

CAC Summary Report, Fall 2019

For summer and fall 2019, the CAC fielded about 90 cases, including both new inquiries and ongoing cases from prior semesters.

Below, we summarize some representative recent work across the major categories that CAC typically addresses. We continue to bring issues to the attention of the current Bargaining Team if they could impact bargaining or future contract language interpretation.

Any questions or concerns about this report can be addressed to contract@unitedacademics.org.

FORMAL GRIEVANCES:

CAC worked on one ongoing grievance and filed two new formal grievances this summer/fall. (1) Our grievance relating to the AY 2017-2018 increase in Professional Development Funds (PDFs) was denied by the Vermont Labor Relations Board (VLRB). A factor in their decision was our inability to point to a specific injury, i.e. a specific faculty PDF request that was denied due to the delay in the implementation of the new CBA spending limits. (2) We filed a grievance contesting the decision by President Garimella to disband the IBB Steering Committee and replace it with an administration-only committee, on the principle that this violated faculty governance processes laid out in the Collective Bargaining Agreement (CBA). This grievance was denied by administration, who contended that the existing processes of faculty governance in place pre-IBB (i.e., Faculty Senate, Faculty Senate standing committees, etc.) were sufficient to allow faculty input into IBB issues. After deliberation, we elected not to advance this to the VLRB and we encourage faculty to make use of existing channels of shared governance, including through the Faculty Senate, to communicate concerns about IBB or other University budgeting decisions that impact faculty. (3) We filed a grievance on behalf of a faculty member with a dependent child attending UVM whose tuition remission was cut off at a credit hour threshold. The grievance centers on a dispute between UA and administration in interpretation of contract language. The administration has denied this grievance, we have advanced the grievance to the VLRB, and we await preliminary investigation by the Board.

DISCIPLINE / AAEO-RELATED:

We assisted four faculty who were either subject to investigation by AAEO or who were potentially involved in disciplinary-related actions. In two cases, no formal discipline was imposed by the administration; one centered on a student complaint of discrimination which was not supported by AAEO, and another was related to issues in teaching which were resolved elsewhere. Two ongoing discipline cases remain pending, and we continue to assist these faculty in preparing for meetings and in written responses to administration where appropriate.

WORKLOAD:

Workload continues to be the broadest and most frequent source of CAC inquiry. Among other topics, we assisted several faculty in clarifying workload expectations and ensuring that workload forms were up-to-date and accurate. We responded to inquiries about summer compensation and assisted several faculty who are on 9-month contracts in obtaining summer compensation for

qualifying summer work. We also connected with several faculty who have unusual or unique workload structures to help them get clarity with supervisors on appropriate workload.

Per our earlier communication to the unit this fall, we pushed back against the administration's attempt to have faculty sign an "Access Acknowledgment Form" for the EAB-Navigate software system, resulting in that form being rescinded by the administration. We continue to monitor the implementation of Navigate. While the administration has some authority to require new software systems for existing work, it does not have authority to make unilateral required changes to the nature of the work itself without first bargaining with UA. In addition, evaluation of faculty academic advising needs to be done in a manner consistent with faculty-derived department-based Annual Evaluation Guidelines. As with any other topic, please direct questions or concerns about this to us at contract@unitedacademics.org.

RPT AND ANNUAL EVALUATIONS:

We assisted multiple faculty in determining the correct forms and procedures to use for their reappointment and/or promotion bids, and in clarifying CBA language that applies to the RPT process. We corrected an administration error regarding the appropriate required frequency of formal evaluations for non-tenure-track faculty in CAS, noting that Article 14.10 only requires formal reviews of non-tenure-track faculty once every four years. We also reviewed new proposed procedures for calculating future performance raises across CAS and determined them to be consistent with the CBA.

BENEFITS AND SABBATICALS*:

We answered several questions related to the details of benefits, referring faculty to Human Resources where appropriate. We supported faculty in accessing benefits such as parental leave and in accessing benefits while on sabbatical. We had several inquiries related to use of PDFs and/or startup funds, and assisted faculty with managing procedures for use of those monies. We helped correct two errors related to salary and/or benefits processing; one involved inappropriate dues deduction from summer pay, and one involved delay in salary payments.

*Please note that the next deadline is September 1, 2020 for planned sabbaticals for Fall 2021, **Spring 2022**, and for AY 2021-2022. Please also note that faculty who typically teach 5 CEs each year and who take one-semester sabbaticals should be tracking their "off-sabbatical" teaching load, which should alternate between 2 CEs and 3 CEs per sabbatical round (Article 16.13).

MOUs:

We facilitated and signed off on several non-precedential exceptions to the CBA related to incentives for planned retirements.

OTHER INQUIRIES:

As is the case each semester, we worked on several issues that do not easily fit into the categories above. Among other things, these included assisting faculty with questions on their status vis-à-vis the bargaining unit, managing an accidental salary overpayment by Human Resources, and a delay in administrative communication regarding potential faculty exposure to unsafe working conditions.

Some inquiries in this category (and other categories) we continue to investigate and will have further updates on in future committee reports.

December 11, 2019

Submitted by Grievance Officer Keith Burt on behalf of the Contract Administration Committee (contract@unitedacademics.org)

Fall 2019 CAC members:

Keith Burt (Chair, Psychological Science)

John Forbes (Theatre)

Katlyn Morris (UA Executive Director)

Deb Noel (English)

Koela Ray (Biomedical and Health Sciences)