

FYI

Information
For Your

SUNY/United

October 5, 1973

Representatives for SUNY/United and the Office of Employee Relations (OER) met on October 1 with PERB Hearing Officer Janet Axelrod on the OER proposal for designation of management/confidential titles.

From SUNY/United were President Larry DeLucia, Attorney Richard Symansky, and Executive Director Fred Lambert. Our position was that not only did we object to the titles proposed by OER but we also demanded certain "performance programs" for each title as well as "position specifications."

According to President DeLucia, "The union was prepared to use subpoena powers, if necessary, to secure the position information for each title. The job specifications demanded are vital information for establishing our position on the OER proposal."

SUNY/United has demanded that Central Administration withhold any and all action that may affect the terms and conditions of employment for any employee whose title is being proposed as M/C while the procedure is in progress.

In preparation for the conference with PERB, Larry DeLucia conferred with resource people including: Vice-President Pat Buchalter of SUNY-Albany; Secretary Dorothy Gutenkauf; and two former Vice-Presidents, Alan Willsey of Cortland and John Valter of Stony Brook H.S.C.

As a result of the conference, OER agreed to supply the requested information no later than October 17. PERB indicated that both parties would be reconvened at the end of October.

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The SUNY/United chapter at Oneonta held a campus social on October 4. Secretary Dorothy Gutenkauf brought the greetings of the Central SUNY/United office.

Chapter President Dennis Shea acted as host and others present included Fred Miller of the Executive Board and Ed Wesnofske, Legislative Committee Chairman; NYSUT Regional Coordinator Bob Manners and Field Representative David Kleinstuber were also in attendance.

* * *

Leila Moore, chairperson of SUNY/United's Grievance Committee, has announced that a survey of campus grievance chairpersons is being conducted in order to obtain input for the contract reopener. Material obtained from the campuses will be reviewed the week of October 8, with an update report due to the Delegate Assembly on October 13.

* * *

On Thursday, October 3, two third-step grievances were presented by SUNY/United. Questions revolved around sabbatical leaves and retirement. Director of Administration Harvey Randall represented the Office of Employee Relations and Jack Stein and Ellen Suarez represented the grievants.

The next voice you hear. . . . You may have noticed a new and pleasant greeting on our Central Office telephone. This is the voice of the latest addition to our staff, Mrs. Linda Sloan, who is now functioning full-time as receptionist-secretary.

* * *

Tuition waiver surveys coming in. . . . Eleven campuses have responded so far with reports on the tuition waiver situation. The matter is being reviewed to develop the most appropriate course of action.

* * *

Secretary Dorothy Gutenkauf and family are ensconced in their new Albany home. Their address is 555 Myrtle Avenue, 12208; telephone, 518-482-6177.

* * *

Preparations are nearly completed for mailing the ballots for the new referendum on Article XX approval as authorized at the last Executive Board meeting.

* * *

PERB has notified CSEA representatives Attorney James Roemer and Richard Glasheen that their presentation on showing that splitting our bargaining unit would be appropriate had "not met the test." The PERB notice followed a pre-hearing conference held September 21.

PERB allowed the petitioners until today, October 5, to file an affidavit with any additional claims they would like to make. Failure to provide information or evidence to meet the "test" would obviate the need for a hearing.

* * *

On October 3 eighteen campuses were represented at an Advisory Committee on Negotiations meeting which took place at Albany. The all-day session generated input for the Negotiating team headed up by Leland Marsh. Officers present to greet the members included President DeLucia, Vice President Fred Burelbach of SUC-Brockport, Vice President Patricia Buchalter of SUNY-Albany, and Secretary Dorothy Gutenkauf. Approximately forty members were in attendance.

The Negotiations Committee met the next day to advance the preparations for the upcoming reopening of the contract. Negotiations Specialist Ron Uba of NYSUT attended both sessions.

* * *

President DeLucia was the guest speaker at the recent Plattsburgh annual Fall dinner meeting, hosted by President Herman Doh of the SUNY/United chapter. In his speech, President DeLucia expressed concerns that any action indicating internal difficulties might be fatal to the Article XIX settlement as well as to future negotiations.

Lee Clark of NYSUT's regional office at Plattsburgh was also on the program. Other guests included: Gary Duesberg, NYSUT Executive Board member and NEA Director; and representatives from the Police Benevolent Association and Labor.

* * *

SUNY/United - 15 Computer Drive, Albany, New York 12205 - (518) 458-7935

FYI

Information
For Your

SUNY/United

September 28, 1973

Officers Air Concerns

SUNY/United Leaders--meeting with Chancellor Ernest Boyer on September 18--called to his attention two important issues which have been the subject of discussion throughout the university.

The Chancellor was alerted to the concerns of the officers relative to any change in the funding of tuition waivers on campuses. During the exchange, the officers also pointed out the need for funding promotions without reduction of other programs.

The SUNY/United officers in attendance with President DeLucia were Pat Buchalter, V.P.-N.T.P.; Joseph Drew, Treasurer; Anne Willcox, Membership; and Dorothy Gutenkauf, Secretary.

* * *

Campuses around the state are alerting SUNY/United Central of local administration attempts at unilateral determination of working conditions. SUNY/United is standing strong against any arbitrary decisions or dealings with any other organization or body. Copies of Chancellor Boyer's letter, dated September 8, 1972, reaffirms clearly that all matters relating to salary, hours, etc., would be carried on only between the university and SPA-SUNY/United. These copies have been distributed to all Chapter Presidents.

* * *

Certain campus administrators are attempting to reduce tuition waiver allowances for employees.

President Lawrence A. DeLucia is in the process of surveying all state campuses to determine where the problem areas exist.

SUNY/United's position--tuition waivers are a benefit which cannot be reduced unilaterally--is that appropriate action will take place if necessary to prevent such action.

* * *

SUNY/United members in the news - John Grosvenor, Professor of Arts and Languages at Cobleskill has been named as "Distinguished Teaching Professor" by Chancellor Ernest Boyer. The new rank was awarded to eight other professors within SUNY.

* * *

The Office of Employee Relations has been notified that SUNY/United intends to proceed with "full-steam-ahead" on ten pending arbitration cases. OER has assured SUNY/United that they will cooperate fully. The newly-formed Grievance Committee--Leila Moore (Albany) and Fred Burelbach (V.P. Academic)--participated in the review of all pending cases at the arbitration level.

* * *

The Advisory Committee on Negotiations will consult with the Negotiations Committee before it returns to the "table" early in November.

According to chief negotiator, Leland Marsh, the new Committee consists of one N.T.P. and one Academic from each campus, selected by the Chapter Executive Committee.

* * *

A pre-hearing conference before PERB concerning CSEA's petition was recently held in Albany.

Representing SUNY/United were President Lawrence A. DeLucia, attorney Noel Cohen, and Executive Director Fred Lambert. CSEA participants and representatives from the state were also in attendance.

PERB hearing officer, Janet Axelrod, said she would "take the matter under advisement and make a recommendation as to whether or not a hearing should be scheduled."

* * *

SUNY/United Negotiating Committee met in Syracuse September 27. Chief Negotiator Leland Marsh reports that the committee is moving forward in shaping proposals and correlating information from various campuses. President DeLucia was in attendance, as was NYSUT Negotiations Specialist Ronald Uba of Buffalo. The next meeting is scheduled for October 4.

* * *

Talks between the Chancellor's office and SUNY/United began last week as the initial meeting for the new Joint Committee on Articles 33 and 34 was set for early October.

Committee members--appointed by Lawrence A. DeLucia--are Patricia Buchalter (V.P.-N.T.P.) and two former N.T.P.-V.P.'s--Alan Willsey (Cortland) and John Valter (Stony Brook H.S.C.).

Joint meetings will be held on a regular basis to discuss and review problems of Article 33 and 34 implementation.

* * *

Preparations should be under way on your campus in observance of STATE UNIVERSITY DAY - October 13.

SUNY/United chapters can use the opportunity to get the message across to the public about our unhappiness with the salary situation.

Contact Secretary Dorothy Gutenkauf-Central Office for further information and resource materials. Notify this office and the local news media of your plans.

* * *

Reminder -- SUNY/United Fall Delegate Assembly is scheduled to convene on Friday evening, October 12, in Albany.

Since officers relinquish their seats in the Assembly, new delegates must be elected to replace them.

* * *

SUNY/United
15 Computer Drive
Albany, New York 12205
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SUPPORT
AMERICAN EDUCATION WEEK
OCTOBER 21-27, 1973

FYI

Information
For Your

September 20, 1973

salary news

President Lawrence DeLucia has announced that the select committee established by the legislature to review the SUNY salary dispute met this week to continue developing their response to the fact-finders' report. He has already assured the committee that we are prepared to present supportive evidence or any additional input they may require.

* * *

Women teachers are entitled to receive sick leave pay for absence due to childbirth, the Connecticut Commission on Human Rights and Opportunities ruled recently. In a precedential case, financed by the Connecticut Education Association and NEA, the commission decided that teachers are entitled to accumulated sick leave pay for the time they are on maternity leave.

* * *

Strategies for the upcoming PERB hearing on Management/Confidential Titles were recently formulated by President Larry DeLucia, John Valter (S.B.HSC), Pat Buchalter (V.P.-NTP), Alan Willsey (former SPA-V.P.) and Dorothy Gutenkauf (SUNY/United-Secretary). Also present was the attorney who will represent SUNY/UNITED at the hearings, as well as Fred Lambert, SUNY/UNITED Executive Director.

* * *

Two academics at the New Paltz campus won term renewals, thanks to the successful negotiations by the Chapter leadership. Happily--after a direct appeal by the grievance chairman at Step 1--the grievants were awarded redress through local channels. Congratulations to New Paltz!!!

* * *

At the Buffalo College Campus, the SUNY/United Chapter leaders took a strong stand against the administration and won!! The college President attempted to change tuition waivers from the customary 100% to only 75%. In an open confrontation with him, SUNY/United defended the waivers as a condition of employment, hence only negotiable. The recent campus bulletin contained an announcement of waivers remaining at 100%--good work - SUNY/United.

* * *

SUNY/United officers have been invited by President DeLucia to join him in meeting with Chancellor Boyer on Friday, September 21st. Such meetings are in implementation of contract Article IX, Section B.

* * *

Presidents meeting

SUNY/United chapter presidents from across the state met with President DeLucia and the Executive Board last Saturday in Albany. Also at the meeting was Dan Sanders, NYSUT First Vice-President, providing details about the NYSUT supportive services package unanimously approved by the Executive Board Friday evening. Chapter presidents and grievance chairpersons have already been informed that the NYSUT regional service centers are at their service for assistance with local problems and Step 1 grievances. Many campus leaders--who have already taken advantage of the availability of higher education specialists at the regional offices--report that response to their requests for information and assistance have been quick and thorough. The chapter leaders also received a thorough briefing from President DeLucia on current developments relating to salaries, the management confidential problem, and challenges to SUNY/United. In addition, packets of informational materials for use in campus activities and recruiting were distributed.

* * *

President DeLucia will be the key-note speaker at the annual SUNY/United dinner at Plattsburgh.

Also scheduled to speak will be Gary Duesberg--a member of the NEA Board of Directors and the New York State United Teachers.

* * *

SUNY/United Central has been asked to survey all campuses to discover local policies dealing with Personnel Files.

Please let us know what documents are available, how faculty go about getting access to their files and any particular policies used by your administration to deal with the issue.

* * *

New service cuts prescription drug cost - NEA is announcing this week a new program designed to save members money on quality medicines and health-care items. Pharmaceutical Services, Inc., a mail-order pharmacy associated with Kansas City Research Hospital, has been selected to administer the program, which will offer NEA members and their families more than 1,500 prescription and nonprescription items at discount prices.

Members interested in the program should write to NEA Special Services, Room 404E, 1201 - 16th Street, N.W., Washington, D. C. 20036, for a copy of the "NEA Prescription Service Catalog."

* * *

We are receiving reports from chapter leaders at several campuses of new attempts by SUNY campus administrations to attempt to impose subtle changes in terms and conditions of employment through consultation with faculty governance bodies. Such activities are showing up in regard to tuition waivers, parking fees, and semester length--to mention just a few. Should similar problems arise on your campus, please let us know promptly so that we can help you resist such potential improper practices successfully.

* * *

SUNY/United
15 Computer Drive
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SUPPORT
AMERICAN EDUCATION WEEK
OCTOBER 21-27, 1973

FYI

Information
For Your

September 7, 1973

Tempo Picks Up in SUNY-United Activities

President Larry DeLucia recently met with representatives of the New York State Legislature regarding the status of the legislative hearing on negotiations.

The meeting, which was held in New York City, came as a result of continuing efforts to get a favorable response.

* * *

The SUNY/United negotiating team met Friday, September 7, in a planning session for upcoming negotiations. The team, which is chaired by Leland Marsh of SUC at Oswego, includes Gail Hotelling (SUATC-Delhi), O. Michael Lilien (Upstate Medical Center), John Valter (SUNY-Stony Brook Health Science Center), Janet Havens (SUNY-Albany), Bruce Lercher (SUNY-Binghamton), Michael Robbins (SUATC-Farmingdale), Edward Schaffer (SUC-Plattsburgh), Samuel Wakshull (SUC-Buffalo), and Samuel Shaw (SUC-New Paltz). President DeLucia was also on hand at this session.

* * *

Fred Lambert, Assistant to President Tom Hobart of NYSUT, has been working in the SUNY/United office for the past several weeks. Lambert is assisting in carrying out staff duties.

* * *

President Larry DeLucia attended the AFL-CIO Convention which concluded September 6 at Kiamesha Lake.

* * *

Ed Purcell, Assistant Executive Director, has resigned to take a position in Pennsylvania. Larry DeLucia wished Ed the best of luck in his new endeavors. "Ed's services will be missed by SUNY/United. Our loss is Pennsylvania's gain," he said.

* * *

NTP Vice-President Pat Buchalter and former NTP Vice-President Alan Willsey have agreed to participate with Larry DeLucia in upcoming hearings on State proposals to reclassify members of the unit as Management/Confidential. They will meet September 10 with legal and professional staffers. The first hearing is scheduled for September 13.

* * *

Ginny Carpenter, Administrative Assistant, has notified the SUNY/United officers that she wishes to terminate her employment effective September 14. Ginny plans to move to the Great Wide West.

* * *

Although we have not yet received official notice, it appears that a petition for separating Non-Teaching Professionals from the bargaining unit has been filed in behalf of CSEA. We are confident that this effort to divide our organization will be unsuccessful.

* * *

Quote of the Week: "The success factor of any organization is directly proportional to the percentage of membership." Let us know if we can help you to enlist more of our colleagues in SUNY/United.

* * *

President Larry DeLucia has been appointed by the United Teachers Board of Directors to serve on the Political Action Committee headed by NYSUT President Tom Hobart, as well as the Committee to Study the Goals for Elementary, Secondary and Continuing Education.

* * *

At Washington---AFT Convention Report

Political power for education through Congress -- political strength for teachers through a merger of AFT/NEA -- were priority topics at the AFT's 57th Annual Convention held August 19-24 in Washington, D.C.

More than 2,000 delegates convened at the Sheraton Park Hotel, including more than 700 delegates from New York State.

The SUNY/United delegation -- led by President Larry DeLucia -- included Fred Miller (SUC-Oneonta), Joseph Drew (SUNY-Buffalo), Edward Wesnofske (SUC-Oneonta), John Valter (SUNY-Stony Brook Health Science Center), Alan Willsey (SUC-Cortland), Sam Wakshull (SUC-Buffalo), Margaret O'Bryan (SUNY-Buffalo), Doris Knudsen (SUATC-Morrisville), Dorothy Codkind (SUC-Potsdam), Donald Duell (SUATC-Cobleskill), George McGinn (Maritime College), and Dorothy Gutenkauf.

The main thrust of the four-day meeting was teacher unity through merger. In his "State of the Union" address, President David Selden told the delegates that "the opportunity for teacher unity is at hand... demanding entry with the voices of three million teachers."

Attention at the Convention was also lent to the election of a veto-proof Congress in 1974. Delegates heard Senator Birch Bayh (D) of Indiana attacking President Nixon for his irresponsibility and abuse of power in impoundment of educational funds. The Senator stressed that the most important issue facing the nation was the separation of powers and the guarantees of the Bill of Rights inherent in the United States Constitution.

"All workers have more in common than in conflict" -- words of President Selden borne out by members of the Convention including SUNY/United delegates as they picketed the White House and a leading Washington department store to support striking employees of Farah Slacks.

A full report on resolutions from the Convention will follow.

* * *



August 31, 1973

Grievance wins

The most recent "success story" for SUNY/United comes from two campuses where active chapter leadership brought about grievance victories.

In one instance, the college President decided not to grant tenure to six qualified faculty members. He issued a memo to his deans stating that continuing appointment was to be denied because "tenure to the faculty involved would contribute to a

tenure percentage in excess of that recommended in a certain nationally-published discussion of tenure."

In so acting, the President established a tenure-quota by department for his campus. The chapter president - recognizing the seriousness of the situation - contacted SUNY/United officials.

With a combination of skills and energy - a significant settlement was won - as all six faculty received the continuing appointment requested.

At another campus, an NTP alerted his campus grievance chairman to improper procedures regarding his evaluation. The grievance chairman set about the task of filing a grievance and gathering the necessary documentation for the case.

As a result of quick action taken on campus, and in SUNY/United Central, correct procedures and rights were awarded to the grievant.

* * *

SUNY/United Officers met with Tom Hobart, NYSUT President and other NYSUT officials on Thursday, August 30, to discuss ways in which our affiliates can contribute to solving our immediate and long range problems.

* * *

REMINDER: Chapter Presidents and Executive Board plan to meet on September 14 in Albany.

* * *

Extra copies of the recent issue of VOICE are being distributed to each campus via Chapter Presidents. It contains an up-date of the salary negotiations - please be sure they are distributed - possibly as good recruitment literature.

It also contains information on retirement systems in the university which are important to new faculty.

The following is an excerpt of recent pension reforms from the special session of the legislature regarding New York State Teachers' Retirement System.

More complete information will follow to all members.

A. Chapter 1046 of the Laws of 1973, S.1-A.1, affects retirement plans for existing and new public employees. Generally, the statute embodies the recommendations of the Select Committee, chaired by Judge Milton Alpert.

1. FOR MEMBERS who last joined this System BEFORE JULY 1, 1973 all existing temporary provisions, except those relating to death benefits, are now permanent. Death benefit provisions are extended for an additional year.

2. FOR ANNUITANTS, the cost-of-living supplemental retirement allowance is increased by 6% for those retirees who retired prior to October 1, 1957. (The present cost-of-living supplemental retirement allowance and widow's supplemental allowance were extended for an additional year by Chapter 383 of the Laws of 1973. Under Chapter 382 of the Laws of 1973, restrictions on hiring pensioners apply to those hired as consultants.)

3. MEMBERS who join(ed) this System ON OR AFTER JULY 1, 1973 are covered during 1973-74 under previous existing temporary provisions, except those pertaining to death benefits. However, the following are applicable.

A minimum of five years of credited service will be required for retirement.

Final average salary will be based on the highest three consecutive years with certain exclusions, one of which will exclude that portion of any increase exceeding 20% of the average of the salaries for the two previous years. Five years of service with the current employer will be required for inclusion of salary in final average salary.

These members may retire at age 55 or older upon completion of at least 30 years of service, or at age 62 or older with less than 30 years of credited service, without reduction in benefits. Retirement between the ages of 55 and 62 with less than 30 years of credited service will be on a reduced benefit basis.

Persons who rejoin this System will be able to reclaim previous credit after five years of service under their new membership.

These members will have the choice (irrevocable) of 1) an ordinary death benefit including a death gamble provision of one month's salary for each full year of service up to a maximum of three years' salary after 36 years of service, or, 2) a death benefit (tapering after age 60 at the rate of 10% per year) of one year's salary after a year of service, two years' salary after two years of service, three years' salary after three years of service. The death-benefit provision for members who join at age 52 and later will be reduced.

For these members, Option 1 is discontinued. In its place are two new options--a "five-year certain" and a "ten-year certain," guaranteeing payment for five or ten years respectively following retirement. In case of the death of the retiree before the end of the "certain" period of time, each of the new options provides the retiree's estate or beneficiary with the undisbursed balance of the guaranteed amount. If death occurs after the "certain" period, the estate or beneficiary receives no payment.

B. Chapter 1047 of the Laws of 1973, S.10-A.10, an amendment to S.1-A.1, exempts teachers from statutory provisions in re to crediting part-time service, provided the System's pertinent rules and regulations are approved by the Permanent Commission on Public Employee Pension and Retirement Systems.



Delegates to AFT

SUNY/United's Committee on Elections tabulated some 900 votes cast for delegates to the American Federation of Teachers Convention being held August 19 to 24 in Washington, D. C.

Participating in the task of counting the votes were Doris Knudsen (Morrisville), Donald Duell (Cobleskill), Edward Wesnofske (Oneonta), Leila Moore and Patricia Buchalter (Albany). Twenty delegates were elected to represent SUNY/United at the meeting.

Those attending were led by President Lawrence Delucia.

Dorothy Codkind
Joseph Drew
Donald Duell
Dorothy Gutenkauf
James Gill
Doris Knudsen
George McGinn

Fred R. Miller
Margaret O'Bryan
John Valter
Samuel Wakshull
Edward Wesnofske
Anne M. Willcox
Alan D. Willsey

* * *

Attention! When reproducing dues deduction cards for local use, be absolutely sure that the rigid size requirements of the Comptroller's office are adhered to.

Maximum size is $7\frac{1}{4}$ inches wide and $3\frac{1}{4}$ inches deep.

Mass distribution of membership blanks (as in your newsletter) can be an effective recruitment tool, be careful of the size.

* * *

The SUNY/United Executive Board expects to meet September 14-15 in Albany.

* * *

The State-wide AFL-CIO Convention has been scheduled for September 5-7 at the Concord Hotel, Kianesha Lake, New York.

SUNY/United has been designated as Local #2190.

* * *

NEA Convention Report

By Doris U. Knudsen

- ITEM: Talks between AFT and NEA re: possible merger will begin this year.
- ITEM: 95% of the delegates voted in the election of officers and By-Law amendments--almost twice the usual percentage.
- ITEM: A new Constitution and By-Laws and Schedule of Transition was adopted.
- ITEM: New President-Elect: Jim Harris, Iowa; Elected Executive Committee Members: Roberta Hickman, Illinois, incumbent and Vivian Bowser, Texas.

A softening of the previous NEA stance against merger with AFL-CIO affiliates was apparent both in statements made during the week by Pres. Catherine Barrett and Pres. Elect Helen Wise to the convention delegates and to the press, and in business items adopted by the delegates. The only remnant of the previous hard-line attitude is the apparent refusal to consider actual AFL-CIO membership--at a cost of 10¢/member/month.

The large voter turnout seemed to be due in large part to the issues of merger, unity, desires for full professional status and full bargaining rights. These issues were forcibly brought to the attention of all delegates through the Cortese campaign for President-Elect, and the actions, on and off the floor, of the New York State delegates.

A second factor in the voter turnout was the amendment by substitution of the new Constitution and By-Laws. This document, written by a Committee between the present Constitution and the proposed Con Con Constitution, will go into complete effect 1 September 1975. This document moves the NEA closer to the times but 1) fails to accord a 'one-man one-vote' to the delegates to the Representative Assembly; 2) retains the requirement of 5 years active NEA membership for candidacy for office; and 3) institutes ethnic-minority representation which is difficult to interpret--much less comply with.

All of the candidates for office gradually altered their campaigns from personality, motherhood and apple pie to positions on the above-mentioned issues. Walter Tice, potential candidate from New York for the Executive Committee, was declared ineligible as he did not meet the 5 year active NEA membership requirement. This requirement was probably adopted to prevent an inexperienced (hardly an appropriate adjective to apply to Walter) person from obtaining a high policy determining position.

Other delegates representing SUNY/UNITED in Portland were Gary Barber (Fredonia), Minerva Goldberg (Buffalo), Dorothy Gutenkauf (Cortland), Kathleen Herbermann (Farmingdale), Margaret O'Bryan (Buffalo), and Mary Lou Wendel (Oneonta).

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DELEGATE ASSEMBLY TO MEET

FYI Information
For Your

August 17, 1973

The Fall Delegate Assembly of SUNY/United will be held October 12th and 13th at the Central Avenue Holiday Inn in Albany.

There will be a constitutional amendment submitted by the Executive Board dealing with our change of name. As you know, we are not legally permitted to use the name of SUNY/United. Once legal counsel has ascertained the availability of certain names, a recommendation will be forwarded to all delegates next month.

Credential forms will be forwarded to chapter presidents early in the Fall. Since officers relinquish their seats in the Delegate Assembly, new delegates must be elected to replace them. Please refer to the procedures specified in the By-Laws as amended.

* * *

Proposed By-Laws Amendments, in order, to be considered by the Fall Delegate Assembly, must be circulated at least two weeks prior to the Assembly.

If you have any proposed amendments to be considered by the Executive Board and the Assembly, please forward to Central Office, prior to September 5th.

* * *

Current SUNY/United Membership lists are being distributed and are available for inspection. Membership as of August 15, stands at 3,772 members which is down from 3,853 of June 30.

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Plentiful copies of the Agreement are readily available from Central Office - this could be used by chapter leaders as a recruitment tool for the new faculty members on your campus.

The Board of Trustees' Policies is available to all at local personnel offices.

MORE

SUNY \$\$ impasse holds; local official is angered

Ottawa News Service

ALBANY — The impasse between the State and SUNY-United, which represents some 12,000 professors and non-teaching professionals in the State University of New York (SUNY) system, seems to be still just that — an impasse.

Spokesmen for both sides in the contract dispute say there has been no movement and no negotiations.

Without a continuation of the talks that broke down last spring there is not likely to be a settlement until the Legislature convenes next January.

A legislative committee has been considering the impasse, but it didn't make a report on its hearings to the Legislature in time for action during the special session that adjourned earlier this week.

The failure of the Legislature to move to settle the dispute drew sharp criticism from Dennis Shea, president of the SUCO chapter of SUNY-United, yesterday.

"The failure to act . . . was a gross display of insensitivity by those who were responsible," Shea said.

"Our representatives bargained in good faith throughout the year and agreed, for the sake of settling the current

dispute, to accept the impartial factfinder's report. That report recommended a five per cent across the board increase for 1973-74 and an additional amount of 1½ per cent to be allocated for selected salary increases for meritorious performance," he said.

Shea argued that the overall cost of living has risen more than five per cent this year and that food prices have risen even more. "These facts of life have

been recognized in other state employees' contracts this year. By failing to act the legislature has callously cut by at least five per cent the purchasing power of the academic and professional employees of the State University," he said.

It is generally expected that when the contract dispute is settled, even if it does not come until January when the

Legislature reconvenes, pay raises will be retroactive.

Shea said SUNY-United officials' discussed their situation with Sen. Edwyn Mason (R-Hobart), long a critic of the SUNY system. "He stated that our position was reasonable and agreed to support the five per cent increase," Shea said, adding that SUNY-United appreciates that support.

Please send any press clippings you may pick up in your local newspaper to Central Office for state-wide distribution.

Feel free to adapt news items from FYI and THE VOICE for use as local press releases. If your Chapter does not have a local communications program - be sure to organize one during the early part of the school year.

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Congratulations to the SUNY/United Chapter at Downstate Medical Center for leading the organization in net membership gain this month with a total of 13 new members, followed with 5 new members recruited by the Plattsburgh Chapter.

MORE

Cases on Maternity Leave Taken to Supreme Court

By SYLVIA CARTER
Newsday

The battle over whether teachers have the right to work while pregnant may finally be settled by the U.S. Supreme Court, which has agreed to hear a case involving a social studies teacher from Virginia. Meanwhile the mandatory maternity leaves imposed by some school districts already have been toppled in several lower courts.

The Supreme Court accepted July 6 a brief filed by Susan Cohen, the Virginia teacher, and is expected to accept briefs in a case involving two junior high school teachers from Cleveland. The National Education Association, 1,200,000 members strong, is providing legal expenses and support to all three teachers.

THE TEACHERS ARGUE that forced maternity-leave policies violate the teachers' rights to equal protection under the 14th Amendment.

Also when they are forced to take maternity leave instead of sick leave, pregnant teachers are not paid for a period of time specified by the district. If they were allowed to use sick leave, they would be paid their regular salaries plus fringe benefits.

School boards have defended the maternity leave policies mostly on the grounds that they are protecting the health of the mother and the unborn child, that they are responsible for providing continuous education for children and that insurance rates would zoom if teachers were allowed to work in the last month of pregnancy.

Ms. Cohen, who in 1971 became the first teacher to successfully challenge such a policy in the lower courts, said in her petition that the maternity policy "must be viewed for what it truly is, an anachronism and nothing more."

MS. COHEN, who teaches in Chesterfield County, Va., asked that her maternity leave begin on April 1, 1971, after she learned that her baby would be born near the end of April. The county's board of education insisted that she quit teaching on Dec. 18, because its policy required teachers to go on maternity leave at the end of the fifth month of pregnancy. Although she won her case in a federal district court, the de-

cision was then overturned by the Fourth U.S. Circuit Court of Appeals. Ms. Cohen is appealing that ruling.

The Cleveland teachers, Jo Carol LaFleur and Ann Elizabeth Nelson, were forced to take unpaid leave from the fourth month of pregnancy until the beginning of the first school term after their babies became 3 months old. The Sixth U.S. Circuit Court in Cincinnati reversed a lower court ruling and ruled in favor of the teacher. But the Cleveland board of Education has appealed to the Supreme Court.

IN A LONG ISLAND case, the appellate division of the New York State Supreme Court this summer ordered the East Williston District to pay back pay and fringe benefits to two teachers for the month they were kept off the job. A Farmingdale, L.I., teacher also won a similar case in the Appellate Court in July, but the district is appealing the decision to the state's highest court, the Court of Appeals.

In the Farmingdale case, the district is appealing a decision by the state's Appellate Court that Mrs. Cyla Allison should be awarded more than six months in back pay, about \$7,000. The ruling in Mrs. Allison's case was based on the ruling ordering the East Williston district to pay Susan Arluck, a social studies and English teacher, and Rachel Curto, a physical education teacher, for four-month maternity leaves that they were forced to take.

While the appeals go on and on in case involving secondary School teachers, the State University of New York has adopted a liberalized maternity policy, making it possible for employees to collect accrued sick leave and vacation pay during pregnancy and afterward. The previous policy did not allow the use of sick leave for maternity, and the use of vacation time had to be approved by college presidents.

IT MAY TURN OUT that the school districts are fighting a losing battle against women and doctors who, as in the Cleveland case, confirm that the women are able to continue teaching as long as they wish. In that case, the court of appeals in Cincinnati noted that the board's rule originally was established partly so that pregnant teachers would not be subjected to pointing, giggling and snide remarks by students. But, the court noted, pregnant students are allowed to attend the Cleveland schools without "any apparent ill effects upon the educational system."



August 10, 1973

Delegates elected

Election results show the following delegates representing SUNY/United at the AFT Convention:

DELEGATES

Lawrence DeLucia	Fred Burelbach	John Valter	Patricia Buchalter
Joseph Drew	Alan Willsey	Dorothy Gutenkauf	Anne Willcox
Anne Commerton	Fred Miller	Donald Duell	Robert Granger
Margaret O'Bryan	Dorothy Codkind	Samuel Wakshull	Edward Wesnofske
Doris Knudsen	Mary Lou Wendel	Barbara McCaffrey	Stanley Goldstein

ALTERNATES

Bernard Parker	Lyle McCaffrey
James Gill	George McGinn
Alfred Messier	Nicholas Harding
John Deeb	Armand Kamp

* * *

Doris Knudsen, President (SU Ag & Tech, Morrisville) will be speaking on "Teacher Unionism" at the Teaching and Research Center; Cornell University-Dryden, New York during their annual 3-day event.

* * *

The Special Session of the Legislature adjourned without acting on SUNY salaries. Governor Rockefeller failed to assign the Article 19 Question to the agenda after the Special Committee failed to make a recommendation.

Failure of the legislature and Governor to resolve the salary question will result in no salary action until January when the Legislature reconvenes.

Governor Rockefeller's priorities are seen clearly - the union representing the State Troopers received their salary settlement.

MORE

The full Delegate Assembly is scheduled to meet on October 12 to 13 in Albany. An official announcement along with details will be sent to delegates in the near future.

* * *

Pat Buchalter (NTP-VP) has been camping the state in order to discuss problems facing NTP's.

* * *

Intensive action by NYSUT officials prevented attempts to damage the TIAA-CREF pension plan.

A full report detailing Teachers Retirement systems will be released to all members shortly.

* * *

EVEN "HE" WILL HELP....



THOSE WHO

HELP THEMSELVES

JOIN

SUNY UNITED...

WM



AFT CONVENTION

REMINDER - All ballots for the AFT Delegate elections must be returned to Central Office no later than July 25, 1973. Official tabulation will take place on Friday, July 27, 1973.

The Convention is scheduled to convene on August 19 and run through August 24 in Washington, D.C.

* * *

Trustees of Bloomfield College, New Jersey have recently abolished tenure despite petitioning of faculty AAUP members to NLRB.

NEA -- at the recent convention, voted to lend full support to the Bloomfield faculty in restoration of tenure and positions.

* * *

Frederick, Maryland - Community College has fired the majority of its faculty - 32 out of 38 members.

NEA - pledging its full support to the faculty - called the administration's action a breach of good faith in collective bargaining.

* * *

At its recent meeting, the SUNY/United Executive Board approved the recommendation of Secretary Dorothy Gutenkauf to the payroll, effective August 1, 1973.

* * *

Professional Staff Congress -- collective bargaining agent for the 16,000 members of the Instructional Staff - City University of New York -- have voted overwhelmingly 4-1 to strike on October 1, 1973.

Negotiations, mediation, and fact-finding have all failed to bring about agreement to this point.

A resolution by the Representative Assembly at the NEA meeting pledged support to the staff in reaching a contract agreement.

* * *

Grievance Settlement - An NTP at New Paltz grieved the administration's failure to provide him with a position and budget line consistent with his function.

MORE

As a result of a step two ruling, he received an appointment appropriate to his NTP status. Additionally, the grievant was awarded a 1/2% across the board increase and a performance program in accordance with Article XII of the Policies.

* * *

Delegates to the 1973 NEA Convention approved plans for merger talks between NEA and the American Federation of Teachers (AFT), but they voted to require that any resulting merger be outside of the AFL-CIO.

"The Representative Assembly reaffirms the NEA's willingness to enter into discussion looking toward the goal of uniting all educators in a single national organization. At the same time, there are certain basic concepts which the NEA is not prepared to compromise during such discussions. These include the following: (1) No affiliation with the AFL-CIO and no obligation to the institutional positions and objectives of the AFL-CIO; (2) Guaranteed minority group participation in the governance and operation of the new organization; and (3) The use of the secret ballot to elect the officers and change the governing documents of the new organization."

"The Representative Assembly affirms the proposal authorized by the Board of Directors, as reflected in the statement of President Barrett, which includes a one-year moratorium on all merger discussion at the state and local levels and that there be a one-year moratorium on organizational rivalry at the local level, adequately preserves the concepts and endorses its submission to the AFT."

* * *

The SUNY/United Executive Board has approved the following appointments to Standing Committees:

Negotiations

Leland Marsh	SUC - Oswego
Chairman	SUATC - Delhi
Gail Hotelling	SUNY - Upstate Medical
O. Michael Lilien	SUNY - Stony Brook Health Science
John Valter	SUNY - Albany
Janet Havens	SUNY - Binghamton
Bruce Lercher	SUATC - Farmingdale
Michael Robbins	SUC - Plattsburgh
Edward Schaffer	SUC - Buffalo
Samuel Wakshull	SUC - New Paltz
Samuel Shaw	

Legislative

Edward Wesnofski	SUC - Oneonta
Chairman	SUC - Oswego
C. Lindquist	SUC - Plattsburgh
Ann Mitchell	SUNY - Stony Brook
Fred Levine	SUNY - Buffalo
James Blackhurst	SUC - Forestry
Allen Horn	SUATC - Alfred
James Cretikos	

Legislative Cont'd

Cheryl Carlucci
Donald Leon
Patricia Rizzo

SUNY - Stony Brook Health Science
SUC - Cortland
SUNY - Downstate Medical

Budget

Joseph Drew
Chairman
Lawrence Seligman
Lauchlin MacDonald
Richard Lea
Reuben James
Thomas Matthews
James Gill
James Higgins
John Schluep

SUNY - Buffalo
SUATC - Morrisville
SUC - Fredonia
SUC - Forestry
SUC - Oneonta
SUC - Geneseo
SUATC - Delhi
SUNY - Binghamton
SUC - Oswego

Membership

Anne Willcox
Chairperson
Akira Sanbonmatsu
Robert Lightburn
Malcolm Nelson
Stanley Weisberger
Philip Livingston
Curtis Mettlin

SUNY - Upstate Medical
SUC - Brockport
SUC - Potsdam
SUC - Fredonia
SUC - Oneonta
SUC - New Paltz
SUNY - Buffalo

OTHER COMMITTEES:

Election

John Schroeder
Chairman
Doris Knudsen
Donald Duell
Mary Lou Wendel
John Deeb
Sami Boulos

SUNY - Maritime
SUATC - Morrisville
SUATC - Cobleskill
SUC - Oneonta
SUC - Plattsburgh
SUC - New Paltz

Article 38

Zebulon Taintor
Chairman

SUNY - Buffalo Health Science

* * *

Portland

June 29-July 6

FYI Information
For Your

Vol. 1 No. 40 June 29, 1973

SUNY/United delegates to the NEA Convention in Portland will be leaving on June 28. The meeting is planned June 29 through July 6. Those attending are: Doris Knudsen, Margaret O'Bryan, Mary Lou Wendel, Dorothy Gutenkauf, Barbara McCaffery, Lyle McCaffery, Minerva Goldberg, Kathleen Herbermann, Gary Barber.

At the top of the agenda for the July 13-14 Executive Board meeting is the question of our corporate name. The corporate structure of SPA remains the same until the corporate constitution is amended to allow a new name.

President DeLucia advises the continued use of the SPA name locally as well as statewide in any official contacts with management, i.e. negotiations, grievances etc.

SUNY/United has been assigned the American Federation of Teachers Local Number 2190.

President DeLuica and Secretary Gutenkauf met with representatives of TIAA-CREF recently. The discussion centered on the impact of new pension legislation on SUNY retirement systems. Public employee pensions will be the subject of a special session of the legislature in July.

Trustees of Bloomfield College in New Jersey recently voted to abolish tenure over strong protest from AAUP.

According to the AAUP representative, the college fired 13 faculty members of whom 11 had tenure. All were placed on contract subject to periodic renewal with no teaching nor governance responsibilities.

AAUP in the process of campus certification is said to consider the administration's activities as little more than "union-busting".

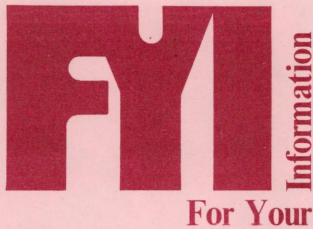
The Negotiating Committee headed by Leland Marsh (Oswego) is gathering data in preparation of the special legislative hearing scheduled for early July.

The hearing on Article 19 salary questions has moved ahead with the appointment of a special six-member Joint Legislative Committee to hear arguments from both SUNY/United and the Executive Branch.

The Bureau of Labor Statistics on June 24 released its latest figures showing the cost of living in the New York area rose 5% last year for middle income families.

Nancy R. Auster (Canton), SUNY/United member was recently elected President of the University's Faculty Senate.

Associate Professor Auster is the first woman to hold the position and the second Agricultural and Technical College representative to be named president. She will serve a term of two years at the helm of the organization which represents approximately 14,000 professional staff at all University campuses.



Vol. 1, No 39 June 15, 1973

Board endorses position

The SUNY/United Executive Board at its recent meeting voted unanimously to endorse the position on the fact-finder's report as outlined by President DeLucia in his letter of May 24.

The position was as follows:

1. Accepted recommendation for a 5% across-the-board increase.
2. Accepted 1.5% increase with the stipulation that it be provided in an equal per capita amount to each member of the unit.
3. Rejected the recommendation for the lack of need of salary minima.

The Executive Board voted unanimously to put the President of SUNY/United on a full-time salaried basis at the rate of \$25,000 per year beginning June 13, 1973.

This will enable him to function more effectively for the increasing needs of the membership of SUNY/United.

President DeLucia spent time this week talking with the members of the Binghamton Chapter.

He expects to visit many of the SUNY/United chapters throughout the summer and fall.

Plans have been made for the S/U delegation to attend the NEA Convention scheduled for June 29-July 7 in Portland, Oregon.

The Board has also voted to send 20 delegates to the AFT Convention to be held in Washington, D.C. from August 19 until August 24.

Nominations for AFT delegates are being solicited from the membership according to labor law. The deadline for submitting nominations is June 24. Ballots will be mailed on July 9; votes will be counted July 25.

