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Advocate

at Western Michigan University

January/February, 2006

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Don't Fear The Reaper: A Homily For Campus Equity Week

WMU-AAUP Campus Equity Week Committee

Jon Neill, Chair & Grievance Officer

Michael G. Miller, Contract Administrator

C. Dennis Simpson, WMU-AAUP Past President

Campus Equity Week is observed by the National AAUP the first week of November. Campus Equity Week is a week that the national organization asks local chapters to set aside to express the appreciation of the AAUP for the contribution made by part-time and term-appointed (contingent) faculty to the academy. The National AAUP also hopes that chapters will use Campus Equity Week to consider how they can keep part-time and term appointed faculty from being as badly exploited as they so often are.

The Use of Contingent Faculty by Western

In view of the data, there is reason to suspect that Western is comfortable being in the vanguard of the movement to replace tenure-track faculty with part-time and term-appointed faculty. Consider the numbers in the table below.

| <u>Semester</u> | <u>No. of Courses Taught</u> | <u>No. Taught by Part-Time Faculty</u> | <u>No. of Term-Appointed Faculty</u> |
|-----------------|----------------------------------|--|--|
| Fall 1996 | 4,588 | 644 | 60 |
| Fall 2004 | 4,596 | 718 | 109 |

¹ As of November 2, 2005, there are a total of 880 faculty, 71 of which are term appointed (8%). It, of course, remains to be seen if this is a reversal of trend, or simply a response to the University's budget woes.

Western's heavy dependence on part-time and term-appointed faculty is troubling for any number of reasons. The sad fact is that part-time and term-appointed faculty have no job security, are poorly compensated, and are denied little, if any opportunity to participate in governance. Furthermore, extensive use of faculty who are marginalized is clearly detrimental to Western's goal of being a nationally recognized, student centered, research intensive university. It is time for the administration to address what many of us believe to be a serious problem. A thoughtful, dispassionate review of the use and role of part-time and term faculty, the basis on which these faculty are compensated, and how they can more effectively be integrated into the University community is in order, if not long overdue. But simply voicing our appreciation of the efforts of part-time and term appointed faculty is not enough. We need to begin a concerted effort to raise the economic and professional status of these faculty.

Though the National AAUP devotes Campus Equity Week to issues relating to contingent faculty, it is our view that any week designated as Equity Week should not have such a narrow scope. And so we wish to take this opportunity to ask faculty to think about a few other issues which raise ethical questions.

Taking Principled Stands

Judging from numerous conversations with faculty, and many comments that have been made at Association Council meetings, Chapter meetings, and the Faculty Senate, certain high-ranking administrators have become hobgoblins of our collective mind. To be frank, Provost Delene is now seen by many of us as the grim reaper of our professional aspirations. Consequently, every statement, pronouncement, and memo from her or the President is

augured and analyzed, to become, for so many of us, a source of fear and loathing. At this point, nearly every action taken, or comment made by the Provost, President, or for that matter, any of their associates, is met with a reaction from faculty that is, usually, a mix of frustration, scorn, and hostility.

Certainly the atmosphere on campus has become ominous. But there is no reason for us to live in fear of the next initiative to come out of the Seibert Building. It seems that many things are said, but fewer things are

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done. And so it is important that we keep the administration's activities in proper perspective. After all, we do work under a very mature contract, one that affords faculty considerable protection from both administrative malice and whimsy. Therefore, ***though the current administration has given faculty every reason to be vigilant and cautious, we need to guard against becoming reactionary.***

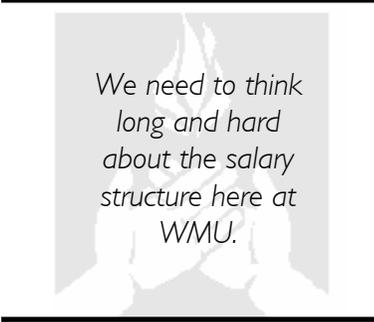
In short, we need to become more proactive. In our view, we need to spend more of our time and emotion building a consensus on the issues that this faculty will undoubtedly have to confront in our negotiations with the administration three years from now. Make no mistake about it. This will be a daunting task since

these issues have typically been divisive, sometimes to the point of being internecine. Thus, it would be wise to use whatever momentum was generated this past summer to create ***an agenda that can be realized through a labor contract.*** We need to avoid deluding ourselves about what we can and cannot induce the administration to do. There are legal and practical limitations on what can be accomplished through labor-management negotiations. We must accept these and plan accordingly. In any event, if we hope to be able to move the administration to make concessions on healthcare, compensation, and governance when we open the contract in 2008, we need to stand on common ground. And in order to find it, ***we will be forced to think about what is fair.***

Two Examples

It is certain that the administration will come to the next round of negotiations with proposals on healthcare. Proposals that we undoubtedly will not find particularly palatable. Proposals to shift the cost of healthcare onto faculty. Proposals to reduce or eliminate coverage, coverage for dependents and for specific services. It is just as certain that we cannot turn a deaf ear to the administration's concern about the spiraling cost of healthcare. This is a national problem that the best minds in the field of health care are wrestling with, and it does not appear that any solution to it is on the horizon. Unfortunately, we can expect this problem to get significantly worse before it gets better.

