

The Forum

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Your Albany Chapter Newsletter

Issue 143

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By the Numbers:

What can you do with 5.7 billion dollars?

- 1) Buy permanent supportive housing for 445,000 homeless people.
- 2) Double federal spending on cancer research.
- 3) Double federal spending on the Centers for Disease Control.
- 4) Provide rooftop solar energy for 302,500 homes (reducing carbon emissions by 1.7 billion pounds/year for 20 years).
- 5) Triple the federal budget for investment into energy efficiency and renewable energy.
- 6) Raise the annual EPA budget by 60% from \$8.2 billion to \$13.2 billion.
- 7) Hire 125,000 primary or secondary school teachers.
- 8) Increase total federal aid to all public K-12 schools by 30%.
- 9) Fully fund the National Endowment for the Arts through 2051.
- 10) Double heating assistance for low-income households.
- 11) Increase the Health and Human Services Budget for Substance Abuse Prevention and Treatment by 6700%.
- 12) Get up to 28.5 million guns off the streets through a federal buy

back program.

13) Provide Medicaid for an additional 1.4 million Americans

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Workload: the Stellar Memo

Paul Stasi, Academic Vice-President

On November 27, 2018, outgoing Provost James Stellar sent the following memo titled “Annual Review of Faculty Contributions” to “Deans and Department Chairs.” The memo reads in full:

“As part of our continued effort to support the University’s academic faculty, I am writing to reaffirm the University’s Policy on Faculty Teaching, Service, and Research Responsibilities. This Policy, approved in 1989 by President Vincent O’Leary (and commonly referred to as the “O’Leary Memo”), provides the framework for accounting for faculty effort across the three traditional aspects of the academic obligation — teaching, service, and research. The document is routinely included as an attachment to faculty offer letters and is available on the University’s website at [https://www.albany.edu/academics/files/faculty teaching-service-research responsibilities.pdf](https://www.albany.edu/academics/files/faculty%20teaching-service-research%20responsibilities.pdf).

To facilitate application of this Policy, I am asking all deans and chairs to insure that the contributions of individual faculty members in your units are reviewed annually and documented. This is already the practice in many units, using the Faculty Activity Report as the instrument for collecting information about activities for the preceding year. The normative expectations for teaching, service, and research vary across departments and schools and are reflected in individual unit statements — e.g., related

to the standards for continuing appointment and promotion. Productivity in research and scholarship is critically important for us as a Research I institution. In conducting these annual reviews, significant changes among the elements of the contribution should be discussed individually. Adjustments to the mix or components of the obligation in future semesters are expected, where warranted, to ensure that every faculty member is contributing at a full-time professional level. Annual post year review of each academic year's contribution should inform the next coming academic year's expectations for teaching, service, and research, given school/departmental norms for appointment.

The President has the responsibility to determine the professional obligation in accordance with Article XI, Title H, Section 2 of the Policies. Deans and Department Chairs are the appointed managerial agents for providing responsible oversight in the assignment of courses and related instructional duties, of time for service, and of time for research and creative activities. Later this academic year, we will provide an opportunity to highlight some exemplary processes for conducting annual reviews."

There is much in this document to address. In particular I will note, first, what management can and cannot do about faculty workload. Then I will discuss the concerns the document raises and finally I will address what you should do if you feel your workload is being reviewed unfairly or increased.

To begin at the beginning: workload is a mandatory subject of negotiation. Management has the right to review our workload and adjust the elements of our professional obligation: teaching, research and service. (For more detail on this see "Professional Obligation" in this issue, page 9). What they cannot do is increase our workload unilaterally. What this means is that an increase in one area of your professional obligation requires a concomitant

reduction in another area. If, for instance, you are required to teach more classes, you must have your research or service obligations reduced. Importantly, what determines workload is past practice, on the one hand, and departmental/unit norms on the other. We applaud the part of the document that indicates that “the normative expectations for teaching, service, and research vary across departments and schools,” but we remain suspicious of other elements.

In particular, UUP has never agreed to the framework articulated in the O’Leary Memo. This memo was issued in 1989 by then President Vincent O’Leary. Since it was non-negotiated it is, in our view, non-binding, simply a statement of management’s view on the case rather than settled policy of the University. The O’Leary memo states that the normal teaching load for faculty, across the university, is a 3-3, with reductions for graduate teaching and research allowing faculty to teach a 2-2. In other words, the O’Leary memo itself seems to contradict the notion that workload is unit dependent, asserting, instead, a university-wide policy that disagrees with the case law emphasizing past practice and historic norms. What the O’Leary memo also states, however, is that “faculty may balance out responsibilities for teaching, research and service over several semesters.” Provost Stellar’s memo—which insists on annual faculty review of professional obligation and then suggests an immediate “adjustment” to workload as a result of this review—seems to disagree with the O’Leary Memo’s articulation of a broader timeline for evaluating faculty labor.

Indeed, one of the main problems with the annual review of faculty contribution—and something all faculty who fill out the, let’s call it cumbersome, FAR know well—is that it fails to adequately capture the life of a working academic. Service burdens ebb and flow; graduate students come and go; research leads to breakthroughs and dead-ends. Our work is

not so neatly measured by the output driven statistics the FAR is designed to measure.

What the FAR can measure, of course, is number of publications, grants or other markers of research productivity, and here we get to the center of the new policy: research. As the reference to our Research 1 status indicates, the document is aimed, primarily, at faculty deemed to be research unproductive. This is, in fact, the main result of the yoking together of two elements of administrative policy that have often co-existed without explicit connection. The first is the annual review of faculty workload embodied in the FAR. The second is the O'Leary memo. Clearly this new document means to review faculty's productivity—which, again, largely means research productivity—with an eye towards increasing teaching loads for those who are “not deemed to be contributing at a full-time professional level.” The document says that “Adjustments to the mix or components of the obligation in future semesters are expected, where warranted, to ensure that every faculty member is contributing at a full-time professional level.” It is odd that a document that seeks to review faculty workload seems already to know what that review is ostensibly looking for. Why else would these “adjustments” be “expected”? And we all know what those adjustments actually mean: increased teaching.