Copies of minutes for all Executive Board meetings are available to any SUNY/United member on request; requests should be directed to Dorothy Gutenkauf, Secretary at the SUNY/United Central Office.

Four members of the Negotiating Committee have been appointed by the Board, they are:

Leland Marsh - Chairman (Oswego) Gail Hotelling - (Delhi)
John Valter - (Stony Brook) Michael Lilien - (Upstate Medical)

The committee has already begun making plans for the legislative hearing scheduled for the last week in June.

Approval by the Board has also been made for the appointment of three members to the Budget Committee, they are:

Joseph Drew - Chairman (SUNY-Buffalo)
Lawrence Seligman (Morrisville)
Lauchlin MacDonald (Fredonia)

In spite of the academic year coming to a close, the grievance machinery is still actively in operation.

A number of grievances are in process at all levels of the grievance procedure.

If any problems arise at your campus, or if new/old grievance chairmen find their records lacking any information, please call Ellen Suarez at Central Office.

Here's a way to make your summer break count, attend an AFT summer workshop -- on a cool, green campus, spread over a leisurely three-to-five day pace. Each seminar will include clinics, panel, and other activities with a first-rate faculty.

The Topic: Collective-bargaining campaigns and techniques.

The Courses: Negotiations, grievances, arbitration, communications, public relations and more

Schedule: July 22-27

At the Tarrytown Conference Center
Tarrytown, New York

For full information write to:

American Federation of Teachers
Summer Workshops
Washington, D.C. 20005

FYI

Information
For Your

Vol. I, No. 38 June 8, 1973

Panel named

Preparations for the legislative hearing on Article 19 salary questions have moved ahead with the appointment of a special six-member Joint Legislative Committee to hear arguments from both SUNY/United and the Executive Branch.

Although no date has yet been set for the public hearings, best indications at this time point toward the first weeks of July -- probably the week of July 9.

The legislative hearing -- authorized under Section 209(e) of the State Civil Service Law -- is designed to provide settlement in public employee contract disputes after all other attempts at resolution have failed.

* * *

SUNY/United President Larry DeLucia meets with State representatives on Monday, June 11 to discuss the maternity leave question.

The Equal Employment Act states emphatically that pregnancy-related illnesses should be treated the same as any other sickness in the granting of sick leave.

The State and the University continue to contend that discriminatory policies and contract clauses transcend federal law.

* * *

A national conference on collective bargaining in higher education is being offered to AFT members. The weekend of November 2-4 in San Francisco will be devoted to discussions of collective bargaining, academic freedom, tenure, and all other areas of concern in higher education.

Besides stimulating conversation and debate, delegates will be able to enjoy excellent facilities at the Hyatt Regency Hotel, which has been described as a "Twenty-First Century" facility by AFT members in California.

* * *

President Thomas O'Connell of Berkshire Community College, Pittsfield, Mass., recently received the Alexander Meiklejohn Award for Academic Freedom. He received recognition for his role in a recent loyalty oath controversy in that state.

Thirty-one faculty and staff at the college challenged the reinstatement of the oath as a requirement of employment. O'Connell refused to dismiss them, and he alone among the presidents of community colleges, the state colleges as well as the state university, supported efforts of those who tried to overturn the statute through the courts and the legislature.

* * *

A Weekly Column of Comment on Public Education

by Albert Shanker

June 3 New York Times

...A Basic Right Endangered

The first of these has arisen in the negotiations between the Professional Staff Congress (PSC) and the City University of New York. The PSC represents 16,000 CUNY employees. Negotiations began in June 1972. In August 1972 the old contract expired, and CUNY froze all salaries pending conclusion of an agreement. Now, almost an entire year has gone by in which efforts, first at mediation, then at fact-finding, were exerted. On May 19 the fact finders' recommendations were issued. As in most such documents, the panel's report represents a compromise between the PSC and CUNY positions. The compromise was reluctantly accepted by PSC; CUNY has not accepted. Now, the Board of Higher Education has suspended negotiations because of "the uncertainty of the Board's future" in the wake of legislation just enacted which will change the size and composition of the Board.

After a full year of negotiations, the lame duck Board has now proposed, on a take-it-or-leave-it basis, a one-year contract based entirely on what it would like to pick and choose from the fact finders' recommendations. The theory underlying the Taylor Law was that fact finders' reports would stimulate public pressure and compel governmental agencies to treat their employees justly. But, if the college faculty is forced by CUNY's year-long intractability to go out on strike, the public is more likely to be surprised than sympathetic, deprived as it has been of news of the fact finders' recommendations.

The Governor's Office of Employee Relations (OER) has been similarly intractable in negotiations with SUNY/United, the union which represents the State University's 17,000 professional employees. The talks, which began in November 1972, reached impasse in April. A fact finder reported on May 18, 1973. Though the OER had approved a 6.5 percent pay hike for state employees a month earlier, the Governor's office has rejected the fact finder's recommendation that SUNY professionals be given a 5 percent increase. The OER refused to give the SUNY professors more than a 3.5 percent boost. Here again the fundamental principle of equality in negotiations is

The basic rights and freedoms guaranteed by the Constitution of the United States stand in the company of other rights which are not constitutionally guaranteed or protected, but without which our nation would not be a free society. Among these is the right of collective bargaining—the right of workers to join unions, to have a bargaining representative of their own choice, to withhold their services (if necessary), and to reach agreements which are binding on both sides.

The right to collective bargaining was won only through long and bitter struggle. In the private sector, a high point in that struggle came in the 1930's with the enactment of the Wagner Act, establishing collective bargaining as the public policy of the nation.

The Wagner Act did not, of itself, make collective bargaining work. Many employers continued their efforts to keep their employees out of unions, or to influence their workers in their choice of union, or to break freely chosen unions by forcing long and costly strikes on the workers. Apart from the economic issues, there was the problem of the disinclination of management to accept the new role of labor—its inability and unwillingness to negotiate on the basis of equality.

This problem, in various forms, has emerged again and again as new groups of employees organized and came to the bargaining table. An interesting variation appeared in the mid-

sixties when New York City hospital workers earning as little as \$23 a week had to engage in a lengthy conflict with hospital management. Many of the hospital board members were wealthy philanthropists who gave time and money to the hospital's health care program. Their feeling was that, since hospitals were not a profit-making business but a charitable public service, there was no reason for them to bargain with the hospital workers. Armed with arguments of public interest and virtue, the trustees fought to keep the workers in a poverty condition. It is ironic that as much perseverance was shown here in exploiting workers in the name of philanthropy as, in the private sector, for reasons of economic self-interest.

Similar problems have arisen in the last few years in the public sector. The 1967 Taylor Law, like the Wagner Act in the private sector, proclaimed collective bargaining to be the public policy of the State of New York. (Unlike the Wagner Act, it contained a prohibition against strikes.) In the private sector, when employers fail to comply with the labor laws, unions can appeal to government for enforcement, invoking either state or national labor relations statutes. But, when government itself is the employer, there is no impartial source of redress. Two current disputes illustrate the problem.

rendered "inoperative," since it is planned that the state itself, one of the parties to the controversy, will unilaterally determine the issue between SUNY/United and the Governor's office.

Still another threat to the bargaining process is represented by the actions of the Governor and the legislature with respect to public employee pensions. Under the Taylor Law, pension benefits have been part of the negotiations package. In order to obtain these benefits, employees have sacrificed other items in the package. When their agreements were ratified and signed, and their pension benefits enacted by the legislature and signed by the Governor, they had every right to believe that these benefits would not be modified except through future bargaining. Unfortunately, this has not been the case. In the last few months the state negotiated an agreement with one of the many public employee unions—the Civil Service Employees Association (CSEA). The CSEA agreed to a reduction of pension benefits for all future employees whom they represent in exchange for salary increases and other benefits, but, in order to counteract future criticism, the CSEA and the Governor agreed that the CSEA pension reductions would be imposed upon all other employees of the state, as well as those of county and municipal governments and of school districts. This was not accomplished during the last legislative session—but a special session, to be held this summer, will consider the pension problem.

Aside from the questions of substance involved, the legislature and the Governor will be deciding through their actions whether or not collective bargaining is indeed the public policy of this state. Are employees to be represented by unions of their own choice, or by one union selected by the state as the body it wishes to negotiate with? Are agreements binding, or can they be broken unilaterally? Are public employees free workers who enter into agreements with a free management, or are they the lowly subjects of a sovereign power which can, at its own discretion, so alter agreements as to make negotiations meaningless?

FYI

Information
For Your

Vol. 1, No. 37 June 1, 1973

Fact-Finding

In a letter to the Public Employment Relations Board, President Lawrence A. DeLucia outlined SUNY/United's position on the salary recommendations of the fact finding panel as follows:

1. SUNY/United accepts the recommendation of the 5 percent increase across the board for all employees in the bargaining unit.
2. SUNY/United accepts the 1 1/2 per cent increase, and states that this money should be made available in an equal per capita amount.

3. SUNY/United rejects the recommendation on salary minima. We contend that money should be made available to correct salary inequities within each rank.

In rejecting that fact-finding report, the Rockefeller press office claimed that it found only the merit pay and minimum salary findings to be acceptable. In place of the 5 per cent recommendation, however, was inserted a 3.5 per cent figure.

The legislature recently passed a compromise pension bill that appears to kill efforts to impose a new and inferior pension system on all public employees.

The compromise measure was put together by legislative leaders who realized how unacceptable the CSEA settlement was to teachers and public employees.

It is an embarrassment for the CSEA, which has "sold out" in bargaining with the state -- accepting pension changes that would place all under the same pension guidelines.

The compromise measure in effect puts off the question of how to deal with the future pension plans of public employee unions until 1976. The bill also directs the State Pension Commission to make further recommendations for "coalition bargaining" on pension changes.

The City University of New York may shut down in the fall as the result of administration tactics against the college's 16,000 instructional staff members.

The teachers, working without a contract and with salaries frozen at 1971-1972 levels will take a strike vote June 1. It would authorize a walkout on October 1.

The staff is represented by the AFT/NEA/NYSUT-affiliated Professional Staff Congress which has demanded around-the-clock bargaining sessions.

At issue are proposals to eliminate salary increments, to allow college presidents to make unilateral personnel decisions without cause, and to downgrade non teaching professionals.

Donald F. Webster (V.P.-Academic) has been appointed head librarian at the College of Environmental Science and Forestry. Mr. Webster was director of libraries at SUC-Oswego.

President Larry DeLucia has been covering a lot of ground in the past few weeks. He was present at the Brockport and Upstate Medical Center membership meetings recently as well as the campus officer's meeting at Geneseo.

Larry is anxious to meet with campus units so that important issues and opinions can be shared.

Mrs Anne Commerton (Oswego) has been named president of her campus chapter. Because of demands from his state-wide office, President DeLucia recommended Mrs. Commerton for the post.

She is currently serving as chairwoman of SUNY/United's Committee on Academic Rank for Librarians.

Picketlines are still up at Lake Michigan Community College in Benton Harbor, Michigan as the 50 teacher strike goes into its fourth month.

The teachers were back at work one day after obtaining a federal court order for their reinstatement. Negotiations were to resume under the order. But the board obtained a stay, a hearing is set for June 14.

Reports are that about half the student body has dropped out of the college in protest over the strike.

If you haven't made summer plans yet, you may want to consider attending one of the five week-long summer workshops planned by AFT to help teachers build negotiating and organizing skills.

A first rate faculty will guide each program, and there will be plenty of opportunities for group and individual participation.

Attend an AFT summer workshop---Eastern Region, July 9-13 at Stony Brook, N.Y. or for further information, please write:

American Federation of Teachers, AFL-CIO
1012 14th Street N.W.
Washington, D.C. 20005



Vol. I, No. 36 May 21, 1973

State rejects fact-finding

The Governor's Press Office has announced that the State has rejected a fact-finder's recommendation for a 5% across-the-board pay increase for SUNY professionals. Accepted by the Governor, however, were recommendations that the settlement include a merit pool of 1.5% and exclude SPA requests for movement toward minimum salaries.

The announcement was made Tuesday, May 22.

In a related development, the Governor immediately submitted to the Legislature a bill which if passed would implement in total the State's bargaining position -- 3.5% across-the-board and 1.5% merit.

When word of the State's rejection hit the public media, SUNY/United President Lawrence DeLucia and Secretary Dorothy Gutenkauf were already meeting with PERB's Director of Mediation and Conciliation Harold Newman to discuss the seriousness of the situation and to begin laying groundwork for the calling of a legislative hearing -- third and final step under the Taylor Law.

* * *

AAUP-1973 records show a decrease of 5,692 members from the 1972 figure of 91,316. The membership reached a total of 97,106 in July 1972 showing a decrease of 11,842 members in the last five months of 1972.

According to General Secretary Davis, a loss of 8,000 to 9,000 members is expected during 1973 and 1974. If borne out, of course, this will mean the Association has lost membership three years in succession.

* * *

DSN members and their fellow school nurses are urged to attend the Annual Convention, June 29-30 Jantzen Beach Motel, Portland, Oregon.

Although non-members cannot vote, they are encouraged to come and see the Department of School Nurses in action, to participate in general sessions, workshops and the hospitality hour.

A registration fee of \$2 will be charged to DSN members; \$5 to non-members, \$3 of which may be applied to DSN membership dues for those enrolling at the time of registration.

* * *

The NEA Board of Directors, during a spirited three-day meeting early this month, modified the proposed 1973-74 Association budget and studied ideas for changes in NEA governance.

One of the Board's actions includes changing the item on UniServ from \$6.3 to \$5.67 million. Debate focused on how the estimate was computed rather than whether UniServ was to be funded or not. There was agreement that all qualified UniServ units would be funded during the coming year.

* * *

The U.S. Supreme Court has agreed to hear the Susan Cohen and Jo Carol La Fleur maternity cases. In both cases, the teachers are alleging that mandatory retirement leave policies violate their rights.

Mrs. Cohen has asked the court to reverse an adverse decision rendered by the Fourth Circuit in January; the Cleveland board of education has appealed a Sixth Circuit ruling in favor of Mrs. La Fleur and another teacher.

Arguments will be heard during the Supreme Court's fall term.

* * *

"When to Enter and How to Win" highlighted a recent workshop at the AAUP conference. The main points coming out of the meeting were: NEA brings in "outside organizers," believes "money and power" can win elections and "doesn't understand" higher education; the AFT "creates overkill with endless reams of paper."

* * *

The State has rejected a fact-finder's recommendation for a 6.5% pay hike for the State Police in an attempt to impose pension reform on the troopers.

According to the president of the 3,175-member union, the settlement being offered by the Office of Employee Relations calls for a 5.5% pay raise and continuation of the 20-year, half-pay retirement plan the troopers now have.

In a letter to members of the Legislature, Donahue is quoted as saying, "It is obvious to us that Governor Rockefeller dictates all contracts to state employees and the Taylor Law, as well as its provisions, are meaningless."

"If the state does this to us, for the first time, I will go back and ask for a job action," he states.

* * *

The NEA Executive Committee has approved adoption of "NEA: Helping Teachers Teach" as the official motto of the Association.

Local and state NEA affiliates may order reproduction sheets of the new design from Internal Communications at NEA Center.

* * *


national education association
...helping teachers teach.

The important David Kreh arbitration proceedings began on May 24 in Albany. Presiding was Arbiter Daniel G. Collins of New York University School of Law with NYSUT attorney James Sandner presenting the case for Mr. Kreh and SUNY/United. Mrs. Anne Commerton (Oswego), chairwoman of SUNY/United's Committee on Academic Rank for Librarians as well as librarians from across the state were present.

* * *



Vol. I, No. 35 May 14, 1973

DELUCIA ELECTED

The Delegate Assembly of SUNY/United held its historic first session last Saturday in Albany. Elected to lead the organization was Professor Lawrence A. DeLucia - president of SUNY/United Chapter at Oswego.

Others elected to join DeLucia were officers Fred Burelbach (SUC-Brockport), academic vice president; Patricia Buchalter (SUNY-Albany), professional vice president; Dorothy Gutenkauf (SUC-Cortland), secretary; Joseph Drew (SUNY-Buffalo), treasurer; and Anne Willcox (Upstate Medical), membership development chairperson.

Also elected to the 11-member SUNY/United Board of Directors were Michael Lilien (Upstate), Fred Miller (SUC-Oneonta), Samuel Wakshull (SUC-Buffalo), Dorothy Codkind (SUC-Potsdam), Stanley Goldstein (Downstate), Barbara McCaffery (SUC-Geneseo), Alan Willsey (SUC-Cortland), Constantine Yeracaris (SUNY-Buffalo), Bernard Parker (Empire State), Raymond Jesaitis (SUNY-Stony Brook), and Thomas Hines (Farmingdale).

The new board met after Saturday's meeting for an organization session. The next full Board Meeting of SUNY/United will be held on June 4 in Albany.

* * *

SUNY/United member Dr. Laurence M. Hauptman (SUC-New Paltz) announces the college's second annual Conference on the Native American. The conference topic this week will focus on "Native Americans in the cities."

Dr. Hauptman is serving as conference director.

* * *

Chapter President Steven Jonas (Stony Brook Health Science Center) has stressed the need for joint collective bargaining in Science Magazine, Volume 180.

Protection against dismissal, tenure denial and prejudiced promotions he sees as problems only to be solved through professional organization.

* * *

Quote of the week: "Medical schools are academic jungles. Many of the denizens are not even aware that there is law anywhere. There is cannibalism, and the sacrifice of faculty members without anesthesia is common." ... James Metcalfe, University of Oregon Medical School.

* * *

Members of the Hawaii State Teachers Association ended a three-week strike last month after voting to accept a mediation-arbitration proposal that binds the state to decisions of an impartial third party on unresolved issues. The strike was called when the state failed to negotiate in good faith on workload, preparation periods, fringe benefits and salary.

The walkout was called despite an anti-strike injunction. The members face fines of \$100,000 for the first strike day and \$10,000 each day after that.

* * *

Travelling? Mountain-climbing? Available now through AFT -- a comprehensive accident protection plan. For only \$28.50 annually, your entire family can enjoy complete coverage.

No more need for costly travel accident policies. Contact an AFT representative for more information.

* * *

A series of orientation meetings for NEA convention delegates has been announced by Albany NYSUT.

The meetings will examine procedural and key issues as well as providing the delegates with preliminary logistic information.

The list includes meetings to be held across the state.

SYRACUSE

May 16: Ramada Inn, Crossroads of Rt. 81 7:00-9:00 p.m.

BINGHAMTON

May 17: Treadway Inn, 2 Hawley St. 7:00-9:00 p.m.

ALBANY

May 21: Holiday Inn, Central Ave. 7:00-9:00 p.m.

LAKE PLACID

May 22: Mirror Lake Inn, Adirondack Mts. 7:00-9:00 p.m.

KINGSTON

May 23: Holiday Inn, Truway Exit 19 3:30-6:30 p.m.

NYACK

May 23: Tappan Zee Motor Inn, Mountain View Ave. and Route 59 7:30-10:30 p.m.

HAUPPAUGE

May 24: Colonie Hill Inn, Motor Parkway 4:30-6:30 p.m.

* * *

A district court judge has struck down as too vague an academic freedom policy of the University of Nevada at Reno. The regulation said that a professor has "special obligations" when making utterances on public questions.

The court said the regulation could be used to infringe on "a wide range of constitutionally protected activities." It ordered the university to reinstate with back pay an assistant professor dismissed under the policy after his participation in a May, 1970 disruption of R.O.T.C. activities on the campus.

A University spokesman said the decision would be appealed.

* * *

Tenure has been recommended for a controversial University of Florida faculty member. A hearing examiner appointed by the Florida board of regents has recommended the tenure for an assistant professor, a leading supporter of student activists and a state leader of the American Federation of Teachers.

The hearing examiner found the tenure position was "not supported by the evidence and testimony presented" during hearings on the case.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 34

May 7, 1973

I P hearing

SPA's improper practice suit on initial slotting under Article 34 went to trial last week as the Association attempted to prove bad faith on the part of the State in the execution of the document.

The hearings were held Thursday and Friday May 3rd and 4th at PERB Headquarters in Albany.

The State's arguments centered on three points:

- 1) It never intended (nor led SPA to believe) to conduct a comprehensive evaluation of each NTP job before slotting.
- 2) PR ranks were always to be ASP grades.
- 3) The University Review Panel was intended to be no more than a facade for the workings of Central Administration's Office of Classification.

During the two days of hearings, PERB Hearing Officer Harvey Mylowe on two occasions reserved decision on motions by the State to dismiss all SPA charges. Briefs in the case are due in about six weeks with a decision by the hearing officer expected some 3-4 weeks after filing of the briefs.

Presenting the case for SPA was attorney Richard Symansky.

* * *

Melvin Osterman, Director of Employee Relations, was recently quoted by the Associated Press as saying that SPA in regard to salary levels is "taking the position that a professor at Farmingdale should be paid the same as a professor at one of the university centers." Also, regarding the demand for minimums: "I think there are legitimate reasons for salary differentials."

Osterman's gross mis-statements again prove that the State has given little examination to SPA salary demands or their documentation. Osterman also says that the non-teaching professionals represented by SPA, "such as librarians," already have minimums.

* * *

Joseph Bongo and Ronald Greene continue to be victims of the State's continuing refusal to negotiate salary settlements. SPA has appealed to arbitration in both cases.

To date, Bongo's grievance has been refused hearing at both Step 2 and Step 3, while Greene was refused a Step 3 hearing.

* * *

A summary of CSEA three-year contract has been released which supposedly offers employees new benefits. One of these is the Dental Insurance Plan, which is to offer a reduced deduction as under Major Medical. FYI reported long ago the State's acceptance and agreement of this plan.

Other benefits include a 6-1/2% salary increase as well as a fixed work week, guaranteeing five days on the job and 2 consecutive days off.

In the "sell-out" for a slight salary gain, however, was also a substantial weakening of the public employee united front on preservation of retirement benefits (CSEA agreed that all future employees will receive reduced benefits as well as hedging the crucial question of excluding social security from benefit computations).

Also weakened beyond repair are the dismissal for cause sections of the Civil Service Laws. With CSEA agreement, it will now be relatively easy to fire employees on almost any pretense.

* * *

WHERE FACULTIES HAVE CHOSEN COLLECTIVE BARGAINING AGENTS

Following are 286 institutions of higher education where faculty members have named agents to represent them in collective bargaining. Numbers in parentheses following the names of multi-campus systems indicate the number of institutions in

those systems. The list is based on information from the three national bargaining agents and independent surveys. An asterisk (*) indicates institutions represented by the New York teacher's union, which is affiliated with both the N.E.A. and the A.F.T.

NATIONAL EDUCATION ASSOCIATION

Four-Year Institutions

Central Michigan U.
City of New York (19)*
Columbia U.—C of
Pharmaceutical
Sciences, N.Y.
Detroit C of Business,
Mich.
U of Dubuque, Iowa
Ferris State C, Mich.
Fitchburg St C, Mass.
Loretto Heights C, Colo.
Monmouth C, N.J.
Nebraska St C System (4)
North Adams St C, Mass.
Pennsylvania St C and U
System (14)
Rogers Williams College,
Pa.
Saginaw Valley C, Mich.
Salem St C, Mass.
State U of New York
(26)*
Westfield St C, Mass.
Youngstown St U, Ohio

Two-Year Institutions

Adirondack CC, N.Y.*
Albany CC, Mich.
Atlantic CC, N.J.
C of Beaver Cnty, Pa.
Bellevue CC, Wash.
Bergen CC, N.J.
Big Bend C, Wash.
Brookdale CC, N.J.
Broome Tech CC, N.Y.*
Burlington Cnty C, Pa.
Butler Cnty CJC, Kan.
Cuyahoga C, N.J.
California C, Wash.
Cloud Cnty CJC, Kan.
Columbia Basin CC,
Wash.

Four-Year Institutions

Boston St C, Mass.
Bryant C, R.I.
City U of New York (19)*
U of Hawaii (8)
Layton Sch of Art and
Des, Wis.
Long Island U, Brooklyn
Center, N.Y.
Long Island U, C. W.
Post Center, N.Y.
Lowell St C, Mass.
Massachusetts C of Art
and Des, N.Y.
New Jersey St C System
(6)
Pratt Inst, N.Y.
Rhode Island C
Southeastern
Massachusetts U
State U of New York
(26)*
Tadler Business Inst,
N.Y.
N.Y. Merchant Marine
Academy, N.Y.
Worcester St C, Mass.

Four-Year Institutions

Adelphi U, N.Y.
Ashland C, Ohio
Bard C, N.Y.
U of Delaware
Dowling C, N.Y.
Hofstra U, N.Y.
Lincoln U, Pa.

Four-Year Institutions

Detroit C of Business
Fordham U Law School
Newark C of
Engineering, N.J.
U of Scranton, Pa.
Temple U Law School
U of Oregon—Tenopuz
PT Job Corps Center
U of Wisconsin-Madison
(teaching assts.)

Columbia-Greene CC, N.Y.*

College of Lake Cnty, Ill.
Cumberland Cnty C,
N.Y.
Dutchess CC, N.Y.*
Edmonds CC, Wash.
Essex Cnty C, N.J.
Everett CC, Wash.
Fashion Inst of Tech,
N.Y.*
Fl. Stetson CC, Wash.
Fox Valley Tech Inst,
N.Y.
Garden City CJC, Kan.
Gateway Tech Inst, Wis.
Genesee CC, Mich.
Clear Lake CC, Mich.
Gogebic CC, Mich.
Grays Harbor C, Wash.
Highline CC, Wash.
Hutchinson CJC, Kan.
Independence CJC, Kan.
Jackson CC, Mich.
Kalamazoo Valley CC,
Mich.
Kansas City CJC, Kan.
Kelleys CC, Mich.
Labette CJC, Kan.
Lake Land C, Ill.
Lake Shore Tech Inst,
Wis.
Lansing CC, Mich.
Lohigh Cnty CC, Pa.
Lower Columbia C, Wash.
Luzerne Cnty C, Pa.
Maine Voc Tech Insts (6)
Massasoit CC, Mass.
Mercer City CC, N.J.
Mid-Michigan CC,
Mich.
Mid-State Tech Inst, Wis.

AMERICAN FEDERATION OF TEACHERS

Two-Year Institutions

Adirondack CC, N.Y.*
CC of Allegheny Cnty, Pa.
CC of Baltimore, Md.
Black Hawk Voc Tech
Sch, Wis.
Bristol CC, Mass.
Broome Tech CC, N.Y.*
Green Cnty CC, Mich.
Chicago City Colleges,
Ill. (7)
Columbia-Greene CC,
N.Y.*
Dutchess CC, N.Y.*
Eau Claire Tech Inst, Wis.
Fashion Inst of Tech,
N.Y.*
Gloster Cnty CC, N.J.
Green River CC, Wyo.
Henry Ford CC, Mich.
Highland CC, Ill.
Highland Park CC, Mich.
Indian Head Tech Inst,
Wis.
Illinois Valley CC
Joliet JC, Ill.
Lake Michigan C, Mich.

Two-Year Institutions

Auburn CC, N.Y.
Bay De Noc CC, Mich.
Bark C, Wash.
Clinton CC, N.Y.
Colby CJC, Kan.
Erie CC, N.Y.
Fitch-Montgomery CC,
N.Y.
Genesee CC, N.Y.
Grand Rapids JC, Mich.
Hudson Valley CC, N.Y.
Jamestown CC, N.Y.

INDEPENDENT AGENTS

St. John's U, N.Y.
Temple U, Pa.
Wayne St U, Mich.

Minnesota St JC System (18)

Mohawk Valley CC, N.Y.*
Moraine Park Tech Inst,
N.Y.
Monroe CC, N.Y.*
Monroe Cnty CC, Mich.
Montclair CC, Mich.
Mt. Machuester CC, Mass.
Muskegon CC, Mich.
Nassau CC, N.Y.
North Central Tech Inst,
Wis.
Oakland CC, Mich.
Oak City C, N.Y.
Olympia Voc Tech Inst,
Wash.
Olympic C, Wash.
Passaic CC, N.J.
Peninsula C, Wash.
Rhode Island JC
Rockland CC, N.Y.*
St. Clair Cnty CC, Mich.
Sauk Valley C, Wis.
Schoolcraft C, Mich.
Shoreline CC, Wash.
Skagit Valley CC, Wash.
Southwestern Michigan C
Spokane CC, Wash.
Suffolk Cnty CC, N.Y.*
Tomlinson-Cortland CC,
N.Y.*
Wallis Walla CC, Wash.
Western Michigan CC,
Mich.
Waukesha Cnty Tech
Inst, Wis.
Wenatchee Valley C,
Wash.
Westchester CC, N.Y.*
Westmorland CC, Pa.
Windsorport Area CC, Pa.
Yakima Valley C, Wash.

Madison Area Tech C, Wis.

Milwaukee Area Tech C,
Wis.
Middlesex Cnty C, N.J.
Mohawk Valley CC, N.Y.*
Monroe CC, N.Y.*
Moraine Valley CC, Ill.
Morton C, Ill.
Nassau CC, N.Y.*
Northeast Wisconsin
Tech Inst
Onondaga CC, N.Y.*
C C of Philadelphia, Pa.
Fairleigh R, N.J.
Rockland CC, N.Y.*
Seattle CC, Wash.
Somerset Cnty C, N.J.
St. Joseph CC, N.Y.*
Superior Tech Inst, Wis.
Tacoma CC, Wash.
Thornton CC, Ill.
Tompkins-Cortland CC,
N.Y.*
Wayne Cnty CC, Mich.
Westchester CC, N.Y.*
Wash Tech Inst, D.C.
Waubesa CC, Ill.

Two-Year Institutions

Bellefonte Area C, Ill.
Indian River CC, Fla.
Robert Morris C, Ill.

Two-Year Institutions

Jefferson CC, N.Y.
Kirtland CC, Mich.
Macomb Cnty CC, Mich.
Miles CC, Mont.
Niagara C, N.Y.
North Country CC, N.Y.
Orange Cnty CC, N.Y.
Schonectady CC, N.Y.
Southwest Wisconsin
Voc Tech Inst
Ulster Cnty CC, N.Y.
Western Wisconsin Tech
Inst

SPA President Robert Granger received word this week from AFT President David Seldon that SUNY/United is now fully affiliated with American Federation of Teachers, AFL-CIO.

As of May 1, members will receive the American Teacher newspaper and will be eligible to send delegates to the AFT convention beginning August 20. The charter is being processed and will read, SUNY/UNITED, #2190 AFT.

* * *

Union College plans to avoid tenure squeeze by approval of a plan which will permit the college to keep non-tenured professors beyond the expiration of the seven-year "up or out" probationary period.

The policy will offer renewable contracts to "tenurable faculty members if positions are not open within their departments..."

Meanwhile, Antioch College is considering dropping the tenure system completely.

* * *

SPA Executive Director, Philip Encinio, met with SPA's Committee on Academic Rank for Librarians on April 30 to discuss stalled negotiations on implementation of academic status for librarians. SPA is moving forward with David Kreh's grievance in order to settle some of these questions.

* * *

Article 19 Negotiating Team has received word from Harold Newman, PERB's Director of Mediation, that the fact-finding session will be held in PERB's Manhattan Office. SPA has objected and requested that the site be shifted to Albany for proximity to its resources and NYSUT.

* * *

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

Four-Year Institutions

New Jersey C of
Med and Dent
New York Inst of Tech
Oakland U, Mich.
Poly Inst of Elym., N.Y.
Regis C, Colo.
U of Rhode Island
Rutgers U, N.J.

Two-Year Institutions

Auburn CC, N.Y.
Bay De Noc CC, Mich.
Bark C, Wash.
Clinton CC, N.Y.
Colby CJC, Kan.
Erie CC, N.Y.
Fitch-Montgomery CC,
N.Y.
Genesee CC, N.Y.
Grand Rapids JC, Mich.
Hudson Valley CC, N.Y.
Jamestown CC, N.Y.



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 33 April 30, 1973

Panel named

The New York State Public Employment Relations Board (PERB) has appointed a three-member fact-finding panel to conduct an impartial evaluation of the State-SPA salary dispute.

Named to the panel are Dr. Walter Oberer (Chairman), Columbia Law School; Dr. Clara Friedman, economist; and Louis Caden, New York City Board of Mediation.

First meeting of the group has been tentatively set for Tuesday, May 8.

According to Harold Newman, PERB's Director of Mediation and Conciliation, a calendar has been set for fact-finding that allows for a completed report prior to legislative adjournment. A maximum of five days has been allotted for hearings at which both

sides can present to the panel data in support of their bargaining positions. The fact-finding panel will then be required to issue its report within one week. The parties in dispute then have one week to respond to the report.

Director Newman terms the panel one of the "bluest blue ribbon" panels that PERB has ever established.

Under provisions of the State's Taylor Law, the report of the fact-finding panel is binding on neither party. Should either SPA or the State refuse to accept the recommendations made for settlement in fact-finding, a legislative hearing would then be necessary. A legislative body of the State of New York would then impose a settlement in the dispute.

* * *

NEA Special Services has announced an important improvement in the Association's life insurance program. Plans C and C+ will now provide a monthly Family Income Benefit in addition to regular benefits with no increase in premiums.

Under the new program, surviving spouse (and/or children) will receive payments of \$400 or \$600 per month in addition to the regular death benefit offered under the C and C+ plans. The additional payments raise the value of the C plan by a maximum of \$10,800 and the C+ plan by \$16,200.

The NEA life insurance plan - one of the best in the industry - can be an important promotional device for recruiting and maintaining memberships. In SUNY, it is especially important to note that the NEA program is substantially better than anything offered by CSEA.

* * *

Initial mediation efforts between SPA and the State over medical and dental salaries produced no significant results last week as the SPA medical group met with OER representatives in New York City. Assisting the SPA team chaired by Dr. Stanley Goldstein (Downstate) were SPA attorney Jerome Sturm and Assistant Executive Director Edward Purcell.

Mediator in the talks is Prof. Benjamin Wolf.

* * *

Latest report from CUNY indicates that a fact-finder's report in the contract dispute between the Professional Staff Congress (PSC) and management is expected May 15. The substantial delay was caused both by the number of issues to be decided and the time-consuming process of preparing briefs.

Insiders say that the most important (and difficult) issues are a pay raise for next year and maintenance of an incremental pay raise.

* * *

In other news from CUNY, PSC has won an extremely important case in the State's Court of Appeals that may have a profound and immediate effect on SPA-State relations. The case -- the matter of Christine Antonopoulou -- establishes for the first time that the City of New York (and by extension the State of New York) cannot refuse to pay back salary for periods of time during which an employee has been improperly denied employment.

The standard "dodge" in both the City and the State has been that salary cannot be awarded in a grievance settlement because it constitutes an illegal "gift of public funds." In the unanimous decision, the State's highest court also reaffirmed the binding force of the grievance procedure. The Court held, "A Step One or Step Two grievance settlement is as binding as a Step Three arbitration award." (CUNY has a three-step procedure.)

Representing PSC was counsel Judy Vladeck. New York State United Teachers provided financial assistance.

* * *

The long-delayed arbitration case of David Kreh has been scheduled for Thursday, May 24. The case -- delayed as SPA librarians attempted resolution of the problem of implementation of academic status for librarians at the bargaining table -- will resolve questions of academic promotions for librarians.

Negotiations on the subject broke down several weeks ago as the State continued to delay in presenting a counter offer to SPA's implementation plan.

The arbitration which will be held at NYSUT Headquarters is to be presented by NYSUT attorney James Sandner -- one of the best teacher lawyers in the State. A number of SUNY librarians have been invited to observe the proceeding.

* * *

Today, April 30 marks the first day "on staff" for SPA's newest employee, Ellen Suarez. Mrs. Suarez is to assume responsibility for publications and public relations.

* * *

SPA local campus grievance coordinators met in Albany last Friday and Saturday to discuss weak points in the current SPA contract and methods of improving same. Among the areas discussed were appointments, non-renewals, grievance procedure, scope of arbitrability, personnel files, consultation, local campus participation, release time, and maintenance of standards.

The group will issue a report on its findings for consideration of the SUNY/United Negotiating Team.

* * *

Reminder -- Send additions, deletions, corrections of your merged membership lists to SPA Central immediately, if not sooner.

* * *

New names in order. With SUNY/United only several weeks away, staff is currently "brain-storming" new names (and looks) for publications. If you have any suggestions, send them along.

* * *

A current political squabble within AFT seems to have involved two New York Staters as its chief antagonists. At issue are the set of AFT referenda now in process.

On the one side, AFT First Vice President Albert Shanker has recommended defeat of a proposition that calls for direct election of the AFT President through referendum. He says it would mean that all AFT resources (under the direction of the president) could be used toward the election of the President. Current AFT President David Seldon calls direct election "real democracy."

At real issue is New York State (and UFT) voting strength in AFT.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. 1, No. 32 April 23, 1973

Fact—finding

SPA Article 19 negotiators have requested fact-finding in stalled salary talks with the State. The request came Thursday, April 19 when it became apparent to the team that mediation of the impasse was having little effect.

The revised State offer in mediation was 3-1/2 percent -- 2 percent across-the-board and 1-1/2 percent to be distributed at the discretion of the Chancellor. This was coupled with a continued refusal to deal with any of SPA's concerns for treating structural inequities.

Chief Negotiator Alan Willsey outlines the continuing dispute in these terms: "We have two very basic problems at the table;" Willsey explains, "too few dollars, distributed in unacceptable ways. When

it became clear to us that we had received the State's only offer in mediation, there was no longer any reason to postpone fact-finding."

Under provisions of the Taylor Law, PERB has been requested to assign a fact-finder (of fact-finding panel) to examine the positions of both sides in the dispute and to render an impartial, third-party judgment of what the 1973-74 salary settlement for SUNY should be. Although the fact-finder's report is binding on neither party, the assessment of fact carries with it a strong moral persuasion for settlement.

Should the report be unsatisfactory to either party, the next and final step of Taylor Law procedure is a legislative hearing to impose settlement.

Fact-finding and the possibility of a legislative hearing takes on added importance in the SPA-State dispute because it will be the first time since the inception of the Taylor Law that a statewide bargaining unit of State employees has requested use of the procedure. It will therefore be the first time that the validity of the State's position in negotiations with its employees has been laid open to assessment by an impartial third party.

* * *

Preliminary tabulation of combined SUFT, SPA membership lists indicates a SUNY/United membership in excess of 3,900. The preliminary breakdown by campus is Albany-237, Binghamton-95, Buffalo-300, Stony Brook-194, Buffalo HSC-137, Downstate-168, Stony Brook HSC-88, and Upstate-186.

Also, Brockport-143, Buffalo-224, Cortland-162, Fredonia-103, Geneseo-152, Old Westbury-34, New Paltz-158, Oneonta-180, Oswego-271, Plattsburgh-177, Potsdam-128, Purchase-11, Empire State-31.

Also, Alfred-137, Canton-87, Delhi-86, Cobleskill-49, Farmingdale-164, Morrisville-90, Forestry-54, Maritime-45, and Central Administration-13.

Chapter presidents are reminded to send any additions, deletions, or corrections to merged membership lists to SPA Central as soon as possible.

* * *

Dr. Stanley Goldstein, chairman of SPA's Article 20 Negotiating Team, reports impasse in medical and dental faculty salary talks with the State. Issues include the State's insistence on maximum salaries with no minimum salaries, establishment of a professional practice plan, and insufficient dollars to fund salary boosts.

The first mediation session with PERB Mediator Benjamin Wolfe is set for April 25 in New York City.

* * *

In a significant victory before PERB, SPA has won access to complete information on the distribution of last year's merit and equity pool. An improper practice suit filed on behalf of the SPA Chapter at SUC-Geneseo was settled favorably last week when the State retreated from its "no information" stance at a PERB pre-trial conference.

Representing SPA was Executive Director Philip Encinio with the assistance of NYSUT legal counsel.

* * *

The Spring issue of the AAUP Bulletin carries news of an October meeting of the AAUP Council at which it was decided to restructure the AAUP governance structure to conform with requirements of the Landrum-Griffin Act.

AAUP has been in violation of the act since the date of its first collective bargaining contract.

* * *

Rumor has it that on the very day that the SPA Representative Council was overwhelmingly approving merger with SUFT, State AAUP Council members were in Albany attempting to form a "grand alliance" with CSEA to challenge SUNY/United in a fall election.

* * *

SPA campus grievance chairmen gather in Albany this weekend, April 27-28 to discuss their impressions of the current SPA contract and how best to improve it. Special emphasis in the discussions will be given to the grievance procedure and the role of Board of Trustees' Policies.

* * *

NEA higher education reports recent progress in several representation campaigns and in preparation for several others. In Iowa, the first unit -- theological seminarians -- has been organized by NEA at University of Dubuque. Bellvue Community College (Washington) has been won as has a large unit of NTP's in the Pennsylvania State College system.

Petition campaigns are under way at University of Massachusetts, Miami-Dade Community College (largest two-year college in the country), University of Nevada, and Albion College (Michigan).

* * *

In a management/confidential dispute somewhat reminiscent of SPA's own problems, Temple University continues to be embroiled in controversy.