And so, what is equitable? If push comes to shove, should we accept increases in premiums and thereby spread increases in the cost of health care across all faculty? Or should we accept cuts in coverage and thereby impose increases in the cost of health care on those who use those services, those of us who have the misfortune



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WMU.

to become ill or sustain an injury? Should we accept higher health care costs in order that domestic partners can have coverage? Should we base the premium a faculty member pays for health care on the number of people subscribing to the plan through him or her? Should the premium be a function of the number of people covered through the faculty member and/or his or her income? Obviously there are any number of other questions that can be raised regarding this benefit, and many of them force us to think about what is fair.

We also need to think long and hard about the salary structure here at Western. The Chapter's Negotiation Team was very committed to negotiating a scheme for increasing the salaries of our lowest paid members more percentage-wise than other faculty. The Team's failure to do so was a great disappointment, both to the Team and members of the Executive Committee, as well as to many

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faculty. However, in order to wage a successful campaign to increase the salaries of faculty who are "underpaid," we need to have a strong consensus regarding the basis on which faculty are to be compensated. If we can arrive at such an understanding, then the very thorny question of what is fair and what is not, is, effectively, answered. If we agree on how to value the things that faculty do, faculty can be paid according to what they do. From such a perspective, it is easy to determine if a faculty member is underpaid, and or, if you will, when a faculty member is being treated unfairly.

Conceptually, this may not be a difficult problem. But in order to do something like this, to have a scheme that can actually be used to shape the salary distribution at Western, we need to be objective about our work. Most importantly, a faculty member needs to be able to appreciate the things that other faculty do, particularly things that he or she does *not* do.

It is also important that we arrive at a consensus regarding how to determine what increase in total compensation is fair and reasonable. The habit of going to the negotiating table to beg, cajole, and bluster an across-the-board increase in salary out of the administration is a very weak strategy. We need to agree on principles for determining what this faculty deserves as compensation, principles that are objective and cogent, from both an economic and ethical perspective. Even when we are unable to achieve the goals that these principles help us set, we will at least have a mechanism for linking past negotiations on compensation to future negotiations. We will at least have positions on compensation that are consistent and understandable, and therefore, positions that faculty are likely to rally around.

The Moral to These Observations

The point of these comments is simply this. In order to get the administration to treat us fairly, we need to agree on what fair treatment amounts to. In order to get respect from the administration, we need to give each other respect. We need to be able to appreciate what others do, and to see beyond self-interest. Until this faculty is united around first principles that speak to the contentions among us, there is little reason to be sanguine about our desire to be an equal partner to the administration in developing and pursuing our University's mission, and in managing its resources. ■

CAGO Report

Michael G. Miller
Contract Administrator
&
Jon Neill
Grievance Officer

Health Care

The 90-Day Supply at Sindecuse

In January the new health care plan took effect. As you may know, those who are taking so-called maintenance drugs can obtain a **90 day supply** at Sindecuse for one co-payment. This benefit saves faculty a considerable amount of money, faculty who are struggling with chronic illnesses, faculty with health problems that must be treated with daily, multiple doses of a variety of drugs. This benefit has been a sore spot in our relationship with the administration for the past two years, and we are pleased that this issue has finally been resolved.

However, faculty who are taking maintenance drugs need to be aware that in order to be given a 90 day supply, ***the prescription must be written as a 90 day supply***. In other words, say you take a maintenance drug twice a day.

Then if you take a prescription to Sincdecuse that says, "60 tablets with 2 refills", you will be given 60 tablets. To get the 90 day supply (180 tablets), the prescription must say, "180 tablets", or "90 day supply". Please keep this in mind, and if your prescription is not written this way, ask your physician to rewrite it. Also, the drugs considered maintenance drugs are the drugs on the (so-called) maintenance drug list compiled by MedImpact, a pharmacy benefits management company that has BCBS among its clients. This list can be found on the WMU-AAUP website.

The 90-Day Supply Elsewhere

We are pleased to inform you that the Negotiation Team also won a 90-day supply of drugs for a single co-payment at outside pharmacies. And at outside pharmacies, **there is no maintenance drug list!** This means that if your physician can and is willing to write you a prescription for a 90-day supply of a drug, you can get it at an outside pharmacy for a single co-payment.