But, of course, to increase the teaching load of a research inactive faculty is itself a problematic endeavor. It treats teaching as a punishment, but in doing so it increases the inability of the faculty member to correct the perceived problem. Indeed, we have argued that for any such effort to be effective it must, first, alert the faculty member of a problem and then, secondarily, provide a probationary period for the problem to be corrected. Which brings us to the second issue: the policy as stated is all stick and no carrot. We have argued time and again that if the University wishes to increase faculty productivity they should do so in ways that are actually

supportive rather than in ways that simply use the word support. What do faculty need to do research? Time to write, money to travel to conferences and to do research. A sabbatical every seven years is great, but it hardly allows one to produce research at the level of our aspirational peers, nor does the \$600 given to Associate Professors from the CAS travel program cover the full costs of even one conference a year (to say nothing of the \$0 given to Full Professors).

There are further problems with the model articulated in Stellar's memo, however, for it operates, fundamentally, in bad faith. Anyone who wishes to remain part of the profession will not actively decrease his/her research even if forced to teach more. The plan of increased teaching loads tacitly rests on the understanding that faculty will continue to do research. This explains the seeming contradiction of a document whose only practical outcome is increased teaching loads that emphasizes our Research 1 status. (We can leave aside the question of service. The University would collapse if tenure-line faculty stopped doing service in order to teach more). In other words, it is virtually impossible to imagine such a plan operating, as it must, within the confines of management's contractual obligation not to increase the overall workload of its faculty.

And indeed, if you talk to faculty across campus this is what they will tell you. With half of the faculty on temporary appointments, and thus, in large part and rightly exempt from service, a larger portion of the service burden of running the university falls on tenure line faculty. In my home department we have twelve fewer people than we did ten years ago, but the running of the department takes roughly the same amount of service labor. And though our undergraduate enrollments are down, our graduate enrollments are not, nor are our Honors students. That means more dissertation and thesis advisement, exam committees, admissions work and mentorship for all our current tenure-line faculty. Meanwhile our office

has two fewer staff than it did ten years ago as well. Across campus, most departments describe similar losses and the administration more or less acknowledges this by asking everyone to do more with less.

Stellar's memo states, at the outset, that it is part of a "continued effort to support the University's academic faculty." It is hard to imagine any faculty member in the university reading this document feeling supported. Rather, what most faculty feel when they read this is that they are increasingly unable to conduct the research that they actually want to do because they are over-burdened by other kinds of labor—assessment, committees, various forms of reporting demanded by management, picking up the slack for retired and departing colleagues and professional faculty—and because of diminished support from the university and then the university is going to punish them for that fact by increasing their workload even further. I am sure the memo was not written with this intent. Whatever its intent, it is important that the University understand how the vast majority of academic faculty will feel when they read it. Given the University's recent unilateral increase in the teaching loads of faculty in the School of Public Health—a move that resulted in the filing of an Improper Practice and that remains unresolved at the time of writing, a full six weeks into the semester when these increases occurred—faculty are right to feel suspicious of this renewed scrutiny on our professional obligation.

What, then, is to be done? Having leveled the critique, I would like, in this final paragraph, to build on what is actually affirmative in the document, namely the claim that "The normative expectations for teaching, service, and research vary across departments and schools and are reflected in individual unit statements — e.g., related to the standards for continuing appointment and promotion." It is incumbent upon all of us to craft department specific standards for our academic faculty, and to conduct meaningful reviews of workload that take into account the full breadth of

academic work, the necessary ebb and flow of insight and discovery that accompanies actual research, and value the labor that goes on outside of page production and grant dollars. We need not believe in the need for annual review; in fact I imagine most of us find the notion distasteful if not outright insulting. What we can do is take control of the process so that it reflects, to the best of our abilities, our disciplinarily distinct priorities and values.

Finally, if you feel you are being penalized for a perceived lack of work in any area of your obligation, come talk to us. We are here to help and to ensure that faculty are respected for the work they do rather than penalized for the imaginary labor they are supposed to be able to accomplish under increasingly unfavorable conditions.

* * *

Professional Obligation:

All UUP-represented academic and professional faculty have a professional obligation. Per Policies of the Board of Trustees, Article XI, Title H, sec 2, that obligation must be consistent with the member's academic rank or professional title and consist of teaching, scholarship/professional development, university service and professional duties as appropriate to that title or rank.

Other than designated overtime-eligible professional faculty who must submit a time-in/time-out attendance record, faculty have a contractual obligation to note attendance on an "exception" attendance record, noting times they used authorized accruals and certifying that they fulfilled the professional obligation for that period. Because UUP-represented faculty have a professional obligation and not a defined workweek, their workday or workweek is set by employees to ensure the full professional obligation

is met. Except for points-of-service obligations within their professional obligation, they do not “punch a timeclock” and are not told when to perform the various parts of their professional obligation. The Campus President sets the full professional obligation, but such setting should comport with historical departmental/programmatic norms.

The Campus President has the right to ensure that an employee is performing a full professional obligation. If a department/program identifies a professional or academic faculty member who is not working a full professional obligation consistent with historical departmental/programmatic norms, UAlbany management has consistently assured UUP that an individual meeting will be held with the affected member and time given for that member to achieve full obligation.

The Campus President has the right to redefine the mix of component parts of the professional obligation. The supervisor and the faculty member should be consulting on the need to change the mix of the component parts and identifying TOGETHER those aspects of the professional obligation that require reduction to offset the increase in another component part.

If the workload is increased in excess of a full professional obligation, UUP reserves the right to go to PERB to challenge the assignment on the basis that there was a unilateral change in a mandatory subject of bargaining under the Taylor Law. **Professional and academic faculty should not agree to a significant increase in workload unless it is agreed that it is for a specified time and does not increase the historical baseline that has been the departmental/programmatic norm.**

How should professional and academic faculty evaluate changes to their workload? First, professional obligation should be viewed in an historical

context: "What have I been doing in the past?" That defines the professional obligation for the purposes of determining workload. Then ask, "what am I expected to do under this new mix or change of assignment?" "Is what I am asked to do consistent with my title or rank?"

