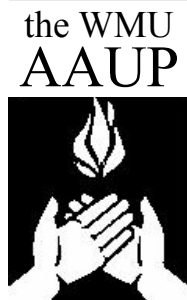


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December 2006



Advocate

at Western Michigan University

Executive Committee

President

Paul T. Wilson

Vice President

C. Dennis Simpson

Contract Administrator

Michael G. Miller

Chief Negotiator and Grievance Officer

Jon Neill

Information Officer

Alan Rea

National CBC Chair and Education Rep

Ariel Anderson

Representatives

Academic Support Units

Galen Rike

A&S - Humanities

Marilyn Kritzman

A&S - Science & Mathematics

John Jellies

A&S - Social Sciences

Allen Zagarell

Association of Language

Specialists

Joel Boyd, Jr.

Aviation

Dominic Nicolai

Business

Leo Stevenson

Engineering & Applied Sciences

S. Hossein Mousavinezhad

Fine Arts

Cheryl Bruey

Health & Human Services

Sandra Glista

The Year's New Challenges

Paul T. Wilson

WMU-AAUP President

Thanks to all of you, our entire membership, for being involved in every way all year long. Thank you for your personal and professional participation in our academic community, for your research, for your teaching, for working with your students, your colleagues, your departments, and for our university.

Thank you for paying attention during our election this fall, for reading our campaign literature, for talking with each other, for discussing with the candidates or reaching out to them in other ways to communicate your aspirations and your concerns. That is what elections are for: to provide a mechanism for you to think about issues, to express your views, and to expect that because you have spoken, you will be heard, and that there will be action, in response, on your behalf. Thank you most of all for voting, for participating in our democratic process. And thank you for vesting your trust in me; I'm pleased to be able to continue serving you through the WMU-AAUP.

The election for President was the only contested election this year, so the presidential candidates got a particular degree of scrutiny. The themes that I emphasized -- judgment, foresight, consensus building, data-intensive preparations for negotiations, and assertive, thoughtful, public advocacy for faculty con-

cerns -- will remain a major focus. I take seriously also that the vote, while in my favor, was not unanimous, and that it is my responsibility to reach out to every member of our Chapter. The most rewarding part of the campaign for me was talking with you about what matters to you. I will continue to do that in the coming two years, and invite you to reach out to me as well with any concerns or issues that you wish to have addressed. My mind, like my door, is always open.

Our key issues--academic quality, academic freedom, shared governance, compensation, workload, healthcare and other benefits -- remain, albeit with new twists each year. But this year especially, new challenges await us. We are in the process of choosing a new University president. The public forums hosted by the Presidential Search Advisory Committee produced many good ideas that have been considered with great seriousness; now, however, we need candidates. Dan Parker, our search firm's principal representative, has told us that at least 50% of the time, the new president emerges from among the candidates who were nominated for the job, and not from the pool of candidates who respond to the ad.

So this is the first challenge that confronts our membership: Finding and nominating the candidates whom we think are best suited to be our next president. Please consider your personal academic history.

Who are the figures who emerge as potential leaders? Nominate them. As you go to conferences over the next several months, and talk with your colleagues from other universities, please ask them about the same issue: When they think about emerging academic leaders who might be a good match for Western, who comes to their minds? Get their contact information, and nominate them.

Please inundate the Committee with your nominations. Every nomination will be taken seriously; a process is already in place to follow up on every nominee. We need a rich pool of candidates, and you, our members, are one of the very best sources for them. Also, please plan on being very involved when April comes, and candidates arrive on campus. There will be many opportunities to convey your views about who would best serve our needs; it's crucial at that point to be very clear about your preferences.

While there are many other challenges of interest, there's one in particular that I'd like to conclude with, and it too is related to the presidential search. That challenge has to do with our identity as Western Michigan University. I think we're at the point where we must conceptualize Western's identity as independent of the personal characteristics or the personal vision of any president or provost; I hope that's one of the lessons that we've learned from this past year. I've come to believe that we need leaders whose first goal is that the faculty will realize their full potential. Western's faculty has become quite new over the last seven years, with an exceptional amount of new instructional strength and research productivity that is already bearing fruit. This needs to be valued, nurtured, and promoted. We need a

president and a provost, just as we need officers in the Chapter, who will both serve and lead, nurture and focus.

