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Crisis in Public Higher Education: Impacts/Responses III - Union Coalition Bargaining: Faculty, Staff, Librarians, Contingent

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UNION COALITION BARGAINING

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4:30: April 2, 2012

ENFORCING AN INTERNAL COALITION

The following comments are based on my experience as a member of the University of Hawai'i Professional Assembly, the faculty union in what is apparently the most unified system of post-secondary public education in the US. However, our faculty collective is itself (as at most other colleges) a perennially fragile coalition made up of differentially hired, ranked, and treated instructional faculty, researchers, librarians, specialists and counselors, who work not only at the large flagship sea-and-land-grant research campus, Manoa, but also at two much smaller four-year campuses, and at six two-year community colleges across the state.

Two central and related problems facing UHPA are, perhaps unsurprisingly, how best to represent and bargain for such a broad faculty collective and how to protect and preserve unity and dignity among our members not only across the different campuses but across the huge diversity of special interests to be found particularly at the flagship Manoa campus, where almost half of members of the bargaining unit are housed. At this point, I am not even considering those academic workers who reject the very notion of unionism. As elsewhere, some of our colleagues adhere to the views of various right wing groups that encourage people to opt out of collective bargaining altogether or, as a minimum, demand that any portion of their dues used for overtly political activities be returned to them (currently 413 out of 3,002). In the UH system, however, we are fortunate to be something of a closed shop; everyone has either union dues or the equivalent amount deducted at source (1% of salary), and staunch anti-unionists sometimes choose to remain in the union at least to realize some savings on their car insurance. Leaving such colleagues aside, I nevertheless claim that UHPA is not supported sufficiently by the majority of its members, who all too often fail to demonstrate anything but a largely theoretical commitment to the basic notion of fairness which has to reside at the centre of any functioning collective.

While we mustn't ignore the trickle-down influence on faculty of the sort of behavior increasingly projected by business-model-based university administrations (and their often disparaging attitudes to outmoded concepts like consensus and shared governance), I would claim that unfairness, for faculty, is typically seen as a problem which needs to be addressed only by *other* departments, colleges, or campuses, and as resources and the number of full-time and tenure-line positions have declined, as people increasingly and uncritically accept the ideological inevitability of permanent financial crises within Higher Education, faculty-on-faculty tension has unfortunately increased to the extent that it has become a real threat to the tenuous coalition

which, despite the risks, ultimately offers the best possible protections for the majority. One simple but unfortunate truth is that what most motivates faculty, especially tenured full-time faculty, is the securing of more money and resources primarily for themselves and secondarily for their programs, and notions of collectivity and fairness can quickly fall to the wayside. Individual deals, based on claims of merit, for example, are often made directly with the administration, and faculty less able to demand merit increases seem to compensate for their own lesser status by further exploiting their adjunct faculty and graduate students by refusing to countenance lower ranks' promotion to tenure-line positions or by setting standards for any eventual promotion that they themselves could never, and never had to, meet.

For example, UHPA and the UH Administration bargained into the last two (six-year) contracts not only multiple-year contracts for non-tenure-track faculty (generally after five years of service) but also an even more progressive clause dealing with the conversion of instructors with PhDs into probationary (tenure-track) positions. However, many departments, especially some of the ostensibly most radical (such as English), immediately sought to undermine these provisions in the contract wherever possible, usually on the basis that their (extremely long-serving and often full-time) contingent faculty members (and their specializations) cannot fail to undermine the long-term programmatic goals. The basic hypocrisy is that many faculty, perhaps like too many other privileged professionals, ultimately do not believe in fairness and due process unless it suits them – YES to an abstract commitment to fairness, but NO THANK YOU when it comes to their own programs, which unfortunately cannot survive without the flexibility offered by a sub-class of contingent faculty clearly never intended to enjoy basic employment rights. A similarly negative response from higher-paid tenure-line faculty, by the way, resulted from UHPA's insistence in earlier contract negotiations that 50% of the agreed pay-raise not be based on the current salary of the individual but on the median salary of all bargaining unit members.

So the faculty union ultimately has to bargain for a greater collective when the majority of faculty do not feel a sufficient sense of solidarity with many, or even most, of their fellow union members. In fact, and perhaps typical in the US, the faculty at UH only initially agreed to unionization because they perceived themselves to be the last group on campus without the advantages (in terms of benefits and protections) enjoyed by other campus/state employees (especially when it came to competing for state funding in times of economic downturn). Simple appeals to democracy in a faculty union are, therefore, not always appropriate or even sensible. For example, the majority of tenure-track faculty on the main campus at Manoa would almost certainly have rejected, in a democratic vote, the intrinsically fair conversion clause in our most recent contracts, especially in exchange for more money. If faculty only talk the talk (and, let's be honest, many don't even bother), it's therefore often up to the union leadership to ensure that the right thing in theory is

actually forced upon the membership in practice. Such a potentially anti-democratic stance may sound odd, but sometimes, in terms of Realpolitik, internal contradictions within the organization cannot be resolved otherwise, and the union's job is to persuade the majority to accept what might not necessarily be perceived as being best for them in terms of their own individual careers.

This is usually achieved by having certain central safeguards in place. To begin with, the union has to demonstrate a fundamental insistence on a fully inclusive collective as its basis, and its board, executive committee, and negotiating team must be made up of members from all ranks and classifications, all campuses (even the smallest), and all major discipline areas. Secondly, the union ultimately has to bundle every new contract into just one single final package and have the membership vote on a take-it-or-leave-it agreement rather than individual paragraphs. Such a bundle clearly has to offer something for everyone. For example, if researchers at UH Manoa currently want to erase the distinction between Instructional and Research faculty (to gain official permission to call themselves professors), then it must be bundled in along with what ultimately has to be any real unions' central concern: the interests of the very vulnerable, which, in Manoa's case, would be the conversion language. Similarly, UH Community College faculty have profited from their union association with the flagship campus, primarily by being able to transpose professorial ranks onto what would otherwise be primarily teaching institutions. Of course, the resulting research activities, required as part of their promotion process, are often considered something of a joke by many of the faculty on the Manoa campus, but either way, on their own, CC faculty would never have achieved parity in rank, almost parity in salary, and increasing parity in workload.

A full faculty collective is, in practice, both difficult and contentious, but I believe that, despite the problems, UHPA, as well as the contracts it has achieved, offers a serious model. While the non-unionized situation of privately negotiated individual contracts primarily benefits the relatively few so-called high-flyers who pull in the million- or multi-million dollar grants, the easier-to-divide-and-rule system of separate unions (representing only graduate students, contingent faculty, librarians, counselors, researchers, or professors) generally results in the majority ending up with less rather than more. A larger inclusive union is certainly not an easy sell, but, with appropriate leadership, it ultimately makes the most sense for most faculty – even if they often have a hard time committing to notions of the greater good.