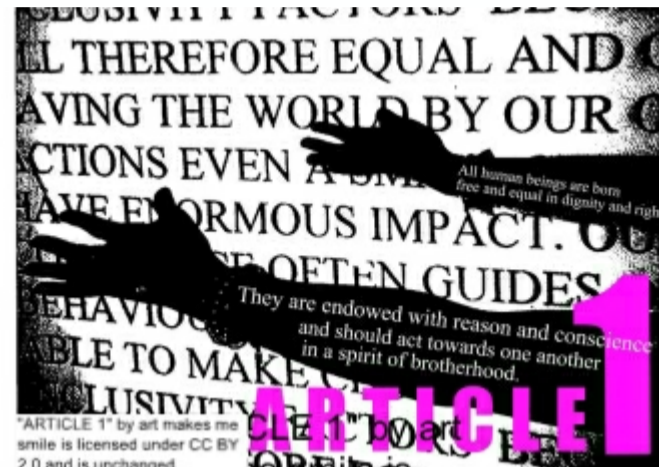
As the chart reflects, the largest category of AAUP-UD expenditure, “AAUP National Dues,” refers to the dues that we forward to the national AAUP organization, which provides our local chapter with much expertise and many resources that allow us to successfully advocate for faculty and bargain with the administration. Because you indirectly pay dues to the national AAUP when you pay your AAUP-UD dues, you become a member of both organizations when you join our chapter. The national organization provides its own set of benefits to individual members, all of which are listed and explained [here](#).

“Legal expenses” refers to the amount that the AAUP-UD pays to outside legal counsel. We consult with legal counsel regularly on interpretations of labor law and of the provisions of our Collective Bargaining Agreement. We also may retain them to advise us about grievances and to represent faculty members during the grievance process. This year, the AAUP-UD also incurred substantial charges when we retained an external accounting firm to analyze UD’s financial situation in light of the administration’s request for us to return to the bargaining table. “Salaries” refers to the amount paid for our part-time office manager, who performs a variety of essential tasks for us.

In most years, the AAUP-UD’s annual dues income generates a small surplus, which is then added to our cash balance in our checking account. The chapter also maintains an investment account with Morgan Stanley that accumulates interest and serves more strategic purposes. If, for example, we incur greater than expected legal expenses--which can accrue quickly if we are renegotiating our Collective Bargaining Agreement or pursuing high-level grievances--we have this investment fund to draw from.

Diversity and Inclusion

The AAUP-UD denounces systemic racism and the economic, social, physical, and often fatal consequences that come with it. We call for justice for the victims of such violence; in 2020 alone, they included Ahmaud Arbery, Breonna Taylor, George Floyd, and Rayshard Brooks, all of whom should be alive today. We also condemn the violence and hatred of those who invaded our nation's Capitol on January 6, 2021, in an attempt to further their racist agenda and undermine our democracy.



As an organization committed to democratic processes and the right to equitable treatment and self-determination, the AAUP-UD has been advocating and will continue to advocate for a diverse and inclusive campus. Just this past fall, we met with the leaders of the African Heritage Caucus, Women’s Caucus, Pride Caucus and Hispanic Caucus, heard their concerns, and committed to supporting them in their missions and meeting with them annually. Furthermore, we have continued to meet with the administration to discuss salary equity issues, indicating our particular concerns about the opacity of the special salary adjustment process and the wide discretion of the deans to determine who receives an equity-based adjustment and who does not. Because of the subjectivity of merit-based pay and its potential to work against women and URM faculty, especially during the current extraordinary times for which merit metrics were not devised, we also argued for faculty raises to be evenly structural in nature in the years 2021-2022 and 2022-2023.

If you have a concern about diversity and inclusion that you think should be brought to our attention, please don’t hesitate to contact us at admin@aaupud.org.

New Members, New Leaders

Since the beginning of the 2020-21 academic year, the AAUP-UD has gained many new members and several new leaders. More specifically, 113 new members have joined, and we now represent 64% of eligible UD faculty. This substantial increase in membership will strengthen our ability to advocate for faculty rights, interests, and compensation. The greater our membership, the greater our influence.



