



September 2007

NEWSLETTER

A Publication of the University of Nebraska at Omaha AAUP Chapter

WELCOME BACK

The UNO-AAUP Executive Committee welcomes back all faculty members for the Fall semester. We met briefly with the new faculty during orientation in August and hope to get to know them better at the September 19 luncheon on “Know Your Rights”. The Wine and Cheese reception will be held October 11 in the University Art Gallery for new and current members and invited state representatives. The Chapter meeting and dinner will be scheduled in November.

The 2007-09 contract should have arrived in your mailbox. It will be easy to find in its fluorescent green cover. We are pleased with the salary increases, promotion stipends and additional protections for faculty bargained in this contract and appreciate the efforts of the negotiating team. In monthly meetings with the administration we are monitoring budget updates and tuition increases, the proposed 12-month academic year and Reappointment, Promotion and Tenure procedures.

UNO was represented at the AAUP annual meeting in Washington, DC, in June, and at the Summer Institute in Reno, NV, in July. The chapter’s activities for members, procedures for conflict resolution, and “meet and confer” requirements compare well at the national level. I invite everyone to participate in the UNO-AAUP this year.

Ann Antlfinger
President, UNO-AAUP

WINE & CHEESE SOCIAL

The annual fall Wine and Cheese Reception for Chapter members and new faculty will be held in the University Art Gallery, Weber Fine Arts Building, on Thursday, October 11 from 3:30 to 5:30. This is a chance to meet with your fellow members, enjoy some refreshments and view the exhibit: *Travis Conrad Erion: Symbols of the Soul; Giedre Montvila: Take A Look; Ann Weiner: To Bear Witness*. Members of the State Unicameral from the Omaha area will also be invited, so this will provide an opportunity for faculty to meet with their senators and make them aware of the concerns of Higher education in the state.

Be sure to invite any new members of your faculty. This is an excellent opportunity to introduce them to faculty from other areas in the university and to the AAUP. Members of the Executive Committee will be on hand to answer any questions they might have about the workings of the Association and to explain their rights and protections under the contract.

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The AAUP has been protecting the rights of faculty for over ninety years. Through assistance and advice to individual faculty members and administrators, state and federal lobbying, amicus briefs before the courts, support for collective bargaining, and other means, the AAUP helps shape American higher education and ensure higher education’s contribution to the common good.

AAUP Censures New Orleans Institutions

At the Ninety-third Annual Meeting in June, the national conference of the AAUP voted to censure five New Orleans institutions for violations of academic freedom and faculty governance, using as an excuse the damage from Hurricane Katrina. In each case, financial exigency, brought on by the damage inflicted by the hurricane, was used as a rationale for the termination of programs with the consequent dismissal of faculty, both tenured and probationary.

At Loyola University New Orleans, eleven tenured and six probationary faculty members were dismissed without appropriate faculty consultation, in violation of both AAUP guidelines for termination and of the university's own policies, which are effectively identical to those of the AAUP. At Tulane University, more than 200 faculty members were terminated. The administration provided no reasoning as to which programs were eliminated, made no effort to relocate tenured faculty members and made little or no distinction between tenured and non-tenured faculty. At the University of New Orleans, eighty-three faculty positions were targeted for elimination. Eventually, seven tenured professors were placed on "furlough" which ultimately resulted in dismissal. They were not given safeguards of their tenured status and the very survival of tenure at the institution is at risk, under these conditions. At Southern University at New Orleans, fifty-five professors, thirteen of them with tenure, were placed on furlough without pay and nineteen degree programs were eliminated. Faculty had no voice in this restructuring of the academic program. Although the administration at first seemed to want to co-oper-

ate with the AAUP in establishing policies in accord with the *Statement of Principles of Academic Freedom and Tenure*, in the end the matter was turned over to the University's attorneys who seem less willing to accommodate. Finally, at Louisiana State University Health Sciences Center, in spite of severe damage to facilities, the institution managed to resume most operations by November and no faculty members were let go. However, on November 18, the Board of Supervisors gave the chancellor authority to determine institutional needs and consequently to furlough and effectively dismiss faculty. Sixty-one full time and thirty-six part time faculty members were furloughed, with virtually no time to appeal the decisions. Eventually, several positions were reinstated and some furloughed members resigned or retired, but twenty-two, six with tenure, remain on furlough.

