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# Advocate

at Western Michigan University

May / June, 2005

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## Contract Negotiations Begin

*Jon Neill, Ph.D.*

*Chief Negotiator*

Your Negotiating Team met with the administration's team on May 19. We read a statement regarding the AAUP's perspective on the contract and negotiations, proposed a set of ground rules, and looked for dates for future meetings. The administration's negotiator maintained that in the past ground rules were agreed upon with a handshake. We maintained that it would be better if they were written down and signed. Though the administration reluctantly agreed to formal ground rules and accepted, in principle, what we proposed, they wanted time to think about some of the language they were uncomfortable with. It is unfortunate that this business has to be carried over to the next meeting since we gave Jay Wood, Contract Administrator and Associate Vice President for Academic Collective Bargaining, our proposals in advance. Thus, their concerns about language could have been addressed on the 19th, and the next meeting could have been devoted entirely to an exchange of proposals, etc. In any case, we now have six meetings scheduled. The dates of these meetings are: June 13, June 16, June 20, June 21, June 30, and July 1. Further sessions will be scheduled.

Because of the size of the administration's team, and the fact that two law-

yers are involved, Ned Smith on our side and Tom Hustoles on theirs, scheduling meetings could be very problematic. I suggested to Jay Wood that we save ourselves some money, and expedite matters by firing the lawyers. The administration declined that offer and instead has decided to use two lawyers, purportedly so that meetings will not be held up because of the unavailability of the administration's chief negotiator, Tom Hustoles. We have been told that the lawyer who will be assisting Mr. Hustoles is Kurt Sherwood, also from Canfield, Miller, Paddock, & Stone. The administration's team now consists of: Tom Hustoles, Kurt Sherwood, Jay Wood, Lowell Rinker, Eileen Evans, Bassam Harik, Paul Pancella, and Rick O'Hearn.

Currently,  
negotiation sessions  
are scheduled  
for: June 13,  
June 16, June 20,  
June 21, June 30,  
and July 1.

On June 8, the Team will be conferring with Ned Smith on the language of our proposals. By June 13, we should be prepared to present the administration with proposals, in contract language, on all the articles that we are opening. Drafts of most of these articles are available on the Chapter's website ([www.wmich.edu/aaup](http://www.wmich.edu/aaup)). We hope the administration is also preparing its proposals so that proposals can be exchanged on the 13th or 16th. However, we doubt that this will happen. In any event, be assured that we will inform you of the administration's proposals as soon as we receive them.

We would like to thank everyone who attended the Association Council meeting on the 19th. At that meeting I reported on the meeting with the administration's team, and handed out four things: a report on compensation and related issues that complements the report made by Galen Alessi; the statement that we read to the administration's team; the ground rules we proposed; and a draft of our proposals on Articles 10, 14, 15, 17, 21, 22, 25, 27, 32, and 35, in contract language. Those of

you who are interested in these materials can download them from WMU-AAUP's website ([www.wmich.edu/aaup](http://www.wmich.edu/aaup)).

Remember, there will be a negotiation update meeting open to all bargaining-unit faculty members on **Thursday, June 16, 2005 at 5:00 p.m. in Rooms 157 — 159, Bernhard Center.** We hope to see you there. ■

## CAGO Update

*Michael G. Miller*  
Contract Administrator  
&  
*Jon Neill*  
Grievance Officer

The offices of the Contract Administrator and the Grievance Officer (CAGO) had a very busy Spring Semester supporting the contractual rights of bargaining unit members. Several grievances have been or will be filed. These grievances address workload, misconduct on the part of administrators who hold academic rank, the appointment of faculty with tenure without a department's recommendation to do so, and tenure review. At the moment, we are very concerned about the cancellation of the Board of Trustees' June meeting, the meeting at which tenure and promotion is officially awarded. The AAUP President has spoken with the administration about this meeting, a meeting that the Contract says "shall" be held. The response he received from Jay Wood, the

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accounts due to  
a life-altering  
event, must be  
made within 30  
days of the event.*

administration's Contract Administrator was, "We did this before in the past." That may be true, but the current leadership of the AAUP will not tolerate blatant disregard of the Contract. Letters are now being sent to the Trustees and we will file a grievance if necessary.

The Provost's Office also announced that they will dock pay from a faculty member if, on 3 or more occasions, he or she fails to submit end of the semester grades when due. We have informed the Provost that this is a contract violation, and therefore, do not expect this to happen.

Due to a problem that a faculty member had recently, we should inform you that if you have a life altering event, such as the birth of a child, adoption, etc., and as a result, want to make changes in your healthcare or basic flex accounts, you need to contact the benefits office immediately. There is an unwritten rule that any change in healthcare or flex accounts due to such an event must be made within 30 days of the event. If you fail to do so, you will not be able to make the change until the open enrollment period

*... negotiation update  
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Rooms 157—159,  
Bernhard Center*

in the fall. We also encourage you to record the date, time, and name of the person that you speak to when you contact anyone in the benefits office or with BCBS. In the event that you are misinformed by either the benefits office or BCBS, this information could be helpful in favorably resolving any dispute that might arise.

In future editions of the *Advocate*, the Contract Administrator will write a short column in the CAGO report about common misinterpretations of the contract

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...record the date, time, and name of the person that you speak to in the benefits office or at BCBS.

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and provisions of the Contract that are often overlooked. In addition, we may start reporting specifics on our interactions with the administration and how we are resolving or not resolving conflicts. We think you may find these written commentaries quite amusing. But it's just as likely that you'll react with disbelief at the administration's attitude toward grievances and disagreements over the interpretation of the Contract. As always, if you suspect that an administrator is violating the Contract, please contact us at the Montague house at 345-0151. ■

## A-FACT Report

*P. Daniel Fleming, Ph.D.  
Chair*

The A-FACT (AAUP Faculty Action Concerns Team) was formed to aid the negotiating team by communicating key issues to Chapter members. It is truly a Blue Ribbon committee, including two former Chapter Presidents (Lyn Bartley and Ariel Anderson) along with the current President and Vice President.

During the Spring Term, the committee was ably led by Galen Alessi. Galen, a former negotiation team member and planning coordinator for negotiations, was unable to continue as chair because of time conflicts, but continues as an active member of the team.

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*We welcome members pointing out additional issues that may be prevalent in their college or department.*

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After serving as a member of the team, I agreed to serve as chair when asked by President Ralph Tanner. The remaining currently-active members include: Joel Boyd, David Curwen, Michael G. Miller, Kathleen Propp, and William Rantz.

A-FACT is in frequent communication with the negotiating team and issues 2-3 information sheets per week, highlighting issues where inequities and unfairness exist within the University. These communications are sent out in the campus mail and posted on the AAUP web page ([www.wmich.edu/aaup/](http://www.wmich.edu/aaup/)).

Our team members are very effective in identifying issues and verifying the facts. However, we welcome members pointing out additional issues that may be more prevalent in their college or department. I can be reached by calling my campus office at 276-3511 or by email at [dan.fleming@wmich.edu](mailto:dan.fleming@wmich.edu). ■

**WMU-AAUP  
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**WMU-AAUP  
website:**

**[WMICH.EDU/AAUP](http://WMICH.EDU/AAUP)**

**WMU-AAUP  
Bargaining-Unit Meeting Schedule**

Thursday, June 16, 2005

5:00pm

\*\* Note Time Change \*\*

Thursday, July 14, 2005

4:00pm

Thursday, August 11, 2005

4:00pm

Tuesday, August 23, 2005

4:00pm

All meetings are held in Rooms 157—159, Bernhard Center

**All bargaining-unit faculty members are encouraged to attend.**



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