



## Earlier Selection of 2008 Negotiation Team

Paul T. Wilson

Less than a year away, negotiations on our 2008-2011 *Agreement* will likely begin formally in June 2008. It is to our advantage to appoint the Negotiation Team during the Fall 2007 semester, rather than in Spring 2008.

### The Reasons for Earlier Appointment of the Negotiation Team

For its first 20 years, the WMU-AAUP was able to appoint the Negotiation Team during the Fall semester. The procedures for appointing the team were changed in the mid-1990s. However, because negotiations are more complicated now, our ability to prepare is hampered by a late appointment.

First, we have a long established *Agreement* that addresses a wide range of issues embedded in long established language. The team must study the *Agreement* in consultation with the Executive Committee, the Association Council, and the full membership, to determine our needs and begin working on how to best represent those needs through amending, or adding to, our existing language.

Second, we now spend an unprecedented and significant amount of time on the nuts and bolts of the health care plan. This change began in 1996, and has become only more complex. Because health care costs continue to rise above the rate of inflation, there is ongoing pressure related to the details of our coverage. This factor in itself means that new study and research are needed for every negotiation. We need to be well prepared not only with ideas but with data as well.

Third, Western's finances, along with the state's economic conditions, require very detailed attention. Our plans to address the financial data we need will be well under way by January so that the Negotiation Team can move efficiently into the analysis necessary to make our financial case.

Fourth, we need a guarantee of stability for our Negotiation Team. The relevant example here is the MEA raid in Spring 2005 which took

time and effort away from (a) recruiting and appointing the Chief Negotiator and Negotiation Team, and (b) focusing on preparing for negotiations. Earlier appointment, in the Fall semester, means that no matter what external factors arise, our team will already be established and able to focus on its work.

Earlier appointment allows adequate time to assess your views both accurately and thoroughly, to carry out the necessary economic and policy analyses, to develop our policy positions, and communicate them back to you for your feedback. Earlier appointment, in other words, gives us time for the team to actually do the work.

Here, for the purpose of comparison, are the current and proposed schedules.

### The Current Schedule

Fall 2007	Recruit candidates for Chief Negotiator and Negotiation Team
January 2008	Executive Committee interviews Chief Negotiator candidates
January 24	Association Council approves recommendation for Chief Negotiator
Jan/Feb 2008	Executive Committee interviews Negotiation Team candidates

#### Officers

- President  
Paul Wilson
- Vice President  
Jo Wiley
- Contract Administrator  
Michael G. Miller
- Grievance Officer  
Jon Neill
- Treasurer  
Galen Rike
- Secretary  
John Jellies

#### Executive Committee

- A&S - Humanities  
Marilyn Kritzman
- A&S- Science & Math  
John Jellies
- A&S - Social Sciences  
Allen Zagarell
- International Programs & Services  
Joel Boyd, Jr.
- Aviation  
Dominic Nicolai
- Business  
Leo Stevenson
- Fine Arts  
Cheryl Bruey
- Health & Human Services  
Donna Weinreich
- Academic Support Services  
Galen Rike

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February 21	Association Council approves recommendations for Negotiation Team members
March-May 2008	Negotiation Team prepares for Negotiations
April 2008	Spring Semester Chapter Meeting: Presentation and discussion of negotiation starting positions
June 2008	Negotiations begin
<b>The Proposed Schedule</b>	
July-Sept 2007	Recruit candidates for Chief Negotiator and Negotiation Team
Sept/Oct 2007	Executive Committee interviews Chief Negotiator candidates
October 18, 2007	Chapter approves recommendation for Chief Negotiator
Oct/Nov 2007	Executive Committee interviews Negotiation Team candidates
Nov 20, 2007	Association Council approves recommendations for Negotiation Team members
November 2007	Requests for re-assigned time for Negotiation Team
Jan-May 2008	Negotiation Team prepares for Negotiations
April 2008	Spring Semester Chapter Meeting: Presentation and discussion of negotiation starting positions
June 2008	Negotiations begin

This topic of earlier appointment was discussed at the April Chapter Meeting. In September, after it is discussed with the

Association Council, we will be asking you to vote by mail ballot on an amendment to our Bylaws that will allow for the earlier appointment of the Chief Negotiator and the Negotiation Team.

Here is the language you will be asked to consider:

#### BY-LAWS

#### 2. NEGOTIATION TEAM AND CHIEF NEGOTIATOR

##### a. Negotiation Team:

Old Language:

The negotiation team works under the direction of the Executive Committee. In years when a contract expires, the chief negotiator and the negotiation team shall be recommended for appointment by the Executive Committee elected to serve during the negotiation process, and shall be approved by the Association Council no later than the February meeting of such years (as approved May, 1994).