This year, Western has engaged SimpsonScarborough to coordinate a branding initiative that is intended to help focus our thinking more clearly on our identity. I admit that I was very cynical about too much of an emphasis on marketing, and not enough on academic quality. After three meetings with these folks, I have a feeling that they've come to grips with that same issue, and that they actually are about academic quality too; two of them worked for six years in the Office of the President of Indiana University, so they've seen a major university from the inside. The timing, for us, is uniquely appropriate that we engage in this process before a new president arrives.

If you're asked to participate in a telephone survey, or a focus group, please say "yes." When they circulate their call for all of us to respond to their faculty survey, I hope that we'll have more than 80% of us responding. The better we know ourselves, the better choice we can make in our leaders, and the more we will know about what demands to make of them.

I am not saying that SimpsonScarborough will (or should) do it for us, but that they can help out. We ourselves will need, in our department meetings, chapter meetings, Association Council meetings, Faculty Senate and council and committee meetings, to have these discussions on our own as well. It's our own potential we're trying to realize, not someone else's vision. That's what I'm posing as our second challenge for this year, because

I'm thinking about what life is going to be like after our next president arrives on campus. Do we want the first two years to be the time when the new president tries to get us on board with a vision external to us, that may or may not fit our needs, or do we want someone who really helps us to become what we want to become?

Let us respond to these challenges together so that we get the leaders we really need. ■

New (and Returning) Chapter Leadership

Alan Rea
Information Officer

This year's election was successful on many fronts. Voter turnout was high and discussions and debates leading to the vote were thoughtful, insightful, and productive.

Out of the qualified 795 voters, 459 members cast votes in this election. This was a 58% turnout. Although the Chapter would like everyone to vote, with almost 60% of qualified voters taking part, this signals a strong interest in the business of the Chapter.

Two items especially distinguished this election: 1) the wealth of candidate information; and 2) the quality of the candidates willing to serve our chapter.

In addition to the normal distribution of candidate material, members were presented with all candidate statements on the chapter website.

Constituencies for each open Executive Committee position could learn about the individual's qualifications.

Although our vice presidential candidate ran uncontested, she included a standard bio, as well as a statement of purpose on the website as well.

The Chapter's one contested election was for president. Leading up the elections, each candidate utilized the website to provide the membership with information in PDF files. In some cases this information was provided in response to faculty questions leading up to election day.

A variety of questions were asked of the candidates at the Chapter's "Meet the Candidates" forum. Here, members could meet John Jellies, Jo Wiley, and Paul Wilson to learn more about what they could offer the Chapter.

Jo Wiley ran uncontested for vice president. However, both presidential candidates, as well as current officers, asked her to stand for the position. Jo will bring much to the Chapter.

By the very nature of the election process one candidate must triumph over another. Both John and Paul have a wealth of experience and ideas to offer the Chapter. It did make for a welcome, but difficult, decision for the Chapter membership. Paul will continue to serve as the Chapter President as he garnered 56% (259) of the votes compared to John's 44% (200). However, John will remain a member of the Executive Committee. We will continue to benefit from his input.

Ultimately, the Chapter would like to thank its membership for participating in the elections for the office of president, vice president, and Executive Committee members.

The following individuals will represent the Chapter in their respective positions as of January 1, 2007. These terms will run through December 31, 2008.

Please join the Chapter in welcoming our new (and in some cases returning) officers and Executive Committee members:

Officers

President

Paul T. Wilson

Vice President

Jo Wiley

Executive Committee Members

Career English Language Center for International Students

Joel Boyd, Jr

College of Arts and Sciences

Humanities

Marilyn Kritzman

College of Business

Leo Stevenson

College of Education

Ariel Anderson

College of Health and

Human Services

Donna Weinreich

■

Let's Work

Together

Jo Wiley

Vice President Elect

Many chapter members have reached out to me since my candidacy announcement and subsequent election as vice president of our chapter. I appreciate the comments of support, opportunities given to me to explain my interest in serving, and discussions on various issues. Most important to me is to

keep members communicating with each other and, especially, with their representatives and the Chapter officers. Please don't stop.

I have had previous opportunities to serve the Chapter over the past ten years in various capacities including the Business Information Systems department representative and Business Communication program representative on the Association Council, chapter information officer, "S" Committee chair, and as a member of numerous subcommittees and focus groups.

As the Vice President, I see my role as working closely with the President in the areas of information gathering, brainstorming and problem-solving. I am an astute observer, a critical questioner, and a very creative thinker. I prefer a collaborative work style and am, generally, equally comfortable as a leader or worker/participant. My personal priority, as vice president, is to continue to grow in awareness and action with regard to the needs of our chapter and individual members.