If there is a "significant increase" in the overall mix of the component parts, there are several ways to right this:

- there can be a concomitant reduction in another part of the professional obligation;
- the member can be offered additional compensation for the period of the significant increase (N.B., under Article 20.12 of the Agreement, the Campus President has the discretion to make upward adjustments to the salaries of individual employees or he can authorize extra service pay); or
- the member can be offered a reduction below the full professional obligation at a future point.

If the assignment is inconsistent with title or rank, it must be bargained with UUP before assigning.

ANY INCREASE OF YOUR ASSIGNED TASKS, RESPONSIBILITIES, NUMBER OF CLASSES, AND/OR SERVICE ASSIGNMENTS SHOULD PROMPT AN IMMEDIATE DISCUSSION WITH YOUR SUPERVISOR TO REDUCE ANOTHER COMPONENT PART OF YOUR PROFESSIONAL OBLIGATION.

If you have requested any of the above remedies and have been denied and directed to perform work that brings you above your full professional

obligation, bring it to the attention of the Chapter leadership to have them review the situation. If the matter must be litigated, it is required to be brought before the Public Employment Relations Board (PERB) within four months of the change or the claim is untimely.

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Stay Involved in the Union!

Tom Hoey, Vice President for Professionals

As I step down after seven years of serving as your Vice President for Professional Faculty it is a time to reflect on the successes and failures of my twenty-five years of service for UUP here at UAlbany. The success that I am most proud of came when I was serving on the UAlbany UUP Bylaw Committee (2011-2012) where I pushed for term limits of three contiguous election cycles for our officers. We also added two new officer positions: Assistant Vice Presidents for both Academics and Professionals. These ideas were very controversial at the time and were voted in at a chapter election by a very slim margin. Although they seem unrelated they were part of a common goal of bringing more members into union leadership by having frequent leadership changes that will bring in new ideas and methods that are needed in the ever-changing labor environment of Higher Education. Educating our members and management that our Professionals are Faculty and are part of the Faculty Senate has been an on-going task. We proved our value in an important Faculty Senate by-law change that succeeded because of our votes and we were recognized as Professional Faculty in a Presidential Memo before the vote. One of my biggest failures occurred during my first few months as Vice President when I got the

Human Resources Director so angry he walked out of a Labor Management Meeting. While it felt righteous at the time, it taught me to work with my fellow officers in working through difficult issues.

The challenges for our union are many and we need every member to be involved in some manner. Whether voting in our elections or on our contract, showing up to rallies or meetings, joining a committee or bringing issues to UUP's attention, members send the message that we are relevant to the governance of the University and that we care about the terms and conditions of our contract. When you sign your union card you are saying that you care about fairness and due process and that you are part of a movement that watches over working people. We all hope that with this newsletter and other communications you the 2000+ members stay involved in your union and step up to leadership roles. It is both educational and fun!

In Solidarity,
Tom Hoey

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Briefly Leading, UA Contingent Efforts Regress Toward the (Disastrous) Mean

Bret Benjamin

UAlbany's Blue Ribbon Panel on contingent faculty, chaired by then-Provost Jim Stellar, opened its 2015 report with the following statement (worth quoting at length) about the University's obligation to the nearly 50% of its academic faculty who have no pathway to permanent employment:

“The first priority of any 21st-century university pursuing excellence is to create and maintain a productive, stable and committed faculty. This is, to be sure, a matter of sound educational practice; a university can only be as good as its faculty. More importantly, however, it is a matter of social justice. Employees in every sector of the economy—and surely higher education—have a right to certain workplace basics: a living wage, access to affordable health care, opportunities for professional development, and so on. Indeed, no university, whatever its other accomplishments, can claim to be ‘excellent’ so long as it denies these rights to its employees.”

Among the salutary recommendations of the report were that the University should “affirm a value for fair and equitable compensation for contingent faculty” including a stated goal of “raising the minimum per course rate for part-time lecturers to \$5000 over the next two to three years.” The panel likewise recommended “career ladders and pathways for progression to permanence for contingent faculty” going so far as to spell out a conversion process for FT Lecturers to become Tenure Track Teaching Professors in a detailed Appendix. Finally, the report urges UAlbany to work with UUP and SUNY to “improve access to health and retirement benefits” for contingent faculty, including adopting a policy encouraging management “to insure [sic] eligibility for health benefits to part-time lecturers.”

UUP publicly welcomed these proposals at the time and worked closely with management to implement changes that would align the working conditions of contingent faculty with the goals and ideals espoused in the University’s report. And, to be sure, meaningful progress was made. The per-course minimum salary jumped from \$2800 to \$3800 in the first two years. Longer term contracts were being awarded to many contingents. Plans were developed for promotional systems for Lecturers. After concerted efforts, the number of contingent faculty eligible for health

benefits appeared to be going up. Indeed the successes at UAlbany set the stage for some of the contract gains for contingents made by UUP in our negotiations with the State, most notably the establishment of a state-wide minimum per-course salary, a long-time priority for UUP. It was widely understood during those negotiations that UAlbany was leading the SUNY system on this critical issue and, indeed, was beginning to garner national attention for its thoughtful approach to contingency. The University was making both a principled and pragmatic case that improving working conditions for contingent faculty would lead to better educational outcomes for our students. "More importantly," as the blue-ribbon panel report emphasized, "it was a matter of social justice."

Nearly four years later, with a new upper administration in place, UA appears to have relinquished its leadership role, rapidly regressing to the mean on its practices regarding contingent faculty. Little if any progress has been made in the past few years, and there appears to be regression in key areas.

After two years in which minimum salary were raised, there has been no further movement. We hear no concrete talk of reaching the stated goal of 5k/course, which would roughly establish a pro-rata equivalence between compensation for full-time and part-time faculty. Indeed, in real terms, UA is losing ground relative to the rest of the SUNY system. The UUP contract established a per-course minimum salary escalating to \$3750/course for University Centers in the final year of the contract. Albany's forward-looking progress of a few years ago which raised rates to \$3800 meant that ours was the only campus which was unaffected by this new provision. Barring additional raises, however, our campus will soon find itself a mere \$50 above the SUNY-wide minimum. Further, this means that every other campus in the system will have some mandatory salary obligations to increase contingent compensation. Albany, in other words, has budgetary

flexibility in this regard that no other campus has. For UA to sit back and devote no resources to boosting contingent salaries would amount to a profound step backward from its stated aspirations.