New Language:

The negotiation team works under the direction of the Executive Committee. ~~For~~ ~~in~~ years when a contract expires, the chief negotiator and the negotiation team shall be recommended for appointment by the Executive Committee ~~elected to serve during the negotiation process~~, and shall be approved by the Association Council no later than the February meeting of such years (as approved May, 1994) (as amended September, 2007).

The new language gives us flexibility to address the schedule needs we actually face, but does not prevent a future Executive Committee from following a different schedule if it is deemed, at the time, to be in our Chapter's best interests.

Please let me or any of your Executive Committee representatives know if you have questions or concerns about this proposal before September 7, 2007.

### WMU-AAUP Summer II Office Hours

#### Paul Wilson, President

Monday 10:00-12:00  
 Tuesday 9:00-12:00  
 Wednesday 9:00-12:00  
 Friday 12:00-2:00  
 And by appointment

#### Michael G. Miller, Contract Administrator

Wednesday 11:00-12:00  
 Friday 1:00-2:00  
 And by appointment

#### Jo Wiley, Vice President

Wednesday 9:00-12:00  
 Friday 1:00-2:00  
 And by appointment

#### Jon Neill, Grievance Officer

Monday & Tuesday 9:00-11:00  
 And by appointment

## Kleiner Scholarship Awards

Jo Wiley

Each year our Chapter awards the A. Robert Kleiner Memorial Scholarship to a WMU graduate or undergraduate student (or students) who has interest or experience in the field of collective bargaining and/or labor relations. The scholarship honors Mr. A. Robert Kleiner, an esteemed labor attorney who provided exceptional counsel and assistance to the WMU-AAUP for many years.

Scholarship candidates submit an application that includes a short statement outlining their career goals and explaining how the award would assist them in achieving those goals. Candidates must also provide the name of a Western Michigan University faculty member who supports their application.

After reviewing the applications submitted this spring, the scholarship committee awarded \$1,500 scholarships to two students: Jason Trowbridge and Kateryna Bogdanova.

Kateryna Bogdanova is an undergraduate business student majoring in Management and pursuing a minor in International Business. She is very interested in using her people and leadership skills to manage and improve interpersonal relations and interactions in the workplace. Kateryna's chief goal is to make business itself, and business relations between the United States and other countries, better. Kateryna already speaks four languages (Russian, Ukrainian, Spanish and English) and will be taking French and continuing her study of German this

coming academic year. She is active in numerous on-campus international clubs and, in 2006, received an award for the report she presented at the Ukrainian Scientific and Practical Conference.

Jason Trowbridge is the current (2007-2008) of President of the WMU Teaching Assistants Union (TAU) and is a second year graduate student pursuing a Master of Arts in Mathematics. During the past academic year, Jason held the position of Vice President of TAU and also, as Lead Negotiator, contributed significantly to TAU's successful negotiation of its first contract. After earning his M.A. in spring 2008, Jason hopes to continue studying at WMU in its Collegiate Mathematics Education Ph.D. program. His primary career goal is to teach college level mathematics in an academic setting, and he intends to continue in leadership roles by using his communication, organization, and diplomacy skills within departmental governance.

If you have the pleasure of working with these two thoughtful and involved students, please be sure to extend them congratulations. If, in your mentoring activities, you recognize similar scholarship and interests in students, please share information about the A. Robert Kleiner Scholarship with them. An announcement will be sent to faculty in the spring semester, but feel free to contact the Chapter office anytime for information on this scholarship opportunity.

## Current Issues In Health Care

C. Dennis Simpson, Health Care Advocate

New issues continue to arise regarding health care benefits. As the university has slowly been replacing vacancies, the new faculty has posed a number of questions. A major question has to do with immunizations. The current health care benefits cover immunizations at 100%, up to the age of 16 and limited to \$750 per member per calendar year. Newborn and first year immunizations tend to be approximately \$2,000 in the first year of life. The plan will only pay the first \$750 in any given year. The Chapter leadership is aware of this issue and will attempt to address it in future negotiations.

A second issue concerns faculty members being asked, or required to, travel to parts of the world where specific immunizations are necessary but which our current health care benefits plan does not cover. If you are being required to travel to remote locations and the University refuses to provide the necessary immunizations at its cost, please consult the Chapter office. If you are being requested to travel to remote locations, it is important you obtain, in writing, the University's intent to provide necessary immunizations prior to giving a positive response to the request.

