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JUNE 28, 2023

Bargaining Update

Dear Bargaining Unit Members,

We on the AAUP-UD bargaining team have continued to work hard to secure a favorable faculty contract for July 1, 2023, and beyond. Each week, we have been holding three lengthy meetings: one as a team; one with the AAUP-UD's Steering Committee, which must approve all proposals; and one with the administration (#26 this week). We also have done thorough research in support of each of our proposals, most recently on UD's strong financial position and ability to pay for robust faculty compensation. Despite our efforts, we remain a significant distance apart from the administration's team when it comes to several key proposals, including ones involving salary and benefits and ones promoting shared governance.

We are disappointed in the relatively slow pace of the administration's responses to our proposals—it took them almost a month, for example, to counter our first salary proposal—and in their apparent reluctance to move more than marginally upward in their proposed salary increases. For example, in the administration's three counter-proposals on salary increases for the first year of the new contract, they have not moved at all except to offer a relatively small one-time bonus. This is despite our providing them with repeated examples of how our jobs have grown substantially more complex and demanding due to the pandemic and its lingering consequences, especially in the classroom. Also, they have twice rejected our proposals to increase payment for overload instruction by full-time faculty (now at only 54% of our on-load compensation), saying that there is a "different market" for instructors of these courses, including adjunct faculty and graduate students, and that UD's current pay structure makes UD highly competitive in that market. In the areas of increases to salary minimums and promotional increments, the administration has shown a greater willingness to negotiate upward.

We also remain disappointed in the administration's continued rejection of our proposals to formalize mechanisms for the AAUP-UD's communication with the Board of Trustees and the AAUP-UD's guaranteed involvement in administrative searches at the level of dean or higher. Considering the fact that the administration has conducted largely closed searches for upper-level administrators despite the *Faculty Handbook's* stated preference for open ones, it is even more disappointing that the administration has chosen thus far to reserve for themselves all the decision-making power for the membership of search committees and for the selection of the UD constituents who are invited to meet and provide commentary on candidates. That is, AAUP-UD's involvement on behalf of our members is not currently ensured, even for administrative positions that could involve frequent interactions with us, and apparently they wish to keep it that way.

Moving forward, we hope that the administration will show greater respect and appreciation for UD faculty by proposing increased annual faculty raises and showing greater willingness to consider proposals that promote true shared governance. Clearly and unfortunately, we will not have a new contract in place by the date of the current one's expiration at the end of June 30. However, we will continue to negotiate in good faith with the administration for a reasonable period of time, and if we come to believe that we have reached an impasse, then we are prepared to go to mediation and/or arbitration. Rest assured of two things as negotiations continue: 1) we are very cognizant of economic pressures on faculty, and we still hope to get faculty raises into faculty pockets in a timely fashion; and 2) by law, the terms and conditions set forth in the current contract should continue past expiration until we have a new agreement—in other words, the University would breach its duty to bargain by making any unilateral change after our current contract's expiration.

Below, you will find an updated table showing specifics about our progress thus far in bargaining. If you have any questions about this information or any other matter, please contact us at admin@aaupud.org.

We deeply appreciate your continuing patience and support, and we encourage you to [join the AAUP-UD now](#) if you have not already done so. Even at this point, our bargaining position is strengthened with every new AAUP-UD member.

Sincerely,



Deni S. Galileo
 President, AAUP-UD
 on behalf of the Bargaining Team

Topic and Specific Changes Proposed by AAUP	Date First Delivered to Administration	Status
ACADEMIC FREEDOM: 1. Definition of academic freedom	February 13, 2023	Verbal tentative agreement on 4/10/23
2. Electronic rights and privacy	February 13, 2023	Verbal tentative agreement on 5/15/23
GOVERNANCE: 1. AAUP participation /consultation in searches, meeting with trustees	February 13, 2023	Administration rejected for second time on 5/19/23; AAUP countered on 6/1/23 and is awaiting admin response
2. Administration delivery of information to AAUP	February 13, 2023	Verbal tentative agreement on 5/22/23
BENEFITS: 1. Maintenance of current or comparable	March 19, 2023	AAUP countered on 6/15/23 and is awaiting admin response

medical benefits, including after retirement		response
2. Letter of understanding -- committee to study dependent care	March 19, 2023	Verbal tentative agreement on 5/15/23
SALARY: 1. Units update merit metrics to reflect workload and specify criteria for merit; teaching merit cannot be based solely on student evaluations	February 1, 2023	Verbal tentative agreement on 6/5/23
2. Clarify conditions for special salary increases	March 6, 2023	Verbal tentative agreement on 6/1/23
3. Increase transparency with which salary disparity adjustments are made and monitored	March 6, 2023	After several counters on both sides, AAUP is awaiting admin response
4. Increase overload compensation	April 13, 2023	Administration rejected on 5/8/23 and 6/2/23; AAUP submitted counter on 6/16/23 and is awaiting admin response
5. Salary increases, increases in promotion increments, rank minimums	April 10, 2023	After 3 admin and 3 AAUP counters, AAUP is awaiting admin response
6. Faculty pay for faculty administrators who return to the bargaining unit	Emailed March 19, 2023; presented April 23, 2023	Administration rejected on 5/5/23 and 6/22/23; AAUP is considering response
MAINTENANCE OF PRACTICES: Updated language	February 20, 2023	Verbal tentative agreement on 5/15/23
MISCELLANEOUS: A series of consensus edits (updates to pronouns, titles, outdated language or procedures, etc.)	November 2022	Close to a tentative agreement

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