A December runoff election for bargaining rights at the school had apparently produced a significant AAUP victory. Now, however, comes a university management challenge to the composition of the bargaining unit, especially as it relates to department chairmen and NTP's

A determination by the Pennsylvania PERB affecting the status of only 23 employees will reopen the entire question of bargaining rights. The AAUP margin (which put that organization into a runoff election with AFT instead of NEA) was a mere 23 votes.

* * *

The improper practice suit on improper slotting under Article 34 of the Agreement is set for hearing on May 3-4 at PERB Headquarters in Albany.

Representing SPA will be Vice President Alan Willsey, Executive Director Philip Encinio, and NYSUT legal counsel.

* * *

Don't forget category. The NEA Convention convenes June 29 in Portland, Oregon.

* * *

Representatives of SPA's Merger Implementation Committee met with its SUFT counterparts last Tuesday, the 17th in Syracuse to establish election procedure for SUNY/United. The procedures (already distributed) as well as any unforeseen problems will be administered by Co-Chairmen Lawrence DeLucia and Robert Granger.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. 1, No. 31 April 16, 1973

Unity a reality

Members of the SPA Representative Council have voted by a 55-4 (with one abstention) margin to merge with the State University Federation of Teachers.

The resultant union -- "SUNY/United" -- with almost 4,000 members becomes one of the largest education union locals in the country.

Merger was accomplished on a motion by delegate Robert Potter (SUC-Brockport) to amend the SPA Constitution and Bylaws by substitution of the SUNY/United Constitution and Bylaws. Following a short debate, the motion was carried with support from 29 of the 30 SPA units represented.

Also voted by the Saturday meeting was the establishment of the order of business for the first meeting of the Delegate Assembly of SUNY/United.

In line with the recommendation made by SPA Treasurer Joseph Drew (SUNY-Buffalo), the first matter of substance to be discussed by the new organization will be a series of amendments to the SUNY/United Constitution and Bylaws.

These amendments -- already distributed to each SPA member -- deal primarily with representation by type of unit on the SUNY/United Executive Board and proportional representation on the new Board for NTP's.

The calendar for merger now calls for the merger of local campus SPA and SUFT membership lists on April 17. Official SUNY/United membership lists will then be immediately distributed to each chapter to allow the completion of local campus SUNY/United elections prior to May 1.

The first SUNY/United Delegate Assembly has been set for May 12 in Albany. Among the highlights of that meeting will be the election of SUNY/United officers and Executive Board.

During the interim period between April 16 and May 12, any potential difficulties in merger implementation will be handled by the SUFT Merger Implementation Committee chaired by Lawrence DeLucia (SUC-Oswego), and the SPA Merger Implementation Committee chaired by Robert Granger (S.U. Ag. & Tech. at Alfred).

* * *

Allan West, long-time member of the NEA administrative hierarchy, has announced his retirement effective May 1. West has been associated with the organization's conservative wing as represented by former Executive Secretary Sam Lambert.

* * *

The first mediation session between SPA and the State will be held today, April 16 in Albany. The impasse -- declared on April 4 by SPA -- is over salary negotiation under Article 19 of the contract.

Mediator Dale Beech from Rensselaer Polytechnic Institute has been assigned by PERB to handle the case.

* * *

Staff news: The SPA Executive Board has voted promotions to staff members Virginia Carpenter and Edward Purcell. Mrs. Carpenter becomes Special Assistant to the Executive Director while Purcell has been named Assistant Executive Director.

Also, the Board has voted to employ Mrs. Ellen Suarez as Communications Associate. Mrs. Suarez -- a graduate of Boston University with considerable publications and higher education experience -- will join staff early in May.

* * *

Impasse Sidelight: In an incredible show of childish attitudes, the State has reacted to SPA's declaration of impasse in a series of strange moves.

1. OER Director Melvin Osterman for nearly a week refused to admit to the news media that impasse existed. Instead, he characterized the last negotiations session as "normal" despite the fact that he was informed face-to-face that SPA could not buy the State's position.

2. Osterman also has ordered all OER and SUNY personnel employees to avoid any communication whatsoever with SPA even on routine matters.

3. The State has "cranked up a duplicating machine" in the issuance of grievance decisions giving uniform, one-paragraph denials of over a dozen cases. Grievances of an extremely complex and important nature -- with substantial amounts of documentation and testimony to be reviewed -- have been denied in one day.

4. The State has purposely "leaked" misinformation to various campuses and members of the unit in an apparent attempt to split the ranks of the union.

Why? There is strong speculation that OER has engaged a furious pressure campaign to force Article 19 settlement and avoid further "loss of face."

Apparently, the State's strategy was to settle SPA talks prior to settlement with CSEA and, in the process, provide SUNY with a substantially smaller pay hike than other bargaining units. In a serious misreading of the mood and intent of the bargaining unit and its representatives, OER thought settlement was "in the bag" and reported this to the Governor and top legislative officials.

Instead, the SPA team responded to the State's pitiful offer with firmness and declared impasse under the Taylor Law.

* * *

SPA was represented last week at the first annual Baruch College symposium on collective bargaining in higher education by Executive Board Members Herman Doh and Robert Fisk. Both participants report an excellent and useful program.

* * *

The SPA Executive Board has authorized the establishment of a special committee to study the structuring of next year's full contract negotiations. The committee which will be established within the month will deal with all mechanical and procedural suggestions for providing maximum membership input and structural development of the negotiations.

* * *

Dr. Stanley Goldstein, chairman of SPA's Article 20 negotiating team, reports his team has declared impasse in salary talks for medical and dental faculty. While some progress has been reported in the negotiations, the State was simply unwilling to provide sufficient dollars for settlement and to treat numerous structural concerns expressed by SPA.

Impasse talks will be coordinated with Article 19.

* * *

Anne Commerton, chairwoman of SPA's Committee on Academic Status for Librarians, also reports the breakdown of talks with the University. Difficulties boil down to SUNY's refusal to guarantee in fact academic status for its librarians.

Further discussions in this area will be handled by SPA Executive Director Philip Encinio.

* * *

FYI

Information

For YourCurrent news for
the leadership of the

Senate Professional Association

Vol. I, No. 30 April 9, 1973

Merger, 4-1 yes

SPA members have voted approval of the SPA-SUFT merger by a margin of 1225 in favor to 311 opposed. Results by category of membership show academics in favor 925-232 and professionals in favor 300-79. Of 30 SPA units, merger was approved at 28 with Binghamton tied and Central Administration voting in opposition.

In the category breakdown by campus, merger was approved in all categories with the exception of Binghamton academic (14-15), Central Administration (2-4 professional only), Fredonia professional (5-5), Potsdam professional (4-5), and Forestry academic (14-14).

The ballot return of 1540 or slightly over 50 percent represents the largest return of a membership-wide poll (including questionnaires and contract ratification).

The SPA Representative Council meets this Saturday, the 14th, in Albany to consider the referendum results and the merger question in general.

* * *

SPA Article 19 negotiators declared impasse in the salary talks with the State on Wednesday, April 4. Impasse in the 5-month old talks developed over the State's refusal to address itself to structural salary inequities identified in SPA's 13-point salary proposal and the State's insistence on a \$6-million discretionary fund as the sole salary increase for members of the bargaining unit this year.

The SPA team led by chief negotiator Alan Willsey also found substantial disagreement with the State's position that the \$6-million should be a "one-time only" payment (not to be applied to base salary) and be distributed solely and completely at the behest of the University Chancellor.

Chief Negotiator Willsey has been in constant communication with PERB's Office of Conciliation and Mediation since the breakdown of the talks in hopes of insuring a rapid convening of talks under the aegis of PERB. The SPA team had requested that mediation be waived in the dispute so that fact-finding through an impartial third party could begin immediately. At this point, however, the State has refused to waive the mediation step.

* * *

The first strike under Hawaii's new public employee negotiations law was begun April 2 when talks for a new statewide K-12 teachers contract broke down. The Hawaii law provides for a "limited right to strike."

* * *

NEA has gone strongly on record as opposing President Nixon's nomination to the vacant post of U.S. Commissioner of Education. The nominee -- John R. Ottina -- is currently a deputy commissioner for planning, evaluation, and management.

In a statement before the Senate Labor and Public Welfare Committee, NEA President Catharine Barrett expressed fear that Ottina's confirmation would "perpetuate the Nixon Administration's negative focus on errors and failures, never on the tremendous good that resulted from numbers of federal education programs."

* * *

In the State's first contract settlement with its employees this year, the prison guard's unit has won a salary boost of about six percent. Newspapers have reported that regular increment will also be paid, although this report may prove incorrect.

Rumor has it that CSEA salary talks have also been completed and that pension issues remain the final bar to complete settlement.

The state police bargaining unit (troopers) declared impasse last week.

* * *

The SPA Rep. Council Committee on Affiliations has completed work on its report to be formally presented to the Council meeting this weekend. Participating in the actual drafting of the document last week were committee members Edith Cobane (Albany), Joe Burns (Cobleskill), Fred Burelbach (Brockport), and Margaret O'Bryan (SUNY-Buffalo). Other committee members made contributions via telephone to the drafting group.

The written report -- which will be supplemented by an oral presentation at the Council meeting -- is the result of meeting with officials of CSEA and AAUP.

* * *

SPA Executive Board Member Fred Miller and Chapter President (Morrisville) Doris Knudsen were among those attending a recent meeting of the SUNY Faculty Senate Committee on Equal Employment Opportunity. The Senate's desire to coordinate its activity in this field with SPA was discussed.

* * *

A mobile teachers' retirement assistance bill has been filed in Congress at the request of NEA. Sponsored by Reps. John Dent (D-Pa) and Carl Perkins (D-Ky), the bill would establish a portable retirement program for teachers that would not seriously lessen the retirement benefits of teachers moving from state to state.

The portability feature -- a prime selling point of TIAA-CREF -- would be of substantial benefit to SUNY employees who participate in the NYS Teacher Retirement or NYS Public Employee pension plans.

* * *

SPA's Executive Board meets this Friday evening in Albany's Holiday Inn on Central Avenue. The time is 4:00 p.m.

The Central Avenue Holiday Inn is also the site of Saturday's Representative Council meeting.

* * *

The special committee established under Article 38 of the SPA-State Agreement meets this Friday at 10:00 a.m. in Albany. Chairing the SPA contingent is Executive Board member Dr. Stanley Goldstein of Downstate Medical Center.

Also on the committee are Dr. Robert Bartlett (Downstate), Dr. Robert Dougherty (Upstate), Dr. Richard Aubry (Upstate), Dr. Charles Lipani (Buffalo HSC), Dr. Ruth Walsh (Buffalo HSC), Dr. Campbell Lamont (Stony Brook HSC), and John Valter (Stony Brook HSC).

Anne Willcox (Upstate) and Jack Illari (Downstate) serve as alternates.

On the agenda for the meeting will be the operations of health science centers as they relate to funding; student-faculty ratios; professional liability insurance; ancillary support for professional staff; appointment, promotion and tenure questions.

* * *

NEA membership in New York is reported up by over 40,000 this year. SPA membership has remained essentially static for the past three months.

* * *



Information

For Your

Current news for
the leadership of the

Senate Professional Association

Vol. I, No. 29

April 2, 1973

Before Clark Kerr went through the revolving presidential door at Berkeley, he defined the modern multiversity president's job. It was, he said, to provide "sex for the students, football for the alumni, and parking for the faculty." Eight years later, after my own maiden year as president of the University of Cincinnati—whose 36,104 students make it the largest urban multiversity in the country after New York City's—I can report:

- The parking problem is worse.
- College football is being energetically chased by man-eating tigers (in our case the Bengals).
- Sex is so taken for granted as to rate no priority.

If the problems change, however, they grow no fewer. All of them, whether from outside the university or from within it, no matter how trivial or irrelevant, wind up on the president's desk. Throughout my first year the mere job of clearing it often kept me there until the small hours—far longer than what I accomplished seemed to justify. I appreciated more than ever the pertinence of Herman B. Wells's observation, after leaving Indiana's presidency, that a college president should be born with "the physical stamina of a Greek athlete, the cunning of a Machiavelli, the wisdom of a Solomon, the courage of a lion, if possible," but above all, with "the stomach of a goat."

As, goatlike, I chew the ruminative cud of that first year's academic detritus, I think I begin to understand why so many first-class men, often the finest and the best, decide to quit the presidential chair before they have scarcely warmed it, staying in some cases less time than it took the search committee to find them.

My moment of truth came toward the end of my first ten months. It was one of those nights in the office. The clock was moving toward four in the morning, and I was still not through with the incredible mass of paper

stacked before me. I was bone weary and soul weary, and I found myself muttering, "Either I can't manage this place, or it's unmanageable." I reached for my calendar and ran my eyes down each hour, half-hour, quarter-hour, to see where my time had gone that day, the day before, the month before.

Nobel laureate James Franck has said he always recognizes a moment of discovery by "the feeling of terror that seizes me." I felt a trace of it that morning. My discovery was this: *I had become the victim of a vast, amorphous, unwitting, unconscious conspiracy to prevent me from doing anything whatever to change the university's status quo.* Even those of my associates who fully shared my hopes to set new goals, new directions, to work transforming and creative change were unconsciously often doing the most to make sure that I would never find the time to begin it. I found myself thinking of a friend and former colleague who had taken over one of our top universities with goals and plans that fired up all those around him and who said when he left a few years later: "I never could get around to doing the things I wanted to do."

This discovery, or rediscovery, has led me to formulate what might be called Bennis's First Law of Academic Pseudodynamics, to wit: Routine work drives out nonroutine work, or: how to smother to death all creative planning, all fundamental change in the university—or *any* institution.

This insight also gave me the strength I needed to get through the year. All my academic training and a great deal of its practical application as a consultant to business and other organizations had concerned the rational development of managerial strengths and the tactics and strategy for their optimal use. Now I was being confronted with the acid test: whether I, as a "leading theorist" of the principles of creative leadership, actually could prove myself

The University Leader

BY WARREN BENNIS

Riding a white horse?
I'll settle for a dray
horse, even one ready
for the glue works.

a leader. I resolved that in the year ahead I would either do so or confess that I had better go back to the classroom to develop some better theory.

But first, some illustrations of the First Law. To start, there are 150 letters in the day's mail that require a response. About fifty of them concern our young dean of the School of Education, Hendrik Gideonse. Gideonse's job is to bring about change in the teaching of teachers, in our university's relationship to the public schools and to students in the deprived and deteriorating neighborhood around us. Out of these urban schools will come the bulk of our students of the future—as good or as bad as the schools have shaped them.

But the letters. They're not about education—they're about a baby, the dean's ten-week-old son. Gideonse feels very strongly about certain basic values. He feels especially so about sex roles, about equality for his wife, about making sure she has the time and freedom to develop her own potentials fully. So he's been carrying the baby into his office two days a week in a little bassinet, keeping him on his desk while he does his work. The daily *Enquirer* heard about all this, took a picture of Hendrik, baby, and bassinet, and played it on page one. TV splashed it across the nation—and my "in" basket has been overflowing ever since with letters that urge his arrest, or merely his immediate dismissal. My only public comment was that we're a tax-supported institution, and if Hendrik can engage in this form of applied humanism and still accomplish the things we both want done in education, then, like Lincoln with Grant's whiskey, I'd gladly send him several new babies for adoption. Nevertheless, Hendrik's baby is eating up quite a bit of my time.

Here's a note from a professor, complaining that his classroom temperature is down to 65; I suppose he expects me to grab a wrench and fix it. A student

complaints we won't give you a free course credit for acting as assistant to a city councilman. Another was unable to get into the student health center. The teacher at my child's day school, who also goes to UC, is dissatisfied with her grades. A parent complains about four-letter words in a Philip Roth book being used in an English class. The track coach wants me to come over to see for myself how bad the track is. An alumnus couldn't get the football seat he wanted. Another wants a coach fired. A teacher just called to tell me the squash court was closed at 7 p.m., when he wanted to use it.

A number of letters concern the rising rate of felonies on campus. We have 4,000 students living in high-rise dorms around the campus. As they grow more affluent and have more things to steal and as the neighborhood around us deteriorates still more, the rise in crime becomes frightening. Now the dorms can be entered only with a key after midnight, but here's a letter complaining that a girl could be raped while hunting for her key. And so it goes.

Last year perhaps 20 per cent of my time was taken up by a problem at the General Hospital. It is city owned but is administered by the university and serves as the teaching hospital of our medical school. Some terminal cancer patients, with their consent, had been subjected to whole-body radiation as possibly beneficial therapy. Since the Pentagon saw this as a convenient way to gather data that might help protect civilian populations in nuclear warfare, it provided a series of subsidies for the work. When this story broke and was pursued in such a way as to call up comparisons with the Nazis' experiments on human guinea pigs, it became almost impossible for me or anybody else to separate the essential facts from the fantasized distortions. The problem, hopefully, has subsided (after a blue-ribbon task force recommended significant changes in the experiment's design). But I have also invested endless time in a matter only vaguely related to the prime purposes of our university—and wound up being accused by some of interfering with academic freedom. Together with the story of Hendrik's baby, the episode illustrates how the media, particularly TV, make the academic cloister a global village in a goldfish bowl. By focusing on the lurid or the superficial, they can disrupt a president's proper activities, while contributing nothing to the advancement of knowledge.

This leads me to Bennis's Second Law of Academic Pseudodynamics: Make whatever grand plans you will, you may be sure the unexpected or the trivial will disturb and disrupt them.

What "grand plans"—what fundamental change, what creative reshaping of the university's goals and purposes—should I (and other presidents) be making? In order to see where we are

going, it may be helpful, as Lincoln suggested, to see first where we are.

Higher education is now at a great, historic watershed—what Clark Kerr has aptly called "Climacteric II." The first climacteric was that great period of growth between 1870 and 1900, following on the Morrill Act, establishing land-grant colleges. But the growth following World War II was simply staggering. The wartime baby boom flooded campuses with an ever-increasing influx of students. Blank checks from federal and other subsidies flooded them with seemingly limitless resources for expansion. Since 1941, when my own board chairman joined the trustees, she has seen its budget rise from \$3 million to \$120 million; its student body increased in the Sixties alone by 75 per cent, its faculty by 96 per cent, its space by 300 per cent.

For administrators growth became its own object, without form, plan, or coherence. "Management by addition" added programs much as a supermarket stocks its shelves, taking any grab bag that offered funds, without thought for its relevance to teaching and knowledge or for its consequences. Sheer, monstrous size became higher education's Achilles' heel. The excess credentialism of employers, abetted by witless counselors and demanding parents, jammed campuses with millions of students who did not really want to be there, were all dressed up with no place to go, and who often treated college as two more years of high school—with ash trays. The growing impersonality of multiversities brought first apathy, then anomie, then alienation—flaring into the 1964 Berkeley demonstrations and the Columbia riots and culminating in the 1970 Kent State-Cambodia crisis.

Now the merry-go-round is over, the music has stopped, and the piper must be paid.

Our overgrown universities are confronted with a sharp decline in the number of customers (high school graduates), and the rate of decline will sharpen. The public increasingly demands that higher education earn its future support by proving that its products have some direct relation to the job needs of the society. Where formerly six new faculty members were hired for every one who died or retired, now the ratio is only one to one and may grow less. In the next decade scores of small, private colleges may go under for lack of funds. Others, stifled by a tenure system, watch their faculties grow older and less flexible while angry, frustrated, younger teachers find themselves the captives of dwindling mobility, fewer job offerings, and less chance for advancement on merit.

All our major institutions, but particularly the university, are afflicted with a threefold sense of loss: loss of community, loss of purpose, and loss of power.

Perhaps there was never a true "university community" any more than a Camelot. But the image does suggest a time when professors recognized their colleagues on sight and could even remember the name of a senior who asked for a recommendation to a graduate school. Today the faculty, once unified by a common definition of the nature and purposes of scholarship, is fragmented into competing professional citadels. Many have shifted their concern from the intellectual and moral content of education to privilege and ritual.

Students in the multiversity find very little real personal contact or summoning call of the spirit. The real enemy is not anarchy but apathy. Alumni, too, are estranged; many of the older are outraged by the weird sea changes of the campus they remember, while the younger feel no affectionate bond for the institution. And the greatest loss of community, the greatest estrangement, is among the general public—the citizens and parents and their mirror images in legislatures and Congress—on whom the very life of public institutions depends and who are no longer at all sure it is a life worth saving.

With the loss of community has come the loss of power. For example, at Cincinnati we have not only a faculty senate and a student senate but sixty-nine other committees that are involved, in one way or another, in university governance—including a junior faculty committee, a black faculty committee, and a Jewish faculty council. (In all fairness I must note that despite the difficulties in touching base with all these groups they all have tried to cooperate with, and be supportive of, my administration.) Vast splintering and fragmentation arise from the new populism of those who felt denied in the past and who, rightly, want to be consulted in those decisions that affect them. All this is supposed to add up to "participatory democracy" but adds up, instead, to a cave of the winds where the most that can usually be agreed upon is to do nothing (like the bumper sticker "My Vote Cancels Yours").

As for the purposes of higher education, they became blurred indeed in the quarter-century of postwar expansion. As long as the money poured in and the sky was the limit, there was no visible need to choose between and among programs. One inevitable result was that each university and college began to resemble all the others, becoming a sort of service station from which a student could pluck what he wanted. Now, as the flow of resources and students dries up, colleges and universities are forced for the first time to determine what is essential and what is expendable. A tangle of commitments that were none too purposefully acquired now demands what I call "creative retraction"—a task made all the more difficult and painful by the haphazard, heedless way that Topsy grew.

Unquestionably, universities are among the worst-managed institutions in the country. Hospitals and some state and city administrations may be as bad; no business or industry except Penn Central can possibly be. One reason, incredibly enough, is that universities—which have studied everything from government to Persian mirrors and the number 7—have never deeply studied their own administration.

The University of Cincinnati, with a staff of 6,000, is the second largest employer (after General Electric) in Greater Cincinnati. It is in the hotel business (high-rise dorms housing 4,000 students), the restaurant business (ten, all told), the investment business (a \$53-million endowment portfolio), and must manage a total plant bigger than many utilities.

Its situation is complicated because it is extremely labor-intensive (instructional compensation is 84 per cent of the budget) and extremely vulnerable to inflation (our costs rise at an annual rate of 12 per cent, versus inflation's recent average of 4 per cent). And, unlike industry, it has not increased "productivity" (only the construction industry matches education's failure to increase its productivity in twenty-five years). It is complicated further by being almost uniquely "flat" in its managerial structure. That structure is not "transitive," as it is in business, where executives can expect an orderly rise from step one to step two as their experience and abilities merit. In the university the final locus of power is really the individual professor, who can be "transitive" only to the extent of heading his department; he advances along a *competence* hierarchy, not a *power* hierarchy—one that confers influence and status but not the ability to issue orders or to confer emoluments. In sum, it is society's closest realization of the pure model of anarchy; i.e., the locus of decision making is the individual.

This is the cat's cradle in which university presidents are presently enmeshed. The crisis calls for leadership, but leaders aren't leading. They're consulting, pleading, temporizing, martyring, trotting, putting out fires, either avoiding or taking the heat, and spending too much energy in doing both. They've got sweaty palms, and they're scared. One reason is that many of them don't have the faintest concept of what leadership is all about. Like Auden's captain, they are studying navigation while the ship is sinking.

In my moment of truth, that weary 4 a.m. in my trivia-cluttered office, and in the reflective hours of the following summer, I began trying to straighten out in my own mind what the university president should be doing and not



Make whatever grand plans you will, you may be sure the trivial will disrupt them.

doing, what his true priorities should be, how he must lead.

Lead, not manage. There is an important difference. Many an institution is very well managed and very poorly led. It may excel in the ability to handle each day all the routine inputs—yet may never ask whether the routine should be done at all.

Frequently, as I have noted, my best, most enthusiastic deputies were unwittingly keeping me from working any fundamental change. One, for example, was wheedling me into a personal "liaison" visit to the manager of a huge, new governmental complex that will be our neighbor. I was about to do this, but the lesson from my moment of truth intervened. "Look," I said, "if I go, all I will hear are things he is going to want from the provost, from the librarian, and so on. I will have to come back and relay this to them. I may not do so nearly as clearly or persuasively as he would firsthand; furthermore, they might be less cooperative."

All of us find ourselves acting on

routine problems because they are the easiest things to do; we hesitate to get involved too early in the bigger ones—we collude, as it were, in the unconscious conspiracy to immerse us in routine. In the past year I have talked with many new presidents of widely ranging enterprises, and each one has told me the biggest mistake he made was to take on too much, as if proving oneself depended on providing instant solutions and success was dependent on immediate achievements.

My entrapment in routine made me realize another thing. People were following the old army game. They did not want to take the responsibility, or bear the consequences, of decisions they properly should make. The motto was "Let's push up the tough ones." The consequence was that everybody and anybody was dumping his "wet babies" (as the State Department old hands call them) on my desk, when I had neither the diapers nor the information to take care of them.

So I have decided the president's first priority—the sine qua non of effective leadership—is to create around him an "executive constellation" to run the office of the president. It can be a mixed bag—some of them vice-presidents, some presidential assistants. All of them must be compatible in the sense that they can work together but neither uniform nor conformist in the sense of yes men—they will be men who know more than the president does about everything within their areas of competency and can attend to them without dropping their wet babies on his desk. They must be people who take very seriously the functions of the office of the president. They ask what those functions are now and what they should be. They ask what various individuals want to do, are motivated to do, and are competent to do. And they try to work out the "fit."

What should the president himself do? He should be a *conceptualist*. That's something more than being just an "idea man." It means a leader with entrepreneurial vision and the time to spend thinking about the forces that will affect the destiny of his institution. He must educate the trustees so they not only understand the necessity of distinguishing between leadership and management but also can protect the chief executive from getting enmeshed in routine machinery. If he fails to do this, the trustees will collude with the other constituencies to enmesh him—be more concerned about putting out fires than considering whether the building is worth saving.

The leader must create for his institution clear-cut and measurable goals, based on advice from all elements of the community. He must be allowed to proceed toward those goals without

being crippled by bureaucratic machinery that saps his strength, energy, and initiative. He must be allowed to take risks, to embrace error, to use his creativity to the hilt and encourage faculty and students to use theirs.

Man on a white horse? Some would say so. But consider the situation of the President of the United States, as Richard Neustadt portrays it: "Underneath our images of Presidents-in-boots, astride decisions, are the half-observed realities of Presidents-in-sneakers, stirrups in hand, trying to induce particular department heads, or Congressmen, or Senators, to climb aboard."

I don't want to ride a white horse. I'll settle for a dray horse, even one ready for the glue works. All I want to do is to get one foot in the stirrup.

Assuming I can do so, what goals would I wish to shape, what directions would I offer to help make the university control events, rather than, as in the past, being controlled by them? Here are a few, necessarily brief, daubs at the future's canvas.

Outside the university more educational consortia are needed, perhaps spanning entire regions and embracing public and private institutions alike. In addition, we must establish a direct, and seminal, relation with the public schools around us, and with the deteriorating neighborhoods where they chiefly cluster.

Within the university reforms often talked about must, in fact, be carried out. For one thing, faculty tenure must be taken seriously—and by that I mean systematic evaluation of performance, something that has rarely been done. Tenure was never meant to shield incompetence but rather to give a strong measure of economic security in order to protect academic freedom. For another thing, we will have to increase "efficiency." New techniques are available, from computerized instruction to cable TV. For still another thing, all top administrators, including the president, should be placed on term appointments. Let the leader lead; if he doesn't move the institution measurably toward agreed-upon goals within a certain number of years, oust him.

Above and beyond the set of problems such actions would help to solve lies a larger set. It relates to the nature of work in our society. To begin with, more and more of our well-educated young are eager to enter into some occupation related to the "management of human services." (A majority of students at the top 100 universities, according to a recent Office of Education report, indicate that's what they want to do.) At the same time there is a growing need for these services among the poor, the old, the infirm, and all

those people left, not "beyond the melting pot," but behind it. We seem to have no viable mechanism for bringing those individuals with the talent and the drive to help together with those individuals who require such help. What's needed is some new social invention, equivalent to Henry Ford's assembly line, that will create an appropriate mechanism for this badly needed fusion.

Universities can help. But as matters stand now, interested students have a fairly difficult time in finding the sorts of curriculums or "majors" that would enable them to learn about the art and science of the development, delivery, and management of human services. At least, they seem to find the university not altogether congenial or forthcoming in this area. Yet, in any case, by 1980 fully 75 per cent of the American labor force will be working in "service" activities, many of them carried on by giant public institutions (in education, health, welfare, and so on).

In the light of these facts what should we be doing?

We should create more cooperative (work-study) educational programs. They should embrace not only departments and colleges that have traditionally used them, such as business, engineering, and architectural design, but those that haven't. I mean, of course, the departments most responsible for general, or liberal, education, usually found in the arts and sciences.

We should create co-op programs for faculty, too. Especially in the professional areas faculty would profit enormously by sustained experience as practitioners in their areas of competence. Indeed, rather than the stale fad of "interdisciplinary" teaching or research, it might be wiser to create opportunities for faculty to engage in "metadisciplinary" work—that is, work in the occupational sector related or potentially related to their discipline. Professors of education, of business, of sociology, of political science, would not only profit personally and professionally from such experiences but would eventually add to the body of knowledge that defines their "fields."

Changes are being made, though not rapidly enough in my view, to create carefully chosen experimental components (not just co-op jobs) that would augment the theoretical/cognitive/abstract side of education. Medical schools manage (sometimes clumsily, but nevertheless they manage) to provide a system that combines classroom work and clinical apprenticeship.

Two-year colleges, despite their popularity and enormous growth over the past decade and a half, must concern themselves with the general traditions of the sciences, humanities, and social sciences. We've produced enough

"trained idiots," enough specialists with a "trained incapacity." Segmented education, without the ability to make the right connections between scientific, humanistic, and sociocultural concerns, helps to create segmented and compartmentalized people, when we desperately need generalists. We can't afford in our two-year colleges to educate a "technostructure" without this base, any more than we can in our four-year colleges. All of this means that our educational "futures," to use the jargon of the day, must once again pay special attention to the arts, to the sciences, to the humanities—in short, to a really vital and integrated liberal education. Against the pressures of a totally utilitarian education, this voice must not only be protected but amplified.

In order to keep our huge university physical plants at full capacity as well as to add badly needed tuition dollars, industry and government should create minisabbaticals for their people. Many employees could profit both themselves and their sponsoring organizations through advanced studies, or simple "repotting," or some other form of continuing education.

It isn't only for economic reasons that this "new clientele" should be encouraged. (At the present time it is anything but encouraged; try calling your local college or university to ask how to register as a part-time student in order to take one graduate course during the day.) It's just possible that "older people" (over twenty-five) may enrich and animate our campuses in a way that hasn't occurred since the golden days of the GI Bill of Rights. It's just possible that people with work experience, plus commitment to learning, will turn out to be the best students we've ever had. It's just possible that age diversity may be as exciting as ethnic and religious diversity (and perhaps more so—I suspect that there will be far greater integration among the ages than has yet arrived among the races). I've never yet read a novel in which at least three generations didn't play a role; that may soon prove to be true for higher education as well.

In sum, I believe that changes in higher education during the Seventies will come about not merely for the sake of change but rather for the sake of humanity. Without, however, a thorough understanding of the processes of change, the leadership needs of universities, and the social architecture of such multifaceted, giant educational institutions, we all might just as well continue to work diligently on blue-ribbon "task force" committees. Nothing insures the status quo so much as putting the best minds and best talents on these task forces. For their reports continue to get better as our problems grow worse. □



Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. 1, No. 28 March 26, 1973

Convention news

Billed as the "historic first convention" of the New York State United Teachers, last weekend's assembly in Montreal, Canada may have fallen short of the "historic" tag, but did prove that teachers in the State can work together for strong union.

Highlight of the meeting was the near-unanimous re-election of Thomas Hobart as NYSUT President. Also elected to officer positions were other members of the "unity team" Albert Shanker (Executive Vice President), Dan Sanders (First Vice President), Toni Cortese (Second Vice President), and Edward Rodgers (Treasurer).

SPA President Robert Granger was also elected Director of NYSUT District 38. (See story below.)

Among the major developments at the convention was the emergence of two fledgling political organizations within NYSUT -- the Unity Caucus and the Grass Roots Caucus. Major confrontation between the two groups came on the issue of roll-call versus secret ballot voting where the Unity Caucus managed a close, but clear-cut victory for roll-call voting. Other Grass Roots Caucus issues that were characterized as designed to bring NYSUT back to the NYSTA model of organization also fell short of a majority.

The Grass Roots Caucus did, however, have sufficient strength to make it a credible political movement for the future. Both groups solicited funds during the meeting and elected leaders to coordinate internal political action during the coming year.

* * *

CAPE, the NEA-organized lobby on behalf of public employees, has announced plans for an "all-out attack" on legislation which restricts the political rights of public employees. First step in the program is the filing of an *amicus curiae* with the U.S. Supreme Court seeking to strike down the federal Hatch Act which limits the political involvement of federal employees.

Joining CAPE in the filing are the American Federation of Government Employees and the American Postal Workers Union, both AFL-CIO affiliates.

CAPE, which will be financed by a minimum of \$200,000 per year, has thus far been unsuccessful in expanding beyond its founding members: NEA, AFSCME, and the International Association of Fire Fighters.

* * *

Thirty-two SUNY representatives to the NYSUT Convention have elected SPA president Robert Granger as Director of NYSUT Election District 38 (higher education outside New York City). Challenged in a three-man race by Constantine Yeracaris (SUNY-Buffalo) and Edward Wesnofske (SUC-Oneonta), Granger polled 21 votes to six for Wesnofske and five for Yeracaris.

Attending the meeting were 26 SPA delegates and six delegates from the State University Federation of Teachers.

* * *

Due to some delay in the mailing and receipt of merger referendum ballots, the deadline for receipt of the votes in SPA Central has been moved to Thursday, April 5. As per the tentative Merger Implementation Calendar, the ballots will be tabulated on April 6 with results to be immediately distributed to all local units and Rep. Council delegates.

The Council's Credentials Committee headed by John Schroeder (Maritime) has been charged with responsibility for the count.

* * *

The battle against so-called pension reform for public employees in the State continues with rumors of many proposed compromises in the winds. Latest to surface is a deal to make all current temporary benefits permanent in return for an end to organized union resistance to the Governor's pension proposals.

At this critical juncture, it would be extremely useful for local chapters and individual SPA members to contact their local legislators to discuss the dangers inherent in the reform plan.

In-depth information and analysis of the proposed pension moves can be found in recent issues of the New York Teacher. NYSUT, with the strong backing of the state AFL-CIO, continues to be the most vocal (and probably most effective) voice against the diminishment of public employee pension benefits.

* * *

Article 20 negotiators meet again today in Albany to continue attempts to settle salary questions for SUNY's medical and dental faculties. With progress reported last week, the group was rapidly reconvened to continue the push.

SPA's team has also reserved Tuesday, the 27th for talks if fruitful.

* * *

NEA President Catharine Barrett, AFT President David Seldon, and well-known civil rights activist Bayard Rustin were featured speakers at the NYSUT Convention. Barrett and Seldon, as expected, continued their "at-a-distance" feud over teacher unity and how to achieve it.

The real hit of the program was Rustin who addressed himself to the social impact and conscience of teacher unionism. Rustin noted that teachers through contract -- and strike -- have been able to achieve benefits for the underprivileged that 100 years of civil rights activity had not been able to crack. He included reduced class size, upward-mobile jobs and scholarships for the underprivileged on his list.

Rustin -- who is currently director of the A. Philip Randolph Institute (founded to promote unionism in the Black community) -- also pointed to the fact that unionized members of his race have incomes some 50 percent above the community as a whole.

* * *

Terry Herndon, Executive Director of the Michigan Teachers Association, has been selected to fill the slot of NEA Executive Director, the association's top staff post.

The 34-year-old Herndon is a former teacher with previous experience on the NEA field staff.

* * *

SPA's first filing with the Wages and Hours Division of the U.S. Labor Department will be made this week. The case involves salary discrimination because of sex against an academic employee at SUC-Oswego.

SPA's Grievance Chairman at Oswego Fred Fischer and Central staff member Edward Purcell assisted in the preparation of the case.

* * *

In a recent grievance settlement, SPA was successful in obtaining a one-year re-appointment for an academic at SUNY-Stony Brook who was improperly notified of non-renewal.

* * *

SPA membership this week stands at 3096.

* * *

FYI

Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 27 March 19, 1973

New dates set

Responding both to the dilatory tactics of the State and critical need to immediately test several contract points, SPA has reslotted several grievance cases pending arbitration.

Withdrawn from arbitration is the sex discrimination case of Nirmala Bidani. The hearing had been previously set for April 12.

According to SPA Executive Director Philip Encinio, it became necessary to withdraw the Bidani grievance after the University had moved successfully to estop the grievant from multiple forums in which to seek remedy.

"Ms. Bidani, in her effort to seek redress," Encinio notes, "had originally sought help from the State Human Rights Commission as well as SPA. When the initial Human Rights Commission hearing was held on her case, however, the University was successful in stopping any further Commission action until the grievance process was exhausted."

"In an effort to put a stop to the University's uniform denial of all discrimination cases," Encinio continues, "we had previously determined that the outside pressure of investigation by the Human Rights Commission, the U.S. Department of Labor, and Equal Employment Opportunity Commission was needed before the State itself would undertake a serious review of any discrimination case. To mount this immediate pressure in the case of Bidani, it therefore was necessary to call the bluff of the two possible collusive State agencies and withdraw the arbitration so that the Human Rights Commission would be forced to continue its investigation."

SPA will now assist Bidani in her Human Rights Commission appeal.

The April 12 arbitration date will now be used to argue the case of James Simon (SUNY-Buffalo). At issue is the University's improper use of qualified academic rank.

A second case, John Everett (SUC-Fredonia), will continue on the arbitration agenda, but will not be scheduled until other more pressing cases are heard. This grievance involves reduced load for SPA Chapter Presidents which in the specific case at hand has become moot (Everett is no longer chapter president at Fredonia).

In the matter of Ervin Kedar, SPA is currently investigating the possible of DuShane assistance from NEA to seek a court reversal of an unfavorable arbitration award.

The decision in the case of William Bruce has been somewhat delayed due to the necessity of submitting extensive post-hearing briefs.

* * *

SPA's Article 20 Negotiating Team met last Thursday, March 15 to continue discussions on the long-outstanding problem of salaries for medical and dental personnel. The meeting centered on a proposal for settlement made by OER's John Hanna.

Included on the Article 20 Team are Dr. Stanley Goldstein, Dr. Zebulon Taintor, Dr. Steven Jonas, and Dr. Michael Lilien. SPA consultant at the session was attorney Jerome Sturm.

* * *

Article 19 salary negotiations reconvene in Albany on the 20th.

* * *

Empire State's Labor College has announced registration for its Spring term. Included in the course offerings are a number of labor-oriented courses on collective bargaining, union history, union administration, etc. that should be of particular interest to SPA leaders.

Information can be obtained from Dr. Betty Lall at the Manhattan Learning Center (212-0X7-2247). Registration begins April 9th.

* * *

SUNY's College of Optometry has cast an eye toward active participation in SPA. Responding to a special mailing to all college professional staff, memberships have begun to arrive in SPA Central.

As the number increases, a chapter will be formally organized.

* * *

OER attorneys continue the State's battle against free parking for its employees. The most recent move last week was a suit in State Supreme Court seeking to overturn an arbiter's decision unfavorable to the State's unilateral imposition of a parking fee.

* * *

Director of the Federal Mediation and Conciliation Service Norman Walker has proposed several steps to ease the critical strain on the nation's system of arbitrating labor disputes. Citing the growing problems of cost, time lag, and availability of qualified arbiters, Walker suggests the following:

"Weak and frivolous grievances should be screened out. Parties should avoid cluttering up the process with grievances brought only for political or tactical purposes."

"Similar grievances should be consolidated for hearing in a single case."

"Issues should be clarified before hearing and only necessary witnesses called."

"Hearing transcripts and legal briefs should be avoided where necessary."

"Arbitrators should be encouraged to issue bench decisions, without written award or formal argument, where the parties agree no fundamental question is at issue."

* * *

Under the banner of "Unity Team," the current leadership of NYSUT has selected its slate of candidates for the union's first election. Heading the team as nominee for president is current Co-President Thomas Hobart.

Nominee for Executive Vice-President is Co-President Albert Shanker.

Also nominated are Dan Sanders (First Vice President), Antonia Cortese (Second Vice President), and Edward Rogers (Treasurer). The Unity Team has also endorsed a slate of nominees for the at-large director posts.

* * *

Three SPA members have announced their candidacy for NYSUT District Director of Election District 38. They are: Robert Granger (Alfred), Edward Wesnofske (Oneonta), and Constantine Yeracaris (SUNY-Buffalo).

* * *

NEASO, staff union for professional employees of NEA, has officially announced its affiliation with AFL-CIO -- the Communication Workers of America.

As NEA top management and a majority of the Association's Board of Directors continue to disavow any ties with "organized labor," the affiliation of the organization's own staff may prove some slight embarrassment.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 26 March 12, 1973

Granger elected

SPA President Robert Granger led all candidates last week as tabulation of votes was completed in the twin elections for NYSUT and NEA delegates. Granger, who received over 350 of the approximately 600 votes cast, will lead the SPA delegation of 31 delegates to the NYSUT convention later this month.