Perhaps even more disturbing, it appears that the University, under direct orders from the State, has taken steps to restrict contingent faculty's access to health benefits provided for by the Contract. If true, this is unconscionable. As we have pointed out time and again, these are the University's most poorly compensated and most vulnerable employees. Access to quality health benefits represents an essential aspect of overall compensation for contingent faculty. Indeed the availability of that benefit was among the reasons that the minimum per-course salary remained lower than many comparable state university systems. Need we even point out that any appeal to social justice becomes laughable in the context of a University restricting access to health care for its most vulnerable employees? We hope the University administration will join UUP in loudly protesting this misreading of the new contract.

Finally, we have repeatedly argued that the only way to defend the institution of tenure—and by extension, the principles of academic freedom upon which the modern university was founded—is by expanding access to tenure (see, e.g., "The Case for Pathways to Permanence," April 2018). UAlbany appeared to be taking the lead on this process, researching and developing concrete models that would provide pathways to permanence for some of its full-time non-tenure-track faculty. Progress here, however, seems to have stalled completely. This reversal, like the others, mires our University in the inertia of status-quo inaction on an issue that is eroding the very foundations of higher education as we know it. Fewer and fewer tenure-track jobs. More and more full- and part-time lecturers. Dwindling futures for our doctoral students hoping to find a place in academia. Diminished education for the students we serve. Increasing precarity in

employment. What is important to recognize here is that all of these issues are intertwined. The University is currently focused on its Research 1 status and is also interested in supporting graduate students. The only clear path to supporting these goals is to hire more tenure-track faculty. The issue of adjuncts, in other words, touches on the most fundamental areas of university life.

We know the story all too well. For a brief period it looked as though the University was attempting to address these problems thoughtfully and coherently, developing a set of institutional practices that would help reverse the radical overreliance on contingent labor that has developed over the past two decades. It is incumbent upon our current University administration to energetically renew the commitments articulated in its own documents. It must find ways to boost minimum per-course compensation, ensure expanded access to health benefits, and develop career ladders and pathways to permanence. Failing to do so is to relinquish the leadership position UAlbany had established on this issue; more pressing yet, it is to accept ongoing erosion of public higher education's mission.

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The GSEU's Fight to Abolish Fees on SUNY Campuses

Samantha Rider, Doctoral Candidate in English

As the Albany campus Business Agent for the Graduate Student Employees Union (GSEU), I have spoken with graduate student employees across the campus who are adversely affected by the cost of University fees. I have heard from fellow graduate students for whom the burden of fees has meant having to decide between being able to buy groceries for the week or paying their university bill. Most people I speak with who are not

graduate students are surprised to learn that, for full-time students, university fees mean paying anywhere from 10%-25% of our living stipends back to the university. The exact number varies by campus and is higher for international students. (Graduate student employees whose assistantships have ended and who take a single load credit continue to pay fees, but a lesser amount based on credit hour.) The University offers a payment plan, but that comes with additional charges (\$40). Many students have to pay for fees with credit cards or by borrowing from family members. For graduate student employees, University fees effectively mean we have to pay our employer to work. This is especially troublesome given the fact that the graduate student stipends offered throughout the SUNY system are shamefully low in most departments and fall far below the cost of living in nearly every part of New York.

Because most graduate student employees on SUNY campuses are unionized, a right to which graduate student workers across the country are fighting, we are able to bargain for things that improve the standard of living for graduate students. For instance, the current GSEU contract includes 2% raises for each year of the contract and ensures quality health insurance coverage. We even have a "fee mitigation fund" that is aimed at offsetting the cost of University fees for our members. The problem is, however, that, as a unit, we bargain with the State of New York who represents the SUNY system while University fees are set on a campus by campus basis. Each campus has discretion in regards to the kinds of fees they charge and how much they increase each year. University fees have been used increasingly as back-door tuition to cover spending deficits on the campus level when tuition cannot be increased to make up for the shortfall in state funding. This means fees are increasing at rates that are not offset by the modest increases in stipends and fee mitigation the GSEU is able to secure through the bargaining process. This is why in our campaign to eliminate fees, we are tackling this issue from all sides.

Not only are we working on proposals to present to the State in our upcoming contract negotiations (our contract expires in July of this year), we are also drafting legislation to eliminate fees and lobbying the state legislature to support our forthcoming bill. Additionally, we are continuing our fight at the campus level — making sure that President Rodriguez and the campus administration know that graduate students will not be silent on the issue of fees. Our most recent action involved sending Valentine’s day postcards to President Rodriguez’s home, letting him know what we would do with the money we pay in fees if we weren’t made to pay them back to the University. Many students wrote about how they would be able to quit their second or third jobs and finally finish up their degree. (Yes, many graduate students employees have to work extra jobs on top of their teaching or other departmental responsibilities in order to survive financially). Others explained that they would be able to travel home to see their families over breaks. Some international students wrote about how they are legally prohibited from working outside the university and not paying fees would allow them to get by during the summer months when they are without a University paycheck.

We ask that, as SUNY faculty, UUP members show their support for graduate student education by backing our campaign to abolish fees. This campaign has galvanized graduate student employees on the Albany campus and across the SUNY system. In the wake of the Janus decision, mobilizing members by addressing the issues that hit home the hardest is a proven strategy for encouraging and maintaining engagement with the union. And because many GSEU members eventually become UUP members once their assistantships run out, the experiences that graduate student employees have as GSEU members necessarily impacts the commitments and concerns they will bring with them as UUP members.

At its root, the issue of University fees must be seen as a class issue and one that directly impacts the mission of democratizing education. When graduate students are not paid a living wage and when fees work to further reduce our standard of living, the only people who will be able to afford to go to graduate school are those with outside financial support. As a public university with a diverse student body, we should be committed to making sure that graduate education is available to ALL students, not just those who can afford to finance it themselves. Graduate student fees must be seen as only one aspect in the larger trend of rolling back educational spending and placing the burden of paying for education on the backs of those who can least afford to pay for it. As a University community and as union members, we should be united in standing against attacks on public education in ALL its forms.

