President’s Letter: Time for Action

Continued from page 1

Membership is no longer worthwhile, the power to negotiate will dissipate. To counter this, many local unions are organizing campaigns that ask existing members to pledge that they will remain as members, continue to pay dues, and participate in union business. It is especially important to retain contingent faculty members and to motivate and sign up contingent faculty fee payers because as a group, they represent the majority in some bargaining units and additional strength for the benefit of all members. I have been signing up new contingent members at my own institution, including four in the last five days. I hope you will do the same.

AAUP has materials that address the Janus challenge on its website at: https://www(aaup.org/together. You may need to log in to access this page. I believe it is worth the effort.

NYS AAUP Executive Director’s Report

Continued from page 7

Americans in the Jim Crow South” and that “unions continue to play a significant role in making wages and labor benefits more equal across racial and gender lines.” Thus it has been argued that unionizing can particularly benefit women of color and that they will be especially harmed by Janus. And as Martin Luther King so aptly stated, “Wherever (right to work) laws have been passed, wages are lower, job opportunities are fewer and there are no civil rights.”

According to Janelle Jones, an analyst for the Economic Policy Institute, “A weaker union is going to be less able to negotiate and action within our own profession.

Janus would clearly make unions weaker and weaker unions mean weaker employee rights and the erosion of collective bargaining which provides union members with a voice to negotiate better wages, benefits, and working conditions.

NYSSAAUP Spring Conference to be Held April 13-14

The Spring Conference of the New York State Conference of AAUP will be held April 13th and 14th in Albany.

This spring’s meeting will feature speakers who will be focusing on member recruitment, chapter development, and issues about higher education recognition.

In closing I would like to remind you of the famous “First they came for” quote by Martin Niemoller which included the line “Then they came for the trade unionists and I did not speak out because I was not a trade unionist.” They have come for us—it’s high time to speak out!


AAUP National and State Conference Elections Ballots Must Be Returned by April 15

Ballots for this year’s national Officer and Council election, and New York State Conference Elections were mailed March 7 to the home addresses of eligible voting members.

Additionally, postcards were sent to the work addresses of eligible voting members with instructions for obtaining a ballot. In order to be counted, ballots must be received by April 16.

If you have not received a ballot, email your name and home address to Help@AAUP/election-america.com or call Election-America at (888) 914-5654 with your home address.

Information about the election—including National candidate biographies and campaign statements—is posted on the AAUP’s website at http://www.aaup.org/about/elected-leaders/elections/2018-election-information.


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The AAUP Annual Conference to Focus on Free Speech

The AAUP’s 2018 Annual Conference on the State of Higher Education will focus on free speech on campus. The Conference is held in conjunction with the annual meeting, which will be held June 13 to June 17 at the DoubleTree by Hilton Hotel Crystal City, which is located in Arlington, Virginia.

This year, conference sessions exploring free speech on campus, as well as other topics of interest to academics, will occur on Thursday and Friday, June 14-15. The complete program will be available in April.

Nancy MacLean will be the speaker at plenary luncheon on June 15. MacLean is the William H. Chafe Professor of History and Public Policy at Duke University and author, most recently, of Democracy in Chains: The Deep History of the Radical Right’s Stealth Plan for America, a finalist for the National Book Award.

MacLean will speak on the topic “The Origins of the Radical Right’s Attack on Higher Education and Democracy—and What We Can Do About it."

AAUP Calls for Sensible Gun Control Measures

The National AAUP has released the following statement in the wake of the mass shootings at Marjory Stoneman Douglas High School:

The recent mass shooting of fourteen students and three adults at Marjory Stoneman Douglas High School in Parkland, Florida, has refocused efforts to stem the epidemic of gun violence plaguing the nation.

This time the effort has been initiated and led by the surviving students, supported by their teachers, parents, and students across the country.

The American Association of University Professors salutes these brave and eloquent young people, many of whom will soon enter colleges and universities. We hope they will continue their activism on our campuses.

Gun violence is not a problem limited to high schools. Colleges and universities have been sites of mass shootings ever since Charles Whitman climbed to the top of the tower at the University of Texas at Austin on August 1, 1966, with an arsenal of high-powered weapons and began shooting, killing at least sixteen people and injuring thirty-one.

Annual Conference to Focus on Free Speech

continued from page 2

The AAUP Annual Meeting is the business component of the larger Annual Conference on the State of Higher Education, and it has certain responsibilities as laid out in Article VI of the AAUP Constitution. The 104th Annual Meeting will take place Saturday, June 16. You can learn more about the Annual Meeting, its rules and the procedures for submitting resolutions at https://www.aaup.org/about/annual-meetings.

