Panel: Negotiating Over Job Security for Contingent Faculty - The Three Legged Stool

Judi Burgess
Boston University

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The Three-Legged Stool

How SEIU Local 500 collective bargaining agreements are improving job security for part-time faculty.
The Problem

- Most part-time faculty are hired semester to semester
- Often at last minute - “just-in-time” hiring
- Employment lasts only for the semester - “just-at-will” employment
- No protections on renewal from semester to semester
  - Difficult to plan teaching schedules
  - Difficult to calculate income
  - Last minute hiring makes it difficult to prepare for the semester
Part-time faculty have been called the “Academic Precariate”

The Precariat: the working poor

- Low security
- Low wages
- Job not career
- ‘Flexible’ in negative senses
- ‘disposable’
JUST LOST NEXT TERMS TEACHING —
NO NOTICE, NO THANKS,
NO JOB
Other factors contribute to insecurity:

- Evaluation on performance only from students
- No feedback from other faculty
- No process to question an unfair evaluation
- Performance issues can be ignored during the semester and non-renewal used to get rid of someone
Insecurity is problematic for students and academic freedom

- Lack of job security threatens academic freedom and the ability to maintain high academic standards
- High turnover of adjuncts negatively affects students
Just cause standard for discipline and dismissal

Good faith consideration

Fair and transparent evaluations standards

Job security
“Just Cause” – protects adjuncts during the semester when they are teaching

- Protects adjuncts against unfair discipline or dismissal during course of the semester
- University must present evidence of wrong-doing
- University cannot act in capricious or arbitrary manner
- Due process
“Good Faith Consideration” - protects right to be reappointed

- After teaching for a certain number of semesters (like a probationary period) adjunct must be reappointed to the “same” course, or course load (Montgomery College), except in certain circumstances outlined in the contract.
- Rolling timeframe in most contracts - you must teach the course 4 times in 5 years, so can take a semester or academic year off and retain reappointment rights.
- The good faith consideration adheres to the course, not the professor (except at Montgomery College).
- Poor performance may be a reason for non-renewal.
- Other reasons include:
  - Full-time faculty member will teach the class.
  - Course not offered in subsequent semesters.
  - Cancellation due to under-enrollment.
  - Fiscal, programmatic reasons.
Good Faith Consideration also includes:

- Provision where department has to reasonably consider offering a replacement course if adjunct’s course is not renewed in some circumstances

- Department Chair must give adjunct the opportunity to address a performance problem before it can be used to justify non-renewal

- If replaced by a “star” adjunct, the displaced adjunct gets 75% of the fee for the course and restoration of GFC in certain circumstances
Evaluations - protects from unfair and narrow assessment of performance

- Multi-faceted and standardized evaluation that includes
  - Classroom observation
  - Student feedback
  - Self-assessment
  - Other materials
- Ability to challenge evaluation and request review
- Ability to grieve evaluation under Grievance and Arbitration (3rd party binding arbitration)
- Student feedback cannot be the sole measure of teaching performance
Avoiding the domino effect:

- Pure seniority in assignment of courses can lead to endless cascade of bumping other adjuncts
- L500 members wanted to avoid this
How it has worked out

- Good for PT faculty who teach the same course each semester or fall and spring
- Not so good if you don’t always teach the “same” course
- Some universities have started holding interviews for adjunct positions
- “If we hire you to teach a course 3 times, we are stuck with you…”
- Having job security empowers adjuncts to act on other issues