While the next round of contract negotiations is fast approaching and on the minds of many, I see the need for the faculty to recover, reconnect, and re-energize. I believe that we need to gather strength through our numbers and shared knowledge and remind the administration and all University communities that we are the pride of WMU. To accomplish this we need the participation of our membership, not just the legwork of leadership. I look forward to working with many of you to make this happen.■

WMU-AAUP
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Did I Actually Get My Raise This Year?

*Paul T. Wilson
President*

*Alan Rea
Information Officer*

The 26 Pay Period Question

If you are on a 26 pay period cycle, you may have noticed that your 3% raise this year doesn't seem to be quite as much as you expected; several people, in fact, have inquired about this. The truth is that you got the raise you were supposed to, and just as much as if you were on 18 pay periods. However, this year you actually have 27 pay periods instead of 26. Why? To make up for calendar recession or calendar creep (the term varies according to whom you talk). Sound confusing? It can be, but let's look at what is actually happening.

Base 9

Our base salary is not annual, but for the nine months of the Fall and Spring semesters. If we choose to be paid only during Fall and Spring semesters, which is an option, then we will be paid our total amount in 18 equal installments over the 9 months. As a result, we will receive no paycheck during Summer I or II unless we are teaching during that time. Faculty on 18 pay period cycles are not affected by calendar recession.

However, we have the option of spreading our salary over the whole year and receiving it in 26 equal installments paid every two weeks. Here's where the problem comes: people on 26 pay periods are affected by calendar recession.

What Is Calendar Recession?

Some math shows us that the number of days in a year is not evenly divisible by 7:

$$365/7 = 52 \text{ with one left over (1)}$$

Or:

$$7 \times 52 = 364$$

Therefore a 52-week year, which gives us 26 two-week pay periods, is one day short of a full calendar year. To complicate matters even further, in a leap year, it's 2 days short of a year.

The Eleventh Year

Because of the calendar recession, there is a problem with the schedule of pay periods for faculty who have chosen 26 pay periods per year when our employment extends over multiple years. Consider an 11-year time span of employment.

If there were an even 26 pay periods in a year, then in 11 years, there would be $11 \times 26 = 286$ pay periods; and in 11 years and 4 months, there would be $286 + 8 = 294$ pay periods. But because there is that extra day or two every year, they add up to a lot of extra days over a span of 11 years.

It turns out that when you stretch it out to 11 years and 4 months, those extra days add up to another whole 2 weeks. In other words, in 11 years and 4 months, there are 295 two-week periods. (if the first or second year of the 11 years is a leap year, it takes exactly 11 years to get to 295.)

But we can only get paid for 294 of them because we're only entitled to 26 pay periods a year. So this means that Western has to skip one pay period for all of us every 11 years and 4 months. This means that at some point we would have to go 4 weeks between paychecks. Whenever this happened to a faculty member on 26 pay periods, they were faced with the prospect of no pay for an entire month.

So calendar recession means that those extra days each year or leap years recede back into the pay period schedule until we have to go without a paycheck. It's the kind of recess that we'd prefer not to have.

Why the Across the Board Change?

Years ago, everybody's calendar recession was calculated individually from the time they entered Western. But after a time, Western standardized when the recession period would occur so that everyone was affected at the same time. And whenever it has happened in the past, there have been complaints by faculty who thought they weren't being paid when they felt they should have been.

This year, Western has come up with a different plan. This is year 11 on their schedule for dealing with the calendar recession, and they have decided to give 27 pay periods for those who chose 26 so that they won't miss a pay period.

Not Being Shortchanged

Of course with the extra pay period (27 versus 26) it looks like one is receiving less pay than is due. However, we are getting what we are owed. Here's why:

On the regular 26 pay period schedule, we normally receive 3.846% of our salary each time.

On the 27 pay period schedule, we will receive 3.704% of our salary each time. If you figure in the 3% raise, compared to last year, the figure is actually 3.815%, so your salary in each pay period is .31 of 1% less than you would expect to see if you were on the normal 26 pay periods.

But you will get all of your money, just in 27 installments. So consider a faculty making \$50,000 a year (we'll not worry about additional deductions here):

Last year, a faculty member who was paid \$50,000 received it in 26 installments of \$1,923. This year, with our raise, this same faculty member will make \$51,500 in 27 installments of \$1,907.41. Each installment would be \$1,980.77 if it were 26 pay periods.

Conclusion

This solution to calendar recession guarantees that no one who chose 26 pay periods goes a month between paychecks.