In order to participate in weighted voting at the 104th Annual Meeting, chapter and conference delegates must complete the appropriate delegate credentialing forms, which can be accessed at https://www.aaup.org/2018-delegate-forms.

Note that there will be no Capitol Hill Day at this year’s annual conference. Individuals are welcome to arrange their own visits to the Hill to meet with their Congressional representatives. Members of unionized AAUP chapters are encouraged to attend organizing and messaging workshops on Wednesday, June 13.

The 2018 conference will take place in a new, Metro-accessible location adjacent to Washington, DC. The hotel offers complimentary shuttles from Washington National Airport and the Metro. The DoubleTree by Hilton Hotel Crystal City is located at 300 Army Navy Drive in Arlington, Virginia.

Reservations can be made online (https://book.passkey.com/gp213931374?gdid=1b010202b67adc3051bfca84d8bc6e) or by calling 1-800-HILTONS, and mentioning AAUP to receive the special AAUP group rate of $199/night.

Reservations must be made no later than Tuesday, May 22, 2018. All reservations must be accompanied by a first night room deposit or guaranteed with a major credit card. Hotel rooms are subject to applicable taxes (currently 13.25%).

The AAUP will be honored three (3) days before and three (3) days after the conference, depending on room availability. If you need to cancel your hotel reservation, the deadline is 72 hours prior to arrival date.

If you cancel after this date, you will be charged the first full night room and tax. Check-in time is 4:00 p.m. and check-out time is 11:00 a.m.

More information on this year’s meeting is available at https://www.aaup.org/event/2018-annual-conference.
Illinois University in 2008, and Pqua Com munity College and university cam puses. In 2008 the A AUP Annual Meeting passed a resolution to that effect.

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reasonable restrictions on access to w eapons for those with

diagnosed m ental illness or w ith a history of violence,

O n February 24th union members,

activists, and community members took part in a day of action to focus attention on a possible legislative case that is expected to have profound and threatening implications for the labor movement.

On February 26th the Supreme Court heard arguments in Janus v. AFSCME (American Federation of State, County, and Municipal Employees, Council 31). Janus is a U.S. labor law case, concerning the right of labor unions to collect fees from non-union members for the service of collective bargaining.

AAAU for Sensible Gun Control Measures

More recent tragedies at Virginia Tech in 2007, Northern Illinois University in 2008, and Umpqua Community College in Oregon in 2015, among others, compel us to reflect on how we can best ensure the safety of our campuses.

The AAAU has long opposed the presence of firearms on college and university campuses. In 2008 the AAAU Annual Meeting passed a resolution to that effect.

In November 2015, the AAAU, the American Federation of Teachers, the Association of American Colleges and Universities, and the Association of Governing Boards of Universities and Colleges issued a joint statement opposing legislation—so-called “campus carry” statutes—that would permit the carrying of guns on campus.

The statement said: Colleges and universities closely control firearms and prohibit concealed guns on their campuses because they regard the presence of weapons as incompatible with their educational missions.

College campuses are marketplaces of ideas, and a rigorous academic exchange of ideas may be chilled by the presence of weapons. Students and faculty members will not be comfortable discussing controversial subjects if they think there might be a gun in the room. . .

We strongly support efforts to make college campuses as safe and weapon-free as possible for students, faculty, staff, parents, and community members. We therefore oppose efforts to enact “campus carry” laws and call for their repeal where they already exist. We encourage colleges and universi-

tes to embrace critical incident planning that includes faculty and staff and to advise all faculty and staff of these plans.

We further call on these institutions to rely on trained and equipped professional law-enforcement personnel to respond to emergency incidents. State legislative bodies must refrain from interfering with decisions that are properly the responsibility of the academic community.

In November 2017, the AAAU, along with the Giffords Law Center to Prevent Gun Violence and the Brady Center to Prevent Gun Violence, submitted an amicus curiae brief in the AAAU for Sensible Gun Control Measures

Executive Director’s Report

by Sally Dear-H ealey

Right now, in New York state and throughout the U.S., faculty across the “in the know,” largely AAAU members are focusing on Janus. Other pressing issues include the state of the academic profession in an increasingly unstable political climate in which there is an existing threats to higher education.

There has also been an increase of harassment campaigns targeting faculty members and faculty activism. This is especially troubling given that democracy “thrives on dissent, critical inquiry, free speech and free research.”

Here in New York we have faced our own challenges and as most of us have come to realize, no faculty member or institution is invulnerable. Given the potential impact of the Janus decision, I have made it the focus of my report.

On February 24th union members, activists, and community members took part in a day of action to focus attention on a possible legislative case that is expected to have profound and threatening implications for the labor movement.