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Déjà vu all over again: Online Education and SUNY

Paul Stasi, VP for Academics

The SUNY system has recently (February 5, 2019) issued a draft document of a white paper on online education.

The paper identifies “changing market and societal forces” which “are creating opportunities for higher education institutions to both meet the changing needs of today’s students while remaining successful and viable institutions. This opportunity is seized by extending the reach of our institutions to nontraditional students; namely, the exclusively online student and life-long learner. Doing so will increase enrollments and revenue, which, in turn, supports the delivery of high-quality education

that will meet the needs of today's learners as well as our current and future work-force." This quotation succinctly illustrates the goal articulated throughout the 14-page document: raise revenue by reaching non-traditional students through online courses. In this, it represents a shift from an earlier strategy of re-placing face-to-face courses with online offerings for our traditional college-age students. It does, however, raise some of the same troubling questions concerning faculty control over course content, the much-discussed issue of accessibility and the economic viability of such an initiative.

Indeed, a number of recent studies have been quite critical of nearly every argument put forward in favor of online education. These include findings documenting race and gender bias in online education:

<https://www.insidehighered.com/news/2018/03/08/study-finds-evidence-racial-and-gender-bias-online-education>

studies suggesting that it further exacerbates socioeconomic and racial achievement gaps:

<https://www.insidehighered.com/digital-learning/article/2019/01/16/online-learning-fails-deliver-finds-report-aimed-discouraging>

as well as cautionary tales about the already saturated online market SUNY hopes to enter:

<https://www.insidehighered.com/digital-learning/article/2019/03/20/states-and-university-systems-are-planning-major-online>

<https://www.insidehighered.com/blogs/just-visiting/umass-needs-help-its-too-late>

We at UUP recommend all faculty read both the white paper* and the articles above and we welcome any thoughts you might have on the issue. These can be sent to the editor at:

pstasi27@gmail.com

*Note: the white paper is meant to be posted on all campus websites. It seems currently unavailable on the Albany website but can be found at Brockport's website here:

https://www.brockport.edu/daily_eagle/doc/2019-02/item_15085_001.pdf

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Why You Should "Get Involved!"

Zina Lawrence, Vice-Chair, University Senate

Some of you may consider my writing on the topic of campus governance to be more than a little self-serving. After all, I am the Vice Chair of UAlbany's Senate and responsible for filling its committee and council rosters with academic and professional faculty just like you. However, my reasons for wanting to spark interest in campus governance among UUP members goes beyond filling open seats. A 2015-2016 UUP Report titled "Get Involved," presents three reasons for why UUP members should be involved with their campus Senates and/or SUNY University Senate. I offer them here for your consideration.

Reason #1: Stay Informed

As University at Albany faculty we are responsible for initiating, developing and implementing educational programs on this campus. How can we work with our campus administration to ensure our academic mission is sound, if

we do not know which programs are thriving or floundering? Do you know how all of the new programs you see popping up on campus were developed? Are we asking the right questions before new classes or degree programs come on line? These questions, and many others, are both asked and answered by the Senate. As UUP members, we know that the answers to these questions affect our working conditions and those of our colleagues and friends. That's why it is imperative that UAlbany's academic and professional faculty stay informed about the happenings on our campus. The Senate provides an ideal venue in which to do so.

Reason #2 Be Heard

Senate Committees and Counsels discuss and make recommendations on actions, programs, and curriculum to the full Senate and the Administration. So I ask you, could some of the courses in your department have been included in the last new undergraduate major or minor you saw? What are your thoughts on the new academic calendar, UAlbany's Commencement, or the new on-campus smoking policy? Initiatives that have an impact the working conditions of UUP members are brought to the Senate for deliberation and consultation. Therefore, it makes perfect sense for UUP members to be active participants in the Senate.

Reason #3: Shared Governance

UAlbany's UUP chapter and Senate serve many of the same constituents and should work together to address issues of importance to our memberships. UUP looks at issues through the lens of our contract and the Senate through that of our academic mission. However, I do not believe issues like job creep or course load belong solely with either group. Can you tell me which group should go about addressing contingent faculty concerns or concerns surrounding online course delivery? I think we are in a much better position to advocate for ourselves when we support each

other in presenting the issues and concerns of the academic and professional faculty to our Administration.

I want to encourage all UPP members to considering taking on a Senate position as either a Senator or Committee or Counsel Member. If this type of service just is not for you, remember that UAlbany Senate meetings are open to the public and UUP members are always welcome to attend!

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Looking Back at DSA and Forward to DSI

Aaron Major, Chapter President

This past fall our campus went through the exercise of distributing Discretionary Salary Awards to eligible UUP members. It is an exercise that, I think it is fair to say, many of us with experience view with a great deal of ambivalence. On the one hand, a boost to our paychecks is welcome in whatever form it takes. On the other hand, the process leaves a bad taste in many mouths. While great pains are taken by senior administration to proffer guidelines and ensure fairness, the end result often feels arbitrary if not downright capricious.

One of my major goals for our Chapter this year is to engage more fully in the conversation around these salary monies. Indeed, as we look forward to on-base salary money through the DSI process, having this conversation among Chapter members becomes especially urgent. One-time DSA payments are nice, but have no real lasting impacts on the structure of salaries across the campus. DSIs, however, are permanent additions to base salaries. Done well, the distribution of DSI money can help achieve goals like addressing salary inequities, correcting salary compression, and

recognizing the effort and commitment that we bring to our jobs, which is why we held out so long for our new contract to ensure that DSI was a part of it. Done poorly, it can exacerbate inequities, leave employees with stagnant salaries and, more seriously, pollute our working environment with feelings of resentment towards our co-workers.

A major impediment to having an open, substantive conversation about our goals and priorities for DSA and DSI is the fact that we know so little about the processes that guide their distribution, and the outcome when the money is spent. Other than what we are able to piece together through conversations in the hallway, rumor, and conjecture, we know very little about how, or why, decisions about who got what were made.