However, we need to give you a caveat. Not every pharmacy with a BCBS contract participates in this program. We have been told that currently, about two-thirds of the pharmacies with a contract with BCBS will give out a 90 day supply of a drug. But with a few exceptions (e.g., Farmer Jack's), this group includes the major pharmacies in the area (Rite-Aid, Walgreen's, Wal-Mart, etc.). So, if you take a prescription for a 90-day supply to a participating pharmacy, it will be filled and you will be charged a single co-payment.

On the other hand, if you take your prescription **for a maintenance drug** to a BCBS pharmacy that is not participating in the program, **you will be given 100 units or a 34-day supply, whichever is greater**, for a single co-payment. Remember, in order to get 100 units or a 34-day supply at that pharmacy, the prescription **must be a prescription for a drug on BCBS's list**

of maintenance drug, which is not the same list as the list used by Sincdecuse. It has considerably fewer drugs on it.

Health Services Outside the Network

On another matter, remember that if you are provided services by a medico who is not in the Community Blue network, Western will only pay 80% of the so-called **usual and customary** charge. Similarly, even if you are given a referral by an in-network provider, you will only be paid the amount that it is usual and customary for a practitioner to charge. That is, 100% reimbursement does not mean that Western will pay the bill you were presented. It means 100% of what is, by BCBS's estimation, usual and customary.

Please keep in mind, this is the case regardless of what you are told by a BCBS service representative. You should also realize that, generally speaking, doctors who have not joined the Community Blue network charge more (sometimes considerably more) than what BSBC deems usual and customary.

MRIs

If you need to have an MRI you **must receive pre-authorization**. The only exception is for emergency treatment, for example, when an ER doctor orders one. Be aware that whenever you speak to a BCBS service representative he or she must make notes of the conversation. However, these notes can be very brief. So it's wise for you to record the time and day of any call that you make to BCBS, your questions and the representative's responses, etc.

Medical Treatment Abroad

Finally, if you receive medical treatment while you are abroad, you will need to meet with a BCBS representative to have your claim processed. The BCBS representative to Western is Ms. Carrie Doran. She is on campus

every Thursday. Be sure to keep all relevant medical records and receipts. Without these, you will not be reimbursed.

Grievances

Conduct of Administrators

The conduct of administrators remains a concern to us. The Chapter's position is that faculty and administrators holding academic rank are subject to the same code of conduct. The basis for this position is Article 21. This articles states (21.§1.2):

"As colleagues, **all those holding academic rank** at Western Michigan University have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. . . "

Recently a grievance was filed against an administrator who holds academic rank, alleging that the administrator violated Article 21. The administration's response to this grievance was that administrators are not subject to this article.

The current leadership of the WMU-AAUP is disturbed by this response, to say the least. The fact is that the Chapter has filed over a dozen grievances against chairs and deans under this article, and in two cases, the administration offered remedies. It seems to us that the administration does not have a leg to stand on here. However, until we take this matter to arbitration, we cannot expect this article to provide faculty any relief from misconduct by administrators.

We are well aware that a few chairs at this university behave badly. Some very badly. They manipulate, mislead, deceive, and bully faculty. Unfortunately, this type of behavior is extremely hard to remedy. Even if Article 21 is appealed to, such conduct would have to

rise to the level of harassment or discrimination to be grievable. We appreciate the frustration felt by those of us in departments with bad chairs, but the current contract does not grant faculty the power to discipline or remove chairs, and we can't expect to have that power in the foreseeable future.

Chairs serve at the pleasure of the deans and Provost of this university, a management right that this and every other administration will jealously guard. However, with rights come responsibilities. And so it is the responsibility - *and in our view obligation* - of our deans and our Provost to ensure that chairs are civil, fair, and professional. As you know, each chair is evaluated by his or her faculty. We sincerely hope that these evaluations are taken seriously by the administration, that any chair who receives a poor evaluation is pressured to take his or her faculty's criticisms to heart, and that those who don't will be replaced.

Update on Salary Pay Periods

When hired by Western, a faculty member can opt to be paid his or her salary in 18 or 26 pay periods. Which option you select is dependent upon personal preference. However, any faculty member who begins working in the spring semester may not want to select the 26 pay period option because in that case, it will take 13 months to receive the entire salary (something human resources fails to mention to faculty). Initial appointments for the spring semester will start with the last pay period in December. If the faculty member chooses 26 pay periods, he or she will receive half of their salary from December until August (1/2 of salary for working 1/2 of the year). The first pay for the fall begins at the end of August and the 13th pay period (1/2 of 26) will be in February. Hence, it will take 13 months to receive the entire salary for the year. Of course you need to remember that if you opt for 18 pay periods, you will not receive a check in May, June, and July.

Did you know?

According to **Article 16.3.3.1**: Faculty and his/her chair, by mutual agreement, shall determine who the observer should be for classroom visitations.