On February 26th the Supreme Court heard arguments in Janus v. AFSCME (American Federation of State, County, and Municipal Employees, Council 31). Janus is a U.S. labor law case, concerning the right of labor unions to collect fees from non-union members for the service of collective bargaining.

Mark Janus, a public employee in Illinois, objected to a state law directing that he must pay “his” union a “fair share” fee (78 percent) of the full membership dues.

The issue is whether Aboud v. Detroit Board of Education, which has been in place since 1977, should be overruled and public-section “agency shop” arrangements invalidated under the First Amendment. An “agency shop” arrangement is where “every employee represented by a union, even though not a union member, must pay, to the union, as a condition of employment, a service charge equal in amount to what union dues would be,” according to Janus.

At the heart of the matter is the challenge to the validity of the agency shop clause in a collective bargaining agreement between the Board and the Union. Complainants held that “the appellants were unwilling or had refused to pay Union dues, that they opposed collective bargaining in the public section, that the Union was engaged in various political and other professional activities that appellants did not approve and that were not collective bargaining activities” and that they were concurrently deprived of “appellants’ freedom of association protected by the First and Fourteenth Amendments.”

It should be noted that in Aboud v. Detroit Board of Education, “Upon the

Executive Director’s Report

Excelsior College Cuts Faculty Pay

Excelsior College in Albany has informed its adjunct faculty of a pay reduction, claiming that it is cutting pay to be competitive with other institutions.

In some cases, the reduction is substantial and for some faculty, precludes expected future pay increases. There was no word about any other cost reductions or pay to full time faculty, staff and administrators, leading to the question of whether there is a financial exigency.

Originally founded as the Regents External Degree Program and later Regents College by then New York State Commissioner of Education Ewald Nyquist, it later became an independent, non-profit institution.

The original purpose of the college was to allow adults who were not able because of military, work or family commitments, to meet the typical requirement of qualifying for a degree by completing the last 30 credit hours in residence.

Credit was granted for previous work at regionally accredited institutions, military training evaluated by DANTES, college level examinations and special assessment by faculty.

The college was later spun off from the state as a private, non-profit institution and has recently undergone administrative changes.

The defendants’ motion for summary judgment was denied, stating that the action for failure to state a claim upon which relief could be granted” and upheld that the constitutionality of Detroit’s mandatory agency fee law was a reasonable compromise between the government’s interest in “labor peace” and the free speech rights of dissident employees. Janus is essentially the resurrection of this case and the argument boils down to upholding or overruling Aboud.

Part of the argument is that there is a difference between public and private sector employees, when in fact public employees are not basically different from private employees. On the whole they have the same sort of skills, the same needs, and seek the same advantages. According to Summers, Public Sector Bargaining: Problems of Governmental Decisionmaking, 44 U.Cin.L.Rev. 669, 670 (1975), “The uniqueness of public employment is not in the employees nor in the work performed; the uniqueness is in the special character of the employer.”

In reality, “The very real differences between exclusive agent collective bargaining in the public and private sectors are not such as to work any greater infringement upon the First Amendment interests of public employees.”

Further, the differences

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AAAU Elections Ballots Must Be Returned by April 15

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Unions and allies work together for the common good on campus

Rooms were packed and rallies loud during the filled-to-capacity Bargaining for the Common Good in Higher Education Convening at Rutgers University in New Brunswick, N.J., the home of an AAUP Collective Bargaining Convening, February 22-24. Hundreds of activists were eager to dive deep into finding ways their work can serve not just their members, but also other people in their communities and the public good at large.

“Bargaining for the common good—essentially expanding union focus beyond wages and benefits to address broader community issues—is occurring at a time of extreme challenge but also remarkable opportunity,” said Joseph McCartin, executive director of Georgetown University’s Kalmanovitz Initiative for Labor and the Working Poor.

“The American working landscape has been transformed by overreliance on a gig economy (including on adjunct faculty), exploitive employment practices facilitated by deregulation, under-regulation that threatens workplace safety, and an assault on public sector unions,” he said.

On the other hand, the emergence of new initiatives of empowerment—including the movement for black lives, the inequity into epicenters of democratic empowerment—“is occurring at a time of extreme challenge but also remarkable opportunity,” said McCartin.

Bargaining for the common good is modeled when members asked their neighbors what the fight for $15, and the recent uprising among youth fighting for power—including the movement for black lives, the inequity into epicenters of democratic empowerment—“is occurring at a time of extreme challenge but also remarkable opportunity,” said McCartin.

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The modal idea was that our contract should be the foundation of their work, the organizing savvy, another focus of the convening. "O ur fundamental idea was that our contract should be the foundation of their work, the organizing savvy, another focus of the convening."