Also elected as both NYSUT and NEA delegates were Executive Board members Joseph Drew, Robert Fisk, Alan Willsey, Gail Hotelling, Stanley Goldstein, Herman Doh, Fred Miller, and Mary Lou Wendel.

Others elected to NYSUT's new Election District 38 were Patricia Buchalter, Leila Moore, Fred Burelbach, Robert Potter, Margaret O'Bryan, Constantine Yeracaris, Minerva Goldberg, Charles LaMorte, Zebulon Taintor, Steven Crane, Donald Duell, Bernard Parker, Armand Kamp, Gary Barber, Barbara McCaffery, and Willard Mlott.

Also, Doris Knudsen, Anne Commerton, Sam Waggoner, John Caramia, John Gardiner, and Anne Willcox.

The first five alternates to the NYSUT meeting include (in order of selection) Else Carter, Edith Cobane, Robert Graham, Allen Horn, and Philip Livingston.

Elected as delegates to the NEA convention (in addition to the Executive Board members listed above) are Doris Knudsen, Donald Duell, Patricia Buchalter, Willard Mlott, Barbara McCaffery, William Cashman, Sam Waggoner, Robert Potter, Philip Livingston, Minerva Goldberg, Charles LaMorte, Bernard Parker, and Steven Crane.

Also, Leila Moore, Edith Douglas, Anne Willcox, Margaret O'Bryan, Fred Burelbach, Lyle McCaffery, Constantine Yeracaris, Murray Andersen, and Kathleen Herbermann.

Alternates in order of selection include Allen Horn, Gary Barber, Daniel Frisbie, Paul Manke, and Katherine Rossi.

* * *

A pre-hearing conference between SPA and the University was held last Friday on the question of SPA's improper practice suit on the slotting of NTP's under Article 34. The Association has charged the University with "bad faith" in negotiating a career ladder program for NTP's which they never intended to implement.

Particular points in dispute include the failure of SUNY management to seek the re-classification (upward) of 50 NTP titles and its failure to implement a rational slotting process based on actual evaluations of jobs performed.

Executive Director Philip Encinio represented SPA while OER attorney Joel Hodes presented the State's case.

* * *

The special Representative Council Committee on Affiliations has set two meetings this month to discuss the possibility of widening SPA's affiliations and support within its SUNY constituency. The committee received the necessary funding for its work at a special meeting of the SPA Executive Board held March 3 in Syracuse.

The Executive Board at that time also moved to fill several vacancies on that committee. The committee as now constituted includes Cheryl Carlucci (Stony Brook HSC), Marion Sonnenfeld (Fredonia), Allen Horn (Forestry), Fred Burelbach (Brockport), Robert Granger (ex officio member) Zebulon Taintor (Buffalo HSC), Edith Cobane (Albany), Joe Burns (Cobleskill), Margaret O'Bryan (SUNY-Buffalo), and Philip Swarr (Cortland).

The group will meet on March 19 in Brockport with representatives of AAUP and on March 20 in Albany with representatives of CSEA.

* * *

The U.S. Office of Civil Rights has held up a \$1.9-million federal contract for Columbia University pending a meeting to determine if Columbia's affirmative action plan has been violated. A Columbia women's organization complained to the civil rights office that two recent appointments violated the plan that was approved last year after the government had held up previous contracts until a plan was filed.

* * *

SPA's Regional Meeting for this week is scheduled for March 13 at SUNY-Albany. Region I Schools -- Cobleskill, Central Administration, Empire State, Oneonta, Delhi, Plattsburgh, and New Paltz -- are invited to attend.

* * *

New York State has fallen into fourth place on the list of teachers strikes this year. New York's 9 ranks behind Pennsylvania (35), Illinois (15), and Michigan (11). Nationwide, the strike figure is up from 60 last year to 106 so far this school year.

* * *

Article 19 negotiations continued last week in Albany as the SPA Team presented the State with an overwhelming compilation of data to show the vast salary inequities that exist within the University.

Team Spokesman Alan Willsey says the data also indicates that "last year's merit and inequity pool was completely ineffective in lessening the tremendous scope of the problem."

SPA also presented documentation to show the University's salary comparisons with other institutions as incorrectly drawn and essentially irrelevant.

* * *

SPA's special Merger Implementation Committee -- Robert Granger, Herman Doh, Alan Willsey, Gail Hotelling, Joseph Drew, and Mike Lilien -- met last week to draw up amendments to the SUNY/United Constitution and Bylaws as specified in the merger agreement between SPA and SUFT.

These amendments with a cover letter will be distributed to each SPA member.

Referendum materials for the merger voting are in the mail. The return deadline is March 30.

* * *

NEA Higher Education has prepared a new set of promotional brochures and posters to stress higher education participation in the United Profession. These will soon be available to SPA units for use.

* * *

With labor trouble still plaguing the Concord Hotel, NYSUT has been forced to shift the scene of its first Delegate Assembly to another site. Chosen was Hotel Queen Elizabeth, Montreal, Canada.

The strike of hotel and restaurant workers at the Concord has now been in progress for some two weeks.

* * *

A belated "congratulations" to Philip Livingston, recently-elected chapter president at SUC-New Paltz. Phil will complete the term of Dr. Milton Jacobs who is on leave.

Phil is also New Paltz NTP Delegate to the SPA Representative Council.

* * *

FYI**Information****For Your**

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 25 March 5, 1973

Ballot count

Members of SPA's special Committee on Nominations and Elections have begun the laborious task of tabulating the results of the NYSUT and NEA delegate elections.

Work on the 500-plus votes cast began Friday, March 2 at SPA Headquarters in Albany.

The elections -- conducted under the procedures of various State and Federal statutes -- allowed each SPA member to both nominate and elect 31 SPA representatives to the NYSUT Delegate Assembly and 31 representatives to the NEA Representative Assembly.

Those elected to the delegate slots will be notified by mail and general results published in the Spokesman. The Nominations and Elections Committee consists of Doris Knudsen (Morrisville), chairperson; Leila Moore (Albany); Bernard Parker (Empire State); and Donald Duell (Cobleskill).

* * *

Final results of NEA's recently-completed constitutional referendum show New York State as one of the few states to support the proposals of the NEA Constitutional Convention. New York voted 15,175-3,323 in favor of the reforms that would have lessened the "senatorial voting power" of smaller states in NEA representative councils.

Also voting "yes" against the general tide were Colorado, Florida, Illinois, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Nevada, Ohio, Pennsylvania, South Dakota, Washington, and Wisconsin.

* * *

A special meeting of the SPA Executive Board was held Saturday, March 3 in Syracuse. This meeting replaced the regularly-scheduled session planned for March 9-10.

* * *

As FYI goes to press, word has it that CSEA management has reached agreement with its Headquarters staff on a new contract that would end the week-long staff strike against CSEA. The strike had become complete when CSEA Field Staff employees joined their colleagues in a sympathy strike.

A federal mediator had been called in to assist in settlement. At this time, there are no details on the new agreement.

* * *

In other CSEA news, rumor has it that CSEA foot-dragging at the bargaining table has infuriated State negotiators. With professional staff on strike, CSEA had tried to continue talks minus its professional consultants. They were unwilling (or unable), however, to do any serious negotiating without staff.

Consequently, the State is now seriously contemplating a declaration of impasse -- a first in statewide bargaining in New York. Other informed sources say that the State has its money on the table and is awaiting a reply from CSEA.

* * *

A revised version of NEA's Mobile Teachers' Retirement Assistance Bill was introduced in both the House and Senate on February 20 and referred to committee. The measure, if passed, would establish a system of portable retirement benefits for publicly-employed teachers.

* * *

The first Delegate Assembly of the New York State United Teachers (NYSUT) will convene Friday, March 23 at the Concord Hotel. NEA and AFT people across the country will be watching closely to ascertain if merger in New York State has "really worked."

Probably the most interesting item on the agenda will be the election of new officers and an end to the current dual presidents concept. Opinions are divided on whether Shanker, Hobart, or a "new face" will carry the day.

Of particular interest to SPA will be the convention showing made by higher education units and their effectiveness in the political arena of a large convention. Due largely to merger, higher education will have its greatest delegate strength ever, especially from CUNY and the private colleges represented by the old United Federation of College Teachers group.

SPA will have 31 votes at the convention.

* * *

A pre-arbitration hearing on the matter of management/confidential designations in the University is scheduled for today, March 5. The arbitration grew out of the dispute between SPA and SUNY management over the University's unilateral designation of certain Professional Services Bargaining Unit titles as management.

Executive Director Philip Encinio will represent SPA.

* * *

Executive Board Member Gail Hotelling (Delhi) has become SPA's third registered lobbyist entitled to represent the interests of the organization before the State Legislature. Staff members Philip Encinio and Edward Purcell have also registered to fulfill this function.

SPA officers, by virtue of their positions, are also entitled to represent the Association.

* * *

A meeting with state representatives of AAUP has been set for March 19 in Brockport. The session is part of SPA's continuing effort to forge alliances both inside and outside the SUNY system that will strengthen the cause of the bargaining unit.

* * *

The sophistication of SUNY campus presidents in finding ways to thwart the purpose of the grievance procedure appears to be growing. In one recent Step 1 decision, a president employed this twist:

A step 1 grievance involving the evaluation of an academic is denied -- the reason, no violation of procedure. So far, so good; this is a common decision. Then comes the twist.

The president states that while procedures were not violated, there may have been bad substantive decisions and remands the case back to the department for a second evaluation. The inconsistency is staggering.

Once again, the procedures are used for the benefit of the campus president and no one else. When substance is important to the employee and not the administration, substance is not grievable. When the president wants to use substance as an excuse for lessening political pressure on his campus though, (in this case from students), he uses for his own purpose a substantive argument.

The effect in this case is to impugn the legitimate academic prerogatives of the department and throw the onus of a management decision onto members of the bargaining unit.

* * *

FYI

Information
For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 24 Feb. 26, 1973

Rep Council meets

Members of SPA's Representative Council, meeting in special session, have overwhelmingly voted to send the question of merger with the State University Federation of Teachers (SUFT) to the SPA membership in referendum.

The action came on a vote of 51-15.

The special meeting, one of the best-attended Rep. Council meetings in SPA history, was called into session to reconsider the merger referendum question after substantial progress was made in treating substantive objections to the SUNY/United Constitution raised at the February 10 Council meeting.

According to SPA President Robert Granger, the initial five-vote defeat of the referendum proposition pointed out possible procedural and substantive weak-

nesses in the merger documents which deserved an attempt at resolution. "During the two-week interval between Rep. Council meetings," he says, "SPA's Merger Negotiating Team met twice with representatives from SUFT in an attempt to resolve the questions raised by our Rep. Council delegates. Although renegotiation of the SUNY/United Constitution was not possible (SUFT had already begun its ratification process based on the original document), it was possible to commit to writing certain guarantees and understandings that had been developed during the merger negotiations.

"What we came up with - and what the Rep. Council overwhelmingly approved for referendum - was a merger agreement per se and an implementation calendar for possible merger. With these documents added to the proposed Constitution and Bylaws, we now have a complete package to submit to membership."

Alan Willsey, SPA Vice President for NTP's, notes that the most serious objections to the proposed constitution and bylaws involved representation questions on SUNY/United's Executive Board. "We had many readings of concern about lack of proportional NTP representation on the Board and the abolishment of SPA's current system of caucus representation," Willsey explains. "We were able to handle these concerns by guaranteeing that the Delegate Assembly of the merged organization will consider amendments to the articles in question at its very first meeting.

"The democratic process will prevail at that meeting and give each member of the body the opportunity to form the Executive Board in whatever manner they see fit."

The question of the term of officers will also be handled in this manner.

Under the merger implementation calendar approved for distribution, referendum materials will be mailed on March 9 with the deadline for ballot return set at March 30. The SPA Representative Council, which must implement merger by amending the current SPA Constitution and Bylaws, will then meet on April 14 to consider the referendum results.

If merger is approved, local SPA and SUFT membership lists will be merged and new campus elections held between April 17 and May 1. The new Delegate Assembly is then to convene between May 1 and May 15.

* * *

SPA's Article 19 Negotiating Team returns to the table Wednesday, February 28. Talks have been recessed for several weeks as both sides analyzed local campus salary data.

* * *

Return of NYSUT, NEA election ballots has thusfar been low. Chapters are urged to encourage all members to vote in this important election prior to the Feb. 28 deadline.

* * *

Headquarters staff members of the CSEA went on strike last Thursday against the organization's management. The basic issue appears to be that of salary -- the staff has requested a seven percent raise plus increment, while management has offered only five percent.

A management spokesman puts the problem this way: "To give the store away to the staff would certainly be against the best interest of our members who pay the dues."

Sixty-five staff are affected. CSEA operates with a \$7.3-million budget.

Question: Has the State of New York used the phrase "give away the shop" in its current salary negotiations with CSEA?

* * *

Correction: Last week's FYI carried a resolution passed by the Executive Board of the Cobleskill SPA Chapter. The vote on that resolution should have read, "4-1 in favor of passage."

* * *

SPA staff members Philip Encinio and Edward Purcell travel to New York City this week to participate in a special NYSUT staff training session on higher education. The meeting will be devoted to updating NYSUT staff from its various regional offices on the current issues and problems in higher education.

NYSUT has designated staff in each of its regional offices as special higher ed. contacts.

* * *

A federal judge has ruled that Florida State University cannot continue to ban AFT from using campus facilities while allowing AAUP that privilege. AFT had been banned because of its advocacy of collective bargaining.

The University is now attempting to decide whether to ban AAUP as well or allow both organizations the right of access.

* * *

As the income tax filing deadline approaches, many SPA members have requested verification of union dues paid for the year. The amount of dues paid during the year can be tabulated from the employee's pay stub where the bi-weekly as well as year-to-date amount is listed. Cash members should use their cancelled checks for the proper amount.

If further proof is required by IRS, SPA Central will attempt to provide assistance.

* * *

A recent survey of some 9,200 faculty members reveals that 1 of 3 professors sampled sees collective bargaining as the most effective way to influence decisions on campus.

Although this percentage seems low, it should be noted, however, that only about one-third of the states have collective bargaining laws for public employees and many states still contain no organized higher education bargaining units of any sort.

The survey was conducted by the Stanford School of Education.

* * *

SPA's affiliation with AFT through the requirements of the NYSUT Constitution becomes effective May 1, 1973. Chapters wishing copies of the AFT Constitution and Bylaws as well as brochures on AFT programs and benefits may obtain them through the NYSUT Special Services Division.

* * *

No SPA Regional Meeting is scheduled this week. The next session is set for Region 2 on March 9 at Stony Brook Health Science Center.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 23 Feb. 19, 1973

Special meeting

SPA President Robert Granger has called for a special meeting of the Association's Representative Council to continue consideration of a proposed membership referendum on the question of merger between SPA and the State University Federation of Teachers.

The special meeting -- as provided for in Article IX, Sec. 3 of the SPA Constitution -- will be held Saturday, February 24 at 12:00 noon in Albany's Northway Inn.

The call for a special meeting resulted from the immediate and widespread reaction of numerous SPA Chapters and members to the Rep. Council's Feb. 10 vote against sending the proposed Constitution and Bylaws of "SUNY/United" out to referendum at that time. (See resolutions below.)

Two items constitute the agenda for the special meeting: 1) Merger; and 2) Election of Officers.

In line with Rep. Council concerns for more information on "costs and benefits" of the proposed SUFT merger (as well as costs and benefits of any alternative mergers and/or affiliations), SPA staff has made the exploration of these facts a top priority since the February 10 session. Several reports will be distributed at the special meeting.

* * *

Three members of the SPA Executive Board -- Messrs. Valter, Glasheen, and Drew -- have called for a special meeting of the SPA Executive Board in accordance with Article IX, Sec. 1 of the SPA Constitution. This meeting will be held Friday, February 23 at SPA Headquarters in Albany.

* * *

The regular monthly meeting of SPA Region 4 schools held February 15 in Morrisville unanimously adopted the following resolutions:

1. The SPA membership should have the opportunity to express themselves on merger with SUFT.
2. Everyone present at this Region 4 meeting favored a consideration of merger; however, we recognized that the Pro and Con position papers did not provide the information expected by many of the Representative Council delegates.
3. When the Representative Council votes on February 24th to submit the merger proposal to referendum, the Representative Council members must commit themselves to the task of widely disseminating among their constituents the issues, Pro and Con, on the proposed merger. Only an informed electorate can make wise decisions.
4. We believe in collective bargaining and negotiations. Effective negotiations emanate from unity and strength. There is a need for a unified position.
5. Merger, in the strictest sense, can at present occur only with SUFT. To associate ourselves with AAUP, CSEA, AFSCME or others is not merger. It is affiliation. Affiliation with one of the above would require disaffiliation with NYSUT. We do not believe that consideration of affiliation/disaffiliation is implicit in the October 14 resolution of the Representative Council.
6. After a brief consideration of features of the merger document we felt there were some advantages that were completely ignored in the Representative Council discussions.

Present at the meeting were Steven Crane (Canton), Horace Ivey (Upstate), Jeanne Resnick and Dennis Sands (Morrisville), Henry Stukuls (Cortland), Herbert Garber, John Schluep and Samuel Waggoner (Oswego), and Doris Knudsen, Morrisville Chapter President.

* * *

The Representative Council and Executive Board of the SUC-Buffalo SPA Chapter telegraphed the following resolution to SPA Central on February 15:

SUC Buffalo Representative Council and Executive Board express utter dissatisfaction at SPA Representative Council failure to vote a referendum on merger with SUFT. Regard this as capricious subversion of democratic processes. Threatens total collapse of bargaining under Taylor Law. Poll of SUC Buffalo campus SPA membership shows overwhelming support for merger. We demand merger.

* * *

Chapter President Donald Duell has telegraphed to SPA Central the following resolution unanimously adopted by The SU Ag. & Tech. at Cobleskill-SPA Executive Board:

The Executive Council feels that SPA members have the right to consider the question of merger with SUFT in a secret election and formally endorsed such a motion at a special meeting tonight. (Feb. 19, 1973)

* * *



Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 22 Feb. 12, 1973

Priority guidelines

SPA and NYSUT research analysts have completed work on SPA's Article 19 membership questionnaire. The results from 999 valid responses show "cost-of-living" increases as the top salary concern of the Association membership this year.

Cost-of-living registered number one on both opinion scales contained on the questionnaire.

One opinion indicator showed cost-of-living as the top priority followed by percentage across-the-board, minima, lump sum across-the-board, merit and inequity pool, retirement, longevity, promotional pool, removal of inequities between institutions, and area cost-of-living differentials.

The questionnaire's second scale showed cost-of-living followed by across-the-board and incrementals pay system (tie); improved retirement and promotion pool (tie); minima and comparable retirement (tie); tuition waivers, merit pool, and summer session pay (tie); area cost-of-living differentials; and academic year appointments and holiday pay structure (tie).

Results tabulated from each class of University institution (4-year college, etc.) generally reflected the same ordering of priorities as shown in the totals. This was also true of results broken down by type of respondent (academic, academic librarian, and professional).

The questionnaire results were a prime topic of discussion last weekend as the SPA Negotiations Committee met to begin the difficult task of establishing priorities in the current salary talks.

* * *

NEA Higher Education has managed to salvage one major election out of the important group of representational contests that were conducted this fall. The win came at Ferris State College in Michigan where a run-off election produced 221-161 margin for NEA over "no representation."

The AAUP chapter at Ferris State threw its support to NEA after withdrawing its challenge to the results of the first election held in October.

The Ferris State unit is comprised of 425 full-time faculty.

* * *

SPA Central will file this week two improper practice charges against the State of New York, resulting from two long-festering problems in the SUNY system.

The first charge accuses the State of denying the Association access to information needed for negotiations and contract enforcement. A second facet of this charge raises the question of the State's manipulation of information so as to cover up its improper distribution of last year's Article 19 merit and equity adjustment funds.

The second charge seeks to restrain the State from unilateral changes in the conditions of employment as they relate to campus parking regulations. A successful challenge would require the State to negotiate with SPA over any change in the terms and conditions of employment.

SPA Executive Director Philip Encinio notes that while these charges have been filed to relieve pain experienced at specific campuses within the system, they will have a University-wide impact. "If we are successful," he says, "the relief will apply to each of our units and be of substantial benefit to each employee. We also will have made a major gain in our drive to end the State's cavalier attitude toward the SPA bargaining unit."

* * *

AAUP has again demonstrated its strong "management leanings" by advocating -- in conjunction with the Association of American Colleges (a management group) -- that tenure quotas be applied in higher education. A study commission composed of the two groups and funded by the Ford Foundation selects one-half to two-thirds as the optimum quota level for any department or institution.

Commission Chairman William Keast (a former college president) also recommends on behalf of his group "that collective bargaining (should) not extend to academic freedom and tenure and related faculty personnel matters and that grievances involving the issues of freedom and tenure (should) be referred to academic procedures outside" the collective bargaining process.

* * *

SPA membership during the past month has increased by 31 to a total of 3,077. SUNY-Buffalo and SUC-Brockport reported the greatest growth, each reporting 5 new SPA members. Binghamton, Albany, Buffalo College, and Buffalo Health Science Center each recorded three new members.

Canton, Delhi, Empire State, SUNY-Stony Brook and Upstate Medical listed membership decreases during the month.

* * *

SPA's Article 19 Negotiating Team returns to the table Wednesday, February 14.

* * *

Grievance representatives for 10 SUNY campuses met with SPA staff and members of the SPA Executive Board on February 2 to discuss past performance and future direction for SPA grievance processing. A prime topic of discussion was the Association's desire to divert complaints of discrimination from the grievance procedure into the various alternative forums that exist.

As explained by SPA staffer Edward Purcell, discrimination grievances (including sex, age, and national origin) have been consistently and uniformly denied by both the University and Office of Employee Relations. To combat this posture, SPA will now assist "grievants" with this type of complaint resolution to process their complaints through the appropriate state and federal agencies.

Such filings will include cases to be taken before the State Human Rights Commission, the U.S. Labor Department's Wages and Hours Division, the federal Equal Employment Opportunity Commission, and the Contract Compliance Division of HEW's Office for Civil Rights.

"We believe," Purcell says, "that when faced with the prospect of numerous and continuing federal investigation, loss of federal contracts and punitive damages assessments, the University may suddenly decide it is easier to comply with the various anti-discrimination statutes than to preemptively wave aside all cases of discrimination within the SUNY system."

Filing forms were distributed to all participants at the February 2 session as well as mailed to grievance representatives who were unable to attend because of weather conditions.

* * *

Region 4 schools (Oswego, Upstate, Forestry, Binghamton, Canton, Cortland, and Potsdam) should keep their calendars open for this week's SPA regional meeting scheduled for Morrisville. The regional session will be from 2-4 p.m., on Thursday, Feb. 15 in the Student Activities Building.

* * *

Enclosed with this edition of FYI is a clipping that appeared in the student newspaper at SUNY-Stony Brook -- The Statesman. This type of publicity can be effective and useful. If your campus has not responded to an earlier request for campus newspapers to add to SPA's news release list, please do so.

Thanks to Steve Jonas, president of the Health Science Center SPA Chapter for the clip.

* * *

\$20 Million in Benefits at Stake As SPA Reopens Salary Talks

By GILDA LePATNER

The 16,000 teaching and non-teaching professionals of the State University systems are now in the process of negotiating for benefits in excess of \$20 million.

According to their contract, the Senate Professional Association (SPA), the bargaining agent for these professionals, "shall have the right to reopen negotiations... to amend this agreement with respect to changes in employees basic annual salary."

"We have chosen to interpret that phrase in 13 different ways," was the response given by Ed Purcell, an Albany spokesman for SPA. These demands include area and longevity pay differentials, academic year appointments for all employees, improved retirement benefits, incremental pay system, cost-of-living escalator, and money to reward meritorious service. The academic year appointments are important to the non-teaching

professional staff as they have "legally very little job security," according to Edward Fliess, associate professor of English and president of the Stony Brook chapter of SPA.

Bonuses

The question of issuing bonuses is also an important issue. In the past, explained Fliess, the individual schools have had jurisdiction over the criteria for awarding bonuses. At Stony Brook the individual departments were given the job last year, and gave monetary rewards to "25 to 30 per cent of the people in any pool," said Fliess. However, he added, it is not certain "whether there will be such equity money at all" in the years to come.

"Discussions have not gotten that intense," according to Leonard Kershaw, a researcher for the State office of Employee Relations. Four meetings have thus far taken place between the state and SPA in Albany. Daily meetings will go into effect when necessary. SPA hopes to

reach a settlement before the 1973 State Legislature adjourns, as the Legislature must vote on any changes, but plans to use the Taylor Law to secure the adjustments. Does SPA hope to receive all of its demands? "No one ever does in a bargaining process," commented Fliess.

No Strike Plans

"We have no intentions whatsoever of going out on strike," Fliess added. It is not known where the money will come from to pay for the possible increases; whether the state or the students will have to foot the bill. Although SPA represents 16,000 teachers state-wide, membership is only 3,100. Purcell indicated that the low membership percentage is due to the fact that the people are "not yet well informed of what we are doing and what we want to do." He added that there were also "free-riders." Non-union members will receive the same benefits as union members if the negotiations work out.

January 26, 1973

STATESMAN Page 5

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S. P. A.



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 21

Feb. 5, 1973

Kedar decision

Arbiter Louis Yagoda has ruled that Prof. Ervin Kedar of SUNY-Binghamton was properly non-renewed by authority of the Chancellor and therefore is not entitled to protection under Contract provisions on retrenchment nor continuing appointment because of procedural violations in his evaluation.

The Kedar case was the first grievance to proceed to binding arbitration under the SPA Contract and among the first binding arbitration cases to come from a statewide, New York State public employee bargaining unit.

Commenting on the decision, SPA lawyer Richard Symansky notes first of all his belief that the arbiter in reaching his decision missed at least one crucial piece of testimony that resulted in a factual

mistake in the decision. "The arbiter," he says, "missed our evidence regarding Kedar's seniority position within his department, but more importantly failed to comprehend the basic difference within the University and under the Contract between retrenchment and non-renewal."

Symansky, in conjunction with SPA staff, is currently reviewing the rules of the American Arbitration Association to determine if SPA can move for rehearing of the arbitration on the basis of this factual error.

Despite the denial of relief to Kedar, the decision did, however, appear to contain an affirmation of one SPA position -- namely that management, including the Chancellor, is required to follow procedures as outlined in campus bylaws.

* * *

SPA President Robert Granger has announced that arrangements for the February 10 meeting of the SPA Rep. Council have been expanded to allow delegates to arrive in Albany on Friday evening, the 9th.

The starting time of Saturday's session has also been advanced from 11:00 a.m. to 9:30 a.m. It is hoped that the additional time, including the possibility of informal meetings on Friday evening, will be useful in facilitating thorough examination of the important merger question.

Delegates planning to arrive Friday evening are required to make their own double occupancy reservations no later than February 7. Rooms have been made available at the Northway Inn, 1517 Central Ave., Albany - call 518-869-0277.

* * *

Prof. Bernard Parker (chapter president at Empire State) and Prof. Doris Knudsen (chapter president at Morrisville) have been named to a special SPA committee to supervise the election of SPA delegates to both the NYSUT and NEA Conventions. Additional SPA members may be added to the committee.

* * *

SPA's Regional Meeting for February 7 is scheduled for SUC-New Paltz. Representatives from Region I schools (Albany, Oneonta, Cobleskill, Central Administration, Delhi, Plattsburgh, Empire State) are invited to a luncheon meeting at 12:00 noon in the Student Union Building, Rm. 402. A meeting of chapter officers is set for 10:00 a.m. in Student Union Lecture Hall 2 and a general meeting will take place from 3:30-4:00 in Room 104.

Please note that the meeting is set for Wednesday instead of the usual Tuesday date.

* * *

The February meeting of the SPA Executive Board begins at 2:00 p.m. this Friday, the 9th. Place: Rowntowner Motor Inn on Wolf Road.

* * *

The SUNY Board of Trustees' new policy of naming campus presidents to the University faculty presents some interesting possibilities for the Professional Services Bargaining Unit. If members of the faculty, will the presidents be covered by the SPA Contract, and will they be eligible to file grievances and join SPA?

Better yet, can a campus president now be non-renewed as a faculty member? It certainly appears that non-renewal in the job of campus president can occur. The big question is whether or not an honest review and appraisal of top management can be or will be made by top management itself.

* * *

The NYSUT Board of Directors has completed the redistricting procedure for distribution of representation on the merged organization's Board. Districts have been drawn to include 5,200 active NYSUT members plus or minus 10 percent.

Under the system, one district has also been established for higher education members outside New York City. It is this district (still without name or number) which will encompass all SPA members.

The NYSUT Constitution also provides that where a local is larger than the average sized election district, election districts will be established within that local. SPA thus has the potential to become three complete election districts unto itself.

* * *

NEA's Office of Special Services has announced a major improvement in the Association's Accidental Death and Dismemberment Insurance Program. The improvement -- coming to a program which is already listed as one of the best in the industry -- establishes an optional disability income benefit of \$500 per month for 10 years. Cost of the new benefit -- only \$4 additional to the basic fee of \$19 per year for the \$120,000 accidental death coverage.

Contact NEA Special Services for more information.

* * *

Hot Line: The NYS Senate has again established its toll-free hotline for up-to-the minute information on legislation. The number is 1-800-342-9860.

During its first two years of operation, the line has averaged over 300 calls a day.

* * *

Agency fee has won the support of two state supreme courts in recent decisions. The courts in Rhode Island and Michigan took the position that -- in the words of the Rhode Island court -- "it would be manifestly inequitable" for non-members to be allowed a free ride when the association is bound by law to negotiate and enforce contract provisions for both members and non-members alike. NEA was instrumental in both favorable decisions.

* * *

Be advised that the Region 4 meeting scheduled next week for Morrisville will be held at a special day and time -- Thursday at 2:00 p.m.

See next week's FYI for details.

* * *

Pressures to Limit Tenure Pose Hard Choices for Universities

By Larry Van Dyne

Many colleges and universities, forced by enrollment and financial problems to freeze the size of their faculties, have been pushed into a quandary over academic tenure:

Should they continue granting tenure generously and risk becoming "tenured-in," or should they limit it severely and dump a new crop of frustrated young scholars onto the job market?

This dilemma is beginning to arouse considerable worry and debate. For example:

► In New Jersey, the state board of higher education has ordered the governing boards of six state colleges to limit the percentage of their faculties on tenure, an action that led to a legal challenge from the faculty bargaining unit.

► At Tufts University, a committee of the local chapter of the American Association of University Professors has issued a position paper strongly attacking a new tenure limitation there as a "path of mediocrity" and demanding that it be lifted.

► At the University of Massachusetts, trustees have said in a new policy statement that they will consider future tenure recommendations in light of "present and anticipated percentages of tenured faculty" because having too high a proportion of the staff on tenure would threaten the university's capacity "to develop major new programs and to adjust to future needs."

► At Union College in New York, a proposed change in personnel policies would allow the college to retain promising young professors on short-term contracts if there were no "tenure slots" open—even after they had passed the usual sixth-year tenure checkpoint.

Challenge to AAUP Rule

The Union College proposal is a direct challenge to one of the factors that have created the tenure dilemma—the AAUP's widely accepted seven-year "up-or-out" rule. The rule, part of the association's 1940 *Statement of Principles on Academic Freedom and Tenure*, says that an institution must decide in a junior faculty member's sixth year whether it will give him

"A person who fears that administration recognition in the form of tenure is unlikely no matter how well he performs his duties, will inevitably grow discontented."

tenure. If not, he must leave, although he automatically gets a seventh year of employment in which to look for a new job.

PORTIONS OF FACULTIES WITH TENURE

(Full-time, April 1972)

Range	Universities		Colleges				Total
	Public	Private	Public 4-Year	Private 4-Year	Public 2-Year	Private 2-Year	
0%	2.3%	0.0%	0.0%	0.3%	2.0%	8.4%	1.4%
1-20%	0.0%	0.0%	3.3%	8.3%	15.1%	3.0%	8.1%
21-30%	4.7%	3.2%	13.3%	8.7%	17.9%	19.2%	12.1%
31-40%	13.3%	0.0%	17.2%	14.6%	6.8%	29.9%	13.7%
41-50%	23.9%	32.3%	23.0%	28.1%	2.0%	13.8%	19.9%
51-60%	28.0%	38.7%	16.1%	17.2%	21.5%	7.8%	18.4%
61-70%	15.6%	19.4%	23.3%	12.6%	6.4%	2.4%	12.4%
71-80%	5.5%	0.0%	1.9%	4.3%	13.1%	13.2%	6.7%
81-90%	0.0%	0.0%	1.9%	3.0%	11.1%	2.4%	4.5%
91-100%	0.0%	3.2%	0.0%	0.0%	4.0%	0.0%	1.1%
No response	4.7%	3.2%	0.0%	3.0%	0.0%	0.0%	1.6%

RATE OF TENURE AWARDS

(Spring 1971)

Range	Universities		Colleges				Total
	Public	Private	Public 4-Year	Private 4-Year	Public 2-Year	Private 2-Year	
0%	0.0%	0.0%	9.3%	12.5%	2.4%	16.8%	8.7%
1-20%	4.6%	6.4%	3.7%	3.8%	0.0%	3.0%	2.9%
21-40%	0.0%	6.4%	2.0%	2.8%	0.0%	2.4%	1.9%
41-60%	5.5%	6.5%	3.6%	9.2%	6.8%	2.4%	6.9%
61-80%	15.7%	22.6%	17.9%	18.3%	13.5%	10.8%	16.4%
81-99%	29.7%	25.8%	25.8%	5.0%	18.8%	2.4%	13.5%
100%	14.8%	9.7%	32.3%	41.0%	54.2%	62.3%	42.1%
No response	29.7%	22.6%	5.3%	7.5%	4.4%	0.0%	7.5%

NOTE: Figures in both tables are for the 85 per cent of colleges and universities that maintain tenure systems.

SOURCE: AMERICAN COUNCIL ON EDUCATION

Although the up-or-out rule is forcing the issue, the fundamental cause of the "tenure squeeze" is the change in staffing patterns that has accompanied higher education's "new depression."

The climate now is far different from that in the fall of 1967, when many of the young scholars now being considered for tenure were teaching their first classes as new assistant professors.

About 20,000 new doctorates came out of the graduate schools the previous spring, according to the U.S. Office of Education. Enrollment that fall was up about 8 per cent over the previous year, state appropriations for higher education were growing about 40 per cent every two years, new legislation promised to unleash millions in federal money, student unrest at Columbia University and San Francisco State College was still in the future, the job market for holders of new bachelor's degrees was good, and hardly anyone took seriously the predictions of a coming Ph.D. glut.

A Recruiting Device

All this meant that departments usually had openings every year, openings created through expansion, through the death or retirement of older professors, or through resignations of those who moved on to other institutions.

Tenure could be granted to a high percentage of those who were eligible—in fact, early and generous tenure was used as a recruiting device—and there would still be enough openings to allow a steady influx of new people at the junior level. At some institutions, tenure became a normal expectation. As late as the spring of

1971, a survey by the American Council on Education found that 42 per cent of the institutions with tenure systems gave tenure to *everybody* who was eligible for it that year.

But now: Enrollments are leveling off, growth rates in state and federal spending on higher education are slowing, memories of student unrest linger, bachelor's degrees are no longer job tickets, and the Ph.D. glut is a reality.

'Steady-State Staffing'

This means that colleges are faced with a need to plan for what W. Todd Furniss of the American Council's Commission on Academic Affairs calls "steady-state staffing."

Faculty openings are much rarer than they used to be. Few develop from expansion of institutions. Few come through deaths and retirements, since the median age of many faculties is now between 35 and 45. Because mobility is down, few openings develop through resignations.

The result is that any decision to grant tenure now is likely to mean one less opening available at the junior level for infusing "new blood," fresh ideas, new specialties, new techniques, and other virtues of youth—real or imagined—into the faculty. If most people coming up for tenure get it, the percentage of faculty members with long-term tenure commitments begins to creep up, and an institution faces the possibility of becoming "tenured in." Nationally, the American Council's survey found, many faculties are around 50 per cent tenured, although individual institutions and departments varied widely.

A good illustration of what is happening is provided by Hobart and William Smith Colleges, private coordinate colleges in upstate New York. The small colleges now have a joint faculty of 108 members, 55 of them on tenure. If current trends hold—nobody moves, people retire on schedule, the faculty is not expanded, the junior faculty members get tenure at current rates—99 of the 108 positions will be tenured by 1979.

Many administrators believe that such a situation would lead to stagnation in their faculties and limit

their ability to respond to new situations.

A small number of institutions already have instituted tenure quotas in their departments, either exact or approximate, and many are busy projecting what their tenure percentages will be in a few years.

Earlier this month, in a speech in San Francisco, William R. Keast, director of a national commission that has been reviewing tenure practices, said his group would recommend that institutions go ahead and set tenure quotas. These quotas, he said, should be expressed "as ranges or limits rather than as fixed percentages" to allow flexibility in their application.

In a position paper outlining its arguments for tenure limitations, the New Jersey board said that high tenure percentages could prevent colleges from adjusting to new enrollment patterns and budgetary demands; could threaten efforts to hire more women and minorities, and could shut off the flow of new blood into departments.

Other Advantages

Although they are rarely mentioned publicly, there may be other advantages for institutions in denying tenure to an increased percentage of candidates and replacing them with

new junior-level Ph.D.'s. Junior professors are likely to command lower salaries. New Ph.D.'s available in the current market may be somewhat better quality than those hired six years ago.

Obviously, these arguments are not likely to carry much weight with the individuals affected. Being denied tenure can be a cruel and disturbing experience.

It means a person must go back into a job market that may be the worst in history. He is older, probably needs a higher salary, and has the burden of explaining why he didn't get tenure.

'Why Didn't They Keep Him?'

"These people have about as much chance of getting a job as a leper," said one department chairman who was involved in a discussion of the problem at last month's Modern Language Association meeting in New York. Inevitably, said another chairman, someone will ask: "If he's so good, why didn't they keep him?"

At Tufts, the AAUP committee pointed out some of the morale problems that tenure quotas may create among junior faculty members. "Almost all of them are willing to face criteria of high standards, recognize the need for them, and will put out their best efforts in order to meet them," the committee said. "But it is

quite another matter to face a new criterion [a tenure quota] which bears no relation to their performance and over which they have no control. They find this criterion frustrating and unfair.

"A person who fears that administration recognition in the form of tenure is unlikely no matter how well he performs his duties, will inevitably grow discontented. We cannot expect him to offer his good will and best efforts to an institution which is not prepared to recognize and reward them. It is more likely he will devote himself primarily to activities which most effectively improve his marketability."

Tougher Standards Urged

The solution, the Tufts committee said, is not a quota but stiffer standards.

Some people, like Robert Skotheim, the provost at Hobart and William Smith, are skeptical about whether faculties will really raise standards. If senior faculty members were usually unwilling to deny tenure to more than a handful of their junior colleagues when the job market was good, he wonders, what are the chances they will turn more of them out when the market is as bad as it is now?

Longer Probation Suggested

What then is the solution? The most often suggested—and one that is perhaps being used secretly by some institutions—is the Union College proposal to ignore the up-and-out rule and extend the probation period beyond seven years.

Jordan E. Kurland, the AAUP executive who handles these matters, says that requests to allow this arrangement are fairly frequent. "Sometimes we get a dean on one telephone extension and an assistant professor on the other, both pleading with us to allow them to extend probation through a bilateral agreement," he says.

So far, however, the AAUP has declined to assure these institutions that it will not eventually investigate such violations of the up-or-out rule. "These things can get very complex,"

Mr. Kurland says. "An element of coercion may be involved, for instance, or there may be the possibility of exploitation."

The advantage of the up-or-out rule, he says, is that it forces institutions to take a hard look at a professor's quality. "If they can say, 'Well, let's give him a contract and wait a couple of years,' you may get marginal types slipping through."

Competing for Power in Today's University

By George A. Pierson

*Administrator as manager,
teacher as laborer,
student as consumer:
will this way be better?*

I FIRST became aware of the major change taking place today in university governance while attending an administrator's workshop. The year was 1968, and a group of deans and professors of higher education were meeting to struggle with the problem of the dissident student.

We had reviewed the history of higher education in America. We had tried to define the role of the university in a democratic society. We had said much about the unique and precious nature of the university as a social institution. We had almost convinced ourselves that the *idea of a university* was indeed sacred.

In the midst of our euphoria, one of the professors of higher education sprang to his feet and exclaimed, "All this talk makes me sick! The American university is no more significant historically, no more precious, and no more sacred than Sears Roebuck and Company. The sooner we face this reality, the sooner we will begin to solve some of the management problems that plague us."

I remember being shocked. My life had been devoted to the university. I had risen through the ranks from student to professor to dean. I had served in three different universities. I believed in academic freedom and tenure: "the right of the professor to teach and the right of the student to learn." I was convinced that my colleagues and I were primary custodians of culture. We were pursuers of truth, goodness, and beauty. I was proud of the fact that we could be satisfied with nothing less than excellence.

