



# The Forum



At **The Forum** we write about the pressing issues our members face on campus. We do so from the perspective of labor, connecting our local concerns to those of the statewide agenda of UUP, the national crisis facing public higher education and the issues of working people in the US and beyond.

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## Year in Review

**Bret Benjamin, Chapter President**

My “Year in Review” column has become an annual exercise of reflection about the Chapter’s activities. The opportunity to step back and consider the broader body of work is particularly helpful for me this year, as I have personally focused a great deal of time preparing for a new round of contract talks with the state as a member of the Negotiations Team. Good to remind myself—and all of us—about the important work that has been taking place right here at home.

First, however, I want to personally thank our Chapter officers for their exceptional work. Our Vice Presidents—Tom Hoey and Barry Trachtenberg—fight hard for members every day. Rebekah Tolley, our Contingents Officer, has done a tremendous job advocating for contingent faculty. Janna Harton and Rob See in their respective roles as elected Secretary and Treasurer work with astonishing competence and efficiency. Aaron Major stepped in as interim Assistant VP for Academics while Paul Stasi was on sabbatical and has proven himself invaluable. Patrick Romain recently took over as Assistant VP for Professionals from Linda Gallagher; I thank both for their exceptional service. All of these officer positions require a tremendous amount of time, energy, thought and commitment; these Chapter Officers deserve our collective gratitude. I also thank the dedicated members of our Executive Committee, our Departmental Representatives, and those members who serve on our various Chapter Committees. The number of active members continues to grow, as does our attendance at events—all signs of a vital Chapter.

Three union organizing initiatives have risen as top priorities this year. First, UUP has been preparing to negotiate a new contract. The current Agreement expires on July 1, 2016. The Fall semester saw Philippe Abraham and members of the 18-person Negotiating Team traveling the state to listen to members on all 29 UUP campuses. In addition to Philippe’s formal visit to our campus, our Chapter also held five “listening tour” events, hoping to maximize member feedback. That feedback, along with thousands of member input forms and survey submissions have been collected and analyzed by the Team as we work to develop the conceptual proposals that will be submitted to the State as the opening salvo in the formal negotiations. The Team has been hard at work—this semester, we have typically met for three days a week, every other week, now increasing to three days every week—in preparations for negotia-

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## Standing on the Shoulders of Giants

Paul Stasi

The University administration has suggested, many times, that they are interested in building the humanities at SUNY Albany. As a member of the English department, I welcome this. It seems to me as important for a university to have thriving Humanities departments as to have a strong presence in the so-called STEM fields. In order to make good on this commitment, however, a necessary first step will be to eliminate the pernicious notion—maintained with conviction in CAS and perhaps in other Schools and Colleges—that “departments are not allowed to make replacement hires.”

This line has been a constant refrain in all recent rounds of strategic planning, compact planning, NYSUNY2020 applications, etc., most of which come with the mandate that departments innovate. But to set innovation against replacement is to fundamentally misunderstand how academia in general, and the Humanities in particular, works. For academics—in all fields—proceed precisely by innovating within defined traditions. This is why there are disciplines, because each is founded on a set of assumptions, principles and bodies of knowledge that guide inquiry within that particular field. And, necessarily, if a scholar’s work is gaining recognition in his/her field it will be innovative, for the pressure to innovate is common across all fields. But innovation only occurs against a common disciplinary background. You must be recognized as an ecologist or a cell biologist or an addiction specialist or a Renaissance scholar before your interesting new work can be taken seriously. This means that the requirements for the composition of specialists in a given area of inquiry are not set primarily by members of the local department. Rather these requirements are established nationally and internationally by scholars who collectively constitute these fields or disciplines.

I will use my home department as an example. Recently our Miltonist was awarded an O’Leary Professorship. It is possible that in the next five years our Shakespeare scholar will retire. If it is true that we will receive no replacement hires, then we will find ourselves in the unenviable, indeed laughable, position of being an English department without anyone whose primary research focus is Milton or Shakespeare—the latter, unequivocally the most venerated writer in the language, the former a close second. Clearly these scholars need to be replaced. Nevertheless, the idea that a scholar who receives his/her Ph.D. in 2016, say, would somehow replicate the work of either of these scholars whose training in the field came decades ago is absurd. Anyone who is working on Milton or Shakespeare today will necessarily be influenced by current trends in English studies. This is how scholarship proceeds, and this is true regardless of one’s discipline.

