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Post-Recession CBAs: A Study of Wage Increases in the Agreements of Four State-wide Faculty Unions

Steve Hicks

Introduction

Everyone presumes the Great Recession of 2008-2009 (Recession) had a profound impact on almost every economic front in the United States, or even Western Europe. In the United States the Recession led first a bailout of the financial markets followed by the American Recovery and Reinvestment Act (known by its acronym “ARRA,” or as “the Stimulus Act”), then to over $6 billion in cuts to higher education in state budgets in 2011 (Appendix 2: Grapevine Table 1). For those in collective bargaining situations, these cuts led to concerns about consequences at the table for contract negotiations. This study analyzes the financial aspects of the four largest faculty union collective bargaining agreements negotiated after the 2011 cuts.

In what can be discerned as not necessarily happenstance, the collective bargaining agreements with the largest faculty unions—the California Faculty Association (CFA), the United University Professions (UUP, who represent SUNY faculty and staff), the Association of Pennsylvania State College & University Faculties (APSCUF), and the Minnesota Inter-Faculty Organization (IFO)—were open for negotiation within a year of each other in 2010 and 2011. At one point, all these bargaining agents (and the Professional Staff Congress and CUNY, who had not settled yet as of this writing) were at the table simultaneously.

The expectations of faculty union negotiators for financial gains in the agreements would not likely have been high. For one, a combination of the election of 2010, when several governors were elected with some version of post-Recession austerity agendas, and the cutting of state budgets, including the record cuts to higher education in the 2011 budgets, would have set a tone.

That tone was reiterated by a consistent decline in permanent faculty at universities (thus reducing the size of these bargaining units, at least in theory or in prospect) and the headlines

1 Steve Hicks, Ph.D. is Professor of English and Past President of the Association of Pennsylvania State College and University Faculties.

2 For the definitive study on this, see Rhoades.
from *The Chronicle of Higher Education* indicating stagnant wages—the April 12, 2010, headline was “Faculty Increase 1.2%: Lowest in 50 Years.” So it is not surprising in these years to find small across the board (ATB) increases in the contracts as well as years without seniority step increases, along with concurrent increases in shared health care costs (through co-pay increases or new or additional premium share arrangements).

What may be surprising from a comparative study perspective is the historic nature of those post-Recession agreements and the similarity in the timing and substance of the salary settlements in the four cases. All four faculty unions negotiated longer, and without job action, than ever in their history (which in the case of the three older unions covers four decades and tens of agreements) and each ended up with no ATB pay increase in the first-year of the contract. A pattern emerges, though not a consistent one, of re-arrangement of seniority steps (or skipping one altogether), as well as union concessions (in the form of cash out of pocket) on health care (a subject for further study).

**Background: Recession and Higher Ed Funding and Previous Contracts**

Let us begin with a review of the landscape as the faculty collective bargaining agreements come to term in the summer of 2010. Any search into the “Recession finds much discussion of the definition of a recession and multiple viewpoints as to when the United States’ economy became recessionary. Appendix 1 reproduces the National Bureau of Economic Research chart for Gross Domestic Product from late 2007 through 2009, which is the much-discussed period in question.

What is clear is that at the beginning of the Obama Administration in January 2009 there were few naysayers that the United States’ economy was in recession (although discussion still occurred over its start or its possible duration). This led to the passing of the American Recovery and Reinvestment Act (ARRA) in February 2009. ARRA specifically mandated funds for higher education, along with a maintenance of effort (MOE) clause for states.\(^4\) The table in Appendix 2 reflects the mandates of this act: the 2009-10 table shows $70.6 billion from the states (down from $74.4 billion in FY ’09, a 5% decrease) and $3.8 billion in ARRA (labeled Federal Stabilization Funds; FY ’11 shows $72.4 billion in state appropriations and $2.4 billion from ARRA—in total a minuscule difference and matching within fractions the FY ’09 amount (Grapevine, n.d.).

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\(^3\) Arguably, the CFA did have job actions, including a one-day strike at two campuses in November 2011, but as management did not evoke its rights under a work stoppage, for labor law purposes the CFA actions were political actions, not work stoppages.

\(^4\) A lengthy explanation of “MOE” appears in (Alexander & Thomas Harnish, 2010).
When we move to post-ARRA appropriations, we see a major deterioration in the money provided for public higher education in the United States, $68.2 billion were appropriated by the states from tax appropriations—a drop of 8.8% from the $74.8 billion of ARRA supported funds of the year before (and $74.4 billion in FY ’09 & ’10) (Grapevine, n.d.).

