

## United Academics CAC Summary Report, Spring/Summer/Fall 2020

For calendar year 2020, our United Academics Contract Administration Committee (CAC) fielded in excess of 250 inquiries. This represented our regular range of questions and concerns combined with a substantial number of new issues stemming from the COVID-19 pandemic and the administration's subsequent actions. An exceptionally busy period of work in the late spring and early summer prevented earlier formal reports. Below, we summarize representative work for the past year across the major categories that CAC typically addresses. Semester CAC reports will return starting at the end of Spring 2021.

Any questions or concerns about this report can be addressed to [contract@unitedacademics.org](mailto:contract@unitedacademics.org).

### FORMAL GRIEVANCES:

The CAC completed one prior grievance from 2019 and filed five new grievances on behalf of individual faculty and groups of faculty and one unfair labor practice (ULP) in 2020. Three of the grievances as well as the ULP related specifically to actions taken by the administration in or around the early weeks of the COVID-19 pandemic. The prior grievance from 2019, which focused on tuition remission payments for dependent children, was completed via negotiated settlement, with compensation to the faculty member for the amount of the charged tuition and a memo of understanding (MOU) related to future interpretation of the disputed contract language.

The ULP, filed in the summer, challenged the lack of UA participation in the COVID-19 planning process. It was resolved via negotiated settlement, which resulted in UA representation on UVM Strong committees as well as the impact bargaining process United Academics and the administration engaged in this fall. Several members of our Contract Administration Committee were also on the impact bargaining team, to coordinate our efforts. We sent a number of communications to members through the summer and fall about the process and outcomes of impact bargaining, including the Memorandum of Agreement on course modality changes and workload adjustments and compensation for off-contract summer 2020 course preparation work. The MOA can be reviewed [at this link](#).

The five grievances can be briefly summarized as follows. (1) We grieved the denial of promotions to three faculty teaching in the terminated Global Gateway Program, which was successfully resolved via a negotiated settlement that awarded the promotions. (2) We grieved the administration-initiated deferral without justification of twelve approved sabbaticals, which was resolved via a negotiated settlement that restored the original timetable of sabbaticals for affected faculty who requested it. (3) We grieved the mass reduction of non-tenure track (NTT) full-time equivalencies (FTEs) in CAS and RSENR. After working closely with our labor attorney for weeks to prepare our case for the Labor Board, this grievance was ultimately withdrawn following the administration's restoration of nearly all reduced FTEs. (4) We grieved a violation of the seniority rules for course assignments for two part-time faculty members in CNHS, which was withdrawn after the contested course was canceled due to COVID-19. Finally, (5) we grieved the denial of course releases to a faculty member in CAS who had negotiated

such releases as part of an earlier MOU, which was withdrawn when the faculty member left UVM for a position at another institution.

#### DISCIPLINE / AAEO-RELATED:

We received few new concerns or inquiries related to formal discipline or AAEO inquiries for calendar year 2020. A complex and lengthy case from 2019 ultimately resulted in a negotiated separation. We also supported faculty with issues and potential discipline related to faculty missing a series of classes without adequate backup coverage, faculty having difficulties meeting teaching obligations following a significant personal stressor, and faculty non-compliance with auditing practices, in one case resulting in a letter of reprimand.

#### WORKLOAD:

Workload continues to be the largest and broadest category of CAC inquiries. Although impossible to summarize all concerns, we answered questions and helped faculty negotiate issues related to topics such as departmental course equivalency policies, compensation for out-of-contract-period work and other supplemental work, policies around course releases for administrative work, advising, midyear changes to workload, and responding to requests for newly created or expanded work obligations / “workload creep”.

#### RPT AND ANNUAL EVALUATIONS:

We answered many questions about the RPT process, which included clarifying details related to review and reappointment timelines, forms, what information to include, and who are appropriate reviewers. We responded to concerns around delayed RPT reviews and delayed appointment letters for several faculty members; these concerns were in most cases resolved by discussion with Labor Relations. We supported a successful RPT process by assisting faculty with written rebuttals to negative annual evaluations.

#### BENEFITS AND SABBATICALS:

Among other topics, we answered questions related to parental leave, vacation accrual for 12-month faculty members, use of Professional Development Funds (PDFs), retirement benefits, medical insurance benefits, tuition remission, ADA workplace accommodation, and promotion bonuses for part-time faculty. We supported several faculty members in receiving reimbursement for PDFs and teaching expenses.

#### OTHER INQUIRIES:

We assisted multiple faculty in the process of leaving UVM with the details of that process; we advise any faculty who may be considering leaving UVM for another institution to contact our committee before communicating such intent to their chair / other administrator. We also worked with Labor Relations to negotiate voluntary retirement agreements (VRAs) for several faculty members.

We assisted exemplary internal organizing efforts in the department of Nursing that ultimately resulted in promotions and the conversion of 17 appointments from Clinical Instructor to Clinical Associate Professor following an approved change in terminal degree requirements for those positions.

As communicated in prior emails over the year, we addressed several issues related directly to the COVID-19 pandemic and associated administrative actions, including discussions of course modality assignment as well as workplace health and safety procedures. Many of these concerns became part of the impact bargaining process. Some were idiosyncratic to specific faculty situations, in which case we provided consultation and facilitated favorable outcomes for faculty through dialogue with Labor Relations.

Finally, we have more recently fielded questions and concerns related to the process for administration plans for university-wide reorganization and proposed program cuts announced in CAS and potentially planned for other units. We expect the latter to be ongoing areas of work for our committee going forward.

January 12, 2021

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

2020 CAC Members:

Keith Burt (UA Grievance Officer, Psychological Science)

John Forbes (Theatre)

Katlyn Morris (UA Executive Director)

Deb Noel (English)

Koela Ray (Biomedical and Health Sciences)