Dental Plan benefits have become a major issue of contention between faculty and the University's contracted manager of health care benefits, Blue Cross Blue Shield of Michigan (BCBSM). At present, a number of faculty members have encountered problems in receiving payment for the current full \$2,500 lifetime orthodontia plan maximum at 60% of total cost. BCBSM is contending that if the initial orthodontia service began prior to January 1, 2006, that all orthodontia for the faculty member, or covered dependent, has a lifetime maximum of \$1,500, regardless if orthodontia services were provided after January 1, 2006 (when the lifetime limit was raised to \$2,500). The Chapter believes any orthodontia services provided to a covered faculty member or dependent on or after January 1, 2006 do fall under the \$2,500 at 60% coverage lifetime limit. While the individual faculty members, supported by your health care advocate, are pursuing the appeals process through BCBSM, some interesting documents have come to light. The Chapter is in possession of the BCBSM Explanation of Benefits (EOB) where BCBSM has already paid the full lifetime maximum of \$2,500 for orthodontic services that began in 2005 and were completed after January 1, 2006. Based upon

these documents, the payment, or denial of orthodontia services by BCBSM to the \$2,500 lifetime maximum appears to be arbitrary. It is hoped that the BCBSM appeals process will resolve these issues.

Home health care aids are covered under Hospice Care (covered 100% after deductible and limited only to the lifetime dollar maximum) and under Home Health Care (100% after deductible, unlimited visits). BCBSM contends home health care aids, unless the services are provided through the hospice agency, must be for the purpose of administering medications or specific procedures. The Chapter has been unable to find

theses restrictions in either the Health Care Benefit Summary or Health Care Benefits Guide. This issue is also being pursued through the BCBSM appeals system.

Provider miscodings have either decreased or are being reported less frequently. Faculty utilization of the Sindecuse Pharmacy and the Unified Clinics has increased.

If you are having difficulty with health care benefits, please contact the health care advocate through the Chapter office.

## CAGO Report

Michael Miller, Contract Administrator  
Jon Neill, Grievance Officer

### Grievances

At the moment, a total of four grievances are being heard. Three of these are personal grievances. Two of those relate to promotion and tenure reviews. The other alleges professional misconduct by a department chair. The Chapter grievance (involving health care) has been denied at Step One and the Chapter has informed the Administration that it is taking that grievance to Step Two.

An arbitration over Western's decision not to renew a tenure track faculty member's appointment took place in April. The brief was filed last week, and we hope to have a decision by August.

Two other arbitrations are scheduled for this summer. One in late July and one in early August. The July arbitration involves Western's refusal to pay faculty for teaching 700 level courses in Summer I and II. The August arbitration involves misconduct by a chair. The Chapter is hopeful that the latter issue can be resolved through a letter of agreement.

We finally received the arbitrator's decision on a tenure denial. Unfortunately, the arbitrator ruled against the faculty member. This was a sad affair for a number of reasons. Though this particular individual received almost no reassigned time for research, Western felt that he had insufficient professional recognition for tenure. This decision clearly shows the need to negotiate teaching load reductions for probationary faculty, something that the Chapter proposed to Western during negotiations in 2005 (the Administration was extremely cool to the idea). It is simply unconscionable for Western to fail to give probationary faculty teaching load reductions and then to hold their research output against them in tenure reviews.

### Contract Administration

The contract administrator has been working on approval of department policy statements approved. To date, a total of seven policy statements have been submitted.

The contract administrator has also met or consulted with over two dozen faculty on a wide range of problems including questions regarding salary increases, alternate year contracts, resignations, FLMA and workload. Most of these have been resolved, though a few may lead to grievances.

### Important Dates For Fall 2007 Mark Your Calendar

**Annual BBQ**  
Tuesday, September 4  
5:00pm-8:00pm  
Food Served Until 7:00pm  
Montague House

**Association Council**  
Thursday, September 20  
4:00pm  
Room 105, Bernhard Center

**Chapter Meeting**  
Thursday, October 18  
4:00pm  
Room 105, Bernhard Center

## WARF Sponsors Forums

Bill Combs (English), Member of WARF Steering Committee

The Western Association of Retired Faculty (better known as WARF) has been busy during the past year, through its nine-member elected steering committee, supported by a growing membership and by the officers and staff of the WMU-AAUP Chapter.