As faculty collective bargaining commenced in 2010 and 2011—no contract discussed here settled in 2010 before the 2011 proposed cuts—bargainers were aware of reduced state support and the likely end of ARRA funds (there was speculation of some extension that never occurred). Stagnation of wages and depressed employment rates made significant tuition increases to fill in the gap unlikely and politically dangerous. Furthermore, this was in the context of a generation-long tendency to move from permanent faculty to often non-represented temporary faculty (adjuncts) when staffing classes or even whole programs.

A quick look back at the predecessor contracts provides some context for expectations from the labor side in terms of ATBs and health care payments. The CFA contract of 2006-10, settled in April 2007, provided a 20.7% increase over the four years (Doyle, 2007); the APSCUF settlement in July 2007 for four years announced a 10% increase, along with a lump-sum payment, but the early newspaper coverage reveals increased premium share of 5% (Raffaele, 2007); the UUP agreement of December 2007 called for a retroactive 3%, then 3%, 3%, and 4% ATBs; the original press coverage mentions “a small increases in their co-pays” (Bandhold, 2007); the IFO two-year agreement reached in February 2008 called for two 2% increases (Harlow, 2008).

It is worth noting, however, that the CFA contract was very much affected by the 2009 cuts—in fact, the faculty voted to accept furloughs in the summer of 2009. According to news reports, these furloughs, originally vaguely proposed by CSU Chancellor Charles Reed as “two days per month,” amounted to “a nearly ten percent pay cut” (Nealon, 2009).

That CFA concession proved a harbinger for the nature of the CBAs that followed among these four bargaining units—it does not take long to see the difference made by one contract cycle after the Recession. The CFA garnered only a lump sum payment in the fall of 2013 in the current cycle, while APSCUF negotiated a 4% increase over their 2011-15 contract. The UUP contract, for five years, was three years of no increase with two 2% increases in the last years (a total of 4%), and Minnesota has agreed to two two-year contracts with one year of no ATB.

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5 A standard definition is “employees accept a reduction in wage rate, benefit, or work rule they already enjoy. [Or] they foreswear future improvements in pay, benefits, or working conditions that they might have hoped to obtain” (Mills, 1983).

6 The settlement of the successor agreement of 2014, in October 2014, does, however, include a 3% ATB—a substantive difference from the post-Recession CBA of 2013.
Compared with the Bureau of Labor Statistics Consumer Price Index (Chart 1) these increases, or lack thereof, reinforce the headlines about wage stagnation, both in the U.S. generally and in academe via the AAUP annual numbers and their publicity.\textsuperscript{7}

### Chart 1: Faculty Contracts vs. CPI

![Chart 1: Faculty Contracts vs. CPI](image)

#### The Recession and State Spending on Higher Education

Before delving into the various agreements after the Recession, an important step in any analysis is to see how states, who control the direct higher education appropriations in the United States, reacted. According to the New America Foundation, the disbursement of State Fiscal Stabilization Fund (SFSF) was inconsistent from state to state (New America Foundation, 2011, pp 4-8). California used 59.5\% of its allocated funds on higher education in the first year, fiscal 2009, because “California faced one of the largest budget shortfalls in the country” (New America Foundation, 2011). None of the other three states did anything that extraordinary in their use of the funds.

However analyzed, the ARRA and education-focused SFSF dollars effectively avoided cuts in education until fiscal year 2012, as seen by Chart 2.

\textsuperscript{7} A basic assumption running throughout this study is that matching inflation—whether in state appropriations or in salary—is a goal. This assumption was a given for some decades, but has become less so as the nation has gone through wage stagnation since the Reagan Administration.
Not surprisingly, as it is by far the largest economy, California cut its budget by the largest number of dollars in FY2012—from $11.316 billion to $9.473 billion (Grapevine, n.d.). Like others we are going to see here, this proposed and legislated reduction came just as the faculty collective bargaining agreement was being negotiated, as the CFA agreement expired in July 2010.

As Chart 2 illustrates, California may have had the real dollar largest cut, but Pennsylvania suffered the largest percentage cut (18%) of the four and, the third largest in the period in the country, behind Louisiana and Arizona (Grapevine, n.d.). In fact, the Pennsylvania budget passed within hours of the expiring of the APSCUF faculty (and coaches) collective bargaining agreement.

Minnesota’s cuts were also large (8.6%) (Grapevine, n.d.). Like APSCUF, Minnesota’s IFO agreement with the State expired on July 1, 2011, leaving the union to negotiate as the legislature debated huge cuts.