Bargaining for the common good requires that seeds be planted years before a contract is signed, and it has to be maintained and continued. "The campaign is never over," she said, a point echoed by others who agreed the bonds created with community are more lasting than any contract.

Other examples of successful common-good work include the California Faculty Association’s “cultural taxation” contract provision. As described by the CFA’s Cecil Canton, CFA faculty can be compensated for time spent mentoring “undocumented, first generation, and/or underrepresented students,” a task that disproportionately falls to faculty of color and affects their professional development.

The provision values those contributions as part of their legitimate workload rather than as an extra burden that takes away from real work. "Our faculty members are the first to say that they..."

At the University of California, the union once focused on job security and was unconcerned about the university’s growth initiatives, admitted Liz Perlman, executive director of the AFSCME employee local there. But when UC-Berkeley tried to expand into nearby Richmond, Calif., a primarily black and Latino community that would have been displaced by plans for a multibillion-dollar research campus, the union swung into action.

When union members consulted Richmond residents, Perlman said, they learned how disruptive the construction would be; they then vigorously opposed the project, appealing to donors who eventually pulled their funding and defeated it.

These victories are hard-won and involve considerable knowledge and organizing savvy, another focus of the convening at Rutgers. Going after the financiers of universities can be key, as participants learned at a joint session with the United Students Against Sweatshops annual conference. "Wall Street has its tentacles over everything in the private and public sectors," said Saqib Bhatti, co-executive director of the Action Center on Race and the Economy. "Powerful corporations are among the biggest lobbyists in Congress and state governments, pushing for tax cuts—which result in slashed funding for public higher education—as well as deregulation and privatization."

Hedge funds swallow up university endowments and pensions, charging high fees despite relatively low returns, and investing money in everything from private prisons to fossil fuels and Puerto Rican debt.

University board membership is heavily skewed toward financiers who frequently advantage their investments with favorable votes on university research, grants and hiring. "Universities have become just another vehicle for wealth extraction," said Bhatti.

These activities may seem removed from on-campus experience, but they affect everyone. At the University of Massachusetts in Boston, for example, parking fees have increased and plans are in place to build expensive, privatized lots; the fees are one more burden for low-income students driving to this commuter campus, and many skip classes as a result.

So, how to fight such behemoths? By coming together with like-minded groups—including students. "This feels like the Justice League," said one student, noting the power of the larger community as he described Rutgers One, a coalition of a dozen campus unions, student groups and community groups. "We represent the past, present and future of the labor movement," said another student, just before USAS and Bargaining for the Common Good participants marched outside the building for a rally with Fight for $15, the group advocating for a living wage.

"We have to fight for our students and our communities," Rutgers professor Deepa Kumar told the cheering crowd, listing affordable healthcare, pay equity, job security and free higher education as essential to ensuring dignity for all. "The woman who cleans the building where I work cannot afford to take my class," she said. "That is a shame."

"We will stand united," said the AFT’s Ricker at the rally. "We are here together. We are here for good."

Back at the convening, participants gathered by cohort, drilling down to determine how to take the inspirational message of bargaining for the common good into their own locals back home.

Ideas ranged from early steps, such as listing and contacting potential partner organizations and scheduling meetings with other unions on campus, negotiating to “ban the box” (the requirement that ex-felons identify themselves on college and job applications), and fighting changes to rent control that would threaten the availability of affordable housing for students and campus workers.

“How do we link to what other folks are doing? How do we center racial justice? Lots of folks have the words, but we don’t have the actions yet,” said conference organizer Marilyn Sneederman, director of the Center for Innovation in Worker Organization at Rutgers’ School of Management and Labor Relations and a member of Rutgers AAUP-AFT. The convening was designed to change that.

The gathering was hosted by the Center for Innovation in Worker Organization at Rutgers University’s School of Management and Labor Relations with support from the American Federation of Teachers (AFT), National Education Association (NEA), Service Employees International Union (SEIU), Communication Workers of America (CWA), the International Brotherhood of Teamsters, the American Association of University Professors (AAUP)-AFT at Rutgers, the Part-Time Lecturer Faculty Chapter (PTLFC)-AAUP-AFT at Rutgers, the Action Race on the Economy, and the Kalmanovitz Initiative for Labor and the Working Poor (KI) at Georgetown University.

AAUP chapters at seven northeast Pennsylvania colleges. The discussion will focus on how to set up a regional alliance, the advantages that they’ve found to doing so, and the challenges that they’ve faced. The second session of the morning will feature a discussion on member recruitment and chapter development. The business meeting will continue after lunch.

A block of hotel rooms has been reserved at the Hilton Garden Inn Albany Medical Center, 62 New Scotland Avenue, Albany. To make a reservation, call (518) 396-3500.