

Your union - working hard for YOU

**Member services are our core mission
and we've won some important victories this year:**

Two wrongful terminations of faculty members REVERSED

Among the WMU-AAUP's most significant recent projects include helping to restore a faculty member to **full reinstatement** after he was denied due process and wrongfully terminated from his position at WMU, and successfully challenging another wrongful termination decision.

In the first case, the WMU-AAUP joined our faculty colleague to challenge the administration's decision to terminate and their failure to follow the appropriate procedures for progressive review set out in Article 22 of the Agreement. After President Dunn rejected the recommendation of a faculty peer-review committee (see Article 22.§7), which identified serious problems with the administration's handling of the investigation and found the charges against the faculty member to be without merit or credibility, the WMU-AAUP took the case to outside arbitration for a final ruling. After hearing and evaluating the evidence, the arbitrator ruled in favor of the faculty member and ordered that he be reinstated immediately as well as "made whole" for the damages he suffered as a result of administrative malfeasance in his case.

The second case was resolved in the faculty member's favor in June 2013. The WMU-AAUP successfully challenged an administrative recommendation to dismiss our colleague on the basis of charges that were questionable at best, according to the faculty peer-review committee (PRC) who heard the case and rejected the termination recommendation. This time, President Dunn accepted the PRC's recommendation, and the faculty member is now being fully reinstated. Perhaps the arbitrator's ruling in the previous case – and the WMU-AAUP's hammering of the administration on their mishandling of that case – helped to encourage the administration to do the right thing this time.

In both cases, the WMU-AAUP forcefully reminded the administration that faculty rights to due process are guaranteed under the Agreement (Article 22: Progressive Review) and that noncompliance will not be tolerated.

Good to know:

Without a union, administrative decisions like these could only be challenged in court, which can take many years and cost hundreds of thousands of dollars (or more), a financial burden borne entirely by the faculty member, who of course has no guarantee of winning.

Other member-services projects the WMU-AAUP is working on this summer:

- Supporting faculty colleagues who have been subjected to abusive behavior by their chairs or deans and insisting on appropriate professional conduct on the parts of “all those holding academic rank” at WMU (as articulated in Article 21), including administrators.
- Representing colleagues who are being pressured to take on extra-contractual work and threatened with punishment if they refuse. (Article 42)
- Enforcing contractually guaranteed faculty rights to summer preference. (Article 41)
- Addressing the Board of Trustees to inform them of problems with the gender equity process launched by the Office of Academic Affairs, a process we are now told will result in no announcements or adjustments until September 2013.
- **Challenging a culture of administrative noncompliance with the Agreement** and demanding that our legally binding contract be honored. In the first wrongful termination case referenced on the other side of this sheet, the arbitrator identified numerous administrative contractual violations. In response to these documented instances of noncompliance:
 - We have written to and met with President Dunn to discuss the administrative violations identified in the arbitrator’s report, and we continue to call on him to take appropriate action to ensure that these counter-contractual practices not be repeated.
 - When President Dunn refused to acknowledge administrative wrongdoing and declined to review the violations identified in the arbitrator’s report or hold the responsible parties accountable, we wrote to the Board of Trustees to request that they exercise their oversight and look into the contract violations detailed in the report.
 - We have made plans to meet in August with members of the Board of Trustees to discuss these issues.

The WMU-AAUP: YOUR union. YOUR rights.

aaup
AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS

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WESTERN MICHIGAN UNIVERSITY