New York’s story is similar: an FY2012 decrease of “only” 5%, although New York took a cut in FY2009, in effect softening their blow and, visually, flattening their graph in Chart 2. The UUP agreement with the State of New York also expired in July 2011, and, much like the APSCUF accord, was not reached until February 2013 with a back-dated five-year duration.

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8 Governor Tom Corbett actually proposed a larger, 54% cut in his budget address in March, which was revised by the General Assembly in June (Moltz, 2011).
ATB Increases After the Recession (2009-13)

A survey of the agreements reached after the Recession by these four large faculty bargaining units and their state (or Commonwealth) agents shows that the agreements were all reached after near or historically protracted negotiation periods. The CFA agreement took two years of negotiating after the expiration; the APSCUF and UUP agreements were settled within days in February 2013, after a matching expiration date 19 months earlier in July 2012. The IFO successor agreement settled 18 months after expiration.

Not surprisingly, the first CFA agreement after the Recession had some complexity in placing the wages negotiated into context given the nature of the Recession in California, as highlighted by the state appropriation changes discussed above. First, California went as early as possible to SFSF for higher education (2009), and then the 2011 cuts were the largest in dollars, almost $2 billion, in the country. In between those two events was sandwiched an agreement that included furloughs and then the expiration of the CFA-Cal State 2006-2010 CBA; it is not surprising under these extreme conditions that the two sides did not reach agreement until the state picture became more settled.

The CFA-Cal State agreement is labeled “2012-14,” but covers the “status quo” of the previous two years this way: “For Fiscal Years 2010-2011, and 2011-2012, no general salary increases shall be implemented” (Collective Bargaining Agreement). The follow-up Memorandum of Understanding (MOU) signed in August 2013 called for a lump-sum payment of “approximately $960 (Reopener bargaining agreement reached). Looking at the AAUP annual salary schedule, for an assistant professor in the system, it is somewhere in the neighborhood of 1.5% (see Table 1). The agreement expired on June 30, 2014, which was not settled until October of 2014.

The APSCUF agreement, agreed to in February 2 but signed in July 2013, two years after the expiration of the predecessor agreement, is slightly more generous, but, as Chart 1 indicates, still fails to keep Pennsylvania faculty salaries equal to the inflation rate. Article 22.A provides increases of 1% retroactive to fall 2012, 1% in 2013, and 2% in 2014 (Association of Pennsylvania State College and University Faculties, n.d.). Unlike the explicit language in the CFA agreement, unspoken is the lack of any increase in 2011, even as the agreement is dated as though in place from July 1 of that year.

The recent IFO contracts have typically run only two years. The two sides settled in January 2013 after 18 months of negotiations past the expiration on an agreement that does not have an ATB for Fall 2011. It provides a 2.2% ATB increase in Fall 2012 (Minnesota Public Radio News, 2013). The successor agreement, dated 2013-15, calls for ATB increases of 3.2%
and 1.45% (Summary of economic changes in 2013-2015 IFO/MNSCU tentative settlement. n.d., p. 1). Again, looking at Chart 1, it is clear that the salaries of Minnesota faculty represented by IFO have not kept up with inflation, either. In fact, a comparison of average salaries in 2008 from the AAUP versus inflation indicate the average IFO member at the assistant professor rank would be $3,400 below inflation in Fall 2014 (after increases; see Table 1).

Table 1

<table>
<thead>
<tr>
<th>Assistant Professor Salaries Over Time V. Inflation (in $1,000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSU-Dominguez Hills</td>
</tr>
<tr>
<td>F08</td>
</tr>
<tr>
<td>$70.3</td>
</tr>
<tr>
<td>CSU-East Bay</td>
</tr>
<tr>
<td>$71.3</td>
</tr>
<tr>
<td>Kutztown (PA)</td>
</tr>
<tr>
<td>$60.3</td>
</tr>
<tr>
<td>Oswego (SUNY)</td>
</tr>
<tr>
<td>$54.0</td>
</tr>
<tr>
<td>Winona (MN)</td>
</tr>
<tr>
<td>$57.3</td>
</tr>
</tbody>
</table>

Where the Minnesota IFO typically has two-years contracts, the settlement of February 2013 between the UUP and New York State calls for a five-year period (2011-16 New Contract Provisions, 2013). This is another contract that speaks to multiple years without ATB increases, three, then two 2% increases in July 2014 and July 2015. Other clauses indicate the environment under which the agreement was negotiated (see “Deficit Reduction Plan” p. 2 of 2011-16 New Contract Provisions, 2013). Chart 1 indicates how the UUP fails to ever connect with inflation, although, for one brief moment in 2014, they come close. Table 1 shows the average assistant professor salary versus inflation for a UUP member lost over $5,000 (without concern with other elements of the CBA).