We expect this to happen in another 11 years as well, but we will keep you posted if another, more creative solution arises. Remember, if you would rather not be concerned with the calendar creep, and you would like all your money faster, you can move to the 18 pay period cycle. ■

CAGO Update

Michael G. Miller
Contract Administrator
&
Jon Neill
Grievance Officer

Grievances

This semester the Chapter's Contract Administrator and Grievance Officer have been fighting to get the administration to respond to the grievances filed by individual faculty and the Chapter. Currently *ten* grievances have yet to be resolved: three allege violation of **Article 42, Work of the Unit**; three others allege professional misconduct by administrators; one alleges a violation of **Article 17, Tenure Policy and Procedures**; and three allege violation of **Article 33, Healthcare Benefits and Insurance**.

To date, four of these ten grievances have been ignored by the administration. That is, the administration has not scheduled meetings for the purpose of resolving these disputes as stipulated by the *Agreement*. The Chapter made a number of requests that these meetings be scheduled to no avail. Finally, our patience was exhausted. Thus, in September, the Contract Administrator and Grievance Officer asked the Executive Committee to approve filing charges of unfair labor practices with the Michigan Employment Relations Committee (MERC). These charges have been filed and a hearing is scheduled for March 2007. Frankly, the officers are mystified at the administration's unwillingness to address complaints by faculty made through the grievance process. On October 31, the Chapter's President and Grievance Officer met with the Provost to discuss

the situation, and were given assurances that the administration did not want MERC to become the arbiter of our disputes. However, Western's Contract Administrator has yet to schedule meetings to hear the four grievances that the administration has been ignoring. We remain hopeful that the administration will soon realize that it is in the University's best interests to resolve contract disputes through the grievance process. But if not, the Chapter can be sure that its officers and Executive Committee will take whatever measures are necessary to protect the contractual rights of the faculty.

Despite rumors to the contrary, the Chapter's President, Contract Administrator, and Grievance Officer have cordial relationships with *everyone* in the administration. On no occasion have any of us attempted to bully, embarrass, or demean anyone in the administration, personally. No one has pounded on tables, shouted, or sworn at anyone, at any meeting that any one of us has attended in the past two years. There have been times when we have expressed frustration, exasperation, and yes, anger at the reception our members' complaints have received. But we have *never* been anything less than professional, even when we have felt the need to be confrontational and provocative.

Here are two examples, offered for the sole purpose of helping the membership understand how intransigent the administration has been. One of the grievances that the administration has ignored involves documents that the Chapter needs to be able to meet its collective bargaining responsibilities and to administer the *Agreement* between Western and the WMU-AAUP. Specifically, we have asked for the Benefits Guides mentioned in **Article 33, Section 3**, and the list of

approved fees by service. We know that these documents are available. However, the administration has not given them to the Chapter. Despite the fact that the Chapter has filed an unfair labor practice over its refusal to do so. We are at a loss to explain the administration's behavior here.

Please remember, if for any reason you receive medical treatment by a provider who is not in the Community Blue network, the University will reimburse you 100% ***of the fee approved by Blue Cross Blue Shield*** if you have been referred to that provider by an in-network provider and 80% ***of the fee approved by Blue Cross Blue Shield*** if not.

As another example, a department chair recently removed computers that a faculty member had been using from his laboratory. In the process, the hard drives were damaged or destroyed, hard drives that the faculty member alleges contained data collected during research projects conducted over the past five years. The dean who heard this grievance has not disputed that these events occurred. However, in his judgment, the faculty member should have known that these computers were about to be removed from his lab ***because that faculty member's graduate assistants were involved in the "realignment" of the department's laboratory space that was discussed at a June department meeting and carried out later in the summer.***

The dean also seemed to feel that a technician's offer to back up the faculty member's hard drives absolved the chair of any responsibility to inform the faculty about the imminent destruction of his property and to give him ample opportunity to copy his files on those hard drives. In

short, the dean felt that there had been no misconduct on the part of the chair, and therefore, he denied the grievance.

But what did we ask the administration to do? What remedies did we seek? One, to instruct the chair of that department to write a letter of apology to the faculty member; two, to reprimand the chair; and three, to negotiate a letter of agreement with the Chapter which would clarify the limits to the right of administrators to remove or destroy property that faculty are keeping in work spaces provided them by the University. The remedies that we requested hardly seemed onerous or humiliating to us. We of course, would have considered other remedies if the administration had offered any. The Chapter members need to know that we always stand ready to compromise, and do not intend to take a different approach to our dealings with the administration.