At the same time, however, the Humanities—and in particular the disciplines of history, philosophy and literatures of all languages—have a second mandate and one that is as important as the need for innovation. This is the preservation of knowledge and culture. A contemporary historian of the American Revolution, say, will have both the scholarly responsi-

See: **Standing on the Shoulders of Giants** on Page 18

## NY State 2016-17 Budget: By the Numbers

**\$2.4 Billion** Increased state aid for K-12 public schools requested by the New York State Board of Regents

**\$1.35 Billion** Increased state aid received by public schools in the enacted budget

**\$0** In new funding for childcare

**\$5.3 million** Increase in EOP Budget for SUNY system

**\$5 million** Increase in EOC Budget for SUNY system

**\$2 million** Increase in budget for ATTAIN labs

**\$10 million** Increase for Green Energy Initiatives on SUNY Campuses

**\$18 million** Restored funding to SUNY Downstate Hospital

**\$56.4 million** Approximate amount of state tax support for the University at Albany (roughly equivalent to 2015-16 budget)

**\$15 million** Re-appropriated capital funding for the development of the College of Emergency Preparedness, Homeland Security and Cybersecurity

**\$15/hr.** Minimum wage to be enacted on or after 12/31/18 in NYC

**\$15/hr.** Minimum wage to be enacted on 12/31/22 in Long Island and Westchester County

**\$12.50/hour** Minimum wage to be enacted on 12/31/20 in upstate NY (all minimum wages for companies with over 11 employees).

**8** Mandated number of weeks of family leave paid at 50 percent of employee pay, beginning January 2018.

**12** Mandated number of weeks of family leave paid at 67% of employee pay, beginning January 2021

**0** Percentage increase in premiums for retired state employee health insurance (representing a rejection of a proposed increase from the Governor’s office)

## Review of Departmental Renewal, Tenure, and Promotion Expectations and Guidelines

Albany Chapter, United  
University Professions  
Academic Concerns Committee •  
Barry Trachtenberg, Chair

### Introduction:

The fair evaluation of faculty rests at the center of academia. It is vital that peer review be conducted in a manner that is transparent, in accordance with written policies and procedures, and that respects constitutionally guaranteed rights to due process. Conscientious evaluations are essential to faculty members’ ongoing job security, the principle of academic freedom, and the integrity of scholarly research. Faculty must be able to trust that their peers have assessed their work impartially and that they have been afforded the opportunity to respond to any evaluations in a timely manner.

The Academic Concerns Committee of the Albany Chapter of United University Professions (hereafter, ACC) conducted a survey of the procedures and criteria of the contract renewal, tenure, and promotion (hereafter, RTP) procedures in ten academic departments at the University at Albany. This review was prompted by the steady number of requests that the Albany Chapter has received in the past several years by contingent, tenure-track, and tenured academic faculty who have expressed concerns that their RTP cases are not proceeding in accordance with established guidelines.

This review is concerned exclusively with documents that were available to academic faculty from their home departments. It is not an analysis of College, University, or SUNY-wide policies and procedures. It is vital that departments provide clear, accurate, and easily accessible documents, since faculty most often turn to their home departments for guidance on how to proceed with RTP matters and because departmental colleagues provide the first level of comprehensive review. Departments are under the same obligations as all levels of university review to provide clear notice to candidates and voting faculty about disciplinary standards and to provide candidates with timely notification and the opportunity to respond to evaluations before they are sent forward to the next level of review.

The policies as established by the Universi-

ty, the SUNY Board of Trustees, and the Agreement between the State of New York and UUP provide departments with significant leeway on how to manage particular aspects of RTP, such as:

1. determining how contingent academic faculty are hired, what will comprise their workload, and how they will be evaluated and renewed;
2. determining which bodies are responsible for evaluating academic faculty at the pre-tenure level, such as the chair, a review committee, or the department as a whole;
3. determining who comprises the voting faculty in RTP cases while under consideration at the departmental level; and
4. articulating the general standards of research, teaching, and scholarship to which academic faculty are held when under consideration for RTP.

It is the hope of the Albany UUP Chapter that this brief report will result in a) departments adopting clear and accurate procedures and timelines for RTP, b) departments adopting clear and accurate standards for RTP, and c) the University Senate assuming responsibility for reviewing the relevant departmental documents on a regular cycle so as to assure that they consistent with the policies as established by the University, the SUNY Board of Trustees, and the Agreement between the State of New York and UUP.

### Background:

The *Agreement* between the State of New York and UUP sets out a number of the terms and conditions concerning the RTP of academic faculty, including Article 30—Appointment, Evaluation and Promotion, Article 31—Personnel Files, Article 32—Notice of Non-Renewal, and Article 33—Job Security Review Procedures. While UUP does not intervene in RTP processes on the basis of academic merit, it is in the union’s interest to ensure that all academic faculty included within the bargaining unit are guaranteed fair evaluations of their scholarly, teaching and service contributions.

It is in the University’s interest to ensure such fairness as well. In March 2012, the Career Leadership and University Excellence’s (CLUE) Planning Group on Promotion and Tenure issued a lengthy report that

contends with many of the issues addressed here. This report concluded:

“...overall, the tenure and promotion process is basically working fairly well, and is, in general, perceived to work fairly well by stakeholders across campus. However, there is significant variation and inconsistency across the campus in some aspects of the process. There are key areas in which changes could significantly enhance and strengthen the tenure and promotion infrastructure for the future.”