I did not realize then that the professors of America were about to join the proletariat. Since 1968, thousands of college teachers have embraced the trade-union movement. At least 200 college and university faculties now bargain collectively with their governing boards. Even the staid and conservative American Association of University Professors has become a bargaining agent. The unionization of most college and university faculties now seems inevitable.

Universities are replacing the "authoritative," traditional method of academic governance with the management-labor model developed by business and industry. Three groups within the university are now beginning to compete for power: the administration (management), the faculty (labor), and the students (consumers). Administrators are organized by the nature of the system. Faculties are being unionized. And students are being forced to unionize in order to obtain the services they require.

Relationships between and among these three adversary groups are rapidly being negotiated, formalized, and set forth in union contracts. Each administrator-manager, teacher-laborer, and student-consumer will soon know exactly what his rights, privileges, benefits, responsibilities, and conditions of employment or conditions of learning

are. The business-industrial system of governance does not tolerate ambiguity. And the power group to which one belongs cannot be left in doubt: one must be a manager, a laborer, or a consumer.

Production is the goal of industrial organization. It is the system's ultimate criterion of success. Each person within the system must be evaluated in terms of quantifiable measures of output.

Teachers must now be concerned with number of students taught, number of hours spent in the classroom, number of preparations, time for preparations, the percentage of students enrolled in their classes who earn credit, rest periods, and coffee breaks.

Researchers must be concerned with new knowledge pro-

duced, discoveries made, honors achieved, and medals won.

Student personnel and guidance workers will be evaluated in terms of hours scheduled for student contacts, number of students served per day, the student drop-out rate, and the number of failing students rehabilitated.

Students must now expect to do much of their work through programmed learning units. As consumers, they will contract in advance for the amount of work to be done in order to obtain a particular certificate or degree. Their production will be measured by means of tests, specific activities performed, or particular programs completed.

Even managers will be evaluated. At regular intervals, data will be assembled to reveal the number of workers for whom each manager is responsible, the number of grievances filed by workers in his or her particular area of administration, the rate of employee turnover, and the annual cost of instruction per student.

THE managed university is shifting its primary focus of attention from the learning opportunities available to the individual student to the nature of students as a finished product—from equality of opportunity to equality of output. The groups which constitute American society must soon be proportionately (that is, equally) represented among graduates: male and female; rich and poor; black, brown, red, yellow, and white. A well-managed and efficient university will settle for no less. Failure will not be tolerated.

Think how problems will be solved in the industrialized university. For example:

► The student who receives a grade of "C" in some unit of instruction when he believes that he earned an "A." Rules governing this kind of situation can be carefully drawn. The aggrieved student will be able to appeal to a Faculty-Student Committee on Faculty and Student Rights. The student will file a formal complaint with a committee

secretary. The teacher-defendant will be notified by certified mail that a complaint has been filed and the alleged grievance will be described. The teacher-defendant will be directed to appear at a specified time and place before a Faculty-Student Committee on Faculty and Student Rights. The teacher-defendant will be ordered to bring any and all relevant evidence. He or she will be informed of his or her rights: the right to counsel, the right to employ and bring expert witnesses, the right to cross-examine the student complainant and the complainant's witnesses. The teacher-defendant will be notified that the committee hearing will be open to the public and that a transcript record of the hearing will be available for public scrutiny. Finally, the teacher-defendant will be told that, should the decision of the Faculty-Student Committee on Faculty and Student Rights be in favor of the student complainant, the teacher-defendant may appeal to a Faculty-Student Senate Committee on Appeals.

► **The faculty member who is denied promotion by an Administration-Faculty-Student Committee on Faculty Promotions.** Procedures can be established so that individual faculty members may apply for promotion directly to an Administration-Faculty-Student Committee on Faculty Promotions. An application form can be designed so that the specific requirements for promotion are defined and listed, and the evidence that the applicant has met these requirements can be presented systematically. The form may also describe appeal procedures. It might indicate the

mittee did not take into account; or (2) failure on the part of the committee to give certain evidence adequate weight.

An aggrieved faculty member may appeal to a Union-Administration-Student Committee on Faculty Grievances. He or she will be given a specified time in which to prepare and make an appeal. The aggrieved member will be notified by certified mail of the time and place when a grievance hearing will be conducted. The member will have been notified in advance of the deficiencies found in the member's original application by the Faculty-Student Committee on Faculty Promotions. The aggrieved member will be instructed to assemble and present all evidence to refute the committee's decision not to promote. The member will be informed of his or her right to bring expert witnesses to the grievance hearing and to be represented by counsel. The member will also be informed that, should the decision of the Union-Administration-Student Committee on Faculty Grievances be negative, the member may appeal further to a Committee on Faculty Appeals of the board of trustees.

THOSE of us who knew and loved the old university wonder if this extraordinary change in university governance has not come about as a result of a misconception. Obviously, many students and faculty have perceived the old university as an institution controlled by an autocratic administration. During the student rebellion of 1968-69, there was a story of a frustrated student-protest leader trying to negotiate with a weary university president. When the president explained that the demands made by students would require approval of the faculty, the governing board, and the state legisla-

ture, as well as the administration, the frustrated student was said to have exclaimed, "Who the hell is in charge of this institution?"

The genius of the American university has been that no individual, or group of individuals, has had full control over it. No one person was ever "in charge" of a university. The power of the administration has always been limited, and members of the faculty have been inclined to disagree among themselves. They have usually been preoccupied with their teaching, writing, and research interests. What has appeared at times to be chaos and mismanagement in university communities has probably been the basis of the very freedoms that have enabled us to discover, to create, to teach, and to learn.

The most important question in higher education today is this:

Will the American university be a more effective educational institution than it now is when its system of governance is changed to the management-labor-consumer model? Will the process of teaching and learning be improved? Will researchers be more productive? Will scholarship be advanced? Will excellence be pursued more diligently? Will the freedoms characteristic of the old university be expanded? Will a feeling of faculty-student community be enhanced? Will a system of governance in which students, faculty, and administrators compete for power as equals enable the university community to provide more effective intellectual leaders for the people of the United States?

Man, is anybody serious?

The author is professor of education at Queens College of the City University of New York.

FEDERAL LAWS¹ AND REGULATIONS CONCERNING SEX DISCRIMINATION IN EDUCATIONAL INSTITUTIONS²

October 1972

	EXECUTIVE ORDER 11246 as amended by 11375	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 as amended by the Equal Em- ployment Opportunity Act of 1972	EQUAL PAY ACT OF 1963 as amended by the Education Amendments of 1972 (Higher Education Act)	TITLE IX OF THE EDUCA- TION AMENDMENTS OF 1972 (Higher Education Act) ³	TITLE VII (SECTION 799A) & TITLE VIII (SECTION 845) OF THE PUBLIC HEALTH SERVICE ACT as amended by the Comprehen- sive Health Manpower Act & the Nurse Training Amendments Act of 1971 ⁴
EFFECTIVE DATE	October 13, 1968	March 24, 1972 (July 1965 for non-professional workers.) (Institutions with 15-24 employees are not covered until March 24, 1973.)	July 1, 1972 (June 1964 for non-professional workers.)	July 1, 1972 (Administrations provisions effective July 1, 1973.)	November 18, 1971
WHICH INSTITUTIONS ARE COVERED?	All institutions with federal <u>contracts</u> of over \$10,000. ⁷	All institutions with 15 or more employees.	All institutions.	All institutions receiving federal monies by way of a grant, loan guarantee, or contract (other than a contract of insurance or guaranty).	All institutions receiving or benefiting from a grant, loan guarantee, or interest subsidy to health personnel training programs or receiving a contract under Title VII or VIII of the Public Health Service Act. ⁸
WHAT IS PROHIBITED?	Discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training, and other conditions of employment) on the basis of race, color, religion, national origin or sex. Covers all employees.	Discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training and other conditions of employment) on the basis of race, color, religion, national origin or sex. Covers all employees.	Discrimination in salaries (including all fringe benefits) on the basis of sex. Covers all employees.	Discrimination against students or others ⁴ on the basis of sex. ¹⁴	Discrimination in admission of students on the basis of sex and against some employees. ¹⁵
EXEMPTIONS FROM COVERAGE	None.	Religious institutions are exempt with respect to the employment of individuals of a particular religion or religious order (including those limited to one sex) to perform work for that institution. (Such institutions are not exempt from the prohibition of discrimination based on sex, color and national origin.)	None.	Religious institutions are exempt if the application of the anti-discrimination provisions are not consistent with the religious tenets of such organizations. Military schools are exempt if their primary purpose is to train individuals for the military services of the U.S. or the merchant marine. Discrimination in admissions ¹⁴ is prohibited only in vocational institutions (including vocational high schools), graduate and professional institutions, and public undergraduate coeducational institutions.	None.
WHO ENFORCES THE PROVISIONS?	Office of Federal Contract Compliance (DFCC) of the Department of Labor has policy responsibility and oversees Federal agency enforcement programs. DFCC has designated HEW as the Compliance Agency responsible for enforcing the Executive Order for all contracts with educational institutions. HEW's Office for Civil Rights (Division of Higher Education) conducts the reviews and investigations.	Equal Employment Opportunity Commission (EEOC). ⁹	Wage and Hour Division of the Employment Standards Administration of the Department of Labor.	Federal departments and agencies which are empowered to extend financial aid to educational programs and activities. HEW's Office for Civil Rights (Division of Higher Education) is expected to have primary enforcement powers to conduct the reviews and investigations. ¹⁷	HEW's Office for Civil Rights (Division of Higher Education) conducts the reviews and investigations.
HOW IS A COMPLAINT MADE?	By letter to DFCC or Secretary of HEW.	By a sworn complaint form, obtainable from EEOC.	By letter, telephone call, or in person to the nearest Wage & Hour Division office.	Procedure not yet specified. A letter to Secretary of HEW is acceptable.	Procedure not yet specified. A letter to Secretary of HEW is acceptable.
CAN COMPLAINTS OF A PATTERN OF DISCRIMINATION BE MADE AS WELL AS INDIVIDUAL COMPLAINTS?	Yes. However, individual complaints are referred to EEOC.	Yes.	Yes.	Yes.	Yes.
WHO CAN MAKE A COMPLAINT?	Individuals and/or organizations on own behalf or on behalf of aggrieved employee(s) or applicant(s).	Individuals and/or organizations on own behalf or on behalf of aggrieved employee(s) or applicant(s). Members of the Commission may also file charges.	Individuals and/or organizations on own behalf or on behalf of aggrieved employee(s).	Individuals and/or organizations on own behalf or on behalf of aggrieved party.	Individuals and/or organizations on own behalf or on behalf of aggrieved party.
TIME LIMIT FOR FILING COMPLAINTS?	180 days.	180 days.	No official limit, but recovery of back wages is limited by statute of limitations to 2 years for a non-willful violation and 3 years for a willful violation.	Procedure not yet determined.	Procedure not yet determined.
CAN INVESTIGATIONS BE MADE WITHOUT COMPLAINTS?	Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints. Pre-award reviews are mandatory for contracts over \$1,000,000.	No. Government can conduct investigations only if charges have been filed.	Yes. Government can conduct periodic reviews without a reported violation as well as in response to complaints.	Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints.	Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints.

CAN THE ENTIRE INSTITUTION BE REVIEWED?

Yes. HEW may investigate part or all of an institution.

Yes. EEOC may investigate part or all of an establishment.

Yes. Usually Wage Hour reviews the entire establishment.

Yes. HEW may investigate those parts of an institution which receive federal assistance (as well as other parts of the institution related to the program, whether or not they receive direct federal assistance). If the institution receives general institutional aid, the entire institution may be reviewed.

Yes. HEW may investigate those parts of an institution which receive federal assistance under Title VII and VIII (as well as other parts of the institution related to the program, whether or not they receive assistance under these titles).

RECORD KEEPING REQUIREMENTS & GOVERNMENT ACCESS TO RECORDS

Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records.

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ENFORCEMENT POWER & SANCTIONS

Government may delay new contracts, revoke current contracts, and debar institutions from eligibility for future contracts.

If attempts at conciliation fail, EEOC or the U.S. Attorney General may file suit.¹⁰ Aggrieved individuals may also initiate suits. Court may enjoin respondent from engaging in unlawful behavior, order appropriate affirmative action, order reinstatement of employees, and award back pay.

If voluntary compliance fails,¹¹ Secretary of Labor may file suit. Aggrieved individuals may initiate suits when Department of Labor has not done so. Court may enjoin respondent from engaging in unlawful behavior, and order salary raises, back pay and assess interest.

Government may delay new awards, revoke current awards, and debar institution from eligibility for future awards. Department of Justice may also bring suit at HEW's request.

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CAN BACK PAY BE AWARDED?

Yes. HEW will seek back pay only for employees who were not previously protected by other laws allowing back pay.

Yes. For up to 2 years prior to filing charges with EEOC.

Yes. For up to 2 years for a non-willful violation and 3 years for a willful violation.

Probably, to the extent that employees are covered.

Probably, to the extent that employees are covered.

AFFIRMATIVE ACTION REQUIREMENTS

(There are no restrictions against affirmative action which is non-preferential.)

Affirmative action plans (including numerical goals and timetables) are required of all contractors with contracts of \$50,000 or more and 50 or more employees.⁸

Affirmative action is not required unless charges have been filed, in which case it may be included in conciliation agreement or be ordered by the court.

Affirmative action, other than salary increases and back pay, is not required.

Affirmative action may be required after discrimination is found.

Affirmative action may be required after discrimination is found.

COVERAGE OF LABOR ORGANIZATIONS

Any agreement the contractor may have with a labor organization can not be in conflict with the contractor's affirmative action commitment.

Labor organizations are subject to the same requirements and sanctions as employers.

Labor organizations are prohibited from causing or attempting to cause an employer to discriminate on the basis of sex. Complaints may be made and suits brought against these organizations.

Procedure not yet clear. Any agreement the institution may have with a labor organization can not be in conflict with the nondiscrimination provisions of the legislation.

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IS HARASSMENT PROHIBITED?

Institutions are prohibited from discharging or discriminating against any employee or applicant for employment because he/she has made a complaint, assisted with an investigation or instituted proceedings.

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Institutions are prohibited from discharging or discriminating against any employee because he/she has made a complaint, assisted with an investigation or instituted proceedings.

Institutions will be prohibited from discharging or discriminating against any participant or potential participant because he/she has made a complaint, assisted with an investigation or instituted proceedings.

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NOTIFICATION OF COMPLAINTS

Notification of complaints has been erratic in the past. HEW is proposing notifying institutions of complaints within 10 days. HEW notifies institutions a few weeks prior to investigation.

EEOC notifies institutions of complaints within 10 days.

Complaint procedure is very informal. Employer under review may or may not know that a violation has been reported.

Procedure not yet determined.

Procedure not yet determined.

CONFIDENTIALITY OF NAMES

Individual complainant's name is usually given to the institution. Investigation findings are kept confidential by government, but can be shared by the institution. Policy concerning government disclosure concerning investigations and complaints has not yet been issued. The aggrieved party and respondent are not bound by the confidentiality requirement.

Individual complainant's name is divulged when an investigation is made. Charges are not made public by EEOC, nor can any of its efforts during the conciliation process be made public by the Commission or its employees. If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement.

The identity of a complainant, as well as the employer (and union, if involved), is kept in strict confidence.¹² If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement.

Identity of complainant is kept confidential if possible. If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement.

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FOR FURTHER INFORMATION CONTACT:

Division of Higher Education Office for Civil Rights
Department of HEW
Washington, D.C. 20201
or
Office of Federal Contract Compliance
Employment Standards Administration
Department of Labor
Washington, D.C. 20210
or
Regional HEW or DDL Office

Equal Employment Opportunity Commission
1800 G Street, N.W.
Washington, D.C. 20506
or
Regional EEOC Office

Wage and Hour Division
Employment Standards Administration
Department of Labor
Washington, D.C. 20210
or
Field, Area, or Regional Wage and Hour Office

Division of Higher Education Office for Civil Rights
Department of HEW
Washington, D.C. 20201
or
Regional HEW Office

Division of Higher Education Office for Civil Rights
Department of HEW
Washington, D.C. 20201
or
Regional HEW Office



association of
american colleges

SEE REVERSE SIDE FOR FOOTNOTES.

FOOTNOTES

GENERAL

1. State employment and/or human relations laws may also apply to educational institutions. The Equal Rights Amendment to the U.S. Constitution, passed by the Congress and now in the process of ratification would, when ratified, forbid discrimination in publicly supported schools at all levels, including students and faculty.
2. Unless otherwise specified, "institution" includes public and private colleges and universities, elementary and secondary schools, and preschools.
3. A bona fide seniority or merit system is permitted under all legislation, provided the system is not discriminatory on the basis of sex or any other prohibited ground.
4. There are no restrictions against making a complaint under more than one anti-discrimination law at the same time.
5. This time limit refers to the time between an alleged discriminatory act and when a complaint is made. In general, however, the time limit is interpreted liberally when a continuing practice of discrimination is being challenged, rather than a single, isolated discriminatory act.
6. Back pay cannot be awarded prior to the effective date of the legislation.

EXECUTIVE ORDER 11246 as amended by 11375

7. The definition of "contract" is very broad and is interpreted to cover all government contracts (even if nominally entitled "grants") which involve a benefit to the federal government.
8. Although public institutions are not exempt from the affirmative action requirements, they need not have a written affirmative action plan. A proposed regulation (Federal Register, October 4, 1972) would delete this exemption for public institutions.

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 as amended by the Equal Employment Opportunity Act of 1972

9. In certain states that have fair employment laws with prohibitions similar to those of Title VII, EEOC automatically defers investigation of charges to the state agency for 60 days. (At the end of this period, EEOC will handle the charges unless the state is actively pursuing the case. About 85 percent of deferred cases return to EEOC for processing after deferral.)
10. Due to an ambiguity in the law as it relates to public institutions, it is not yet clear whether EEOC or the Attorney General will file suit in all situations which involve public institutions.

EQUAL PAY ACT OF 1963 as amended by the Education Amendments of 1972 (Higher Education Act)

11. Over 95 percent of all Equal Pay Act investigations are resolved through voluntary compliance.
12. Unless court action is necessary, the name of the parties need not be revealed. The identity of a complainant or a person furnishing information is never revealed without that person's knowledge and consent.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 (Higher Education Act)

13. Final regulations and guidelines for Title IX of the Education Amendments of 1972 have not yet been published. This chart includes information which is explicitly stated in the law, as well as how the law is likely to be interpreted in light of other precedents and developments.
14. The sex discrimination provision of Title IX is patterned after Title VI of the Civil Rights Act of 1964, which forbids discrimination on the basis of race, color and national origin in all federally assisted programs. By specific exemption, the prohibitions of Title VI do not cover employment practices (except where the primary objective of the Federal aid is to provide employment). However, there is no similar exemption for employment in Title IX.
15. Title IX states that: "No person . . . shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. . ."
16. The following are exempted from the admissions provision:
Private undergraduate institutions.
Elementary and secondary schools other than vocational schools.
Single-sex public undergraduate institutions. (If public single-sex undergraduate institutions decide to admit both sexes, they will have 7 years to admit female and male students on a nondiscriminatory basis, provided their plans are approved by the Commissioner of Education.)
Note 1. These exemptions apply to admissions only. Such institutions are still subject to all other anti-discrimination provisions of the Act.
Note 2. Single sex professional, graduate and vocational schools at all levels have until July 1979 to achieve nondiscriminatory admissions, provided their plans are approved by the Commissioner of Education.
17. Under Title VI of the 1964 Civil Rights Act, which Title IX of the Education Amendments closely parallels, federal agencies which extend aid to educational institutions have delegated their enforcement powers to HEW. A similar delegation of enforcement power is expected under Title IX.

TITLE VII & TITLE VIII OF THE PUBLIC HEALTH SERVICE ACT as amended by the Comprehensive Health Manpower Act & the Nurse Training Amendments Act of 1971

18. Final regulations and guidelines for Title VII and VIII of the Public Health Service Act have not yet been published. This chart includes information which is explicitly stated in the law, as well as how the law is likely to be interpreted in light of other precedents and developments.
19. Schools of medicine, osteopathy, dentistry, veterinary medicine, optometry, pharmacy, podiatry, public health, allied public health personnel and nursing are specifically mentioned in Titles VII and VIII. Regulations issued June 1, 1972 by the Secretary of HEW specify that all entities applying for awards under Titles VII or VIII are subject to the nondiscrimination requirements of the act.
20. HEW regulations state: "Nondiscrimination in admission to a training program includes nondiscrimination in all practices relating to applicants to and students in the program; nondiscrimination in the enjoyment of every right, privilege and opportunity secured by admission to the program; and nondiscrimination in all employment practices relating to employees working directly with applicants to or students in the program."



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 20 Jan. 29, 1973

Delegate elections

Procedures have been initiated to provide for the election of SPA delegates to the representative assemblies of the Association's affiliates -- NYSUT and NEA.

The nomination and election procedure for both elections will be open to all SPA members in good standing as required by the Labor-Management Reporting and Disclosure Act (Landrum-Griffith Act).

Notice of the election and open nominations will be mailed to each SPA member this week with a deadline of February 9 for the return of nominations. Each member will then be sent a ballot containing the entire slate of nominations for each post. Votes must be returned to SPA Central by February 29.

Current SPA membership entitles the organization to 31 NYSUT delegates and 31 NEA delegates.

* * *

The recently released results of a 1970 NEA survey on faculty attitudes on the adequacy of fringe benefits in higher education show parking to be the least satisfactory benefit in the fringe benefit group. Following in close order were travel expenses and educational trips for professional growth. Over 30 percent of those responding to the questionnaire reported these benefits as inadequate.

The largest endorsement of any benefit came for sick leave provisions which only 5.6 percent of the respondents registered as unsatisfactory. In reporting the results, NEA Research qualified interpretation and validity because of the extraordinarily large proportion of "no opinion" responses. In many categories, no opinion was registered on 20-40 percent of the questionnaires.

* * *

All SPA grievance chairmen have been invited to a very important meeting scheduled for February 2 at Albany's Northway Inn. The meeting -- 11:30 a.m. - 3:30 p.m. -- will treat crucial issues with respect to the grievance procedure both in terms of decisions already rendered and effective advocacy in the future.

Conducting the session will be SPA Executive Director Philip Encinio with the assistance of NYSUT legal staff.

* * *

Students at Fitchburg State College (Mass.) will join faculty and management at the bargaining table as the NEA-affiliate association begins this year's round of contract negotiations. Although allowed to participate in all discussion, students will not be able to prohibit the staff and administration from reaching agreement.

Eduardo C. Robreno -- Massachusetts Teachers Association higher ed. rep. and former NYSTA staffer -- says the agreement "opens the way for the construction of a truly representative governance mechanism on campus."

Fitchburg students will also vote in a referendum on all provisions of the contract relating to student participation in decision-making.

* * *

The next SPA Regional Meeting is set for Region 3 schools tomorrow January 30 at SUC-Brockport. A luncheon meeting will be held from 12:00-2:30 at the Faculty Dining

Hall "White Tower" located on Utica Street (eastern edge of the campus).
Representatives from Buffalo, Geneseo, Fredonia, and Alfred are invited to attend.

* * *

The SPA Negotiations Committee will meet Friday evening, February 2 in Albany to discuss the progress of current Article 19 talks as reported by the at-the-table negotiating team. Data and a preliminary analysis of the SPA membership questionnaire on negotiations will also be discussed.

* * *

Political Fires continue to rage within NEA over the question of merger with AFT. The National Council of Urban Education Associations (NCUEA) -- a NEA sub-governance group -- recently censured its president Mrs. Marjorie Beach for what in its opinion amounted to consorting with the enemy. Mrs. Beach -- much to the chagrin of the NCUEA Executive Board -- has become a leader of the New Coalition for Teacher Unity.

Meanwhile, NEA President Catherine Barrett of Syracuse is also fuming over the coalition for what she claims is interference in NEA governance and association efforts to unify public employees through CAPE (Coalition of American Public Employees).

NYSUT is a prime mover in the National Coalition for Teacher Unity effort.

* * *

The SPA Executive Board has voted to associate SPA with the new National Center for the Study of Collective Bargaining in Higher Education now forming at CUNY's Baruch College. By virtue of its "subscriber" status, SPA will gain access to the extensive research and cataloging effort planned by the Center.

* * *

The winter meeting of the SPA Representative Council is set for Saturday, February 10 in Albany. The location will be the new Rowntowner Motor Inn at 200 Wolf Rd. Main topic of discussion on the agenda is the proposed SPA-SUFT merger.

The session begins at 11:00 a.m.

* * *

NYSUT staffer Bill Carpenter reports contract negotiations at Columbia University College of Pharmaceutical Sciences are progressing satisfactorily. The Columbia college is the first private higher education unit organized by the old NYSTA organization.

Among issues already settled are a job security clause including retrenchment provisions (a prime goal at the financially pressed institution), freeze on current jobs, a tie between staffing and enrollment increases, agency shop, binding arbitration of grievances, and a hiring hall concept for new staff appointments.

* * *

Higher ed. organizing continues: The wheels have been set in motion to bring collective bargaining to two more major universities -- Penn State and Syracuse. Both schools are currently in the unit determination stage with a decision in Pennsylvania expected early this year.

The Syracuse situation, however, is more complex as the case winds its way through the NLRB.

Petitioner AAUP is seeking a unit of all full-time staff including department chairmen. The University wants chairmen and directors excluded. An independent group is also trying to split off the law school for a separate unit.

FYI

Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 19 Jan. 22, 1973

Debate format

The SPA Executive Board at its January 11 meeting voted to adopt and immediately implement a specific plan for the distribution of information on the proposed merger with SUFT.

Under the plan, a two-pronged informational effort will be conducted in the 4-week period preceding the February 10th Rep. Council meeting.

Part One of the plan calls for the compilation of written position statements by both the proponents and opponents of merger. These will be distributed to Rep. Council Delegates and Chapter Presidents, and will fulfill the Rep. Council mandate for advance evaluation of any proposed merger.

During the same period, local campus chapters which feel it advisable are encouraged to conduct debates or question-and-answer sessions on merger. Representatives of both factions will be asked to attend the meetings to explain their positions.

Coordination of these efforts will be accomplished by two ad hoc caucus groups formed from within the SPA Executive Board. Favoring the merger position is a group composed of Fred Miller, Stanley Goldstein, Alan Willsey, Herman Doh, Gail Hotelling, and Allen Horn. In opposition to merger are Joseph Drew, Richard Glasheen, John Valter, and Robert Fisk.

Alan Willsey has been selected to coordinate the activities of the "pro" caucus and Joseph Drew the activities of the "con" group.

At the February 10 meeting, Rep. Council Delegates will be asked to decide the question of submitting the proposed merger (constitution and bylaws) to SPA membership in referendum. The Merger Exploration Committee of the Executive Board has previously voted unanimously to recommend the merger, while the Executive Board as a whole voted to endorse merger by a 6-4 margin.

Chapters wishing to hold local debates should notify Ed Purcell at SPA Central so that the request for speakers can be formally made to both the proponent and opponent caucus.

* * *

The NYSUT Representative Assembly -- highest policy-making body of the State organization -- has been scheduled for March 23-25 at the Concord Hotel in Kiamesha Lake, N.Y.

* * *

Mrs. Kathy Demos has joined the SPA staff as a receptionist and general office assistant.

In another personnel change, Miss Annalee Ziman is no longer with the SPA organization. Grievance inquiries should be directed to any member of the SPA professional staff.

* * *

SUNY administration's move to much-heralded new headquarters in Albany's old Delaware and Hudson Railroad Building has run into an unexpected snag. The building -- or at least half of it -- had previously been sold to private developers.

The situation is somewhat complicated: The projected new headquarters -- an Albany landmark -- is in reality two identical, but separately-owned buildings. The University purchased one structure for \$1.7-million, but then discovered that the twin -- also needed for the move -- had previously been sold to private interests.

If the entire plan is now to proceed, the State must seize the Albany Evening Journal Building under the right of eminent domain - and pay the penalty such a move would entail.

It is interesting to note that the developers paid only \$56,000 for property identical to the University's \$1.7-million purchase.

* * *

Activity in the Capitol picked up last week as the Executive Budget was released. Included in the package is a \$564-million grant for State University -- an increase of some \$43-million. The State's share of CUNY costs is also up to \$129.8-million -- a \$26.6-million boost.

In other bits and pieces of budget news, the document provides money to fund 19 weeks of salary for temporary "session" employees of the State Assembly. This figure indicates a projected adjournment date for the Legislature of Wednesday, May 16.

The budget, as submitted, contains no funds for increased State employee salaries. A \$19.6-million item is included, however, to fund the CSEA "productivity" increase. It is not unusual that no funds are apparently budgeted for wage boosts.

* * *

Speaking of pay hikes, what would be your idea of a "reasonable" increase for SUNY professional staff? The Governor has already moved to raise the salaries of at least one group of State "employees."

Included in the budget is an allocation of funds to provide the State's prison inmates with a 10% per hour wage hike. Will this 8% increase set a pattern?

* * *

PERB has issued its final ruling on the issue of unilaterally-imposed parking fees and regulations -- and that answer is "no." The full PERB board ruled last week that the State had overstepped its authority and must negotiate the change in the terms and conditions of employment.

SPA is currently carrying a Step 2 grievance on this very issue, and will file an improper practice charge against the University this week.

* * *

SPA Central has recorded several informal grievance resolutions in the past weeks:

At Albany, grievance on prior credit led to a 3-year term appointment for an NTP. In Potsdam, the SPA Chapter won retroactive pay for an academic who had been improperly paid. At Canton, the arbitrary denial of sick leave was stopped; at Stony Brook, a grievant won reinstatement of his pay.

In a Step 2 win, an academic at Oswego who had been evaluated on the basis of documents not in the personnel file won the right to have all materials placed in the file (with appropriate response) and a personal reconsideration of the tenure decision by the campus president.

* * *

No regional meeting is scheduled for this week. The next meeting will be for Region 3 on January 30. Host for the meeting is SUC-Brockport.

* * *

The first hearing on President Granger's Step 2 grievance on use of NTP evaluation forms was held on Tuesday, the 16th, in Albany. Due to the complicated nature of the issues, the hearing was adjourned after partial discussion and will continue at a later date.

* * *

SPA librarians held a series of regional meetings throughout the State recently to discuss current negotiations on implementation of academic status for librarians. Over 150 librarians attended the five meetings.

* * *

FYI

Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 18 Jan. 15, 1973

Strategy bared

Salary talks between SPA and the State resumed last Tuesday, Jan. 9 as representatives of the two sides met in Albany for a "clarification" session on SPA's 13-point demand package.

The meeting, however, took on added significance when the State's line of questioning appeared to tip both the State's bargaining position and strategy for later rounds.

Three specific "suggestions" seemed to emerge from the questions: 1) elimination or limitation of the outside earnings of the SUNY professionals; 2) extended obligation periods for academic employees; and 3) the establishment of rigid salary maxima for all ranks in the University.

Also of importance may have been the State's complete lack of interest (shown by the lack of any questions) in several of the key items in the SPA package, such as across-the-board and area differential pay hikes.

On the strategy side, the State has immediately resorted to use of a "stalking horse" tactic to introduce provocative statements at the table. One member of the State team -- who would not ordinarily even be considered a likely member for the group -- has engaged in extensive and provocative discussion at the table. When confronted by the SPA team on these issues, the State's chief spokesman then immediately pulls back or denies the discussion represents the State's position.

Team members Alan Willsey, Patricia Buchalter, Armand Kamp, and Fred Miller return to the table tomorrow, the 16th.

* * *

Interested in a job? NEA has begun a nationwide search to fill its vacant position of executive secretary. Deadline for application is March 15.

Applications and nominations should be addressed to NEA President Catharine Barrett at the Jefferson Hotel, 16th. and M Streets, N.W., Washington, D.C. 20036.

* * *

With SPA Central now comfortably situated in its new location at 15 Computer Drive, the next step is to "cover the bare walls" in much the same way as anyone would do in a new home. To that end, SPA Executive Board Member Fred Miller has already donated a piece of original art work of his own creation and other such works are actively solicited for display.

If you or anyone in your chapter would like to have his work displayed as part of the new look, please send it along.

* * *

CSEA has taken a blow where it hurts the most -- in the pocketbook. Last week, the State's Public Employment Relations Board suspended CSEA dues checkoff as a result of last year's Easter Weekend strike of State employees.

Although the loss is not expected to be a death blow, the organization will now be forced to collect on its own some \$1.6-million in dues. Experience in many other unions has shown this to be no easy task -- especially in a group as large and organizationally unwieldy as CSEA.

Longest suspension period will be in the institutional services unit where 4,779 unauthorized absences were recorded during the strike. Dues checkoff will be stopped for 10 months in institutional services unit and for lesser periods of time in the other 3 units.

* * *

SPA librarians met with the State on the 10th and reported substantial, but tentative, agreement on seven of nine points in implementation of academic status for librarians. Anne Commerton, spokeswoman for the team, guardedly suggests that if agreement can be reached on the two outstanding issues, that settlement is near.

The pace of talks will now accelerate as Mrs. Commerton, Evert Volkercsz, Mary Cassata, and Herbert Sorgen return to the table again on the 17th.

* * *

Professor Robert Sindermann of the famous "Roth, Sindermann" Supreme Court decision has received a final settlement of \$48,000 from his former employer, Odessa College (Texas). The college became willing to negotiate an out-of-court settlement on Sindermann's claim of improper dismissal when the Supreme Court ordered that Sindermann be given a hearing, "where he could be informed of the grounds for non-retention and challenge their sufficiency." Sindermann's three-year fight was financed and carried by NEA's DuShane Emergency Fund.

* * *

SPA membership from December 15-January 11 showed an increase of 45 members. Leading the way were Upstate Medical Center (14), Stony Brook HSC (10), and SUNY-Buffalo (7). Unfortunately, however, much of the membership "increase" resulted from the reinstatement of cash members who had dropped from the rolls for a short period of time.

Seven chapters experienced a net drop in membership while four remained the same.

* * *

The SPA Executive Board met last weekend in special session in Binghamton to discuss the philosophical basis of SPA and engage in long-range planning for the Association. Also on the agenda for the four-day meeting was the regular, monthly business session.

* * *

Enclosed with this week's issue of FYI is a copy of "Giving Reasons for Nonrenewal of Faculty Contracts" by W. Todd Furniss, director of the American Council on Education's Commission on Academic Affairs. The pamphlet makes interesting reading and will make a good addition to your library.

* * *

Governor Rockefeller's recently-submitted deficiency budget includes some \$12-million for the State University system. It appears, however, that the funds are earmarked solely for State-mandated support of community colleges.

* * *

The arbitration of Prof. William Bruce (Plattsburgh) has been scheduled for Jan. 22 with Dr. Irving Markowitz of the SPA-State Permanent Arbitration Panel to arbitrate. The Bruce case involves the mechanics of the granting of an academic appointment.

An arbiter's decision on SPA's first arbitration case (Kedar-Binghamton) is due at the end of the month.

* * *

The Personnel Policies Committee of the SPA Executive Board met last Thursday to continue the review of applicants for SPA Assistant Executive Director.

* * *

The Jan. 16 Region 2 meeting scheduled at SUC-Purchase will be in the Administration Building, Room A-108. The standard regional meeting time schedule applies.

* * *

Few Academic Women Filing Complaints on Unequal Pay

By Cheryl M. Fields

WASHINGTON

Department of Labor officials are concerned that more professional academic women are not taking advantage of their new right to file salary complaints against colleges under the federal Equal Pay Act.

"The cold, hard truth is that the Equal Pay Act has brought the greatest economic advantage to women of any federal provision," said Morag M. Simchak, special assistant to the Assistant Secretary of Labor for employment standards.

"We have only a 90-day backlog of cases, nothing compared with most other agencies. The complaint does not have to be written, and we keep the complainant's identity confidential," Ms. Simchak added.

The protection of the Equal Pay Act, which requires the same pay for men and women doing substantially equal work, was extended to executive, administrative, and professional employees of educational institutions by last June's Education Amendments of 1972.

Few Complaints Filed

Few complaints involving academic women have been filed since then, Ms. Simchak said.

Although employees recently covered by the act cannot receive back pay prior to July 1, the date the college-aid act took effect, Ms. Simchak pointed to examples of the effectiveness of the equal-pay provisions for nonprofessional employees covered under earlier extensions of the act.

Women custodial employees at the University of Washington received nearly \$100,000 in back pay after one investigation by Labor Department officials, she said.

Some 95 per cent of the cases investigated under the Equal Pay Act are settled without litigation, according to department figures. However, one case that was taken to court resulted in the Montana State Board of Education's being ordered to pay nearly \$45,000 in back-pay adjust-

ments to women housekeepers at state educational institutions.

"There seems to be some misunderstanding on the point," Ms. Simchak said, but women who have filed complaints of sex discrimination under other federal statutes can still file a complaint under the Equal Pay Act.

Academic sources said that because a number of sex-discrimination provisions were included in the recent higher education act, it might be several months before academic women generally would become aware of the equal-pay coverage.

Local offices of the Labor Department's Wage and Hour Division handle complaints under the act, as well as making spot checks of employers on their compliance.

"Because it is known that Wage-Hour has this authority to act without any complaint, it is possible to protect the identity of an individual who may have made a complaint, to a far greater degree than would otherwise be the case," one department official said. "There is also authority under the law to subpoena records if an employer should refuse to make them available for inspection."

"If the employer agrees with the compliance officer's findings at the time of the investigation, the compliance officer can close the case right away, make arrangements for immediate payment of any back pay due, and insure future compliance," the official said.

From June, 1964, through last June, almost \$48-million in back pay was found to be owed under the federal act—almost all of it to women.

FYI

Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 17

Jan. 8, 1973

Negotiations resume

The SPA Negotiations Team returns to the table tomorrow, Tuesday the 9th, for the first session since the holiday recess. Team members Alan Willsey (spokesman), Fred Miller, Patricia Buchalter, and Armand Kamp met prior to the bargaining session with staff consultants to formulate strategy.

It is expected that the State team for the session will be substantially reduced in size from the 12-member group present at the first meeting. Included at that time were 3 representatives from the Bureau of the Budget, 3 representatives from the Office of Employee Relations including Spokesman Leonard Kershaw, 5 members of the University's employee relations staff, and one campus president.

* * *

NEA has issued an important correction in its interpretation of the Supreme Court's Roth and Sindermann decisions. In its original release, DuShane Fund lawyers stated that a non-tenured teacher threatened with non-renewal may in certain cases request and receive an administrative hearing prior to non-renewal if:

"He alleges and can prove in federal court that the non-retention is in reprisal for his exercise of First Amendment rights."

In fact, the June 29 Supreme Court ruling assures that if a non-tenured teacher can prove in federal court that his non-renewal is in reprisal for exercising a constitutional right, he is entitled to reinstatement.

* * *

President Granger's regional meeting schedule resumes next week as he travels to SUC-Purchase for a Region 2 session. Representatives from Stony Brook, Farmingdale, Downstate, Maritime, and Old Westbury will be contacted when preparations are complete.

* * *

Is there an alternative to compulsory arbitration or the legalized strike in public sector negotiations? Merton C. Bernstein, writing in the December 1971 Harvard Law Review, suggests what he calls the "nonstoppage strike" and the "graduated strike."

In a nonstoppage strike situation, the public employee union would be free to declare a nonstoppage strike after all other bargaining procedures failed to produce a settlement. Work would continue, but employees would be required to forego a portion of their take-home pay which would be remitted to a special escrow account. The employer would be required to match each employee payment with increases permitted each week.

Upon settlement of the strike, the monies in escrow would be allocated by a special commission to projects that would not specifically benefit either the union or the governmental body.

The graduated strike system would provide for a "stage in" of complete work stoppage. During the first week or two of a strike, employees would not work for perhaps one-half day per week. The strike period could then be escalated to one full day per week and so on. To insure that employees actually suffer a proportionate loss of wages, overtime and make-up days would be prohibited.

* * *

SPA member Dr. William Chazanof of SUC-Fredonia has been given the American Association for State and Local History's Award of Merit for his book Joseph Ellicott and the Holland Land Company. Fifteen years in research, the book is one of only 18 so honored.

* * *

SPA Librarians return to the table on Wednesday the 10th in Albany in continued quest of implementation of academic status for librarians. The team will respond to a State proposal made in December.

* * *

The 1973 version of the New York State Legislature held its first session of the new year last Wednesday the 3rd, in Albany. Sen. Robert Stafford of Plattsburgh has been returned to the chairmanship of the Senate's Higher Education Committee, while it is strongly suspected that Assemblywoman Constance Cook of Ithaca will again chair the Assembly Education Committee.

The chairmanship of the Senate Education Committee -- vacated by defeated Sen. Thomas Laverne -- has been given to Sen. Leon Giuffreda of Centereach.

* * *

The NYS Teachers Retirement System has published a new pamphlet on the vesting rights of system members. Single copies may be obtained directly from NYSTRS, 143 Washington Ave., Albany 12210.