Seniority Step Increases in Post-Recession Contracts

Where ATB increases are seen as a matter of fairness, seniority steps have been more controversial. As described above, the collective bargaining atmosphere was not conducive to increased expenditure on faculty, and, tuition increases were not seen as an option for increasing

9 This number is reached by running the 2008 salary, $57,300, through the BLS inflation calculator up to 2014.

10 The UUP’s “unusual” timeline of July changes reflects the New York union’s mix of faculty and staff professionals. The latter will benefit from July increases, rather than waiting for the fall semester to begin.

11 In terms of nomenclature, different collective bargaining agreements use different terms for this phenomenon: the CFA uses “SSI”; APSCUF uses “annual increments”; SUNY uses “step advancement”; IFO uses “service award”. On the question of use of seniority increases, see for instance (Bratsberg & James F. Ragan Jr, 2003).
university revenue to cover super-inflationary increases (see for instance Ehrenberg for
discussion of tensions on universities and states on tuition). Thus, it is not surprising that the
notion of a “seniority increase,” a step added to a faculty member’s pay after a year of service,
was jeopardized in the post-Recession contracts as the two sides negotiated sporadic (i.e. not
annual) seniority increases.

The CFA agreement sets the pattern: the CFA contract calls this kind of increase an “SSI”
(Service Salary Increases) and in 2011-15 says “For Fiscal Years 2010-2011 and 2011-2012, no
Service Salary Increases shall be implemented” (Collective Bargaining Agreement 31.23). The
language of the CFA-Cal State agreement makes SSIs seem less than automatic,“ An employee
shall receive written notice of denial of a Service Salary Increase as soon as is practicable after
the denial decision” (Collective Bargaining Agreement 31.20). What is clear is that for two of
the four years of the agreement, CFA faculty did not receive an SSI.

The APSCUF agreement moves this up a notch: called “Annual Increments” (Association
22.B), the 2011-2015 contract calls for one “with the 11th pay of the 2012-13 academic year,”12
then adds increments in the Fall of 2013 and 2014. However, like the CFA-Cal State agreement,
though not as explicitly, no Fall 2011 step is included. The mid-year step is unusual, though not
unprecedented in academic collective bargaining, especially given that the settlement was in
February 2013, mid-way through the 2012-2013 academic year.

Looking at the post-Recession IFO agreements13 have yielded one “step advancement” (the
language of the IFO summary) in each two-year agreement: one in Fall 2012, another in Fall
2014 (2011-2013 IFO Master Agreement Summary of Significant Terms, 2013; Summary of
economic changes in 2013-2015 IFO/ MNSCU tentative settlement, n.d.). This arrangement,
which begins to make alternate-year “advancement” the norm, matches the CFA’s explicit
arrangement of two years without a step increase.

The UUP CBA, which covers five years, calls for “Service Awards” of $500 for
As indicated in Table 1, the average salary for an assistant professor was approximately $54,000,
making those awards equal to less than 1%. However, that the CBA does not include language
excluding service awards every year makes the UUP unique among the four contracts in
negotiating an increment for every year.

12 APSCUF faculty, as indicated by the scales in Article 22, are paid on a base of 20 pays per annum, with a 26-pay
option.

13 Reminder: the agreements have had two-year terms.
The case of seniority steps after the Recession shows that for three of the four unions, and especially the IFO, with two contracts without a seniority step in each year, the historical expectation of an annual step has been undermined. With that precedent in hand, it will make interesting to see what is negotiated in the post-Recession era, as inflation stays steady and wage stagnation becomes an issue among the collective bargaining public universities.

Analysis

The above descriptions leave a clear suggestion that the cuts in state appropriation to four universities in 2011 led to difficult negotiating circumstances for the unions in that period. First, all four unions faced historically long negotiations (as did their management partners), and the CFA’s October 2014 settlement, three-plus months after the expiration of the 2010-2014 contract, indicates further issues moving both sides past the terminal date.\footnote{Discussion of length of negotiations artificially uses the termination date of the previous contract as a measurement; given the non-public nature of negotiations before then, it is hard to calculate the precise date of the first meeting.}

Next, both sides in the four sets of negotiations accepted the economic environment and signed agreements that did not include an ATB in every year. Sometimes this was explicitly indicated in the agreement, as in the CFA wording, but in others it was implied by the lack of explicit wording signifying increases, as in the APSCUF wording. It is not difficult to match those years without an ATB, mostly in 2011, the year of the state appropriation cuts in all four states, to the Recession and the post-SFSF funding decreases for higher education found in Chart 2 and Appendix 2. Like other elements of these contracts, it will be interesting to see the terms of the next agreements now that some may see it as “automatic” that ATBs are no longer given. Will the unions be able to return to annual increases in the post-Recession environment? The CFA’s October 2014 agreement, which has a 3% increase, may indicate a new phase in the financial environment for faculty negotiations (FAQ: CFA/CSU Tentative Agreement, 2014).