Dr. Ahmad Issa (Finance and Commercial Law) again ably conducted our investment seminars for WARF retirees. We've been involved in discussions—not negotiations—with persons from the WMU administration and some Chapter officers about health care benefit costs. We think these discussions have been mutually informative and helpful.

Last summer, the Steering Committee began plans to sponsor occasional public forums on matters we think important to retired and active faculty, and also to WMU and to the Kalamazoo area. We intend each forum to deal with a single topic, with speakers representing several different perspectives, and to offer public discussion of questions asked from the floor.

Our first forum on “The Future of the University” took place in November. Participants were Edward Tsang (Associate Dean of the College of Engineering and Applied Sciences); Katherine Joslin (English); Mary Lagerway (Nursing, and Faculty Senate President); and Paul Wilson (Special Education and Literacy Studies, and Chapter President). Joseph Ellin (Philosophy) moderated the forum. We were especially pleased that Sarah DeNooyer, WMU Board of Trustees member, agreed—enthusiastically, I will add—to be one of the speakers. The public comments in the question and answer period were pertinent, and at times cathartic. The Chapter and the Center for the Study of Ethics in Society helped support this forum.

In late April, we sponsored another forum, on “The Future of the University: WMU Financing and Staff Relations.” The Emeriti Council and the Friends of WMU were co-sponsors. Much of the impetus for this forum came from moderator Peter Kobrak. On the panel were Robert Beam, soon to be Vice President for Finance Emeritus; Tom Clay, Director of State Affairs at the Citizens Research Council of Michigan; Jon Neill, Professor of Economics and AAUP Chief Negotiator in 2005; and Greg Rosine, Senior Vice President for Advancement and Legislative Affairs.

The forum was both depressing and stimulating. It began with Tom Clay's lucid, powerful, mostly pessimistic Power Point presentation on state funding for higher education. Clay illustrated how “Michigan is a political basket case.” However, I and many others attending this forum didn't feel entirely hopeless, because there is something invigorating about hard facts forcefully, rationally, and persuasively presented. There were obvious inferences to draw from the panelists' statements and their answers to probing questions from the audience. For example, Michigan citizens need to rethink the way we govern ourselves, including laws that the majority of citizens have voted into the State Constitution, such as term limits for the legislature, and restrictions on the kinds of personal income tax that can be levied. Much of the discussion in the question and answer period was about possible political means and strategies to improve the health of the Michigan body politic.

Two points especially caught our attention. The first came from Vice President Beam, who reminded the audience that since 2003 there has been a reduction of \$47 million in WMU's General Fund. This doesn't include what the State may, in August and September, remove from money already budgeted, or delay payment. The second point came from Greg Rosine. In 1972-73, WMU students and their parents paid 25% of their educational costs; the state paid 75%. In 2006, students and their parents paid 60%—some of which they doubtless borrowed. State paid 40%. This is a huge shift. Rosine also gave evidence that, after allowances are made for inflation, WMU's share of Michigan's higher education budget in 1977 was 7.7%. In 2007, WMU's share is still 7.7%. Is this happenstance or coincidence? Or is there somewhere at work an algorithm which wants some things to remain the same? Whatever the answer, I know that *we as citizens and as persons involved with a fine state university, must, in the old civil rights workers' phrase, keep the faith. We must believe that work, intelligence, and imagination can help change things for the better.*

Our next forums—again, collaboratively sponsored—will concern health care benefits and costs. Watch for them in the coming school year.

## Letters to the Editor Policy

In order for a letter to be considered for publication, submissions must adhere to the following:

- Authors of such letters must expressly request publication in the WMU-AAUP *Advocate*.
- Author's names will be published with the letter.
- Authors are required to cite their information accurately. It is not the responsibility of the Editorial Board to check the validity of information.
- Letters should not exceed one page, typewritten, single-spaced. In the event letters exceed the one page maximum, editing is in the control of the Editorial Board.

Letters to the Editor become the property of the Chapter and will not be returned to the author(s).

The publication of such letters is entirely in the control of the Editorial Board.

The publication of a letter is not an endorsement of the Author's statements by the WMU AAUP or the Editorial Board.

The Editorial Board will not publish letters that in its judgment could be slanderous, discriminatory, or libelous remarks against an individual or a group.

Those interested in submitting letters should send a word-processed document as an e-mail attachment to [staff@wmuaaup.net](mailto:staff@wmuaaup.net) with the **Subject: Letter to the Editor**. Or, individuals may drop off a disk with the digital file.



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**ADDRESS SERVICE REQUESTED**