According to **Article 16.3.3.1.2**: After 3 years in the probationary track, the faculty member and the chair, by mutual agreement, can decide that further classroom visitation may be unnecessary for the remainder of the probationary period. ■

WMU-AAUP Officers' Hours*

Paul Wilson

President

Mon 10:00am—3:30pm

Wed 1:00pm—3:30pm

Fri 1:00pm—3:00pm

Michael G. Miller

Contract Administrator

Mon 12:00noon—1:00pm

Wed 10:30am—12:00noon

Fri 10:00am—12:00noon

Jon Neill

Grievance Officer

Mon 9:00am—10:00am

Tues & Thurs:

9:30am—11:45am

1:00pm—3:30pm

Alan Rea

Information Officer

Mon 10:30am—2:30pm

Thurs 2:30pm—4:30pm

*And by appointment

A Legend Retires

*Alan Rea
Information Officer*

Who would have known that hiring Gail Nangle as a part-time staff person in January of 1990 would lead us to where we are today: the retirement of someone who has become one of the most critical members of the WMU-AAUP team.

After her initial hire, Gail soon was asked to come on as a full-time Administrative Assistant under Susan Heyse in August of 1990. In January of 1994, Gail took over as the Administrative Manager and has been in this position ever since.

Over the past 16 years, Gail has served with seven presidents and worked through eight contract negotiations. She has assisted a countless number of faculty and is one of the main reasons our Chapter runs so well.

When asked what were the best memories she would take from her time with the Chapter, she noted that she will remember the people she has worked with and their commitment to protect and support faculty interests.

Gail's final day in the office was January 12. Her official retirement date is January 27. She plans to travel, play golf, and spend time with her family.

The WMU-AAUP wants to thank Gail for her many years of valued service. We will miss her. ■

**WMU-AAUP
website:**

WMICH.EDU/AAUP

Western Association of Retired Faculty (WARF) Continues To Serve Its Membership

Shirley Woodward
WMU-AAUP Past President

Recent Events

October 26, 2005: WARF members met with Paul Wilson (WMU-AAUP Vice President and Bargaining Team member), Rob Kakuk (Staff Benefits), and Richard Schaper (Retirement Services). During this meeting WARF and the WMU-AAUP sought additional clarification of points in our new health care program—specifically on issues of special significance to retirees.

WARF has distributed a revision of its By-Laws to the membership. These have been approved.

November 12, 2005: Past WMU-AAUP Presidents and WARF Steering Committee members (Mary Cain, George Miller and Shirley Woodworth) met with the Executive Committee of the Michigan State Conference of AAUP Chapters. Many people expressed interest in WARF's goals and activities. As a result of this meeting, WARF has contacted the chapter of retired faculty at Rutgers University. This chapter has the largest collective bargaining chapter in the AAUP.

WARF Steering Committee Activities

The Steering Committee members regularly attend the WMU-AAUP Executive Committee meetings. We are very pleased to be involved with faculty concerns and issues.

The Steering Committee also continues to meet at 9:30 a.m. on the first and third Thursday of each month at the Montague House. WARF members are encouraged to attend meetings.

A growing organization needs many workers and even more ideas. The Steering Committee continues to explore opportunities for activities. Suggestions are welcome.

Annual Dues

WARF annual dues (\$10) are now due for 2006. All faculty become retired members of the Western Michigan University Chapter of the AAUP when they join. The Chapter has been very helpful and generous with its support of WARF. We are especially grateful to Gail Nangle and Susan Esman for all they have done to assist us in our first year.

Remember that new retirees will soon be joining our ranks. Please encourage them to **join us!** ■

Do You Want To Know?

Dr. A.D. Issa, CFP, CDEFA

- How to clean up your financial clutter.
- How to prioritize your financial goals.
- How to fund the children's college education.
- How to leave a meaningful legacy.
- Why having a roadmap is the secret to your financial success.

- Why you shouldn't live below your means.
- Why allocation and location matter.
- Why cost matters.
- Why, at times, small is beautiful.
- Why, at times, bigger is better.
- Why you should not retire early.
- Why annuitization may be detrimental to your health.
- Why the numbers 59½, 70½, and 72 are important.
- Why long-term healthcare is a wealth preserver!

If you want to know all that and then some, sign up for the Fall 2006 Retirement Seminar. Call Lori or Susan at the AAUP office (345.0151) and tell them I sent you! ■

WMU-AAUP Officers and Executive Committee Members

Alan Rea
Information Officer

We often receive calls asking for Officer or Executive Committee contact information. Here's a brief reminder. More information can be found on the website (www.wmich.edu/aaup):

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WMU office: Teaching, Learning & Leadership, 3416 Sangren Hall, 387-3494

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1043 Student Recreation Center, 387-2728

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