To begin this larger conversation, then, I have assembled data on the actual distribution of retroactive DSA awards across the Albany campus. An objective look at the outcome of the DSA process puts us in a better position to assess the processes and principles that inform how this money is distributed, which is crucial for having a meaningful conversation among all of us as UUP Albany Chapter members on how the DSA distribution process should be improved. The tables that accompany this analysis aggregate individual DSA awards into academic and professional units. I'll spare you all of the details of how this was done, but want to note one thing that may cause some confusion. While I tried to preserve 'natural' unit distinctions, I also wanted to protect the identities of individuals which meant that very small units needed to be aggregated with others (in some cases, necessitating the creation of a category of "other").

How the Discretionary Salary Increases work:

Our current contract contains two ways that members' salaries can be increased. In each year of the contract, all members receive a 2% salary increase. In addition, beginning in December of 2019, and for each year of

the contract after that, there is a pool of funds available for “discretionary salary increases,” otherwise known as DSI. This pool of funds is equal to 0.5% of the total salary base of the UUP membership and is distributed as the discretion of the campus president. This past fall, the campus distributed money from a similar pool of funds as “discretionary salary awards,” or DSA. The crucial difference between DSA and DSI is that while the latter are permanent increases to one’s base salary, DSAs are one-time payments.

What both share is their discretionary aspect. DSA and DSI are made available as a single pool of funds to be distributed at the complete discretion of the campus president. The SUNY Board of Trustees has charged campus presidents to use that discretion to recognize exceptional workplace performance, or “merit,” but otherwise provides no guidance on what merit means or how it should be measured across a diverse group of UUP academics and professionals who perform unique, specialized services for the campus and occupy academic fields with their own norms of scholarly productivity.

It is important to remember that, while management is given the right to distribute these funds as it sees fit (that’s the “discretionary” part), this is money that UUP members negotiated for and so we should have a great deal of input into how that money is spent. Following this principle, and anticipating the DSA money, our UUP Chapter developed a set of proposals for how this money should be distributed, which were voted on and approved by the general membership and brought to President Rodriguez. The basic outline of this proposal was that “merit” should be interpreted as broadly as possible to accommodate the multiple ways in which we all contribute to this university, and that the distribution process be clearly articulated, transparent, and emphasize “local” input. This past fall, the campus administration circulated a set of guidelines covering how the DSA

allocation process would be conducted that mirrored some of this language. It set the range of awards from a minimum of \$500 (\$200 for part-time employees) to a maximum of \$2,500. It also called on those directly involved in DSA decisions (department chairs for academic faculty, heads of units for professionals) to provide clear criteria upon which merit would be evaluated.

The proof, as the saying goes, is in the pudding. It is the actual, final distribution of these awards that reveals the strengths, and limitations of existing processes, as the following analysis suggests. There is, of course, much more to glean from this data and I hope that reading it sparks thoughts, questions and ideas that can inform our ongoing Chapter conversation around these issues. In my reading of these numbers, two general themes stand out. First, there is plenty of money to go around to provide meaningful salary increases to the vast majority of UUP members. Second, whether one received a DSA—and how large that award was—were more a function of each member’s position in the larger organization than individual merit.

Money to go around:

Our Chapter has long advocated for a very broad distribution of DSA and DSI moneys as a way of recognizing the various, important contributions that all employees make to this University. One of the arguments against this principle is that giving money to all, or most, UUPers would mean that everyone would get a very small award. That is simply not the case.

While a large portion of our membership received some DSA award, it is also the case that, *on average, more of our members would have benefited from a more even distribution of the available pool of DSA funds [see table 1]*. Had the entire pool of available DSA money been distributed evenly, every eligible member would have received an award of \$630. In

actuality, more than half of eligible members received DSAs that were less than this. Even if we limit ourselves to just the 1,500 or so UUPers who were found to merit an award, nearly two-thirds of them would have received higher DSA payments had the DSA pool been evenly distributed. This data reveals that we need to start our conversation about DSA and DSI money from the premise that there is plenty of money to go around. Indeed, many of us went through onerous processes of reviewing performance programs and faculty activity reports just to get a DSA award that was less than what we would have gotten had the money been spread around evenly.

Another issue that our Chapter has consistently raised with respect to DSA and DSI is that merit-based processes tend to systematically exclude, and undervalue, the work done by contingent faculty. This is borne out by the data. *Part-time academics and full-time, non-tenure track academics were less likely to receive DSAs than their full-time colleagues. Here again there is substantial variation across the colleges.* In Computer Engineering, no awards were given to part-time academics, though fairly large award were given to the college's full-time lecturers. On the other hand, the School of Business gave DSAs to nearly all of its part-time lecturers (though they are relatively small amounts) **[see tables 4 and 5]**. To be sure, the overall outcome is much better than what we have seen when previous years when very few part-time lecturers received any consideration for DSA or DSI money. Nevertheless, there is room for improvement.

It's not who you are, but where you are, that matters.

Perhaps the key finding to emerge from this data is that both the likelihood that a member received a DSA and the size of that DSA are tightly connected to the member's position in the organization of the University. At the broadest level we can see, for example, that full-time academics were more likely to receive DSAs than full-time professionals (92% versus

75%). Digging a little deeper reveals substantial variation between different academic and professional units. Some colleges and units gave DSAs to all of their full-time academics (i.e. the School of Education, Writing and Critical Inquiry, the School of Social Welfare), while in other colleges (like the School of Business and the College of Arts and Sciences) rates are lower. There is even more variation across professional units. A few units gave DSAs across the board, but others (Student Health and Campus Life) rates are much lower **[see tables 2 and 3]**.

What this suggests is that whether one received a DSA, and how much money one got, are driven by institutional-level factors more than by the characteristics of the individuals. One such factor is the decision-making process followed by different departments and units. Another key factor is what we might call the initial allocation of DSA funds to each unit; units that are allocated more funds, per capita, were able to offer more, and higher, DSAs.

One way to see how these factors play out is by comparing the relative fortunes of Academic Advisors who work in the university's Academic Support Center (ASC) under the aegis of the Dean of Undergraduate Education, and Academic Advisement Assistants who do the same work, but who are housed in specific academic departments where DSA decisions were made by department chairs and college Deans **[see table 6]**. While all academic advisors and academic advisement assistants received a DSA, those received by advisors in the ASC were much lower than those received by departmental advisement assistants. In addition, DSAs received by academic advisors in the ASC were much more similar to each other than those received by academic advisement assistants housed in academic departments.