Photo courtesy of UD
Amy Hagstrom
Executive Council



Photo courtesy of UD
Palaniappa Krishnan
Executive Council

Also this academic year, two new members joined the AAUP-UD Executive Council (EC): Amy Hagstrom, Professor of Nursing, and Palaniappa Krishnan, Associate Professor of Applied Economics and Statistics. Amy joined the EC in October 2020, after the unexpected passing of our friend and colleague, Prasad Dhurjati. Amy is in her 24th year as a UD nursing professor, and she holds a joint appointment in Women & Gender Studies. She also serves as the Director of Global Initiatives for the College of Health Sciences. A long-time advocate of women in higher education, Amy has conducted research on salary equity, which she has presented at international panels. She has also served for many years on UD committees related to salary equity. Prior to becoming a member of the AAUP-UD EC, Amy served as a department representative for the School of Nursing. Palaniappa Krishnan, known widely around campus as “PK,” joined the EC in January 2021, after Calvin Keeler departed to become the interim dean of the College of Agriculture and Natural Resources. PK is an associate professor in the Department of Applied Economics and Statistics and is an award-winning agricultural engineer. PK brings much knowledge to the EC, having joined the UD faculty and the AAUP-UD in 1985. Since then, he has served as an AAUP-UD department representative, Steering Committee member, and member and chair of the Student Awards Committee. We welcome both Amy and PK to the Executive Council.

The following summary outlines the activities completed by the AAUP-UD Grievance Officer (GO) Michael O'Neal (current GO) and Brian Hanson (previous GO and deputy GO until February 1, 2021.)

Tenure and Promotion:

A total of 6 provost-level P&T appeals were attended by the GOs at the request of faculty. All of the appeals were denied by Provost Morgan despite recognition by the GOs that criteria that were beyond the P&T policies were being applied. A total of 3 dean-level P&T appeals and 1 department-level appeal were attended, involving 7 different faculty. Three of the sub-provost appeals led to positive recommendations at higher levels, and one of those led to eventual promotion.

GOs assisted with a single case of a Step 1 through Step 3 grievance, ending with the case against Provost Morgan for unfair application of P&T policies. The AAUP-UD tabled its support for the case when the faculty used an external lawyer to pursue broader complaints.

Leave with Pay:

One unsuccessful Step 3 grievance regarding forced leave of a faculty member led to a successful Step 5 grievance. Costs were substantially reduced compared to those incurred in previous arbitrations because the arbitrator strongly suggested on the first morning of the hearing that the UD administration settle.

Removal of Supplementary Positions:

The AAUP-UD successfully argued for reinstatement of a named professor position that was removed without cause. A similar Step 3 grievance regarding the removal of a center directorship was conceded by the GOs, who agreed that such position is within the purview of administrators when rescinded appropriately.

Retirement:

The GOs were able to assist in arranging a retirement agreement for a faculty member who was short of age/time requirements. The faculty member was hired late-career with the lure that the sabbatical semester would be available to them.

Workload:

A total of 3 workload complaints were received by the GOs. One case required no action after clarification of the department/unit policy document. The other two cases resulted in alterations to the faculty members' workloads to accommodate a fairer application of policy.

Salary:

The GOs were successful in arbitrating a Step 1 and 2 grievance regarding misappropriation of research funds.

Volunteer Activity:

The GO received many complaints regarding administrators' requests for faculty volunteers for various campus activities (many COVID-related). The AAUP-UD passed along a reminder to the administration to limit such requests, emphasizing that many CT faculty feel an inherent pressure to accept requests to volunteer.

Title IX:

The GOs assisted the Contract Maintenance Officer with disagreements over Title IX cases, with ongoing issues still being discussed in light of new federal requirements to revise Title IX policies.

Harassment (not Title IX):

The GOs continued discussions with several faculty about issues of potential harassment or toxic workplace environments that were not of a Title IX nature. Some of these are currently being resolved by discussion with units/colleges, while others are on a path to becoming actionable.

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Coronavirus Resources

Centers for Disease Control--COVID -19
Employee Assistance Program--Coronavirus Resources
DE Dept. of HR: Your Benefits and COVID-19
Delaware Division of Public Health
State of Delaware: Coronavirus Disease
UD's Coronavirus Site: What You Need To Know
Coronavirus FAQ for UD Faculty/Staff
COVID-19: Guidance for the UD Research Community