Also interesting is the status of seniority steps in the post-Recession environment. Only the UUP contract provides an increase every year, while the IFO has two successive contracts (2011-13, 2013-15) that fail to provide an increment in the first year. The CFA explicitly did not have AY2011 and AY2012 increments, and APSCUF did not have an AY2012, and the AY2013 step came at mid-year (rather than back-dating to the usual fall timing).

So far, this discussion has not talked about the hypothetical savings of these “concessions” by the unions.\footnote{See note 4 for definition from Mills (1983).} Doubtless, not only are these hard to calculate, but it is also true that they fall
under Mills’s second definition “might have hoped to obtain.” However, it is clear that management in all the analyzed contracts “saved” by not paying an ATB in 2011, and in most circumstances by not paying any kind of seniority increase.16 Given the size of the varied units—25,754 in California, 6,054 in Pennsylvania, 32,019 in New York, and 3,430 in Minnesota (Berry & Savarese, 2012), it does not take much to calculate the “savings” netted by the system.

In fact, using Table 1, showing the sub-inflationary salary increases for assistant professors in the four bargaining units, one can calculate huge savings from the “concessions” of these agreements. California’s savings can be calculated at $32 million (multiplying the size of the unit by the smallest difference between inflationary increases and the reported salary figure); Pennsylvania’s $2.5 million; New York’s $174.8 million; Minnesota’s $11.7 million. Other ways exist to calculate these prospective savings from the various units, and we have not calculated the savings from other benefits, but it is clear the savings are significant.

The 2008 Recession and its aftermath, including the ARRA and SFSF, led to significant effects on the collective bargaining agreements negotiated by four of the nation’s largest faculty units in its aftermath. All of the agreements took lengthy periods of time to negotiated, included at least one year without an across-the-board increase, and three of the four took some skip of a seniority step during the period from 2011 to 2015. The recent CFA agreement for 2014 and beyond indicates the next series of contracts may change that pattern, but it will be interesting to analyze the deeper savings in the contracts in benefit concessions, the non-financial aspects of the CBAs, and the pattern of salary, benefit, and non-financial aspects of the successor agreements.

16 This article only considers across-the-board and seniority step salary increases; many other ways exist for financial concessions to be gained from unions. However, analysis of other concessions in the post-2011 cuts CBAs will need another article, as the complexity of the analysis from one system to another calls for lengthy discussion.
References


Appendix 1

NBER Chart on Recession

Recession Inflation Rate (by Quarters)
### Appendix 2

#### Grapevine Table

**State Fiscal Support for Higher Education, by State, Fiscal Years 2008-09 (FY09), 2011-12 (FY12), 2012-13 (FY13), 2013-14 (FY14)**

<table>
<thead>
<tr>
<th>State</th>
<th>FY09</th>
<th>FY10</th>
<th>FY11</th>
<th>FY12</th>
<th>FY13</th>
<th>FY14</th>
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<tr>
<td><strong>Total</strong></td>
<td>1,240,903,000</td>
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<tr>
<td><strong>Excludes government services funds used for modernization, renovation, or repair.</strong></td>
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**Notes:**
- *FY2014 figures on state support for higher education represent initial allocations and estimates made by the states from September 2013 and are subject to change.
- **State monies include state tax appropriations and other state funds allocated to higher education.**
- **Includes education stabilization funds used to restore the level of state support for public higher education.**
- **Excludes government services funds used for modernization/renovation, or repair.**
- **Includes rapidly rising appropriations made to the State Universality Retirement System (SURS) to address the National underfunding of pension programs. These SURS appropriations do not go to individual institutions or agencies and are not available to be used for educational purposes.
Appendix 3

Chart 3

*Pre-Recession Contract ATBs*

- BLS CPI
- APSCUF
- CFA
- UUP
- IFO

2007 2008 2009 2010

-1% 0% 1% 2% 3% 4% 5% 6%