* * *

SPA's Article 20 Negotiating Team will meet with State representatives Monday, Jan. 15 at Downstate Medical Center to continue salary talks for medical and dental personnel. The 8-member team chaired by SPA Executive Board member Dr. Stanley Goldstein will be assisted at the table by SPA staffers Phil Encinio and Ed Purcell. SPA attorney Jerome Sturm will also be present.

* * *

Results from SPA's Article 19 questionnaire are expected to be available next week as computer tabulations and evaluation are completed. Preliminary indications point to an excellent return of questionnaires.

* * *



K.C.

Forms scored



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I., No. 16

Dec. 25, 1972

SPA State-wide Vice President for NTP's Alan Willsey reacted sharply on December 19 to the University's standardized form for appeal of Art. 34 slottings.

Characterizing the content of the form as the "responsibility of the supervisor, not the employee," Willsey asked that all NTP's avoid using the form until there can be a resolution of the issues involved.

SPA President Robert Granger has personally filed a grievance on the issues raised by the form and the case will be advanced as quickly as possible to exhaust administrative procedures for remedy. If it appears that such resolution will not occur before the expiration of the 90-day appeal deadline, SPA Central will advise further.

In the meantime, it is recommended that the form not be used.

* * *

The Office of Employee Relations has refused the SPA appeal to reopen contract talks on sick leave provisions as they relate to maternity. SPA had made the request so that illegal contract provisions could be brought into conformity with new federal law. The State maintains that its contract interpretations supersede these federal regulations. SPA has consulted appropriate legal counsel and will proceed to court on this issue.

* * *

NEA President Catharine Barrett (from Syracuse, N.Y.) has branded as "intervention in NEA policy-making" the formation of a "National Coalition for Teacher Unity." The new organization is attempting to promote both local and national NEA-AFT merger despite tight restrictions on merger dictated by NEA's Representative Assembly.

NCTU was formed on December 11 by AFT and various individuals and groups within NEA. Among these are Mrs. Marjorie Beach, president of NCUEA (National Council of Urban Education Associations) and NYSUT.

Mrs. Beach - it was noted - is operating without the approval of the NCUEA Executive Board.

At the same time, Mrs. Barrett has restated her dismay that AFT has refused to participate in CAPE (Coalition of American Public Employees). Presently consisting of NEA, the International Association of Fire Fighters, and the American Federation of State, County, and Municipal Works, CAPE hopes to enlist the active support of additional unions in the near future for the benefit of all public employees.

* * *

Whim and fancy of the telephone company notwithstanding, the phone number of the new SPA office will be (518) 458-7935.

* * *

Dr. George W. Taylor, father of New York State's "Taylor Law," succumbed to natural causes on December 15. Harnwell Professor of Industry at the Wharton School of Business and Finance at the University of Pennsylvania, Taylor was instrumental in the 1967 drafting of this state's first public employee negotiations law.

A famed labor mediator and arbitrator, Taylor is credited with some 1,200 settlements in his career. He was 71.

* * *

A draft policy statement on the modular calendar plan has been submitted to the SPA Executive Board for consideration. Drafted by Academic VP Herman Doh, the statement will be discussed at the January meeting.

* * *

In one of its most unusual rulings, PERB has refused to recognize the inmates of Green Haven State Prison as a bona fide public employee bargaining unit. The prisoners were called "technically inmates, not public employees."

* * *

No issue of FYI will be distributed on January 1.

* * *

Clarification: Last week's issue of FYI reported that the State has released merit and equity money distribution information to SPA. While this statement is correct, it should be noted that the release was made to the SPA Negotiations Team for use at the bargaining table.

This information will not be made available to local campuses until it is certain that to do so would not interfere with the vital and delicate negotiations now in progress.

* * *

The first group of 1973 pre-filed legislation that involves the State University system has been identified by SPA staff and distributed to the SPA Executive Board for examination.

Included in this group are bills to provide: for tuition deferments for children of veterans still entitled to veterans' education benefits; for the establishment of a State University security system; for the establishment of a temporary state commission to study performance contracting in SUNY; and for the prohibition of any mandatory student activity fee at all SUNY units.

* * *

SPA clip art materials for Chapter Presidents are enclosed with this issue of FYI. Courtesy of the Morrisville Chapter, they should be useful in "spiffing up" local communications.

* * *

Copies of a proposed Constitution and Bylaws for a merged organization within SUNY -- "SUNY/United" -- were mailed from SPA Central on December 21 to all chapter presidents and Rep. Council delegates.

The documents -- approved by the SPA Executive Board for submission with recommendation for approval to Rep. Council -- represent agreement on language expressing principles mutually acceptable to both the SPA and SUFT Merger Negotiating Teams.

In the cover letter accompanying the documents, President Granger notes that in accordance with Rep. Council directives, a survey of merger "costs and benefits" as well as costs and benefits of any alternative to merger will also be distributed for study and scrutiny before the next Council meeting.

Although SPA and SUFT leaders have also reached substantive agreement on a specific implementation program for possible merger, formal language for the implementation agreement has yet to be drafted.

* * *

Foes of collective bargaining in higher education come from strange places: Over 400 professors in the State of Ohio recently received letters from the National Right to Work Committee in Washington warning them of the evils of collective bargaining and "unionism" in higher education.

The letter implied that unionization would inevitably lead to "agency shop." Once this has been accomplished, the letter said, academic freedom and tenure will be out the window.

* * *

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Double Standard at the Times: Loud Tirade vs. CUNY Staff Demands...

A number of recent public opinion polls have shown that labor unions in general are currently held in low esteem. This is scarcely surprising in view of the customarily harsh treatment accorded the union movement by the press. Cases in point are two sets of negotiations now taking place — that of the 16,000 member staff of the City University of New York, represented by the Professional Staff Congress, and the 10,000 paraprofessionals represented by the United Federation of Teachers. (Both unions are affiliated with the New York State United Teachers.)

In a very lengthy editorial entitled "Unionized University" (December 6, 1972), the New York Times appears to accept totally the stand of management against the college teachers and non-classroom professionals. The Times editorial, claiming that this is "no ordinary labor-management confrontation," argues: "What happens at the nation's largest public urban university could set a pattern fundamentally changing policy control in higher education across the country. In less cosmic terms, the salary scales fixed at CUNY will have an immediate impact on the capacity for survival of dozens of public and private institutions in the metropolitan area and upstate." By stating the issues in this way, the Times converts the simple understandable desires of the college teachers for economic improvement and job security, which are plainly subject to negotiation and compromise, into questions of moral principle which cannot and must not be compromised.

In the matter of money, the Times is at pains to paint a picture of great affluence among the CUNY teachers. The editorial states that the "average salaries for full professors at the City University's four year colleges are \$6,000 to \$8,000 a year higher than those at Columbia and New York University." What the Times fails to point out is that at CUNY only 17% of the faculty

hold the rank of full professor, whereas 40% hold this rank at N. Y. U. and 50% at Columbia. What the Times does not see fit to mention is that fewer than 4,000 of the 16,000 CUNY teachers earn more than \$18,000. (The Times itself recognizes that its reporters and photographers who have worked for the paper for two years are worth over \$18,000.)

It is true that the salary of City University teachers has been increasing each year — as have salaries in other sectors. Under city policy in the past, these increases were based on parity arrangements with other city and school employees. But these increases were never criticized by the Times — not even increases greater than those now being sought — until the college teachers formed a union. One cannot avoid the conclusion that the concern of the Times is not so much with the compensation of the faculty as with the fact that it is now an organized union.

One other question raised by the Times has to do with the desire of college teachers to enjoy ordinary job security, with provision that if a faculty member is to lose his or her position, the reasons must be given, with the right of appeal to arbitration if the dismissal is allegedly arbitrary, capricious or discriminatory. The Times editorial, while granting that the present system is "not without flaws" and is subject to "human and professional misjudgments, and even to occasional abuse and injustice," nevertheless opposes due process procedures for the reason that the granting of job security is "ill-suited to the maintenance of high scholarly standards in universities." Here again the Times has a double standard: Its own employees enjoy the very same protections that the Times would deny to CUNY. It is hard to understand why the City University cannot maintain high standards if it adopts the same reasonable due process procedures enjoyed by Times employees.

Where We Stand
A Weekly Column
in a Chronicle of Public Education
by Albert Shanker
President, United Federation of Teachers

... Silence on Public School Paraprofessional Negotiations

While the Times has devoted much space to its attack on the college teachers, it has completely ignored the public school paraprofessionals this year. These paraprofessionals assist teachers in the classroom. Most are former welfare recipients, minority group members, who are now fulfilling a valuable educational function in the schools. Using opportunities provided by their previously negotiated contract, most are now attending college and some have already become fully licensed teachers.

At first, paraprofessionals were employed as part-time, hourly workers. The program was considered an "experiment" — temporary in nature. But now the program is a permanent one, and there is no reason why these employees should be denied the regular status of all others working for the Board of Education. Like other city employees they should have a regular annual salary, regular sick leave, maternity leave, legal representation in case of assault, and, if employed beyond a certain number of years,

a retirement allowance.

The paraprofessional contract expires on December 31. Talks with the Board of Education did not begin until December 12. The Times, which has frequently reported and editorialized on discriminatory practices in some unions, has yet to call upon the Board of Education to negotiate with the paraprofessionals or to support their demand that they be considered regular employees of the Board of Education rather than second class temporary employees.

The game plan of the Times seems clear: Where unionized employees earn bigger salaries, criticize the salaries; where the employees are low wage earners (paraprofessionals earn from \$3,800 to \$6,113 annually) maintain silence.

Both college professors and public school paraprofessionals will come away from the current negotiations with an important lesson learned — that success in gaining justice stems not from the "sympathy" of the press, but from their own collective union strength.

© 1972 by Albert Shanker

Mr. Shanker's comments will appear in this section every Sunday. Correspondence by readers is welcomed. Address letters to Mr. Shanker at UFT. This column is sponsored as paid advertising by the United Federation of Teachers, Local 2, American Federation of Teachers, AFL-CIO, 260 Park Avenue South, New York, N.Y. 10010.

Letters to the Editor

Bargaining at the City University

To the Editor:

The Times editorial "Unionized University" (Dec. 6) misrepresents the issues in the negotiations between the Professional Staff Congress and the Board of Higher Education (B.H.E.). The board would abolish the City University salary system by which annual increments are earned for service and experience, and substitute a pork barrel by which individuals must negotiate alone for increases beyond a fixed range.

The board would also assign to the administration—and thus to itself and to the Mayor, who appoints the board—absolute authority over the life, death and progress of professional careers. By the system it has proposed and The Times has endorsed, a college president may deny reappointment, tenure or promotion to an individual judged excellent by his colleagues and students; the president may not give reasons for his decision, and it may not be appealed.

The Times justifies this B.H.E. position by arguing against instant tenure, automatic promotion and a takeover by the union and "outside" arbitrators. They are straw men. All we are demanding is that the presidents be required to justify their actions, especially when they veto the results of the careful peer evaluation procedure. Otherwise, the presidents' "academic judgment" may not be academic, but capricious, arbitrary, discriminatory or politically motivated.

Such absolute administrative and political control would result not merely in "occasional abuse and injustice," as The Times suggests; it would destroy academic freedom and quality control at City University.

Further, the board has proposed reducing the actual dollars provided under our present salary schedule. The average salary at City University is under \$18,000. Comparisons with other universities must take into account the much slower rate of promotion at C.U.N.Y. and the years it takes to reach the top.

The ratio of full professors is 40 per cent at N.Y.U., 30 per cent at Columbia, and 17 per cent at C.U.N.Y. According to Chancellor Robert J. Kibbee's Oct. 20 budget message to the board, "C.U.N.Y. has become one of the lowest-cost institutions of higher education in the country."

The Times also supports the board's demand that the proceedings of the fact-finding panel "be open to public scrutiny," ignoring the panel's judgment that the proceedings are an extension of the negotiating process.

The panel's recommendations, which are made public, are not a *fait accompli*, as The Times says, but advisory. And the final decision on accepting the public fact-finders' recommendations is assigned by law to none other than the public employer.

BELLE ZELLER, ISRAEL KUGLER

New York, Dec. 12, 1972

The writers are, respectively, president and deputy president of the Professional Staff Congress, C.U.N.Y.

To the Editor:

Your straightforward position [editorial Dec. 6] on the "Unionized University" deals with an issue which is statewide and national in scope.

In their "Statewide Plan for the Development of Post-Secondary Education, 1972," the Regents expressed their concern over the impact of collective bargaining on educational quality. They accepted as viable some aspects of collective bargaining; but recommended that certain academic matters remain outside the purview of negotiation.

Specifically, they recommended exclusion of the following areas from the collective bargaining process—decisions on academic tenure; curriculum development and revision; the processes for faculty evaluation, promotion and retention; staffing ratios and class size, and institutional governance.

The State Education Department reviews collective bargaining agreements to assure compliance with Regents policy.

Academic self-governance is an essential feature of our higher education system. Its erosion at one of the largest universities in the country might establish a precedent that could seriously undermine the academic viability of higher institutions.

T. EDWARD HOLLANDER

Deputy Commissioner for Higher and Professional Education
State Education Department

Albany, Dec. 6, 1972

To the Editor:

Your Dec. 6 editorial "Unionized University" equates faculty unionism, along with "automatic promotion and instant tenure," with an "adoption of the public school staffing model," teachers being "interchangeable."

Such a thought might strike serious terror among my colleagues except for two facts: (1) The C.U.N.Y. faculty merely makes recommendations re-

garding tenure and promotions; the faculty proposes but the administration disposes. (2) The C.U.N.Y. administration is rapidly moving in the direction of providing a compliant staff that will offer courses to "fit the needs" of underprepared students (remedial reading, remedial English, remedial math, etc.).

On my own campus, C.C.N.Y., the administration has lately taken a firm stand on its legal rights, as against traditional faculty prerogatives. It has freely by-passed the faculty's recommendations on promotions in favor, apparently, of candidates who accept the "official line." This means that the college administrations enjoy *carte blanche* in all matters of faculty concern which are not protected by either the union or the law.

My recent protest regarding the ignoring of faculty recommendations was answered by a letter from the Vice-Chancellor for Academic Affairs of C.U.N.Y. stating that the "Chancellor's Office has neither the wish nor the authority to interfere in matters of promotion at the individual colleges."

The trend toward virtually unchecked administrative power at the various colleges can only spell doom for academic freedom at C.U.N.Y.

STANLEY W. PAGE

Professor of History

The City College

New York, Dec. 8, 1972

The writer is Chairman of the Academic Freedom Committee, C.U.N.Y. Faculty Senate.

Consultation progress



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 15 Dec. 18, 1972

ferred to OER for a response. (That response -- in the affirmative -- was given to the SPA Negotiations Team on the 12th.)

Concerning the modular calendar plan now being circulated in SUNY, the Chancellor explained that the plan was solely the product of a committee deliberation and in no way has the Chancellor's endorsement or carries the weight of University policy. It has been distributed merely to provoke discussion.

Likewise, Boyer reported, the SUNY Academic Vice Presidents' resolution on tenure quotas in no way constitutes policy and, in fact, has never been formally transmitted to the Chancellor.

In another action, SPA President Robert Granger proposed to the Chancellor that SPA and SUNY administration jointly pursue changes in the Agreement to bring it into line with federal requirements on the use of sick leave for maternity purposes.

* * *

SPA librarians met with Central Administration on December 14 to continue negotiations on implementation of academic status for SUNY librarians.

The meeting produced the first specific response by the University to SPA demands. The University offer is now under scrutiny by the SPA team.

* * *

Experience has shown that student newspapers represent an effective vehicle for distribution of SPA news to members of the bargaining unit. The SPA press release list, however, is incomplete in this respect.

Please send the name and address of your local campus paper to Ed Purcell at SPA Central as soon as possible to insure complete news coverage on your campus.

* * *

NYSUT has launched a drive this week to recapture community college memberships lost to the Associated Community College Faculties (ACCF) when that group disaffiliated from the merged state organization. The ineffectiveness of ACCF because of under-financing and the loss of NYSUT special service programs are stressed.

Faculty at the 12 "rebellious" schools (term used in the NYSUT mailing) are invited to become at-large members of NYSUT for a \$55 fee. At-large memberships do not require the unified membership (NEA) that is carried with other classes of membership.

* * *

Office Closing. SPA Central will be closed on Friday, January 5 to allow mind and body to reorganize at the new Association headquarters at 15 Computer Drive, Albany. The office will be open for business again on Monday, January 8.

* * *

For those SUNY employees who are members of the NYS Teachers Retirement System, a field representative from that agency will visit several SUNY communities during the month of January.

Buffalo (January 9, 11); Cortland (January 25); Oneonta (January 30); Rochester (January 24); and Syracuse (January 29).

Call NYSTRS at 518-436-0821 for specific time and place.

* * *

AAUP efforts to fund a growing deficit in their organization through voluntary contributions has met with failure. A scheme whereby members would voluntarily remit an amount 20 percent in excess of actual dues has fallen \$100,000 short of the desperate need.

In other AAUP news, the association was recently defeated in an attempt to gain bargaining rights at Baldwin-Wallace College (Ohio). The vote was 82 for no representation to 58 for AAUP.

* * *

A growing militancy among doctors across the U.S. and throughout the world continues to grow. Some 7,000 doctors and dentists recently paralyzed health care delivery in Austria with a strike.

In nearby Pennsylvania, a 1,000-member unit of licensed physicians, medical research scientists, dentists and podiatrists employed in the state's mental hospital system has voted to go the route of collective bargaining.

* * *

The December 19 Region 3 meeting scheduled for SUC-Brockport has been cancelled. Brockport, which will be in recess during the 19th, will host a session later in the year.

* * *

Quote of the Week: "Unless we organize -- and that means getting the power to say 'or else' to our adversaries -- we will become wage slaves to bureaucrats and politicians." Dr. Stanley A. Marcus, president of the fledgling Union of American Physicians.

* * *

Congratulations to the SPA Chapter at Delhi for leading the Association in net membership gain last month with a total of 10 additional members. Morrisville and Downstate were close behind with 8 followed by Cortland and Geneseo at 6.

* * *

SPA members in the news. Dr. Gilbert O. Brink (SUNY-Buffalo) has been named chairman of the physics department at his school. Dr. Elof A. Carlson (SUNY-Stony Brook) is one of 12 recipients of the 1972 E. Harris Harbison Award for Gifted Teaching sponsored by the Danforth Foundation.

Alan F. Klein has authored Effective Groupwork, a text designed specifically for undergraduates. Worth T. Harder (Geneseo) has authored A Certain Order. The Development of Herbert Read's Theory of Poetry.

* * *

Higher Education Needs to Lobby

The simple fact is, legislatures help those who help themselves

IN 1961, my state ranked near the bottom of the 50 states in its per-capita support of higher education. In that year, our legislature appropriated \$45-million for higher education. By the end of the decade, appropriations for higher education had increased by 475 per cent.

To raise the money, the legislature increased taxes more than once. Lawmakers went home to the voting public and explained that they had raised taxes to provide more money for education.

Where did we stand in the national rankings after our substantial efforts of the 1960's? In 1970, we ranked 46th in the nation in per-capita state support of higher education. We had made, comparatively speaking, no progress at all during the 1960's, despite what we thought were strenuous efforts.

There are good reasons for this lack of progress: the avalanche of new students during the decade; rapidly mounting costs in the economy generally and in higher education particularly; the fact that other states were responding to the same kind of demands as we. All this meant that we had to run fast just to stand still, and would have to run very fast to move ahead. We ran fast, but not fast enough.

YOU know that and so do I. The average legislator does *not* know that, and the average citizen does not either. Neither the average citizen nor the average legislator believes that he is anti-education, nor does he believe that he treated education shabbily during the 1960's. Bewildered by the continuing demands year after year for more money, people are beginning to wonder whether education is a bottomless pit.

I suspect that my state is not unusual; that legislators and citizens in other states have had similar experiences and are not feeling guilty about their efforts on behalf of education during the past decade.

You will do well to remember that, as you deal with legislators and the public in the years ahead.

Going into the 1960's, Americans still had a simple faith in higher education as the road to success for any person of humble origin who wanted to better himself. The rapid growth in enrollments made expansion of higher education so obviously necessary that there was no argument about greater appropriations; the only question was one of degree. Furthermore, because more room had to be made for more students, the 1960's saw an emphasis on bricks and mortar, which are always popular with taxpayers who wish to see what they are getting for their money.

Contrast those advantages with the disadvantages that higher education bears now. First, it will be hard to sustain

the effort of the '60's—inadequate though it was—for 10 more years. There will be fewer new campuses capable of fostering citizen pride; some of the glamor will be gone. The mystique of higher education has been badly damaged

in recent years by student unrest and by differences in life styles between students and their elders. Beyond that, young people and others increasingly question the value of higher education at a time when there are few jobs for graduate engineers and teachers coming into the labor market. Additionally, there is a genuine tax revolt, especially against property taxes, under way in this nation which will make it difficult to increase taxes for any purpose. Finally, there will be strong demands from other state agencies, some of which were not strong competitors for scarce state resources during the 1960's.

Environmental control will be increasingly popular and increasingly expensive. State appropriations for mass transit were unheard of in the 1960's, but may be coming by the end of the 1970's. The *Serrano v. Priest* decision in California established the principle that exclusive reliance on the property tax to finance education is unconstitutional. If that principle is upheld by the U.S. Supreme Court, state legislatures will be thrown into a real turmoil. It is almost a certainty that a great deal of legislators' time, energy, and appropriations will go into elementary and secondary education in the years ahead.

The only conclusion one can draw from all of this is that higher education is in for a difficult time in the 1970's in terms of operating funds, not to mention all of the other ways in which legislatures can impinge upon higher education.

FACED with this bleak prospect, how will educators respond? Will it be with despair and retreat from the arena? Or will it be with valiant, but ineffective, efforts to save higher education?

It could be either. I hope it will be neither.

Rather, I hope that college teachers and others who value higher education will enter the legislative arena actively and effectively in the 1970's. It is tragic to me that higher education has no effective lobby in my state capitol or, I suspect, in many others across the nation.

Dozens of other interests do have well-organized lobbies: auto dealers, railroads, township trustees, retail merchants, elementary and secondary education, sheriffs, Christian Scientists. But not higher education—at least not to any real degree.

If a bill affecting retail merchants comes before the legislature, I know that:

► A lobbyist for the retail merchants will contact me to

DUER

- explain the content of the bill from his perspective;
- ▶ The lobbyist will urge my constituents back home to write to me with their views on the bill;
 - ▶ Some of them actually will write to me;
 - ▶ The lobbyist will record how I vote on the bill and will communicate that information back to my constituents who are members of his organization; and
 - ▶ Some of my constituents who are retail merchants will remember at election time whether or not I was a friend of theirs.

This is not true for higher education, and more's the pity, since higher education has a tremendous potential for effective lobbying. In the first place, it has a good cause. It is not as if you were lobbying for uglier strip mines or bigger auto junk yards. There are the numbers of people who are constituents of legislators around the state. In my state alone, there are 20,000 faculty members, 340,000 college students, and hundreds of thousands of graduates who presumably are interested in what happens to higher education. It could be a very helpful and powerful lobby—if it were organized.

Such a lobby would not be necessary if reality encompassed the idealized view of a legislature calmly, carefully weighing the needs of the state. But that's not the real world. Actually, the legislature operates in an atmosphere of immense pressures—pressure in general from citizens who don't want to pay higher taxes for anything, pressure from dozens of other interests competing for what scarce state dollars are available.

What higher education and the public interest badly need is an effective lobby so that:

- ▶ Higher education does not suffer vis-à-vis other public and private agencies competing for scarce state dollars; and
- ▶ Higher education joins in the effort to help create the climate for greater overall revenue to the state. Helping to create a climate for adequate financing of public services is as important as lobbying for specific legislation or appropriations.

As I wrote several years ago for the Ohio University alumni magazine, the idealized view of the legislative process sees elected statesmen exercising their stewardship through impartial deliberation and balancing the needs and resources of the state. While legislative statesmanship is not entirely lacking, a realistic view requires the observation that in general the legislature helps those who help themselves.

The author is a member of the Ohio House of Representatives and editor of the Oberlin News-Tribune.

Colleges Are Urged to Check Maternity-Leave Policies

WASHINGTON
In line with recent federal guidelines, the Association of American Colleges is urging its members to make sure their policies for maternity and child-rearing leaves are not discriminatory.

"The essence of non-discrimination is treating each person not on the basis of group membership but on the basis of individual capacity to work," said a statement adopted by the association's board of directors.

"Women should not be penalized in their conditions of employment because they may require time away

from work for pregnancy and childbirth, the statement said.

Likewise, it added, "parents should not be prevented from assuming appropriate responsibility for the needs of their families. All policies relating to insurance and leave should be applied without regard to sex."

The Equal Employment Opportunity Commission, which enforces the 1964 Civil Rights Act's ban on sex bias, has adopted guidelines stating that "disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and should be treated as such under any health or

CSEA Chief Plans Bold Program

Theodore Wenzl, president of the state Civil Service Employees Association, appears to be adopting a militant stance in the wake of two resounding victories for the CSEA in representation elections.

Wenzl, a scholarly appearing man not given to histrionics, used phrases like "very strong arm" and "the employees have given us the ball and we're prepared to run with it" in reviewing the CSEA's election victories.

Apparently stung by charges from some labor professionals that the CSEA was a "company union," Wenzl obviously was pleased that his union had soundly drubbed the Service Employees International Union in contests to see which would represent about 73,000 state employees in two bargaining units.

The Public Employment Relations Board reported Saturday that the CSEA had beaten the SEIU 13,524-6,212 in balloting to represent about 34,000 professional, scientific and technical workers.

On Friday, the CSEA had defeated the SEIU by about a 2½ to 1 margin in an election

to determine which union would represent about 44,000 institutional workers.

Wenzl said the double victory would give the CSEA "a very strong arm at the bargaining table" in contracts talks with the Rockefeller administration. "The employees have given us the ball, and we're prepared to run with it," Wenzl said in a statement.

Although state workers have enjoyed a substantial increase in salary and benefits during Governor Rockefeller's 14-year administration, the SEIU attacked the CSEA's record during the recent fiscal crisis.

The union won a 5½ per cent raise this year, but over a 4-hour strike last year. Wenzl said he expects the annual increments which meant automatic raises for employees.

temporary disability insurance or sick leave plan available in connection with employment."

A Medical Decision

The amount of leave a woman needs for pregnancy and childbirth is a medical decision, the association's statement said, "to be treated in the same way as other sick leave."

Regarding time off for child-rearing, the statement said that parents of either sex should be entitled to unpaid leaves of absence according to the same policies covering other kinds of personal leaves.

"Persons who request such leave should have the same employment rights with respect to benefits, promotion, and tenure as other employees on personal leaves of absence without pay," it continued.

Although the association's statement and the employment commission's guidelines are aimed at employees of educational institutions, Frederic W. Nease, president of the association, said that the bans against "discrimination on the basis of group membership or for reasons of pregnancy and childbirth are likely to be formally extended to students."

M/C appeal readied

FYI Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 14

Dec. 11, 1972

Representatives from SPA and OER met December 6 with Mr. Paul Klein, PERB Director of Public Employment Practices and Representation, on the dispute over designations of Management/Confidential status. Mr. Klein was given the basic issues of the dispute, without presentation of specific titles.

On the advice of counsel following Mr. Klein's remarks, SPA will take to arbitration the entire list of Management/Confidential titles. As a result of the PERB meeting, SUNY Central Administration and OER will waive hearings at steps 2 and 3 and the matter will go directly to binding arbitration.

SPA has demanded that Central Administration withhold any and all action that may affect the terms and conditions of employment of any employee whose title has been newly designated Management/Confidential, while this appeal is in progress.

Note -- no one who is in the bargaining unit, and whose title was redesignated Management/Confidential, is obligated to forego his membership in SPA.

* * *

Consultation between SPA leaders and SUNY Chancellor Ernest Boyer was held today, December 11, in Albany. Representing SPA were officers Robert Granger, Herman Doh, Alan Willsey, Joe Drew and Mary Lou Wendel, as well as Executive Board members Stanley Goldstein, John Valter, Robert Fisk, Gail Hotelling, Allen Horn, and Fred Miller. Mrs. Anne Willcox, chairwoman of SPA's Commission on the Status of Women, also attended.

Agenda for the meeting included the SUNY Affirmative Action Program; Board of Trustees Policies as they relate to campus bylaws, academic year, and evaluation and promotion for NTP's; modular calendar; release of information to SPA on merit and equity distribution; Article 38 of the SPA/State Contract; and the SUNY Academic Vice Presidents' resolution on tenured faculty.

* * *

Election Follow-up: The University of Hawaii representational run-off election has produced a 995 to 805 victory for AFT over AAUP. The victory was accomplished through a coalition between AFT and the NEA affiliate at the University. Merger is considered imminent between the two groups.

It is interesting to note that AAUP carried the vote on the University's main campus, 672-549, but was overwhelmingly defeated in the six branch campuses, 435-114.

In the aftermath of another important election at Michigan State University, a NYSUT staff man (10 New York State staff participated in the election) reports that the surprising victory for "no representation" was probably financed by the University itself. The "unorganized" no-representation forces had the best financed effort in the election.

Although a loser, NEA outpolled AAUP in its own back yard in that election.

* * *

SPA Regional Meeting for this week will be held at Upstate Medical Center on Tuesday, the 12th. Region 4 schools of Oswego, Canton, Potsdam, Forestry, Binghamton and Morrisville are invited to attend.

The regional meeting will be held in Room 2334 (use main hospital entrance).

* * *

In other news from Upstate, the SPA Chapter reports the election of new officers. Dr. Sidney Orgel has been elected president, VP-Academic Dr. Henry DiStefano, NTP-VP Horace Ivey, Secretary John Pennisi, Treasurer Dr. Warner Hammond, Academic Delegates Dr. Gilbert Ross and Dr. Otto Lilien, and NTP Delegate Mrs. Anne Willcox.

NYSUT now offers a special program to give discount room rates at Sheraton Hotels across the country. For information, write directly to NYSUT Special Services Department, 80 Wolf Road, Albany, 12205.

* * *

A special issue of the SPA Spokesman was mailed to each SPA member and non-member today. Designed as an information piece to members and a promotion piece for non-members, the two-page issue deals entirely with negotiations.

Spokesman will return to its regular schedule in January and to its members-only distribution with the second December issue.

* * *

Inconsistency of the Week: In the current controversy between the University and SPA over the validity of recently-distributed management/confidential designations, the State maintains that the lists are binding and final even though SPA has the right of appeal.

Last week, however, newspapers across the State reported that on the parking dispute between CSEA and the State, the Office of Employee Relations has taken the position that the PERB ruling in favor of CSEA is not binding and not final until the State completes its appeals.

* * *

Final election results show VOTE-endorsed candidates successful in 38 out of 53 contests.

* * *

The holiday schedule for SPA Central has been set to include December 26 and 27 (Tuesday and Wednesday) and January 2 (Tuesday) as holidays during which the office will be closed.

* * *

The merger implementation discussions between SPA and SUFT scheduled for Friday, December 1 were cancelled due to weather. The rescheduled meeting was held December 8 in Syracuse.

This phase of the talks is intended to produce an implementation procedure for possible merger to supplement the proposed Constitution and Bylaws already developed. If the talks are successful, the document will be presented to the SPA Executive Board for consideration and possible submission to the Rep. Council along with the Constitution and Bylaws.

* * *

Leases were signed last week to provide the SPA Central Office with new, expanded facilities. The move was necessitated by growing space requirements of SPA's current landlord, NYSUT, and SPA's own staff expansion.

New address for SPA Central will be 15 Computer Drive, Albany, N.Y. 12205. Computer Drive is a "side street" off Wolf Road and less than a half mile from the present facilities. The office will be located on the top (third) floor of the MONY Building.

The move -- expected to be completed on or about January 3 -- will cause no increase in the SPA budget. As yet it is uncertain whether the SPA telephone number will change.

* * *

The SUC-Cortland Chapter reports the election of Alan Willsey to fill the unexpired portion of President Phil Swarr's term of office. Swarr, who felt it necessary to step aside for personal reasons, will remain active in SPA. Also elected was Dr. Henry Stukuls who will fill the vacant slot of Academic Delegate from Cortland.

* * *

Potential Retired Members? Sign them up. The cost is low, only \$29.50, and they are entitled to all NYSUT-NEA benefits including the free accidental death insurance policy.

* * *

TEACHER ADVOCATE

College Governance and Collective Bargaining

For many years, the academic world has been the victim of an illusion—the illusion of an idyllic age when the faculty governed the university through an Academic Council or Senate and the departmental structure, with the individual professor negotiating his own salary privately with his department chairman or dean—while the AAUP looked benignly on as a kind of friendly umpire to see that everyone observed the Marquess of Queensbury's rules (otherwise known as Academic Freedom-and-Tenure).

That academic utopia—if it ever really existed—has disappeared like the lost continent of Atlantis, leaving behind only a tantalizing legend.

Many factors have contributed to the passing of the old order, but perhaps the most important have been the tremendous expansion of our colleges and universities during the past 25 to 30 years and the managerial revolution which has accompanied it.

In all areas of American life, the last three decades have witnessed the triumph of organization and bureaucracy, and our colleges and universities are no exception. Nothing has affected the role and status of the college professor more than the emergence, within these vast organizations, of a new managerial class that exists solely to keep the organizational machine running.

This new class has gradually arrogated to itself all the real decision-making power. Decision making in our colleges and universities has imperceptibly drifted out of the hands of the faculty and into those of the managerial bureaucracy.

The traditional centers of faculty decision making (i.e., the various departments and the Academic Council or Senate) have been bypassed while the important decisions are made at the level of bureaucracy, which traditional faculty agencies are incapable of reaching effectively. The decisions left to faculty agencies are not, by and large, the ones that really matter. Furthermore, whenever the faculty clashes with the bureaucracy, the faculty is bound to lose, for it has no effective means of enforcing its judgment. In this way faculties have, during the past three decades, gradually lost any significant voice in the academic decision-making process.

Further, the new managerial class applies the principles of industrial management to the operation of our colleges and universities. This means that decisions affecting the life of the university as an academic community are not based on educational criteria, but on management criteria (such as planned program budgeting), because they are being made not by educators, but by managers.

Finally, the managerial bureaucracy views faculty as a group of employees like any other group of employees under the authority and direction of management. Faculties have been slow to recognize this (or at any rate to admit it even to themselves), preferring instead the illusion of the independent professional entrepreneur. It is time to cast aside the illusion and to face the *fact* that it is not possible, in the long run, to retain the status of independent professional entrepreneurs within an institutional framework that is organized and run according to the principles of industrial management.

Realistically we cannot expect a return to the simpler era of the decentralized, departmentalized university. How, then, can faculties hope to deal effectively with the power of this new managerial class in the megaversity?

Experience has shown that while a few persons may benefit from individual bargaining, overall faculty salaries are depressed by the process. (Research from the University of Wisconsin indicates that faculty

salaries should have risen higher and more rapidly than they actually did during the 1950's and 60's in relation to the funds then available. This lag is attributed to the widespread practice of individual bargaining.)

In a period like the present when inflation, combined with decreasing federal and state support, is putting a squeeze on college budgets, the individual bargaining on his own behalf is a pathetic figure. Furthermore, faculties must not delude themselves into thinking that the role of the departments in decision making can be very extensive. The fundamental decisions affecting budget, staffing, salaries, conditions of employment, educational programs, and priorities are now made at a level of bureaucracy well above that of the department.

As for the faculty Senate or Academic Council, it is no more able than the departments to reach the real centers of power and authority in the university and must deal with the power structure on a secondhand basis through its agents and messengers. The traditional Academic Council has no legal basis for its existence outside of the policies of the university and hence exists on the sufferance of the power structure.

Since the Academic Council has no effective machinery for the enforcement of its "decisions" when the governing board and administration are unwilling to accept them, its "actions" are little more than recommendations that can be ignored or rejected by the university power structure. Lacking an adequate financial base or source of outside resources and support, the Council is ultimately unable to require the power structure to deal seriously with its proposals.

In sum, the Academic Council or Senate is all too often a device by which faculties are given the appearance of democratic participation in the decision-making process without its substance.

No more effective today are these traditional methods employed by the American Association of University Professors:

- The proclamation of abstract principles of academic freedom and tenure
- The admonishment of university administrations to follow the procedures enunciated by the AAUP
- The public denunciation of universities that violate its principles
- The rating of universities according to the salaries they pay.

Industrial management is not susceptible to moral suasions. Its function is to get the most for the least—whether in selling a product or employing a staff. This is not a cynical statement; it is a fact of life.

The managerial bureaucracy is immune to pleas of humanity, decency, democracy, or academic freedom. It is equally immune to sanctions that are not backed by the power of enforcement. University management is well aware that the general public couldn't care less about what the AAUP (or any other organization) thinks of this or that university. They also know that, given the present condition of the job market, professional sanctions cannot hurt them.

As we have seen, traditional instruments for faculty involvement in academic decision making have all proven inadequate to cope with the centralized power structure of the modern university. We must, therefore, look elsewhere for an effective vehicle for faculty participation in the decision-making process.

Let us begin with the premise that centralized power can only be met by a balance of power at its own level. Obviously, faced with the power of the modern university and its managerial class, individuals must organize in order to counter this power with the collective power of their own organization.

If an effective faculty organization is the vehicle for faculty power, the instrument by which the power can be effectively utilized is collective bargaining. This is because authority is not shared between men who are inherently unequal. Only when men or groups of men deal with each other as equals is authority really shared. Those who possess power share authority only with others who possess power and know its uses. Governors, legislators, trustees, and college presidents are such men. They will share authority only with those who have the power and the means to make them share it. Collective bargaining is that means.

As Professor Donald Wollett of the University of California at Davis points out: "Collective bargaining is the *only* effective instrument by which faculties can achieve genuine shared authority, because it is that which makes the faculty—through its duly elected bargaining agent—equal under the law with the academic power structure. It is at the bargaining table—and only at the bargaining table—that they can achieve that equality."

What then is collective bargaining? It is a system of shared authority based on a process of bilateral decision making between two agents (e.g., the university and the faculty organization), utilizing legally established procedures for reaching mutual agreement. Thus, collective bargaining provides the basis for the first really effective instrument of faculty power and participation in the decision-making process, because for the first time, faculty is able—through its bargaining agent at the bargaining table—to come to grips with the real decision-making authority of the university.

The resulting written agreement or contract is a legal document enforceable at law. But it is more than that. The collective bargaining agreement establishes a code of governance for the university in which the policies and rules affecting the faculty are clearly defined. It also establishes procedures to regulate the relations between the faculty and the university administration—procedures designed to protect the rights of faculty members against arbitrary and capricious action and to resolve any conflicts that might arise between faculty and administration. In sum, the master agreement is the charter of institutional democracy.

—Donald Keck, associate director, Higher Education, NEA.



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 13

Dec. 4, 1972

Art. 19 hearings set

The SPA Negotiations Committee is currently conducting a series of campus hearings to survey local sentiment on this year's basic annual salary reopeners. Chapter presidents at each unit have been invited to schedule such a hearing with the guarantee that at least one member of the Committee would attend each session.

At this date, according to Committee Chairman Alan Willsey, only 11 campuses have scheduled hearings.

Included in this group are Forestry, Cortland, SUNY-Buffalo, Oswego and Morrisville, which held meetings last week, and SUC-Buffalo, Canton, Stony Brook H.S.C., Delhi, Plattsburgh and Geneseo, which will gather this week.

* * *

The New York Teacher newspaper reports this week that the State University Federation of Teachers (SUFT) Executive Board has unanimously approved the proposed Constitution and Bylaws for a new merged organization. The action came at a Nov. 19 meeting in Syracuse.

Excluded were minor sections requiring editorial change.

The SUFT Executive Board has also selected a team to represent their organization in talks to establish an implementation agreement between SPA and SUFT. Selected were President Edward Wesnofske (Oneonta), Dorothy Gutenkauf (Cortland), Lawrence DeLucia (Oswego), Fred Levine (Stony Brook), and Sam Wakshull (SUC-Buffalo). Representing SPA will be President Robert Granger, Vice Presidents Herman Doh and Alan Willsey, and Executive Board member Gail Hotelling.

The first working session on the implementation question was held Dec. 1 in Albany.

* * *

Syndicated columnist John Chamberlain reports that private colleges and universities across the country are "coming under the gun" to give an arbitrary ethnic balance to both their faculties and student bodies. The government club is the feared loss of tax exemption.

Higher education -- organized in groups such as AAPICU (American Association of Presidents of Independent Colleges and Universities) -- are priming to fight any and all affirmative action programs.

* * *

Chancellor Ernest Boyer and members of the SPA Executive Board have tentatively agreed to December 11 for a consultation session. The agenda will be extensive.

* * *

A step in the right direction came on November 17. Central Administration's Tom Peterson issued a directive to all local campus personnel officers concerning the system-wide distribution of all professional job openings. The directive conforms with the Article 34 agreement on NTP promotions.