This outcome has little to do with the quality of these members' work and everything to do with the two factors noted above. Academic advisement assistants in departments received their DSAs out of the same decision-making process used to distributed DSAs to academic faculty in their departments, some of which chose to recognize the work of their academic advisors with more generous DSAs than others. At the same time, the total amount of DSA money allocated to the Academic Support Center was relatively small, making it difficult to recognize some advisors there with high awards without simultaneously punishing their colleagues with no award.

There is also good evidence in this data to suggest that individual DSA awards are tied to the priorities that senior administration places on different components of the university's mission and activities and to the academic and professional units that are seen to best advance those priorities. A clear way of seeing this is by looking at how much money was allocated to each campus unit on a per-capita basis. What this reveals is that units varied widely in terms of their capacity to offer DSAs to their employees which, then, necessarily impacted the distribution of individual awards. Note, for example, the contrast between the College of Arts and Sciences (CAS) and the College of Engineering and Applied Sciences (CEAS). While both gave out DSAs at similar rates, CEAS awards are, on average, much higher. The "Per Capita" column reveals that CEAS was allocated more money, per member, than CAS for DSAs. This can also be seen in the distribution of relatively high DSA awards (those of \$1,600 or more) **[table 7]**. 44% of eligible, full-time CEAS faculty received these high awards with an average value just under \$2,000. Compare that to CAS, where only 6% of eligible full-time faculty received these high awards.

One could reasonably argue that rewarding employees whose work is central to the University's mission makes sense, but the data also shows

that a discrepancy between the areas that senior administration frequently highlights when it talks about institutional priorities and the priorities revealed by the allocations of DSAs. To see this discrepancy, we only need look at the figures for the professional units most closely focused on undergraduate student enrollment, retention and success: Advocacy, Campus Life, Enrollment (which also includes Financial Aid, and Undergraduate Education. These units have among the lowest initial allocations of DSA funds, as shown by the “per capita” column.

Finally, one complaint that many UUP members have made about DSA and DSI is that they allow those in the senior administration who make the final award decisions to show favoritism by rewarding those closest to them. This data shows that this is a reasonable concern. The pool of DSA funds begins with the campus president and is then divided up among unit heads (Deans and VPs) to distribute among their departments and professional units. The final allocation of DSAs shows that employees who happen to work in close proximity to these decision makers were more likely to get relatively high DSA awards. Among professional units, the per-capita allocation to Dean’s Offices stands out as being especially large **[table 3]**. This point becomes even more clear when we look at the distribution of relatively high DSA awards—those of \$1,600 or more **[table 8]**. Only 3% of professionals not working in a Dean’s office received these relatively high awards, while a full third of members working in Dean’s offices did. Being in organizational proximity to Deans also played out on the academic side. Roughly one third of CAS chairs (who receive their DSAs from the CAS Dean) received these high awards.

This is troubling for two reasons. First, it is another piece of evidence that DSAs reflect organizational structure more than individual merit. Second, it substantiates a major concern that UUP has long had with the discretionary part of these awards: that money negotiated on behalf of all UUP members

becomes a tool that senior management can use to reward those closest to them.

Moving forward.

Again, there is much more that can be said about the data presented here and, indeed, I hope that more is said. At the very least it seems fair to conclude that one important thing that this exercise reveals is that the idea that the last round of DSA distribution recognized merit is largely a fiction. This does not mean that those who received awards did not deserve them, but rather to say that this process does not, by any means, weigh each UUP members' contributions against everyone else's and then allocate money accordingly.

So what would a better process look like? In my view, this exercise suggests a few principles that need to be part of a revised process as we move into the distribution of on-base, DSI money next year. First, there needs to be a much fairer initial allocation of funds from the total pool to the various units, perhaps on a per-capita basis. This will not only prevent some members from being systematically disadvantaged in this process (by happening to work in a unit that was allocated a fairly small pot of funds), but will prevent senior administrators—Deans and Vice Presidents—from hoarding funds that they can use to reward their own people. Second, there needs to be a mechanism in place to ensure that a meaningful portion of this money goes to support our part-time and contingent faculty members. Third, while DSA and DSI money is distributed on an annual basis, we should really think of this pool of funds over the life of the contract—that is, over the next four years. A process with a longer time horizon would go a long way to reducing winner-take-all scenarios (where some employees are rewarded year after year while others are persistently overlooked) and would allow for a more rational approach to managing the total salary composition of UUP employees. In the end, really answering

this question of what do we want will depend on all of us coming together and talking about how we want to spend our money on each other. We've taken some important steps in that direction and there is more opportunity for conversation to come. I hope that we can all find some time to participate in it.

Table 1: Overall Distribution of retroactive DSAs.

| | | |
|-------------------------|-------------|-------------------|
| Total \$ awarded | \$1,326,867 | |
| Total members eligible | 2,109 | |
| Per Capita Distribution | \$629 | |
| # members awarded | 1,547 | (73% of eligible) |
| Average award | \$857 | |
| #Awards <\$630 | 598 | (38% of awards) |
| #Awards <\$860 | 940 | (61% of awards) |
| #Awards >\$2,000 | 64 | (4% of awards) |

Table 2. Distribution across Academic units (full-time employees).

| School/Unit | Members Eligible | Members Awarded | Award Rate | Average Award | St. Dev. Awards | Per Capita. |
|-------------|------------------|-----------------|------------|---------------|-----------------|-------------|
| Business | 43 | 34 | 79% | 1243 | 723 | 983 |
| CAS | 312 | 232 | 74% | 1030 | 630 | 766 |
| CEAS | 27 | 21 | 78% | 1417 | 797 | 1102 |
| CEHC | 17 | 17 | 100% | 871 | 242 | 871 |
| CJ | 15 | 15 | 100% | 967 | 412 | 967 |
| Education | 54 | 48 | 89% | 1006 | 599 | 894 |
| EOP | 9 | 9 | 100% | 511 | 33 | 511 |
| Library | 33 | 33 | 100% | 725 | 200 | 725 |
| Rockefeller | 33 | 32 | 97% | 1000 | 503 | 1055 |
| SPH | 37 | 37 | 100% | 1088 | 276 | 988 |

| | | | | | | |
|--------------------|------------|------------|------------|-------------|------------|------------|
| SSW | 13 | 13 | 100% | 988 | 628 | 1062 |
| WCI | 21 | 21 | 100% | 1062 | 59 | 538 |
| Grand Total | 617 | 493 | 80% | 1025 | 591 | 837 |