Other Business

Tenure Arbitration

As we informed you earlier, a tenure denial was taken to arbitration. The arbitration took place at the end of October, and went from 10a.m. to 5p.m. The Chapter's attorney, Mike Fayette, its president, contract administrator, and grievance officer represented the Chapter. The individual who was denied tenure and two faculty from his department also attended, the latter individuals as witnesses (whose testimony and help in preparing our case is deeply appreciated). Both parties will file briefs by December 1.

The arbitrator then has 60 working days in which to arrive at a decision. We will inform the Chapter members of his decision as soon as it is delivered. Another tenure denial will be arbitrated, but that arbitration has not yet been scheduled.

On the Job Injuries

Some faculty have been dismayed to learn that the University's obligation to employees injured on the job is limited. Therefore, we thought we should briefly summarize what this obligation is. If a faculty member is injured on the job, he or she may use any sick leave that he or she has accumulated. If so, the faculty member will receive his salary, healthcare, and any other benefits that he was eligible for while working. However, the faculty member could opt to take workman's compensation. If so, he or she will receive "80% of the after-tax value of his or her wage loss."

There is a cap on that benefit. That is, "the maximum rate of benefits is 90% of the state average weekly wage for the year prior to the injury." A worker who qualifies for workman's compensation receives this benefit "so long as the worker is disabled. This could be for the rest of his or her life." The University will also pay for your health insurance if you are receiving workman's compensation, up until the time that you are terminated. ***Remember, the University has the right to terminate any faculty member who is unable to return to work after two years on medical leave.***

Long Term Disability

Faculty who are purchasing long-term disability insurance from the University would be covered by that plan if he or she is disabled, for any reason. That plan pays two-thirds of a faculty

member's basic annual earnings up to \$7,000 per month. These payments begin after 30 days or when all accrued sick leave has been used up, whichever period is longer. While the faculty member is on long-term disability the University will make its TIAA-CREF payment for the faculty member.

However, the contract does not stipulate that the University must provide health insurance to faculty who have long-term disability insurance and who are on leave because of a disability, except as required by FMLA. Faculty also should know that long-term might mean only two years. More specifically, if you are unable to return to work as a faculty member after two years, but the nature of your disability is such that you could be otherwise employed, your benefits stop and you can be terminated. On the other hand, if you are totally disabled -- that is, unable to work in any capacity - you will continue to receive that benefit.

So what does FMLA obligate the University to do? **Article 27, Section 2** speaks to that question. If eligible, a faculty member can take up to 12 weeks of unpaid FMLA leave for a serious health condition. During that period, the faculty member and his dependents will be covered by Western's health insurance plan, and the faculty member will be charged what he would have been charged had he been working.

Obviously the University's obligation is not what it could be, and for that matter, what many faculty may have thought it is. If there is widespread concern about this obligation, the leadership needs to be informed so that disability coverage can be improved in the next round of negotiations.

While most of us have relatively safe working conditions, there are some faculty whose work environment places them at considerable risk of injury. However few they may be, their safety should be a priority for the Chapter.

Workload Policies

Finally, we encourage every department that does not have an approved workload policy to craft one immediately. Faculty in departments who do not have detailed formulae for calculating workload run a very real risk of arbitrary increases in their workloads. If you would like assistance from the Chapter in developing a policy, please contact Michael G. Miller, Contract Administrator. ■

Chapter Information

WMU-AAUP

Office Hours

Fall & Winter
8:30am—4:30 pm

The office will be closed over the holiday break.

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The WMU-AAUP Faculty and Administrative Staff Salary Survey

will be available
(on CD)
in February 2007

Request your copy today

WMU-AAUP Officers' Hours

Paul Wilson, President

Mon & Wed 11:00—3:00pm
Fri 12:00—3:00pm

Jo Wiley, Vice President

Wed 9:00—noon

Mike Miller, Contract Administrator

By Appointment

Jon Neill, Grievance Officer

Tue & Thurs 10:00—noon
2:00—3:30pm

Alan Rea, Information Officer

Fri 1:00am— 2:30pm

**WMU-AAUP
Association Council
& Chapter Meetings
Spring 2007**

Association Council	Thursday, January 18, 2007 4:00pm Room 208 , Bernhard Center
Association Council	Thursday, February 22, 2007 4:00pm Room 208 , Bernhard Center
Association Council	Thursday, March 15, 2007 4:00pm Room 208 , Bernhard Center
Chapter Meeting	Thursday, April 19, 2007 4:00pm Room 208 , Bernhard Center



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