All job openings throughout the University will now be systematically posted on at least one official bulletin board on each campus. In addition, SPA Central has ensured that its office will be included in the distribution. SPA will then attempt to notify chapters on a weekly basis so that these openings can be distributed to SPA members locally.

* * *

SUFT -- Who Are They? State University Federation of Teachers (local 2190) is an officially chartered local of the American Federation of Teachers. According to AFT membership rolls, the unincorporated organization currently lists some 493 members in the SUNY system, a drop of 41 from last year.

Within the organization are 13 individually chartered locals at the local campus level. These include SUNY-Binghamton-Local 2128 (26 members), Delhi-Local 1736 (42 members), Brockport-Local 1679 (36 members), SUNY-Buffalo-Local 1733 (53 members), Farmingdale-Local 1905 (61 members), Alfred-Local 2049 (42 members), Cortland-Local 1655 (32 members), Fredonia-Local 2076 (27 members), New Paltz-Local 1669 (24 members), Oneonta-Local 1910 (24 members), Oswego-Local 2055 (23 members), Plattsburgh-Local 2066, 2073 (26 members), and Potsdam-Local 2045 (20 members).

* * *

Dr. Richard Hubbard of Oswego has been elected president of the New York State Educational Communications Association. Dick -- a SPA member of long standing -- has served as membership chairman and secretary of the Oswego-SPA Chapter.

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In case you missed it, SPA's state affiliate did indeed change its name. The new handle is New York State United Teachers (NYSUT).

* * *

SPA officers Robert Granger, Herman Doh and Alan Willsey, together with staff consultants Philip Encinio and Edward Purcell, met with representatives of the State on Wednesday, Nov. 29 to formally reopen contract talks under Article 19 of the SPA-State Agreement.

The meeting, which dealt with strictly procedural questions, was authorized by the SPA Negotiations Committee prior to the formal selection of a negotiations team for this year.

* * *

SPA membership figures for the month of November show a total membership of 2,979 -- 2,088 academics and 891 NTP's. During the month some 88 new members were recruited, but 66 resignations also occurred for a net gain of 22.

* * *

New two-tone blue display posters have been distributed to Chapter Presidents for bulletin board use. They are designed to be used for the posting of the weekly FYI. Your communications program will be considerably strengthened if several copies of FYI are duplicated for posting in heavily frequented areas around campus.

* * *

The SPA Executive Board has approved the nomination of a reconstituted Article 38 Committee. The Committee includes Dr. Stanley Goldstein (chairman) and Dr. Robert Bartlett from Downstate; Dr. Robert Dougherty and Dr. Richard Aubry from Upstate; Dr. Charles Lipani and Dr. Ruth Walsh from Buffalo HSC; and Dr. Campbell Lamont and John Valter from Stony Brook HSC.

The Article 38 Committee is charged under the contract with the improvement and implementation of the medical program at the University's health science centers.

* * *

The SPA Negotiations Committee meets December 10-12 in Albany to finalize the Association's negotiations package and select an "at-the-table" negotiations team.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 12 Nov. 27, 1972

The Executive Board of the Senate Professional Association has voted to forward the draft constitution for a merged organization to the SPA Representative Council with the recommendation that the document be accepted.

The draft constitution - completed last week - was the outgrowth of a series of meetings held between SPA leaders and the State University Federation of Teachers. Merger talks had been authorized by the SPA Rep. Council at its October session.

According to SPA President Robert Granger, who led the SPA team in merger talks, the next step in effecting the proposed merger will be the presentation of the proposed constitution and bylaws to the Rep. Council for consideration. That group will be asked to decide if the documents should be submitted to the SPA membership in referendum.

If the Rep. Council votes to submit the package to referendum, SPA membership will decide whether or not the Rep. Council should be directed to make necessary changes in the current SPA constitution to effect merger and the creation of a "new" organization.

At this time, one necessary ingredient for a total merger package has yet to be developed - an implementation agreement that will set specific local and state procedures to create one organization from two on a practical basis. The SPA merger team will return to the table this month to establish a proposal for such procedures. If completed, these implementation procedures will be submitted to the Executive Board at its December meeting.

Upon completion of the entire package, the proposed constitution and bylaws, implementation agreement, and merger commentary - both pro and con - will be given wide distribution to Rep. Council delegates, chapter officers, and all SPA members.

In addition to President Granger, the SPA merger negotiating team included vice presidents Herman Doh and Alan Willsey, as well as Executive Board member Gail Hotelling. Executive Director Philip Encinio acted as staff consultant. This group unanimously recommended the merger proposal to the Executive Board for approval.

Voting to transmit the proposed constitution to the Rep. Council with recommendations were Executive Board members Alan Willsey, Mary Lou Wendel, Gail Hotelling, Fred Miller, Allen Horn, and Stanley Goldstein. Voting against the action were Robert Fisk, Richard Glasheen, John Valter, and Joseph Drew. Herman Doh, a member of the SPA team which met with SUFT, strongly endorsed the merger document but could not be present for the vote, and President Granger, following established practice, did not vote.

* * *

SPA Chapter Presidents have been sent duplicate copies of the SPA Article 19 Salary Questionnaire for distribution to members who may not have received a copy by mail. The continuing flux of the membership rolls plus unavoidable problems with mailing machines, the post office and such, usually mean that some members do not receive the mailing. Please publicize the availability of extras to your membership, especially new members. Chapter President should initial any copies that they distribute.

If problems arise, contact Ed Purcell at SPA Central.

* * *

Regional meetings resume this week on Tuesday, November 28 as the S.U. Ag. & Tech. College at Cobleskill SPA Chapter hosts a meeting of Region 1. Luncheon will be served to Regional Reps. from Noon to 2:30 p.m. in the Prentice Dining Hall. A meeting of chapter officers precedes this meeting and a general campus session follows the regional meeting at 3:30 p.m.

Representatives from Albany, Oneonta, New Paltz, Central Office, Delhi, Plattsburgh, and Empire State are invited to attend.

* * *

SPA-Morrisville reports they have surpassed the 50% mark in membership. Chapter President Doris Knudsen and her group have recruited 85 out of a possible 165 staff members for SPA.

* * *

New Economic Controls Loom

PRESIDENT NIXON and his economic brain trusts — known as the Quadriad and Troika — believe they've just about cut the rate of inflation, meaning the speed of disappearance of the vanishing dollar, down to some 3 per cent annually. The President wants it ground down even more — to less than 2 per cent. With an occasional monthly zero rise.

The gut of this, therefore, is the continuation of wage and price controls in some fashion. This was virtually decided at an off-the-record brain trust lunch on Thursday, Oct. 12, in the Executive Office Building dominated by George Shultz, Don Rumsfeld and Herb Stein, chairman of the President's Council of Economic Advisers. The free market can't cope with inflation, they concluded and there apparently was another Nixon-Quadriad-Troika decision:

Before the end of the year the ceiling will be lowered on wage and salary increases. Lowered slightly — but still lowered.

During this past control year the permissible annual rate of pay raises really

was 6.2 per cent — 5.5 in cash and another .7 per cent in fringes. Now the move is toward slicing this down thinly to a total hike of 5.5 per cent. Perhaps 5 per cent in wages and another half a per cent in fringes.

Action now is expected by Dec. 1. By then the Pay Board and Price Commission may be merged. Actually the real reason for the creation of two boards was the need for a tripartite Pay Board structure, which Meany had demanded. But then Meany moved out and it became all public. If Meany wants in again — which is doubtful — the board will stay as it is. Otherwise the thinking calls for one board (without disturbing the Construction Industry Stabilization Committee which is untouchable).

SUNY Growth Hits Peak, But Enrollment Rate Down

The enrollment growth at the 72 campuses of State University of New York has slowed although enrollments totaling 351,893 made a record. In a report released by SUNY's office of institutional research, full-time student numbers increased 3.3 per cent compared to last year's growth rate of 9.2 per cent. The previous year's rate was 14.9 per cent.

Part-time students now totaled 127,501.

THE APPLICATION rates have been consistent. This year SUNY campuses received 152,000 applications for about 60,000 freshman and 14,000 transfer places.

A breakdown of enrollments showed university centers, university colleges up, specialized colleges up slightly, and statutory colleges

slightly. The greatest growth in enrollment was seen at community colleges which totaled 108,548 students, up 7,584; part time students totaled 81,507.

Pay Board to Maintain Present Wage Standards

WASHINGTON (UPI) — Pay Board Chairman George H. Boldt labels as "pure speculation" reports that the guidelines which permit wages to grow at an annual rate of 5.5 per cent may be cut down to a 4 per cent standard.

Boldt told Congress' Joint Economic Committee Monday that the board is "not currently considering changing the standard."

"The Pay Board reconsidered the 5.5 per cent wage standard in August, felt that it was on target at that time and left the standard unchanged," Boldt said.

"Should the national economic goals be changed or should economic trends develop which indicate that the standard was then inappropriate, naturally the Pay

Board would take up the matter again. But any predictions at this time are pure speculation."

The 5.5 per cent standard was imposed in mid-November last year following a 90-day wage-price freeze that was ordered into effect Aug. 15, 1971 by President Nixon. The Joint Economic Committee hearing was called to assess the future of wage-price controls.

The law which allows the imposition of controls expires next April 30.

Boldt was asked by one committee member how he felt about letting the control law die.

"I personally favor a market economy and no controls," Boldt said. "But before you repeal the law I would like assurances we will not tee off into (an inflationary) orbit."

Robert R. Nathan, an economist, testified that to lift controls now would "mean the end of any serious prospect that stable prices could be enjoyed within the foreseeable future." He noted that a large number of labor contracts covering millions of workers will be up for renegotiation in 1973.

"Labor is against inflation," Nathan said. "Nonetheless, no union leader can ignore large improvements in productivity, big increases in profits and higher costs of living of his members and still be a responsible leader."

Nathan said the 5.5 per cent wage standard will "prove meaningless" if "these conditions prevail widely next year."

"We could have the worst strike record in years and the whole stabilization battle could lose precious ground in 1973," Nathan said.

Art. 19 survey ready



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 11

Nov. 20, 1972

The SPA Negotiations Committee -- meeting in Syracuse on November 10 -- has finalized preparations to survey SPA membership on bargaining priorities. The questionnaire asks respondents to weigh 15 items in terms of priority and to establish an additional priority ranking among items.

The survey with cover letter was distributed from SPA Headquarters on Friday, November 17.

In addition to the questionnaire, Negotiations Committee members have committed themselves to a series of campus hearings during the coming weeks. Chapter Presidents have been asked to schedule such meetings before December 7. Members are requested to complete their questionnaires at or after the open meeting at their campuses.

In other November 10 business, the Committee voted to request the SPA Executive Board to make improvement of current sabbatical leave provisions the top legislative priority of the Association. Improvement of retirement items was listed as the second "top priority."

The Committee also received a report from SPA's Commission on the Status of Women in the University. (Please see below.)

In a related move -- reopened negotiations have been formally requested of the State and a tentative first session set for November 29.

* * *

Agreement has been reached between representatives of SPA and the State University Federation of Teachers (SUFT) on a proposal for merger between the two groups. A draft constitution for a new organization was completed in talks held last week.

The document will now be submitted to the various governance levels of both organizations for approval.

The SPA team -- President Robert Cranger, VP-Academic Herman Doh, VP-NTP Alan Willsey, Executive Board member Gail Hotelling, and Executive Director Philip Encinio -- had been meeting with SUFT under direction from the SPA Representative Council to "continue and expand" merger talks. A series of meetings, both formal and informal, had been held over a period of several months.

If approved by the SPA Executive Board, the documents will likely be submitted to the SPA membership for consideration in a referendum vote. A special meeting of the SPA Representative Council will then be called to consider the results of the referendum vote.

Included on the SUFT negotiating team were President Edward Wesnofske, Lawrence DeLucia, James Gill, Lee Marsh, Dorothy Gutenkauf, Gene Link, and James Cretoko.

Additional information will be forwarded next week.

* * *

Are your members experiencing problems with the dental insurance portion of the SPA Contract or do they have questions that are not adequately answered by administration? The GHDI (Group Health Dental Insurance) Company has four regional offices in the State that are more than willing to help.

Call or write GHDI offices in New York City, Albany, Syracuse, & Buffalo for assistance.

* * *

Among the more widely-known casualties of the Nov. 7 election was State Assemblyman Charles Jerabek of Long Island. Jerabek had earned a reputation during his term of office as one of the most anti-education, anti-teacher representatives in the Legislature.

* * *

The Kedar arbitration hearing was held Monday, November 13 in Albany. This case, involving an academic employee from Binghamton, was the first arbitration to be handled by SPA under the SPA-State Agreement.

Arguing the case on behalf of SPA was Albany attorney Richard Symansky. His counterpart for the State was OER attorney Joel Hodes. Arbitrator for the case was Louis Yagoda, a member of the permanent SPA-State Arbitration Panel, from Cornell.

The Kedar grievance centered on the definition of what constitutes "retrenchment." Kedar had been non-renewed from his job for financial reasons which SPA argued constitutes retrenchment and therefore, must follow all requirements of retrenchment.

Appearing as witnesses for SPA were SPA-Binghamton Grievance Chairwoman Rhoda Bernstein, Acting Chairman of the Geography Department Joe Butler, and the grievant himself, Irvin Kedar. The State presented only Vice Chancellor Caesar Naples as witness for its case.

It is interesting to note that no management representative from the Binghamton campus was called to testify, nor were any present for the hearing. In addition, it appears that the Binghamton administration was not even informed of the hearing.

The State's case in the arbitration was based on their contention that only agreements or regulations that have been acted upon by the Chancellor or have the Chancellor's signature have the force of rule, regulation or law. The State and the University seek to deny the validity of any local regulations or the authority of any mutually agreed-upon procedures at the local campus level.

SPA Grievance Coordinator Annalee Ziman assisted in the preparation of the SPA case.

* * *

SPA's Commission on the Status of Women has requested that the SPA Executive Board seek immediate reopened contract negotiations to rectify illegal provisions of the SPA Contract in regard to use of sick leave for maternity purposes. If negotiations are refused, the Commission has advocated that the Board take immediate legal steps against the University and the State.

The demand was a result of the Commission's first meeting held Friday, November 10 in Syracuse.

Chairwoman Anne Willcox's commission also placed before the SPA Negotiations Committee a request that any salary negotiations this year be conducted under a strict "equal pay for equal work" concept.

* * *

Academic VP Herman Doh served as special representative of President Granger as he attended the recent Region 2 meeting at Maritime.

* * *

SPA's weekly regional meeting will be canceled this week in honor of the Thanksgiving holiday.

* * *

Chapter President Dr. Gilbert Ross of Upstate Medical Center was featured in a recent issue of his campus newspaper for his work with the elderly. He was recently honored for this work as a new, 160-unit housing complex for the aged was given the name, "Dr. Gilbert S. Ross Towers."

Gil has served as volunteer chairman of the Syracuse Housing Authority and in numerous medically-related community groups. He is chairman of the neurology department at Upstate and an excellent chapter president.

Congratulations, Dr. Ross.

* * *

Penalties assessed against state employees for participating in strikes were held to be constitutional on November 16 by the Appellate Division in Albany.

The decision, in three separate appeals affecting various categories of state employment, is construed as putting teeth in the Taylor Law which penalizes striking employees including loss of pay of two days for each day of strike and, if ordered, loss of tenure for teachers and the loss of other valuable rights in the various other categories of state employment.

* * *

FYI

Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 10 November 13, 1972

VOTE success good

VOTE (Voice of Teachers for Education) has achieved moderate success in its first full-scale foray into state politics. As FYI goes to press, preliminary results show VOTE-endorsed candidates successful in 28 of 54 races with the outcome of 8 contests still in doubt.

The total VOTE money contribution to the campaign is reported at over \$400,000 all of which was raised through voluntary contributions.

In addition to the wins, VOTE's influence was felt in other races where "run-away" favorites were held to very close races. VOTE operatives are pleased and hopeful for the political muscle demonstrated in November will pay off in January when the Legislature returns to Albany.

* * *

Bulletin: 11/7/72 Moved by Western Union. "Urgent. SPA informed that initial slotting into 4 ranks per Article 34 done by Central Administration in bad faith. Legal counsel to proceed with actions on several fronts -- litigation, improper practice charges, more. Will advise chapters of their responsibilities as soon as possible. Review appeal procedure." Signed: Robert B. Granger, president, Senate Professional Association.

* * *

The Internal Revenue Service has reaffirmed that dues or assessments paid by a member of a lab or organization or business association are deductible when computing taxable income.

* * *

Representatives of the Senate Professional Association and the State University Federation of Teachers met in Albany on November 3 to pursue further the question of merger. President Edward Wesnofske of SUFT and President Robert Granger of SPA report progress in their talks, and have scheduled further talks on November 8 in Geneseo and November 12 in Syracuse.

A statement will follow each of these meetings.

* * *

Dr. Elisabeth J. Fox, SPA member at Downstate Medical Center, is featured in a current edition of Newsweek. Dr. Fox, one of the original SPA members, is an expert in the field of acupuncture as it relates to anesthesiology.

* * *

NYSTA-UTNY (alias Teachers of New York, New York Congress of Teachers, etc.) has definitely decided to change its name again.

While the new name is not yet certain, "New York Confederation of Teachers" and "New York State United Teachers" appear to have the inside track.

* * *

SPA President Robert Granger and Executive Director Philip Encinio joined officers of the SUC-Geneseo chapter on Wednesday, Nov. 8 for a special consultation session with the campus president at Geneseo.

* * *

The SPA Executive Board has authorized the hiring of an Assistant Executive Director and an Administrative Assistant for the Association. Job descriptions are available from and applications should be returned to Mr. Philip A. Encinio, SPA, 80 Wolf Rd., Albany 12205.

* * *

SPA's Commission on the Status of Women in the University held its first meeting Friday, November 10 in Syracuse. Hosting the meeting at Upstate Medical Center was Chairwoman Anne Willcox.

Other members of the Commission include Dr. Doris Knudsen, SPA Chapter President at Morrisville; Miss Eloise Law, SPA grievance chairwoman at Plattsburgh; Mrs. Judith Russell, chapter officer at Brockport; Ms. Betty Reisman, Oswego; Ms. Alice Corbin, Albany.

* * *

The United States Supreme Court has ruled unanimously that workers fired solely for refusing to cross fellow strikers' picket lines have an absolute right to get their jobs back. The decision stemmed from Teamster organizing efforts in California.

An opinion written by Justice Potter Stewart said: "Unconditional reinstatement of the discharged employees was proper for the simple reason that they were victims of a plain unfair labor practice by their employer."

Cautioning against a broad interpretation of the decision, however, Justice Harry Blackmun said: "The finding of an unfair labor practice here, is not to be read, therefore, as necessarily precluding an employer from reliance on appropriate justification other than permanent replacement."

* * *

The SPA regional meeting for this week is slated for Maritime College. The meeting for Region 2 representatives will be held at 10:00 a.m. in the Science and Engineering Building, Conference Room M2-5.

An open chapter meeting will be held at 12:50 p.m. in Lecture Hall M1-33. Chapter officers meet at 2:00.

Farmingdale, Downstate, Stony Brook, Old Westbury and Purchase are invited to attend.

* * *

SPA has added another new publication to its rolls. Volume I, Number 1 of Grievance News was distributed last week. Written by Grievance Coordinator Annalee Ziman, the 4-page newsletter cites arbitration decisions from across the country as well as cases from within SUNY. "How to" information is also featured.

* * *

Included with this issue of FYI is a new printing of the NYCT Constitution as well as a sheet on SPA special benefits that can be reproduced for members and membership promotion. Please note that the name of your campus can be substituted for SUC-Buffalo to personalize the piece.

* * *

NYCT Research Specialist Charles Santelli met with the Librarian Negotiations Committee on November 9 in Rochester to coordinate the gathering of necessary data for the current talks.

SPA staffer Ed Purcell was also present to meet with members of the State University Librarians Association (SUNYLA) Representative Council.

* * *



Information

For Your

Current news for
the leadership of the

Senate Professional Association

Vol.1, No.9

November 6

SUFT talks continue

Talks between SPA and the State University Federation of Teachers (SUFT) continued last week as representatives of both groups met for a working session in Albany.

Continued contact between the groups was authorized at SPA's Representative Council meeting in October.

Representing SPA at the session was SPA President Robert Granger, Academic VP Herman Doh, NIP VP Alan Willsey and Executive Board Member Gail Hotelling.

The November 3 meeting was the third in the recent round of talks.

In reporting previous merger talks, the name of Dr. Constantine Yeracaris was inadvertently omitted from the SPA team.

In an amazing show of irresponsible unionism, AAUP chapters in the City University system have seriously undercut the staff position in current contract talks by siding with management in that "the Professional Staff Congress's demands would deprive the faculty of its long-standing authority for academic decision making."

The AAUP critique may become a "big gun" for management as it attempts not only to ignore PSC demands, but also roll back current contract benefits.

* * *

Meanwhile in CUNY, PSC's 120-member Delegate Assembly has authorized the polling of membership on a "no contract, no work stand." Picketing continues at the Board of Higher Education headquarters as a second month of the slow mediation process began.

* * *

SPA-Canton reports that the 50 per cent membership point has been reached with an immediate goal of 60 per cent campus-wide within range.

Chapters should be aware that time for a fall drive is fast disappearing with Thanksgiving probably the cut-off point. Many campuses have yet to request either material or staff assistance to aid in a campaign.

* * *

NEA higher education organizing efforts took a sharp blow in the past weeks as several important elections were lost. At Michigan State, the "unheard-of" happened as "no representation" beat all comers. The vote was no rep. - 1213, NEA - 438, and AAUP - 280.

In Hawaii, AAUP headed the vote with 560 followed by AFT - 552, NEA - 460, no rep. - 287, and Government Employees - 96. A run-off of the top two will be held there.

At Temple, AFT lead the voting with 328 followed by AAUP - 303, NEA - 280, and no rep. - 183. The top two will face a run off.

At Ferris St., again, no representation led the balloting with 143, followed by NEA - 137, and AAUP - 133. A run-off is expected at the school, but at this point it is not certain which organizations will appear on the run-off ballot.

* * *

The SPA regional meeting will be hosted this week by the SUC-Fredonia chapter on Thursday, the 9th.

President Granger will meet chapter officers at 10 a.m. and lunch with the Region 3 representatives at noon in Campus Center room G-138. A general campus meeting will be held at 3:30 p.m. in Campus Center room G-106.

Extra copies of Unit Update are available from SPA Central. The first issue of this new newsletter was direct-mailed to all non-SPA employees in the bargaining unit. Chapters may wish a sufficient number for distribution to their members.

* * *

The SPA Negotiations Committee has scheduled meetings for Friday, November 10 in Syracuse and Friday and Saturday, December 1-2 in Albany.

A draft negotiations questionnaire will be reviewed by the Committee at the November 10 session.

The committee has also formally requested negotiations with the State to commence as soon as possible after November 1, the official date seeking re-openers under Article 19 of the Contract. Initial meetings will deal with questions of procedure until a final package is drafted by the committee for submission to OER.

* * *

The New York Teacher, NYCT newspaper, has responded to the loud cry of SPA members and leadership by increasing its higher education coverage. Communications Coordinator Ed Purcell will provide a steady flow of SPA material for use.

* * *

Caution! When reproducing the SPA dues deduction card for local use, be absolutely certain that the rigid size requirements of the Comptroller's office are adhered to. Maximum size is 7 1/4 inches wide and 3 1/4 deep.

Mass distribution of membership blanks (such as part of every chapter newsletter produced) can be an effective recruitment tool, but please be careful of the size.

SUC-Brockport, for instance, is doing quite well in signing up new members through this method.

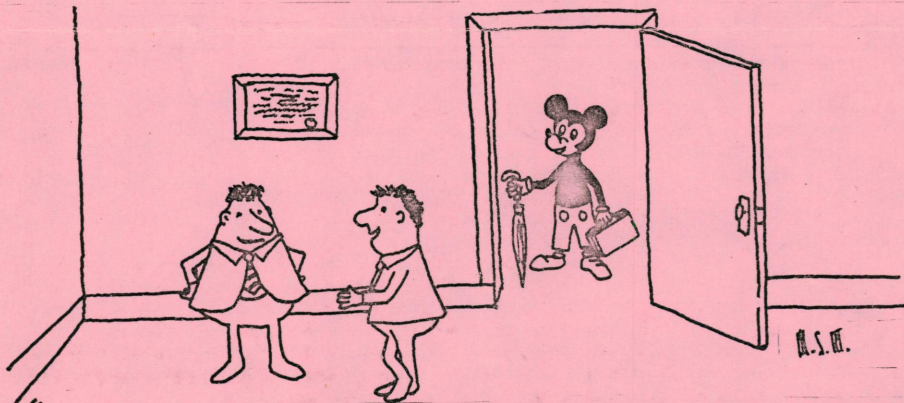
* * *

The first SPA arbitration hearing, the case of Loretta Kaye, has been post-poned until November 22 due to a scheduling conflict. The David Kreh grievance on academic promotion rights for librarians has also been set for arbitration on December 21.

The Rosenbush grievance previously scheduled for arbitration has been withdrawn on advice from counsel due to the lack of an appropriate remedy.

* * *

SPA is happy to welcome a new cartoonist to its publications. He is Rep. Council delegate Will Mlott from Maritime. We think you will enjoy his work!



" I UNDERSTAND OER FOUND SOMEONE WITH A BETTER NTP SALARY PLAN THAN CENTRAL ADMINISTRATIONS."



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 8 October 30, 1972

Survey results

Results are in on the SPA questionnaire to Health Science Center academics concerning their opinions on Article 20 salary negotiations.

Compiled by the NYCT Division of Research, the large number of returns show overwhelming preference for establishment of minimum salary by rank and overwhelming disagreement with the concept of remitting all clinical practice income to the State.

The range favored for salary by rank includes \$10-25,000 for instructors, \$17-35,000 for assistant professors, \$19-43,000 for associate professors, and \$23-53,000 for full professors.

* * *

Prelude of things to come: The New Jersey Board of Higher Education, at the urging of its chief executive - Chancellor Ralph A. Dungan, has ordered a freeze in the ratio of faculty members on tenure at current levels at six state colleges. Citing "inflexibility" for administrators, Dungan calls the current 65 percent figure the result of a state law that allows granting of tenure too easily.

Faculty of the six affected schools, represented by the Association of New Jersey State College Faculties, have responded with a lawsuit claiming the Board's action as an "end run" around the state's tenure law.

The colleges involved include Jersey City State, Glassboro State, Newark State, Trenton State, Montclair State, and William Paterson.

A hearing on the case is expected this week.

* * *

Syndicated columnist Jack Anderson had this to say about NEA's lobbying efforts this year: "Not only the big corporations were lapel-grabbing. The National Education Association, far from its little old kindergarten teacher image, had a busy lobbying team at work under its energetic president, Catharine Barrett."

* * *

Continuing the series of highly successful regional meetings, SPA President Robert Granger travels to Canton to meet with region schools and SPA officers and staff at SU Ag. and Tech. at Canton.

The regular schedule calls for a 10:00 a.m. meeting with the local Executive Board followed by a noon luncheon for the regional representatives.

Campuses invited to attend include Oswego, Forestry, Upstate Medical, Morrisville, Cortland, Potsdam, and Binghamton.

Those attending the meeting are urged to contact the SPA office with items for special discussion on the agenda.

* * *

Wonder what NEA is doing to protect the legal rights of higher education faculty and staff? Recently-released statistics from NEA's DuShane Fund show a total of 73 higher education cases processed between June 1969 and June 1972.

While a majority of DuShane cases over the past three years have involved First Amendment issues of academic freedom, association and political activity, and free speech, Fourteenth Amendment issues involving procedural due process and discrimination are on the rise. A recent trend is the increase of sex discrimination cases.

* * *

The Joint Executive/Administrative Committee of NYCT voted at its September 26 meeting that it will be Board policy not to list the names of makers and seconders of motions in their minutes.

* * *

Response to SPA's first experiment in use of direct mail for membership promotion has been promising, especially when 20% of potential membership in the geographically diverse Empire State Chapter has sent in SPA deduction cards. The Chapter now has 30% membership. SPA's first unit-wide recruitment effort is now in the mails (slow, but inexpensive third class). With each copy of the news sheet Unit Update is a coded SPA dues deduction card.

Has your chapter launched a vigorous membership drive this year?

* * *

Several SPA Chapters including those at SUC-Buffalo and SU Ag. & Tech.-Morrisville have been active in providing University staff with specific information on retirement. Why not incorporate such a program as part of your membership effort?

Both NYCT and the NYS Teachers Retirement System can provide staff assistance for such undertakings.

* * *

The SPA Negotiations Committee held its first meeting last Wednesday, October 25. Plans were discussed for the preparation of a basic annual salary bargaining package and for initiation of at-the-table negotiations in November.

* * *

Implied but not stated: The recently-released third volume of the Fleischmann Commission report includes a recommendation that teacher preparation courses be reduced by one-half over the next decade as a method of dealing with the supposed surplus of teachers. Although not specifically indicated, it will undoubtedly become the objective of State budget-cutters to trim School of Education faculty by the same percentage.

The Fleischmann Commission's recommendation comes hard on the heels of similar program-trimming proposals made by the NYS Board of Regents. While specifically avoiding "scare tactics," SPA chapters should make every effort to inform both members and potential members of impending difficulties in the NYS Legislature this year.

* * *

Is your chapter having trouble with new membership cards being returned directly to SPA Central without being recorded at your campus? The SPA Chapter at SUNY-Buffalo has a good and simple solution: Staple a small strip of paper to each of your membership cards requesting that they be returned directly to the Chapter secretary. The Secretary can then record the memberships and transmit them to SPA Central.

* * *

From the North Country comes word of the election of a new chapter president. He is Dr. Howard C. Miller, Jr., Professor and Chairman of the English Dept. at SUC-Plattsburgh. Prof. Miller joins other chapter officers, Dr. Mildred Dominy (VP-Academic) and Robert H. Kellelt, Jr. (VP-NTP), as well as SPA Academic Vice President Herman Doh, on the campus.

* * *

POINT OF VIEW

By PAUL REJAL and RONALD STUPAK

The Kiss of Death
for Faculty Power

THE "REVOLUTION" on the campus is dead, and the real losers are the professors. The body count is surely enormous for those professors who identified with the aspirations of the "radical" students to change the hierarchical relationships and educational priorities of the American university.

This can be seen in numerous incidents of faculty purges initiated by administrators, boards of trustees, or legislators on campuses across the nation. *Item:* the refusal of the Indiana governing board to honor an agreement employing a political scientist because of his "revolutionary leanings." *Item:* the success of the Vermont trustees in overruling the University of Vermont administration and expelling another political scientist. *Item:* the isolation and eradication of the New University Conference on many campuses, including Miami University.

The Nixon Administration has done a masterful job of transferring the responsibility for the disruptive dimensions of the student movement from the shoulders of the innocent youth to the shoulders of the disenchanted, carping, liberal academics. The Administration has criticized, blamed, brow-beaten, and generally emasculated the progressive campus intellectuals with such regularity and in such volume that parents hate professors, hardhats hate professors, the silent majority hates professors.

The liberal politicians, for their part, have come to shun any association with professors identified with student activism. The 1970 congressional elections were notable for three phenomena that illustrate the success of the Nixon administration in isolating the "radical" professors:

The distinct disinterest of liberal politicians to rely on academic help in campaigning;

The marked absence of debate over the "social issues" during the campaign; and

The complete absence of any challenge to the Nixon-Agnew thesis of blaming the liberal intellectuals—especially the effete professoriate—for the social cleavages that beset American society today.

THE KISS OF DEATH to any semblance at all of faculty power came from the environment of fear and repression that followed the Kent State killings. Although the professors' actual participation in the student movement was minimal, they quickly became the target of ordinary citizens, legislators, boards of trustees, and university administrators who sought scapegoats for the mindless violence of the spring of 1970. As fear spread, the professors increasingly became the favorite whipping boys in the popular attempt to explain the failure of an educational system once considered capable of providing the panacea for all social ills.

Quickly, the professors as a group sank lower and lower in esteem—to the point that journalists could report in 1971 that the academics were more disliked than any other group in American society.

The citizens quickly became enraged at what they considered the arrogance and insubordination of (for the most part) "public servants." Since they were not about to fault their own children or the social environment for the difficulties that triggered the upheaval, they heaped the blame on anarchists, communists, outside agitators, and recalcitrant faculty members—frequently using the epithets interchangeably.

The legislatures responded promptly by organizing special investigative commissions, passing stringent laws governing campus behavior, curtailing the rights and privileges of faculty members, and generally insinuating themselves into university life. The Ohio legislature, for example, passed a series of measures to reduce the state subsidy for Ohio students, eliminate the state subsidy for non-Ohio students, and terminate sabbatical and research leaves. It also considered passing a measure to impose on the faculty what the legislature considered the equivalent of a 40-hour work week. This action provided a stark clue into the legislators'

comprehension of university life, in that such a provision would cut 20 to 30 hours from the work week of many faculty members.

The boards of trustees—traditionally rubber stamps at the service of faculty and administrators—leaped to the fore to exercise their constitutional responsibilities. In university after university they penalized faculty members by withholding or deferring tenure, promotion, and salary increments.

The administrators, having been catapulted into real decision-making positions in crisis situations, succeeded for the most part in retaining their newly acquired "powers." Political pressure and economic scarcity converged to create an institutional environment highly conducive to administrative tinkering—a heaven for the compulsive managers.

The administrators streamlined and centralized the entire university structure. They demanded unflinching allegiance

from division deans and department chairmen, increasingly treating the latter as administrators rather than faculty members. They undermined, weakened, and manipulated faculty councils and committees by circumventing these bodies on significant issues, for example, or by putting all committee appointments on a one-year basis. They undermined their two principal critics—the faculty and the students—by pitting them against each other, as in proposals for student participation in departmental decisionmaking. They promoted an environment of secrecy to reinforce the new authoritarianism—secrecy in public decisions, public budgets, and public information.

They did all this under the "principle of accountability"—meaning academic decisions should be made by those whose jobs depend upon them—that is to say, by the administrators. They conveniently forgot, however, that:

Administrators lose their jobs only for the most colossal of mistakes (and sometimes not even then); and

When an administrator does lose a job, he moves on to a new post at another university—which is to say that those who remain behind must live with his mistakes.

In asserting their new prominence, administrators drew much support from the utterances of such embittered academics as the sociologist Robert A. Nisbet, who unilaterally declared the faculty unsuited for "governance and responsibility" and called for a rigid "system of authority" to free the administrators from the "veto power" of faculty members.

The worst aspect of the attack upon the faculty was that faculty members themselves began to curtail the academic freedom of their more outspoken colleagues. As the economic picture grew grimmer, the faculty members started to receive smaller and smaller salary increments. At some institutions the faculty actually had to accept what amounted to salary cuts in an inflationary period. ("Decrement" is a favorite administrative term these days.)

As the purse strings tightened, the more conservative faculty members—and no one should underestimate their number or influence on any campus—blamed their outspoken colleagues for bringing economic hardship by invoking the wrath of citizens, alumni, and legislators. They called upon their ingenuous, naive colleagues to be "quieter," "more reasonable," "more careful," "more practical." Best apocalypse would follow apocalypse. In a word, the faculty became afraid of itself and passive in the pursuit of its power and influence at a time of fundamental realignment and redefinition on college campuses across the country.

IN THE FACE of this multi-pronged assault, the faculty stood helpless and without any effective recourse. Its traditional representative—the American Association of University Professors—was of no assistance at all because the most serious action the AAUP can take—which

is to "censure" an administration or a board of trustees for improper behavior—was summarily dismissed by the very persons against whom it was to be invoked. In fact, AAUP has become a joke on most campuses. The younger faculty members see it as a gentlemen's smoking lounge identified with the country club atmosphere of the halcyon days of pre-World War II academia.

WHAT, THEN, is to be done? Where do we—the faculty—go from here?

While we do not have a sure remedy, we do think there are certain essential steps faculty members ought to pursue.

First, we need a candid recognition that the university today is far closer to a corporation than to a community. Faculty members must have a voice in university affairs, to be sure, but we also need to draw clear lines between what we can do and what we cannot do. To attempt to influence the academic policies of the university (e.g., curricula and programs) is one thing; to seek formal influence in the university's non-academic policies (e.g., financial investments) is something quite different. The realization that there is a class of decisions over which we can have little or no formal control—nor would we want any—would save us much time, energy, and unnecessary disappointment.

Second, we need a candid recognition that academics do not constitute any kind of a priesthood. We must shed our mythical priestly robes and start behaving like any other group of professionals who must—and do—protect their professional lives. We need to borrow, perhaps, a leaf from the American Bar Association or the American Medical Association, two other priesthoods with which we have traditionally identified. Our most immediate need in this regard is to adopt rigid criteria governing the number and size of graduate schools, as well as the standards for admission. In the longer run, we need more powerful professional associations—associations whose involvement in society has the same depth and breadth as the A.B.A. and the A.M.A.

Third, we need to emphasize faculty solidarity. We need to set aside, at least for the time being, fragmentation and bickering in our own midst. We need to resist all efforts to turn us into administration agents or spokesmen for special interests. We need to become sensitive to invidious "prestige" symbols (e.g., dinner invitations, committee chairmanships) promoted by university administrators. We need to reject elites and cliques.

Fourth, we need our own house organ on every campus. It is startling to realize that while administrators have their newsletters and students their newspapers, with a few rare exceptions we have nothing that comes close to functioning as a general communication medium. We need a means for directly communicating our concerns to ourselves, and to students, administrators, trustees, legislators, and the public.

Finally, we need to think seriously about the unionization movement in academia. Not that we must rush to embrace the unions, but we must realize that in the immediate future unions may provide the only means of protecting our professional concerns. (If you tend to resist this thought as we still do from time to time, consider this simple question: Would Ronald Reagan have dared to do to the Teamsters what he has done to the California educational system? If you have not followed what Reagan has done to the California educational system, consider this bit of evidence: The California master plan for education—the first of its kind and widely acclaimed and imitated throughout the nation—has been hopelessly set back.)

WE ARE CONFRONTED with a crisis of confidence in academia today, and crisis, as the Chinese emphasize, entails both danger and opportunity. We can either employ the opportunity to prevail over the crises or else let the crisis run amok, threatening a vulnerable profession about which ordinary citizens, legislators, and trustees understand little or nothing.

Surely, if we as academics do not set out to redefine our own profession in a changing technological environment, it is certain that our profession will be redefined for us by those in positions of technocratic power and influence—people who will see to it that we fit into the overall design of an increasingly interdependent society.

What to do? We have offered some specific suggestions by way of a beginning. On a broader plane, each of us must accept a personal and collective responsibility to play an active part in the redefinition of our role. Time is running out. And we stand to lose by the worst decision of all—default.

The authors are members of the political science faculty at Miami University in Oxford, Ohio.

Officers elected

FYI Information

For Your

Current news for
the leadership of the

Senate Professional Association

Vol. I, No. 7 October 23, 1972

Prof. Herman Doh (English, SUC-Plattsburgh) has been voted to fill the vacant slot of Vice President for Academics on the SPA Executive Board. The special election was held Saturday, October 14 at the first 1972-73 meeting of the SPA Representative Council.

Also chosen at the special election was Joseph Drew (Systems Analysis, SUNY-Buffalo) to fill the remaining portion of the unexpired term of SPA Treasurer.

With Prof. Doh moving from his Executive Board position of representative for four-year schools, a third vacancy was created on the Board. Dr. Fred Miller (Speech & Theatre, SUC-Oneonta) was elected to this post.

Vacancies on the Board were originally created by the resignations of Academic VP Barbara McCaffery and Treasurer Leonard Snyder. Doh's new term of office will run until the Spring, 1973 meeting of the Representative Council, as will the term of Dr. Miller. Treasurer Drew's term will expire at the Spring, 1974 meeting of the Council.

* * *

The Chronicle of Higher Education reports that AAUP's stepped-up activity in collective bargaining may jeopardize that group's annual survey of faculty compensation. The Association of American Colleges, which in the past has tacitly supported the survey, has told its members that they could not advise "either to continue or to withhold their cooperation" in the future. Also advised was "sober judgment."

In other AAUP news, the recently-negotiated contract at Ashland (Ohio) College (represented by AAUP) calls for faculty to give up all salary increases including increment in order to save the jobs of several members of the bargaining unit.

* * *

Local chapter dues rebates will be on their way to SPA units this month as the SPA Executive Board voted specific implementation of the plan. A total of \$3 per year will be rebated for each member, with three separate \$1 payments being transmitted during the academic year. Special project contributions to chapters will continue as needed.

Guidelines on accounting requirements have been sent to Chapter Presidents and Treasurers.

* * *

Among the resolutions passed by the Rep. Council were statements authorizing continued merger talks with SUFT (with the stipulation that other arrangements also be investigated and relative costs reported), and stating SPA's opposition to unilateral imposition or change in campus parking regulations.

* * *

SPA Grievance Coordinator Annalee Ziman was guest lecturer last weekend at a session of the Higher Education Administrators class at SUNY-Albany. Her presentation centered on employee evaluation in the University.