Table 3. Distribution across Professional units (full-time employees)

| Unit | Members Eligible | Members Awarded | Award Rate | Average Award (\$) | St. Dev. Awards (\$) | Per Capita (\$). |
|-----------------------------|------------------|-----------------|------------|--------------------|----------------------|------------------|
| Academic Dept. | 53 | 41 | 77% | 1090 | 671 | 843 |
| Advocacy | 16 | 11 | 69% | 882 | 674 | 606 |
| Athletics | 40 | 37 | 93% | 905 | 632 | 837 |
| Campus Life | 50 | 25 | 50% | 1239 | 699 | 619 |
| CAS Computing and Technical | 11 | 8 | 73% | 1031 | 722 | 750 |
| CIEGS | 19 | 17 | 89% | 795 | 260 | 711 |
| Dean's Office | 64 | 63 | 98% | 1279 | 730 | 1259 |
| Development | 44 | 42 | 95% | 781 | 253 | 745 |
| Enrollment | 55 | 53 | 96% | 669 | 277 | 644 |
| EOP | 10 | 10 | 100% | 640 | 310 | 640 |
| Facilities | 47 | 46 | 98% | 753 | 274 | 737 |
| Graduate Education | 6 | 5 | 83% | 1100 | 665 | 917 |
| ITS | 94 | 86 | 91% | 774 | 407 | 708 |
| Library | 27 | 27 | 100% | 661 | 191 | 661 |
| National Security | 9 | 9 | 100% | 900 | 237 | 900 |
| Other | 42 | 41 | 98% | 881 | 349 | 860 |
| Other Academic Affairs | 19 | 18 | 95% | 1061 | 648 | 1005 |
| SPH Continuing Ed. | 10 | 10 | 100% | 653 | 132 | 653 |
| Student Health | 26 | 18 | 69% | 1183 | 590 | 819 |
| Undergraduate | 28 | 28 | 100% | 625 | 375 | 625 |

| | | | | | | |
|--------------------|------------|------------|------------|------------|------------|------------|
| Education | | | | | | |
| VP Finance | 14 | 14 | 100% | 890 | 443 | 890 |
| VP Research | 43 | 41 | 95% | 910 | 442 | 868 |
| Grand Total | 728 | 650 | 89% | 891 | 522 | 795 |

Table 4: Part-time employees

| | Members Eligible | Members Awarded | Award Rate | Average Award (\$) | St. Dev. Awards (\$) |
|--------------------|------------------|-----------------|------------|--------------------|----------------------|
| Academic | 281 | 194 | 69% | 495 | 260 |
| Professional | 278 | 75 | 27% | 522 | 260 |
| Grand Total | 559 | 269 | 48% | 502 | 318 |

Table 5: Contingent employees (full-time and part-time academics on lecturer lines)

| College / Unit | Members Eligible | Members Awarded | Award Rate | Avg. Award (\$) | Per Capita | St. Dev. Awards |
|--------------------|------------------|-----------------|------------|-----------------|------------|-----------------|
| Business | 29 | 26 | 90% | 583 | 522 | 402 |
| CAS | 180 | 131 | 73% | 554 | 403 | 364 |
| CEAS | 11 | 4 | 36% | 938 | 340 | 544 |
| CEHC | 18 | 17 | 94% | 407 | 384 | 352 |
| Education | 20 | 3 | 15% | 567 | 85 | 404 |
| EOP | 10 | 10 | 100% | 510 | 510 | 32 |
| Other Acad.* | 13 | 10 | 77% | 297 | 228 | |
| Rockefeller | 10 | 10 | 100% | 305 | 305 | 76 |
| SSW | 9 | 9 | 100% | 789 | 789 | 352 |
| WCI | 21 | 21 | 100% | 533 | 533 | 48 |
| Grand Total | 321 | 241 | 75% | 537 | | 345 |
| *SPH, CJ, Other | | | | | | |

Table 6: Comparing Academic Advisors.

| | Members Eligible | Members Awarded | Award Rate | Avg. Award (\$) | St. Dev. Awards |
|----------------|------------------|-----------------|------------|-----------------|-----------------|
| Academic Dept. | 7 | 7 | 100% | 1014 | 812 |

| | | | | | |
|--------------|----|----|------|-----|----|
| ASC Advisors | 22 | 22 | 100% | 536 | 56 |
|--------------|----|----|------|-----|----|

Table 7: Large DSAs for academics (\$1,600+)

| College | # High Awards | Members Eligible | High Award Rate | Avg. Award | St. Dev. Awards |
|---|---------------|------------------|-----------------|-------------|-----------------|
| Business | 5 | 40 | 13% | 2250 | 0 |
| CAS | 15 | 256 | 6% | 2203 | 281 |
| CEAS | 11 | 25 | 44% | 1955 | 135 |
| CAS Chairs | 8 | 23 | 35% | 2367 | 127 |
| Education | 5 | 48 | 10% | 2240 | 371 |
| Other | 11 | 97 | 11% | 1818 | 324 |
| Grand Total | 56 | 589* | | 2112 | 305 |
| *From units where at least one high award was given | | | | | |

Table 8: Large DSAs for professionals (\$1,600+)

| | # High Awards | Members Eligible | High Award Rate | Avg. Award | St. Dev. Awards |
|--------------------|---------------|------------------|-----------------|-------------|-----------------|
| Athletics (HC/Dir) | 4 | 40 | 10% | 2500 | 0 |
| Dean's Office | 23 | 64 | 35% | 2280 | 249 |
| Other Prof. | 17 | 62 | 3% | 2212 | 302 |
| Grand Total | 44 | 729 | | 2274 | 268 |

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We welcome your feedback!

Contact the Editor at:
 pstasi27@gmail.com