In all of these instances, the AAUP 1940 *Statement of Principles of Academic Freedom and Tenure* was violated and the Association voted to place the institutions on its list of Censured Institutions. On the other hand, two institutions, Tiffin University in Ohio and New Mexico Highlands University were removed from the censure list. In both cases, new administrations recognized the validity of the complaints that brought about censure and acted to remedy them. As a result, visiting committees of the AAUP found the conditions improved and recommended lifting of censure. So, censure does work. The AAUP has moral suasion on its side and can help to bring about change for the better in higher education.

Long Term Disability Benefit

Some Things You Should Know

The Long Term Disability Benefit available as part of the NUFlex package is an excellent benefit for most faculty. So much so that the AAUP has tried in contract negotiations to have it included as a standard faculty benefit rather than an optional one paid for by the faculty member. However, there are some limitations that should be known and which might affect the choice of this as part of one's benefit package.

If the covered disability occurs before the beneficiary is aged 62, coverage continues until age 67. If it occurs at age 62, coverage is for 60 months. At age 63, it continues for 48 months [still until age 67]. After that, the coverage period decreases by 6 months for each additional year of age until 69, after which it remains at 12 months.

Given the possibility of retirement or Social Security Disability, participants nearing retirement eligibility age might want to reassess the benefit of continuing this coverage, vis-a-vis the premium.

Additionally, some items in this benefit that might not be known are that an annual cost of living adjustment of up to 3% is added while the beneficiary is collecting disability.

A full description of this coverage can be found on the certificate of coverage at: <http://www.nebraska.edu/hr/2006LTD.pdf>

Notes on Grievances

The Collective Bargaining Agreement between the Board of Regents and the AAUP [the "contract"], defines a grievance as a dispute concerning the interpretation, application or alleged violation of a specific term or provision of the contract. Most often, potential grievances occur over the granting of re-appointment or tenure, the assignment of work-load, the granting of merit increases or perceived discrimination in one of its many forms. The contract provides for procedures that must be followed for all of these issues and improper application of those procedures can be grieved. However, the contract does not permit grievance on substantive decisions. For example, a unit member may grieve that the department or college guidelines were not properly followed in the allocation of merit pay but may not grieve the non-meritorious evaluation of performance. The contract provides for informal resolution of disputes, before a grievance is filed and at all stages of the grievance process. In most cases, the issue is resolved in this way, usually before filing of a grievance becomes necessary. In the past academic year, a number of potential grievances were resolved in this way and no formal grievances had to be filed. Given the confidential nature of disputes that might be grievable, bargaining unit members do not know what the AAUP is doing on behalf of those who consider their rights have been violated, but rest assured that the Grievance Office and the rest of the Steering Committee are working very hard to protect the rights of all unit members.

2005-2006 Executive Committee

President: Ann Antlfinger, Biology
First Vice President: Joseph Brown, Psychology
Grievance Officer: Michael Peterson, Geography /
Geology
Secretary: Claudette Lee, Social Work
Treasurer: Don Greer, HPER
Assistant Professor Rep.: Robert Darcy, English
Associate Professor Rep.: Donna Dufner, ISQA
Full Professor Rep.: Roger Hoburg, Biology
Other Bargaining Unit Members Rep.: Maria
Knudson, English
President-elect: Ken Deffenbacher
Past President: Sharon Wood, History
Newsletter Editor: Jim Czarnecki, Art & Art History

UNO's current list of peer institutions

University of Northern Iowa
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University of Missouri – St. Louis
University of Arkansas – Little Rock
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University of North Carolina – Charlotte
University of Texas – San Antonio
Portland State University (Oregon)