* * *

The SPA Chapter at SUC-Buffalo has conducted a survey of campus attitudes on merger and negotiations among both members and non-members at SUC-Buffalo. Some 248 replies included 213 academics, 35 NTP's, 98 SPA members, 22 SUFT members, and 119 non-members.

Preferences in negotiations included "annual increments plus across-the-board" (1), "annual increments plus across-the-board plus small fraction of amount for merit" (2).

On the merger question, a 2-1 majority favored such an accommodation.

* * *

Grievance and arbitration processing will be the topic of training for three members of the SPA Executive Board and two staffers this week. The five -- Herman Doh, Alan Willsey, Gail Hotelling, Annalee Ziman and Edward Purcell -- will attend a 4-day session at CUNY's Baruch College.

* * *

SPASO and SPA have reached agreement on the first comprehensive contract for members of the Senate Professional Association staff. SPASO (Senate Professional Association Staff Organization) is recognized as the exclusive bargaining representative.

The pact is of two year's duration with salary reopeners in the second year.

* * *

SUC-Oneonta plays host this week to President Granger's regional meeting. The Region I group includes Albany, Oneonta, New Paltz, Empire State, Cobleskill, Delhi, Plattsburgh, and Central Administration.

A morning meeting is scheduled for chapter officers, followed by a luncheon for the regional group, and an afternoon general campus meeting.

* * *

The SPA Chapter at SUNY-Stony Brook reports the fruits of successful grievance processing. As reported in the last issue of FYI, full-time employment was recently won for 19 library technicians at Stony Brook.

In a show of gratitude and response to SPA's efforts on their behalf, the entire group of 19 have joined the Association.

* * *

Long-awaited NYCT membership cards are now in the mail to each campus.

* * *

Below is Part II of FYI's presentation on major political party platforms on higher education. This week: the Democrats.

- -

"We support universal access to opportunities to post-secondary education. The American educational system has always been an important path toward social and economic advancement. Federal education policy should ensure that our colleges and universities continue as an open system. It must also stimulate the creative development and expansion of higher education to meet the new social, economic and environmental problems confronting society. To achieve the goals of equal opportunity in education, to meet the growing financial crisis in higher education and to stimulate reform of educational techniques, the next Democratic Administration should:

-Support guaranteed access for all students to loan funds with long-term repayment based on future earnings. Not only the poor, but families with moderate income must be provided relief from the cost of a college and professional education;

-Grant supplements and contingent loans to institutions, based on enrollment of federally-aided students;

-Provide research funds to stimulate a partnership between post-secondary, secondary and primary education, in an effort to find new patterns for learning and to provide training and retraining of teachers, especially in urban areas;

-Develop broad opportunities for lifelong learning including encouragement for post-secondary education throughout adult years and permit "stopping-off" during higher education;

-Develop affirmative programs in universities and colleges for recruitment of minorities and women for administrative & teaching positions & as students;

-Create incentives for non-traditional education which recognize the contribution of experience to an individual's educational status."

* * *

FYI

Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 6 October 16, 1972

State panel set

Governor Nelson Rockefeller has announced the formation of a special commission to study better methods of financing higher education in New York State. It is the second such panel formed in two years.

Heading the new group is former U.S. Commissioner of Education Francis Keppel, who is currently chairman of the General Learning Corp., a Time Inc. affiliate. Also named are Louis Benezet (president of SUNY-Albany), Thomas Bartlett (president of Colgate University), M. Alan Cartter (former chancellor of NYU), Porter Chandler (former chairman of the N.Y.C.

Board of Higher Education), John Fischer (president of Columbia Teachers College), Rev. Laurence McGinley (assistant to the president of St. Peter's College), Mother Eleanor O'Byrne (former president of Manhattanville College), Gustave Rosenberg (former chairman of the N.Y.C. Board of Higher Education), as well as several others.

It is interesting to note that the entire commission includes no active teaching faculty and is heavily weighted with top management.

Among the topics to be investigated by the commission are financing of both public and private schools; scholarships and student loans; shared facilities by public and private institutions; and regional arrangements among schools.

Last year's panel headed by State Operations Director T. Norman Hurd was able to agree only to "not agree." Insiders report that the main problem was the unwillingness of last year's group to "rubber stamp" the Governor's desire for new schemes to finance private institutions with public money.

* * *

As requested by many SPA Chapters, additional copies of the SPA brochure on implementation of evaluation and promotion for NTP's have been distributed to Chapter Presidents. Because of heavy demand, however, quantity is small.

* * *

The SPA team representing the Association's Executive Board in merger discussions with the State University Federation of Teachers (SUFT) report little substantive progress at the meeting held October 4 in Albany. The continued exchange of ideas, however, was judged fruitful.

Both sides agreed to continue discussions, but no firm date has yet been set for the next meeting.

* * *

Facts you should know about AAUP: AAUP's annual budget is \$1.5-million or about 1% of NEA's budget. AAUP has budgeted \$150,000 for faculty collective bargaining (less than the cost of one big election), compared with \$3-million for such purposes in the NEA budget.

AAUP has allocated \$100,000 for legal defense actions; NEA has over \$1.2-million in the Dushane Emergency Fund.

* * *

Grievance Coordinator Annalee Ziman reports a significant grievance settlement at SUNY-Stony Brook where a SPA grievance won full-time appointments for all library technical assistants employed by that institution.

SPA has also filed for retroactive fringe benefits such as vacation and retirement for those employees.

* * *

This week's regional meeting is scheduled for Tuesday, the 17th, for SUC-Geneseo. The Region 3 session will include the SPA chapters from Fredonia, Buffalo, Brockport, Alfred and Geneseo.

President Granger's schedule calls for a meeting of chapter officers at 10:00 a.m., the regional meeting at 2:00 p.m. in the Hunt Room of the College Union, and a general membership meeting at 4:00 p.m.

* * *

The Geneseo Chapter also has the distinction of boasting SPA's newest set of chapter officers. The late-September election chose Prof. Edward Janosik (political science) as the chapter's new president.

Other officers include Dr. Frank Scholfield (VP-Academic), Kathleen Trainor (VP-NTP), Dr. Jerry Reber (Academic Delegate), and Dolores Donnelly (NTP Delegate).

* * *

Distribution of merit and equity funds continues to be a hot topic as SPA Central polls individual chapters as to the success (or lack thereof) of procedures across the University. Closely tied to this survey is SPA's demand filed with the State's Office of Employee Relations that the University be forced to release specifics of distribution including names and amounts.

SUNY's position on this question is consistent with its general refusal to release any salary information to the bargaining unit. SPA maintains that such information is required not only to comply with the statutes governing public access to state records, but also as the only mechanism possible to guarantee (from SPA's viewpoint) that the SPA contract has been fully implemented.

* * *

"Membership Promotion Materials 1973-74" was the topic of discussion at a special meeting held last week in Baltimore. State membership directors and UniServ staff from NEA's East Coast and Mid-Atlantic Regions met to evaluate past performance and future needs.

Communications Coordinator Ed Purcell represented SPA at the session and stressed the continued need for higher education consideration in all activities of the NEA.

* * *

With election day now less than one month away, FYI continues its presentation of relevant higher education information. Below is the Republican Party's platform statement on higher education. The Democratic statement will be printed next week.

- -

"We cherish the nation's universities as centers of learning, as conservers of our culture, and as analysts of our society and its institutions. We will continue to strive to assure their economic well-being. The financial aid we have given and will continue to give in the form of funds for scholarships, research, building programs and new teaching methods must never be used as a device for imposing political controls on our schools.

We believe that universities should be centers of excellence--that they should recruit faculty on the basis of ability to teach and admit students on the basis of ability to learn. Yet excellence can be too narrowly continued--abilities overlooked, and social conformity mistaken for educational preparation.

We pledge continued support of collegiate and university efforts to insure that no group in our society--racial, economic, sexual or regional--is denied access to the opportunities of higher education.

Our efforts to remedy ancient neglect of disadvantaged groups will continue in universities as well as in society at large, but we distinguish between such efforts and quotas. We believe the imposition of arbitrary quotas in the hiring of faculties or the enrollment of students has no place in our universities; we believe quotas strike at the excellence of the university."

* * *

6/11/72

By WILLIAM K. STEVENS
 Colleges and universities society may have been reached and can and should reduce their "At a minimum," the report
 Present spending rate by 20 per cent, or about \$10-billion a year, by 1980, the Carnegie Commission on Higher Education said yesterday.

Higher education "must be more provident because it may be reaching a ceiling in the amount of money it can collect. In view of the commission report, made public in San Francisco. The report was made available here.

Without sacrificing educational quality, about half the 20 per cent reduction in the rate of spending could be achieved by cutting to three years from four the time an undergraduate spends in college, the report said.

Further savings, the commission said could be effected by encouraging "reluctant attendees" to quit. It referred to the estimated 3 to 15 per cent of students who had been persuaded to go to college but do not really want to be there.

More Time in Classroom

The commission also recommended other cost-cutting measures, including a reduction in the rate of faculty salaries, a "cautious" increase in the student-teacher ratio, and an insistence that some professors spend more time in the classroom.

The report, "The More Effective Use of Resources: an Imperative for Higher Education," was the 13th in a series of interim reports to be issued by the Carnegie Commission since it was set up in 1967 to examine the higher education system. Dr. Clark Kerr, education president of the University of California, heads the commission.

If the trends of the nineteen-sixties were to continue in the nineteen-seventies, spending for higher education would rise to \$51-billion in 1980, as against about \$25-billion in 1970 and \$7.6-billion in 1960, the report said. The commission's recommended 20 per cent reduction would put a ceiling of about \$41.3-billion on the expenditures in 1980.

'Resistance Point' Seen

But another way a continuation of the trends of the nineteen-sixties would, by 1980, result in high education's accounting for 4.3 per cent of the gross national product—the nation's total output of goods and services—as against about 2.5 per cent now and 1 per cent in the nineteen-sixties.

No other segment of society more than doubled its take of the G.N.P. during that short period, of time, the report said, adding that "a resistance point"

on the part of the rest of the commission said, many colleges and universities' per-student annual costs increased as much as 8 per cent beyond the general rate of inflation, as against the "historic" rate of 2.5 per cent. A "harsher imperative" The commission termed getting back to the 2.5 per cent level a "minimum imperative," but cautioned that a "harsher imperative" may now be asserted itself— "to get below 2.5 per cent."

Essentially, the commission said, this is because the nation's economic task, "the report observed, is to turn to other priorities: served, but taken year by year, with successive 2 per cent reductions annually, it is "much more manageable" than the "report to pay, there is less demand for college-graduate trained persons, and budget analysts, training their sights on higher education, are now numerous and more skilled.

The commission cautioned against some kinds of cuts as being unwise in the long run. Among these were reductions in necessary maintenance, books and journals, and student aid.

The 20 per cent reduction in the rate of spending over the next decade "seems like an enormous task," the report observed, but taken year by year, with successive 2 per cent reductions annually, it is "much more manageable," the report said.

This illustration underscores the fact that the reforms themselves must remain flexible lest they lead to a new set of frozen procedures; and it is equally important for the academic leadership not to retreat into a rigidly defensive posture. The university expansion of the sixties, which has produced great triumphs of research and scholarship, has also established the bad habit of equating progress with growth. Good colleges have dashed madly toward university status, often mainly for the sake of prestige. Good undergraduate teaching has given way to low-grade graduate instruction. The Carnegie Commission's call for a moratorium on virtually all new Ph.D. programs is a sensible answer to both the devaluation of graduate education and the oversupply of graduates.

Faculty objections to a narrow bookkeeper's approach to higher education are entirely justified. Universities are not manufacturing plants; teachers are not working on an assembly line. But the commission merely suggests that higher education must learn the most effective use of its resources and be ready to eliminate duplication of effort and obsolete practices.

The Carnegie Commission's tactical demands are negotiable, but they can be constructively negotiated only if it is understood that the strategic goal is refinement rather than retrenchment. The alternative is chaotic drift toward insolvency and decline.

Memo to the Campuses

6/19/72

The Carnegie Commission on Higher Education will not win any popularity contests in academia for urging the colleges and universities to increase their productivity and trim their budgets. The latest study, "More Effective Use of Resources: an Imperative for Higher Education," estimates that in order to carry out their responsibilities at a cost that the country and the consumer can afford, the universities must cut about \$10 billion by 1980 from their then projected annual expenditures.

An understandable reflex reaction to such an assessment is to denounce it as a surrender to those anti-intellectual forces who have been sniping at efforts to expand educational opportunities. Such a conclusion distorts the commission's intention and prospectus. Dr. Clark Kerr, the commission's chairman, is simply saying that ten years hence the higher education budget is threatened by a \$26-billion deficit. The commission wants the gap closed by the addition of \$16 billion in "new" funds, largely from the Federal Government, and the saving of \$10 billion through more efficient operations.

How those savings are to be accomplished without damage to academic quality should be a matter for open-minded debate. The education of a great many students would undoubtedly not be adversely affected by a reduction of the undergraduate course from its present four years to only three. But until the high schools can be improved, such a shortcut will not be feasible for those who enter college inadequately prepared.

Financial Squeeze Catches Up with SUNY

By WILLIAM TROMBLEY

The financial problems which have afflicted American higher education for several years at last have caught up with the booming State University of New York.

While California and other states were struggling to cope with swelling enrollments on ever tighter budgets during the late 1960s, SUNY continued to prosper. Enrollment in the 72-cam-

pus system leaped from \$6,000 in 1962 to about \$90,000 this year. The operating budget more than tripled in that time.

Faculty salaries soared and SUNY campuses, especially those emphasizing graduate and professional work—Albany, Binghamton, Buffalo and Stony Brook—were able to lure many faculty stars from other institutions.

BUT NOW much of this has stopped. New York, like

'We will have to do more with less in the coming decade.'

CHANCELLOR ERNEST L. BOYER

many other states, has found it cannot pay the bills for welfare, medical care and other needed social programs and still provide large annual

budget increases for its State University. Public higher education has not become a political target in New York State, as it did

in California and some other states.

Gov. Nelson A. Rockefeller, who was largely responsible for SUNY's vast expansion during the 1960s, remains a strong supporter, as do key legislative leaders.

But the leaders are not likely to continue the extraordinary growth of the past decade.

A BUILDING program which saw more than \$1.5 billion in new academic con-

struction since 1962 has slowed to a walk.

A new \$650 million campaign is being built for SUNY Buffalo and a \$700 million health sciences complex under construction at Stony Brook on Long Island. New liberal arts colleges will be completed at Purchase, Westchester County, and O'Esbury on Long Island, but that will be all.

No new campuses are in the works.

Continued on Page 4

Financial Squeeze--

From Page 1

cluded in the master plan for the 1970s recently approved by the SUNY board of trustees.

An experimental new campus in the Utica area in north-central New York, designed for juniors, seniors and first-year graduate students, probably will not be built.

The operating budget has increased only \$30-to-\$40 million in each of the last two years, barely enough to keep up with enrollment increases, SUNY officials say.

FACULTY salary increases have been out back though SUNY professors still are among the best paid in the country, especially at the campuses stressing graduate and professional training.

"We will have to do more with less in the coming decade," said SUNY Chancellor Ernest L. Boyer, who stepped into the job two years ago, just as the flood of dollars was subsiding.

Dr. Boyer earned his Ph.D. in speech pathology and audiology at the University of Southern California and was an administrator at UC at Santa Barbara for several years.

Interviewed in his handsome, 14th-floor office in downtown Albany, the chancellor listed some of the actions taken to cope with SUNY's newly delicate financial condition:

—The 1980 enrollment target has been reduced by about 70,000, though the expected total still is a staggering 416,700.

IT IS EXPECTED that 211,000 of these students will be in two-year community colleges, the rest in SUNY's graduate and professional schools, liberal arts colleges, and specialty institutions of various kinds.

—Tuition has been increased twice in two years and now stands at \$650 per year for a freshman or soph-

omore, \$800 for a junior or senior and \$1,200 to \$1,600 for a graduate student. Students also pay about 100 dollars in fees.

—About \$1.4 billion in planned construction spending has been saved by halting construction of most dormitory units, increasing utilization of academic space from 100 to 118 per cent and eliminating proposed new buildings on many campuses.

Most importantly, perhaps, SUNY will concentrate on new educational approaches which may save money.

"If we continued to grow at the expected rate of about 15,000 per year for the next eight years, using our current patterns, all of our programs probably would become anemic," Dr. Boyer said.

HIS STRATEGY is to cut costs on undergraduate instruction in order to preserve SUNY's high-cost graduate and professional programs.

On five campuses SUNY is experimenting with different ways of shortening the total time spent in high school and college from eight to seven years.

The university also is encouraging students to "step out" for a year or two of work or travel and is making arrangements for able upper-division students (juniors and seniors) to sign study contracts with faculty members instead of attending the usual classes and laboratories.

Through a new unit called Empire State College, SUNY will offer regular degree programs to students who are not in residence on a campus.

This approach obviously will eliminate the need for costly academic facilities but it is not yet clear whether instructional costs will be lower than those on residential campuses.



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 5 October 9, 1972

Workshops set

Preparations are nearing completion for SPA's second annual Leadership Workshop to be held Oct. 13-14 in Albany. The special sessions for chapter grievance chairmen and membership chairmen will begin Friday evening at 7:30 p.m. at the Northway Inn. The kick-off for the weekend begins at 7:00.

Joining SPA staff on the program will be Mr. Paul Haubner, specialist in grievance processing for the staff union at NEA, and Mr. Kenneth Law, director of field services for NYCT and nationally-known membership promotion expert.

The workshops, which are scheduled in conjunction with SPA's fall Rep. Council meeting on the 14th will be open to any Council delegates wishing to attend. Special caucus meetings (University Centers, 4-year Colleges, Ag. & Techs., Medical-Dental, Specialized Colleges, etc.) have also been set for Friday evening.

* * *

Quote of the Week: "They're exploiting the market situation. They know when push comes to shove, the so-called faculty governance is just paper." -- Dr. Israel Kugler, deputy president of CUNY's Professional Staff Congress, commenting on current contract talks.

* * *

Other Contracts: AAUP's much-heralded (by themselves) Rutgers contract includes as the final step of the grievance procedure an appeal to the campus president.

* * *

The 1972-73 printing of the Board of Trustees' Policies is now available and has been distributed to local campuses. The Policies are available to all at the local personnel office.

* * *

An examination of record from AFT's national convention held August 21-25 in St. Paul, Minn., turns up several interesting items in higher education.

New York State's State University Federation of Teachers (SUFT) delegation bloc voted (19 votes) for the entire Progressive Caucus slate of national officers (21). The Progressive Caucus ran no bona fide higher education candidates while the defeated United Action Caucus included four representatives from higher education locals on its slate of candidates.

* * *

This week's SPA Regional Meeting returns to the downstate area as Downstate Medical Center hosts the session on Tuesday, October 11.

President Robert Granger will meet with Downstate Chapter officers from 10-11:30 a.m. in the Anesthesiology Library (Rm. B3-336) and with Region 2 representatives from 12-2:30 in the same room. A general campus meeting will follow at 3:30 p.m. in Lecture Hall 6, Basic Science Building, 6th Floor.

Officers attending from Farmingdale, Maritime, Purchase, Stony Brook, and Old Westbury will be provided with special parking permits.

* * *

The biennial salary survey of colleges and universities conducted by NEA shows that the median salary in 1971-72 was \$12,932, a 10.1 percent gain over 1969-70.

The previous two-year increase was 14.8 percent between 1969-70 and 1967-68.

* * *

PERB's hearing determination on a revised list of "management-confidential" titles in SUNY's Professional Services Bargaining Unit was released last week and is in the hands of local college presidents.

SPA is currently reviewing the list and preparing challenges to certain titles.

* * *

In case you've missed it: Newspapers across the state are trumpeting the new CSEA contract demands for the coming year. They feature a 10 percent across-the-board pay hike and a \$6,500 minimum salary for state employees.

Also included in the demands are 20-year retirement at half-pay, improved death benefits, and new retirement plan improvements including 10-year vesting for employees whose jobs are terminated through no fault of their own.

In the background to the demands lies the upcoming representational challenge to CSEA from the Service Employees International Union (SEIU) in two of the state's four bargaining units representing over half of the state's employees. An election is likely in December.

* * *

SUNY librarians, under SPA auspices, remain at the bargaining table on the question of implementation of academic status for librarians. With weekly meetings now beginning, Anne Commerton, spokesman for the SPA team, reports agreement in principle on several non-cost-related items.

The rub -- as usual -- appears to be cash.

* * *

The October issue of the SPA SPOKESMAN was mailed to all Association members on Friday, October 6. Unit Update, a one-page information sheet for all members of the bargaining unit, will make its debut this week.

* * *

SPA Executive Director Philip Encinio, representing President Granger, appeared before the NYS Board of Regents on September 29 to register SPA's disapproval of certain sections of the Regents' proposed Master Plan for learning beyond high school. Of particular concern, Encinio says, are sections dealing with increased faculty workload and limits on collective bargaining in the University.

Interestingly enough, anti-employee sections of the Plan were written by people high up in the University's Central Administration. SPA has vigorously protested this fact as a conflict of interest and bad faith in current negotiations.

* * *

One of the pioneers of collective bargaining in the South is now active in SPA's new chapter at Empire State College. He is Professor Bernard Parker, who organized the AAUP chapter at the University of Southern Mississippi in the early 1960's.

Prof. Parker is president of the Empire State chapter which has already enlisted a high percentage of the school's small, but growing, professional staff.

Other officers of the Empire State chapter include Hal Roeth, VP for NTP's; George Drury, Academic Delegate; Louise Dolan, NTP Delegate; Allen DeLoach, Grievance Chairman, and Marilyn Huber, Secretary-Treasurer.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I No. 4

October 2 1992

Voting Records

As Election Day nears, SPA staff with the help of the NYCT legislative experts, have isolated legislative voting records on four of the most crucial bills to face the Legislature last year from the point of view of the SUNY Professional Services Bargaining Unit.

(Please note: to ease a complicated reporting task, only legislators voting against the SPA position have been listed for each bill. If your legislator does not appear on the lists below, you may assume that his vote supported the SPA position or that no vote whatsoever was cast).

Assembly 12350 - Passed into law. Abolished the U-Grade pay scale system for NTP's and established the new promotional program under Article 34 of the SPA-State contract. Listed below are those legislators voting against the SPA position and against passage.

Senate -- Griffin. Assembly -- Battista, Beckman, R.A. Brown, Buckley, Burrows, F.A. Carroll, V.S. Carroll, Crawford, DelliBovi, Flack, Gallagher, Gunning, Haley, Hogan, Jerabek, Kinsella, Krupsak, Lane, Lill, McFarland, H.M. Miller, Murphy, Russell, Schmidt, Shoemaker, Steinfeldt, Wemple.

Assembly 12347 - Passed into law. Funded the \$6-million SPA pay increase for July 1, 1972 - June 30, 1973. Listed below are those legislators voting against the SPA position and against passage.

Senate -- Galiber, Greenberg, Knorr, Lewis, Santucci, Schwartz.

Assembly -- Battista, Brewer, Costigan, DelliBovi, Flack, Gallagher, Gunning, Haley, Jerabek, Kinsella, Koppell, Leichter, Mason, M.L. McCarthy, Olivieri, H.A. Posner, S. Posner, Rosenberg, Russell, Schmidt, Shoemaker, Straub, Wemple.

Assembly 9544 - Passed into law. Established traffic regulations for campuses including docking of pay for unpaid fines. Listed below are those legislators voting against the SPA position and for passage. Senate -- (no negative votes cast). Assembly -- (One vote in favor of the SPA position against passage, Murphy).

Senate 9038 - Passed into law. Funded the original \$4.9-million SPA pay raise retroactively from July 1, 1971 - June 30, 1972. Listed below are those legislators voting against the SPA position and against passage. Senate -- Barclay, Bernstein, Donovan, Ferraro, Gold, Griffin, Hughes, Knorr, LaFalce, Langley, Lombardi, Ohrenstein, Powers, Schwartz, vonLuther, Zaretski. Assembly -- Battista, Beatty, Beckman, Berle, Bersani, Brewer, R.A. Brown, T.W. Brown, Buckley, Calabretta, F.A. Carroll, Cooperman, DelliBovi, Brooms, Eve, Field, Flack, Fortune, Gallagher, Gottfried, Haley, Hardt, Harwood, Hausbeck, Hevesi, Hogan, Kinsella, Kremer, Krupsak, Landes, Lill, Lisa, Lopresto, Mason, McInerney, H.J. Miller, H.M. Miller, Murphy, Olivieri, H.A. Posner, Riford, Schmidt, Sears, Simon, Stavisky, Taylor, Thorp, Tills, Wager, Walsh, Wemple, Weprin, Williams, Wright.

Please note: This reporting in no way constitutes endorsements or condemnations nor is it intended to do so. It also should be remembered that with the exception of A-9544, these measures constituted omnibus bills containing sections other than those of interest to SPA.

Although originally scheduled to appear in the Spokesman, space and timing problems will prohibit distribution to all members. Please feel free to put the listings to whatever local uses you feel appropriate.

* * *

SPA's first set of arbitration cases have been scheduled for hearing beginning October 23 when the Rosenbush tenure case from Fredonia will be argued.

This will be followed on October 24 by the Kaye grievance involving proper term appointment for an NTP, the Kadar retrenchment grievance on November 13, and the Spalt grievance on December 5.

Lawyers assigned by the New York Congress of Teachers will assist SPA in the presentation of the first two cases.

* * *

A survey of NEA members recently released by that organization's Research Division shows that 2.3 per cent of NEA million-plus membership is employed in higher education. The figure is up from 1.4 per cent last year.

Other figures show 2.1 per cent of the membership with doctoral degrees, and 97.1 per cent employed in public education.

* * *

Sex role stereotypes will be explored at an NEA-sponsored conference to be held November 24-26. The meeting is partially funded by an HEW grant.

Details and registration forms for the conference -- to be held at Airlie House in Warrenton, Virginia -- are available from Shirley McCune, Human Relations Section, Teacher Rights Division, NEA Center.

* * *

Representatives of SPA, OER, SUNY, and the Department of Audit and Control met on September 21 to discuss ways of eliminating continuing problems involving SPA dues deduction procedures. A number of specific problem areas were identified and tentative solutions worked out.

Among the most significant results of the meeting will be the joint development of specific dues deduction procedural guidelines for local campus business offices.

If members on your campus continue to have improper amounts deducted from their pay or other problems concerning dues deductions, please urge patience. We hope to have all problems sorted out soon.

Representing SPA at the session were Membership Secretary Jane Hrynio and Edward Purcell.

* * *

SUC-Oswego will host a meeting of Region 4 SPA chapters on Tuesday, October 3. Representatives from Oswego, Canton, Upstate, Morrisville, Cortland, Potsdam, Binghamton, and Forestry are invited to attend.

SPA President Robert Granger will meet with Oswego Chapter officers at 10:00 a.m. and host a regional luncheon at 12:00 noon in Hewitt Union Room 232.

A general campus meeting will be held at 3:30 p.m.

* * *

Current problems facing the professional staff at CUNY in their efforts to negotiate that institution's second collective bargaining contract are reported in some depth in the September 25 edition of The Chronicle of Higher Education. The article is worth a glance if only to see a picture of a rare (but increasingly frequent) sight -- university professional staff on a picket line.



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. 1, No. 3 September 25, 1972

Grievance statistics

Interesting figures from SPA's first year of grievance processing show salary questions as the most frequently filed grievance complaints (36).

Next in order come the judgment questions of tenure (33), non-renewal (21), appointment (20), and promotion (11). Taken together, these issues represent almost half of the 179 total grievances officially filed and reported last year.

Other grievances included dismissal (2), discrimination (4), academic freedom (2), by-laws and local procedures (7), reclassification (4), retrenchment (2), sabbatical (1), class load (1), retirement (1), democratic procedures (7), summer school (1), suspension (1), transfer (1), and

personnel files (1). Eight grievances are also listed as miscellaneous due to confusion over the real issue involved in the grievance.

Among campuses filing grievances, Albany led with 25, closely followed by 24 at SUNY-Buffalo. Other campuses reporting grievances include New Paltz (20), Stony Brook (15), Oneonta (12), Geneseo (11), SUC-Buffalo (11), Fredonia (9), Oswego (8), Plattsburgh (8), Brockport (5), Buffalo HSC (5), Cortland (4), Downstate (4), Binghamton (3), Maritime (3), and one each at Alfred and Canton. Other SPA units reported no grievances filed.

Further figures indicated that SPA carried grievances last year for 32 members and 135 non-members. Six class action grievances were filed, and nine cases are now awaiting arbitration.

* * *

Presidential Candidate George McGovern has failed to receive the endorsement of the NEA Executive Committee which reaffirmed a September 11 action of NEA's Political Action Committee. McGovern, however, did pick up the support of NEA's student arm, the Student Education Association.

Two top NEA officers, Past President Don Morrison and Executive Committee member Ester Wilfong, have joined with AFT to form "Educators for McGovern-Shriver."

* * *

SPA President Robert Granger reports attendance good as he prepares for the third in his program of regional meetings. This week's meeting for Region 1 (Oneonta, Cobleskill, New Paltz, Central Administration, Delhi, Plattsburgh, Empire State, and Albany) is scheduled for Tuesday, September 26, at the Tom Sawyer Motor Inn in Albany.

Regional presidents, vice-presidents, and representative council delegates are invited to a 12:00 luncheon to be held in the motel's Raft Room. The Tom Sawyer is located at 1444 Western Ave., near the southern end of the Northway (I-87).

* * *

Dr. Wade Wilson, member of the NEA Executive Board, has been appointed liaison person between the Board and higher education for the coming year. Wilson is a college president from Pennsylvania.

* * *

SPA's Committee on Academic Status for Librarians returns to the table on Thursday, September 28.

* * *

SPA Grievance Coordinator Annalee Ziman reports that a standardized grievance reporting form has been approved for use by the SPA Executive Board. The form, which is expected to substantially ease the reporting and appeals procedure, will be distributed to local grievance coordinators at SPA's Grievance Workshop to be held in conjunction with the Representative Council meeting October 13-14.

* * *

Congratulations to the SPA Chapter at Morrisville for the fine local newsletter distributed regularly on that campus. Also keeping members well-informed is the Central Administration Chapter which has instituted a new local communications program.

If your chapter does not have a local communications program, get one. If it does, make sure that SPA Central sees copies of your work.

* * *

SPA Vice President for Academics Barbara McCaffery and SPA Treasurer Leonard Snyder have announced their resignation from office. The announcements were made at the September 16 meeting of the SPA Executive Board.

Mrs. McCaffery's resignation is effective immediately while Snyder's is effective October 14. Both officers, who will continue SPA membership, cited personal reasons for their decisions.

Vacancies in the two positions will be filled by a special election to be held at the October 14 meeting of the SPA Representative Council.

* * *

Merger discussions between SPA representatives and those of the State University Federation of Teachers (SUFT) will continue on October 4. Further exploration of the merger question has been authorized by the SPA Executive Board.

Selected to represent the Board in talks were President Robert Granger, Vice President Alan Willsey, and Treasurer Leonard Snyder.

* * *

As expected last week, the governing body of ACCF (Associated Community College Faculties) has voted to disaffiliate from NYCT. Individual campus chapters are currently polling members as to what action should be taken on the local level. This decision is expected on or about September 30 with a large portion of the current 2000-plus members thought to be favorably inclined toward total disaffiliation.

Meetings between ACCF leadership and SPA have been proposed.

* * *

State political warfare has intensified as Nassau County Republican leader Joseph Margiotta accused VOTE (the political action arm of NYCT) of attempting to "buy control of the State Assembly."

Margiotta is concerned over the substantial number of VOTE endorsements (and money) going to Democratic candidates. VOTE has already contributed over \$300,000 to candidates favorable to the cause of public education.

* * *

We hope you've noticed: SPA has a new graphic image. Of special interest is the new SPA logo shown below. Approximately one month after SPA "went modern," NEA also decided on such a new look.

Compare NEA's new style (also shown below) and we think you'll see something interesting! SPA has never been selfish about sharing a good thing... and anyway... it's nice to be first!





Information

For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 3 September 18, 1972

Fee Breakthrough

The Buffalo Teachers Federation has negotiated what appears to be a real breakthrough in the area of agency shop for public employees.

The provision of the new BTF contract provides for immediate implementation of agency shop with the proviso that the Association will save the local Board harmless in any lawsuits resulting from institution of the fee.

A Buffalo spokesman notes that they intend to go slowly with implementation to limit the chance of immediate confrontation on the issue. The fee will be pressed, for instance, with new hires, while hard-core non-joiners will be identified and allowed to slide through at least temporarily. In any case, BTF

people expect that litigation arising out of the agency fee issue could take years to wind through various courts. All public employee unions are expected to vigorously assist BTF and in the meantime the fee will continue to be deducted from all employees.

The full text of the agreement reads as follows:

AGENCY SHOP AND FINANCIAL RESPONSIBILITY

WHEREAS by statute the BTF is recognized as the "exclusive representative" of all members within the bargaining unit; there is an accompanying obligation on its part to represent everyone within its jurisdiction without consideration of membership affiliation.

FURTHERMORE, the Board and the BTF recognize that the negotiation and administration of collective bargaining agreements entail expenses which are appropriately shared by all the teachers who do benefit from such agreements. To this end, in the event a teacher shall not join the BTF, upon receipt of a request from the BTF such teacher will as a condition of continued employment by the Board either execute an authorization for the deduction of a sum equivalent to the membership dues and assessments required to be paid by members of the BTF which sum shall be forwarded to the BTF; or will pay directly to the BTF the required fee under uniform arrangements as may be determined by the BTF.

In the event that such authorization is not signed or such direct payment is not made within thirty (30) days following the commencement of employment of the teacher or September 5, 1972, whichever is later, the Board agrees that services of such teacher will be discontinued as of the end of the then current school year.

However, the Board shall not be required to discharge any employee pursuant to this section until a written notice from the Federation of such employee's non-compliance stating all pertinent facts showing such non-compliance shall have been served upon the Board, and a thirty (30) day period from date of such notice has been allowed for compliance therewith.

Provided however that any employee named by the BTF as being in non-compliance, prior to dismissal at the end of the school year, may cure his non-compliance by all appropriate retroactive payments.

The BTF agrees to indemnify the Board and to save it harmless from any and all manner of cost (other than normal costs of administration), liability or expense (including, without

limitation, fees and disbursements), howsoever arising, which the Board may incur, or for which it may in any manner become liable, in connection with or resulting in any way from the inclusion of the foregoing provisions in this article or from its implementation, interpretation or execution.

* * *

SPA President Bob Granger moves on to his second regional meeting this week after an extremely successful kick-off session last week at SUC-Buffalo.

This week, the setting moves to SU Ag. & Tech. at Farmingdale, where Region 2 SPA leaders will gather. Included in this session will be leaders from Farmingdale, Downstate, Maritime, Purchase, Old Westbury, Stony Brook and Stony Brook H.S.C.

The schedule calls for a 10 a.m. meeting of the Farmingdale Executive Board, a 12 noon luncheon meeting for the regional officers and a 3:30 meeting of the Farmingdale professional staff.

The regional luncheon meeting will be held in the Board Room of the Admin. Building.

* * *

SPA members going on sabbatical? Encourage these people not to allow their membership to lapse. In addition to keeping insurance and special benefit privileges, members will want to keep a voice in negotiations (both preparation and ratification) that will affect the terms and conditions of their employment when they return.

As a bonus, SPA can offer a \$40 dues reduction to staff on sabbatical. To take advantage of this program, write Ed Purcell at SPA Central. The cash payment of yearly dues should be included (minus the \$40 savings).

* * *

Contract talks at CUNY continue bogged down. The previous contract has expired; school is back in session; management is pushing large-scale rollbacks. An observer close to the negotiations table predicts "months and months and months" before an agreement is reached.

New York Teacher, new newspaper of NYCT, carries up-to-date information on developments.

* * *

SPA's Committee on Academic Status for Librarians met with University representatives last week and report slow progress, due mainly to need to cover old ground with new additions to the SUNY team. The Committee was assisted by SPA staffer Ed Purcell. Next meeting dates are set for September 28 and October 2.

SPA has demanded that the University be ready to reply point by point to the librarians' proposal at that time.

* * *

Questionnaires have begun to flood into SPA Central from academic employees at the University's four health science centers. The information will be the basis for continued negotiations under Article 20 of the SPA-State Agreement.

At the same time, SPA Counsel is examining a health science center order requiring SUNY doctors to report in detail all earnings.

* * *

Be on the watch for the possible disaffiliation of ACCF (Associated Community College Faculties) from the New York Congress of Teachers. The organization's 2,000 members were polled last week with results expected to be released soon.

* * *

SPA cases ready for arbitration reached 9 last week as another important case was added to the docket. SPA is currently attempting to spur the State's Office of Employee Relations into action after they have improperly delayed pending cases for several months.

SPA Grievance Coordinator Annalee Ziman also reports a grievance win amounting to some \$3,000 for an academic at SUC-Cortland.

* * *



For Your

Current news for
the leadership of the
Senate Professional Association

Vol. I, No. 2 /

September 11

Consultation set

SPA officers and staff meet September 14 with Melvin Osterman, director of the State's Office of Employee Relations.

Purpose of the meeting is to explore with OER a number of issues which have been the source of continuing difficulty between SPA and the State. Included will be the State's handling of the grievance procedure and problems caused by multiple State agencies being involved in the implementation of the SPA-State Agreement.

* * *

Growth of collective bargaining in higher education continues to create a burgeoning employment market for experienced staff. If you are interested, openings now exist in Wisconsin, Georgia, Florida and New Jersey.

* * *

Upcoming Elections: Ferris State College (Mich.) -- October 19; University of Hawaii -- mid- or late October; Michigan State University -- October 23-24; Pennsylvania State University (branch campuses) -- late October or early November.

* * *

Current SPA membership lists have been distributed to local chapter presidents and are available for inspection.

* * *

Gleaned from the AAUP Summer Bulletin: General Secretary Bertram Davis -- "In 1971 (collective bargaining) pre-empted over \$200,000 of the Association's budget, and the allocations for the first four months of 1972 have been well above the 1971 rate... Regretfully, I have to say that the payment of dues by Active members of the Association is progressing much more slowly in 1972 than in 1971, with result that, unless there is a quickening of the pace, we can anticipate a net loss of some 6,000 Active members in 1972 and a deficit of some \$140,000."

* * *

President Granger holds the first in his series of regional meetings this week on Tuesday, September 12. Host campus for the meeting is SUC-Buffalo.

The day's schedule calls for a 10:00 a.m. meeting of SUC-Buffalo local chapter officers, executive board members and committee chairmen. At 12:00, chapter presidents, vice presidents and Rep. Council delegates from the Region 3 schools (Buffalo, Geneseo, Fredonia, Brockport and Alfred) are invited to a meeting on regional concerns.

A general chapter meeting is tentatively set for 3:30 p.m.

Meetings will be held in the Communications Center Conference Room (one floor below entrance level).

* * *

A new SPA booklet designed specifically for NTP's is now on the presses. The booklet, which discusses evaluation and promotion policies newly negotiated by the Association, will be mailed to each NTP SPA member.

* * *

Another new SPA publication, "Medical and Dental News," made its debut last week. Distributed to all SPA chapter members in the University's four health science centers, the two-page newsletter discusses collective bargaining news of particular interest to health science center professionals.

* * *

An AFSCME (American Federation of State, County and Municipal Employees) organizer -- and sometimes mathematician -- calculates that within one hour, 56,700 pickets can march past any given point.

* * *

Resolution passed at NEA's July national convention: "WHEREAS the organizational contest for new members is in higher education; WHEREAS the membership potential in higher education is over 900,000; BE IT RESOLVED that organizing in higher education be made an NEA priority."

* * *

SPA's Committee on Academic Status for Librarians meets in Albany this week, Tuesday, September 12. Headed by SUNYLA President Anne Commerton of Oswego, the group will discuss issues of mutual concern with Glynn Evans, new chief of libraries and other members of Central Administration.

Also present in a support role will be SPA staff.

* * *

Bargaining election results: North Adams State College (Mass.) -- won by NEA uncontested; Holyoke Community College (Mass.) -- no representation 65, NEA 43; Seattle Community College (Wash.) -- AFT 264, NEA 185; Green River Community College (Wash.) -- AFT 132, NEA 107.

* * *

SPA Executive Board meeting this weekend, September 15-16, Sheraton Inn - Airport, Rochester, 7:00 p.m.

* * *

The Buffalo Evening News reported on September 5 that the Buffalo Teachers Federation has negotiated a "closed shop" as part of its new contract with city. More information on this possible breakthrough will be reported when available.

* * *

Look for the initial four rank slotting of NTP's to be released by Central Administration to local campuses sometime this week.

* * *

Quota system revisited. Despite the recent and continuing political controversy over use of quota systems, SPA will institute its own such system for membership purposes. With the Rep. Council-approved budget computed on an average SPA membership for 1972-73 of 3,800 members, it becomes critical that membership gains campus-by-campus, month-by-month, be regularized. The quota of new members per campus will be based on such factors as potential and present chapter membership. Successful membership drives and unfulfilled quotas will be given equal publicity.