

AFUM FLASH UPDATE

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8/23/2018

AFUM wins Arbitration

UMS citing BOT policy, primarily the College of Liberal Arts and Science at UM, decided that the administration could create a parallel evaluation process whereby ALL FACULTY were subjected to a YEARLY administrative evaluation (carried out by the Chair). Such evaluations are clearly prohibited by the Contract, but UMS disagreed. An Arbitrator ruled in favor of AFUM.

Your Chair/Director may not conduct any evaluations outside of the contractual review process.

The AFUM arbitration was prepared by Stephanie Von Glinsky (AFUM Uniserve Director). The resources to defend members' rights comes from our members and the members of MEA and NEA.

The groups behind JANUS seek to starve unions of resources to prevent them from advocating effectively for members.

Furthermore, in practical terms, it is hard to imagine how the two-track evaluation system would play out without seriously eroding the contractual procedures. Faculty would be subjected simultaneously to two different assessments of their performance by two different entities, creating confusion about the University's expectations. There would also be considerable uncertainty about which were the truly influential evaluations when it came to personnel actions. The administrative reviews in evidence were placed in the recipients' personnel files, which would seem to encroach upon, or dilute, the judgments of the peer committee. All of this would undermine the painstakingly crafted framework of Article 7, 9, and 10.

{From arbitration award}

UMS Retrenched Members update

When 13 USM tenured faculty were retrenched in 2015 it wasn't enough for USM to destroy their jobs, UMS decided that they should not receive back wages. As most of us are on academic year appointments we earn 1/9 salary each month but are paid 1/12. When you leave UMS, for any reason UMS pays you your back wages, except, UMS alleged, unless you were retrenched.

AFUM won the arbitration that made UMS pay retrenched faculty all their back due wages as well. These members had to wait to receive their own money until the arbitration was completed. State law however requires that wages be paid when due, otherwise double damages are assessed.

Our retrenched members, with legal support from MEA & NEA, sued UMS for these damages. A settlement was reached days before the court date.

The arbitration win, the suit and settlement could not have happened without the support of MEA and NEA and all the members they represent.

Another extremist attack

On Tuesday morning a Sherriff pulled into my driveway. He served me, on behalf of AFUM, a Summons in a Civil Action of a civil suit (US District Court) filed by Jonathan Reisman seeking to end AFUM's, and by extension, all Unions, sole and exclusive agent role. This suit is just the next phase in a multiprong attack against Unions following the Janus decision (which was settled law prior to the 5/4 reversal). The goal is to weaken unions, weaken workers and the middle class, to the point that they are ineffective in their role of balancing the financial power of most employers (i.e. Citizen United).

One tactic these groups use is to keep repeating lies. One of these lies was featured prominently in today's BDN article (Does the BDN have any responsibility to correct factually incorrect information?).

The dominant lie featured in the article is that MEMBER's DUES are used to support or oppose candidates. Unions do NOT use member's dues to support or oppose candidates. Any support for candidates comes from extra, voluntary PAC

contributions (Both MEA and NEA have PACs and I am proud to contribute to both to improve and protect education at all levels and human dignity).

In no credible way does a Union's position (which is ultimately determined by Directors elected by the members with input from elected leaders, such as me) restrict anyone's ability to speak on their own behalf or petition the government. All members are free to speak, vote and act as they wish. The misdirection is clear, powerful interests continue to target unions. They are doing so for their own interest; not to expand speech rights.

Wages & falling behind

Inflation rates are rising, and like most, our wage increases are not keeping up with increased costs. As we prepare for the next round of negotiations it is critical that we unite to secure better wages. While the negotiating team (NT) takes the lead on this issue, success requires the active support of all members.

The Future

(from June Update)

I have asked the AFUM Executive Board to put special focus on an issue for the upcoming year, Post-Tenure review. Post tenure review is too often misused by administrators and sometimes by faculty peers. You can expect future issues of the AFUM Update and communications from your Chapter President to focus on proper use, and ending abuse, of post-tenure.

In addition, AFUM is continuing to focus on academic freedom and speech rights. Special attention is being focused on effects of EO/HR investigations that limit speech and freedom, and speech restrictions imposed on faculty in Cooperative Extension (an on-going grievance).

Wishing us all a great Fall Semester