Although the Planning Group did not contend with standards as articulated in the Agreement nor the review and rehiring practices of contingent academic faculty, several of its findings are echoed in this report. We note with disappointment that, four years since it was issued, most of the recommendations suggested by the Planning Group have not been implemented. These include in particular the suggestions to provide academic faculty with clear timelines for contract renewals and continuing appointment and to provide clear, if broadly constructed, expectations in all three areas of professional obligation for faculty under consideration for continuing appointment and promotion either to the rank of associate or full professor. Other suggestions, such as increasing data collection, enhancing mentoring of academic faculty, establishing a formal family leave policy, and lowering institutional barriers to promotion have, sadly, also not been followed.

**Questions/Methods of ACC Review:**

This review is based on an analysis of departmental documents relating to RTP policies. ACC members re-requested from their departments the documents

Department	By-laws	Departmental Procedures	Criteria for Evaluation
Dept. 1	Yes	No	Yes
Dept. 2	Yes	Yes	Yes
Dept. 3	Yes	Yes	Yes
Dept. 4	Yes	No	No
Dept. 5	Yes	Yes	Yes
Dept. 6	No	No	No
Dept. 7	Yes	No	Yes
Dept. 8	Yes	No	Yes
Dept. 9	No	Yes	Yes
Dept. 10	Yes	No	No

relevant to RTP, including any by-laws, procedures, and disciplinary criteria. The chair of the ACC reviewed these documents, guided by the following questions:

1. Do academic departments provide contingent, tenure-track, and tenured academic faculty with easily accessible documents that state the procedures and expectations for RTP?
2. Does the RTP information that is provided to academic faculty by their departments correspond correctly to the policies and procedures as established by the University, the SUNY Board of Trustees, and the Agreement between the State of New York and UUP?
3. In the areas where there is latitude for departments to interpret RTP policies and procedures, are those departmental-specific practices clearly communicated to academic faculty?

We recognize that one of the limits of this review is that the departments sampled for this review are not necessarily representative of all departments at the University. However, they do comprise 25% of all University departments, which makes it possible to draw preliminary conclusions about RTP in departments across the University.

**See Below for Summary of Survey of Departmental RTP Documents:**

**Findings:**

1. The table above shows the departments surveyed for this review and whether or not ACC members were able to obtain documents relating to RTP in three categories. We were surprised to find that in some departments, members of the ACC could not find any documents relating to RTP. In some instances, policies such as criteria for research, teaching, and service, the composition of review committees, the composition of the voting faculty, and timelines for the candidate's submission of relevant materials either did not exist or were present only informally, such as in emails to faculty having recently undergone these processes.
2. Only one of the departments surveyed—English—has formal documents relating to the workload, evaluation, or contract renewal procedures for contingent academic faculty members. The lack of such documents increases the precariousness of contingent academic faculty members' employment and demonstrates disregard for the education provided to UAlbany students. See *Woven Into Its Very Fabric: A Report on Contingent Labor at the University at Albany, Survey Data Analysis and Policy Proposals* (Albany UUP, 2015).
3. 20% of departments surveyed have no by-laws whatsoever, and therefore are unable to provide academic faculty with information regarding exactly which department members will evaluate their applications for RTP. It should be noted that, according to the Agreement (§31.6a), only academic faculty have the right to evaluate, vote, and recommend on RTP cases of other academic faculty.
4. 60% of departments surveyed do not have a formal document outlining departmental-specific processes for RTP. Thus, academic faculty undergoing tenure and promotion do not have easy access to clear and accurate information regarding a) which materials are to be submitted, b) by what date they are to be submitted, c) who will be evaluating them, d) their contractual right to submit a written response to the department Chair's recommendation, and e) the fact that their file remains "open" throughout the evaluative process, which allows faculty to submit new material (such as evidence of research productivity, grants, awards) as it becomes available.  
Note: some departments justified the absence of RTP documents by declaring that they follow either the University's or their College's guidelines. While adherence to these guidelines is to be expected, it does not

provide academic faculty with the full details of when, by whom, and according to what standards their cases will proceed.

5. 30% of departments do not have a formal document indicating the broad criteria (disciplinary and departmental) for academic faculty who are under consideration for RTP. Without such written criteria, faculty are left to seek out such expectations from a variety of sources, which may provide them with conflicting information on how best to shape their research, teaching, and service. Furthermore, faculty risk being placed in situations in which they may be subject to shifting expectations based upon inappropriate evaluative factors such as gender, race, sexual orientation, ability, national origin, religious beliefs, family makeup, marital status, political affiliation, or "collegiality". Additionally, the lack of clear expectations is in direct conflict with University policies that state "Decisions will be impartial, thorough, and based on clearly articulated expectations" (Procedures for Promotion and Tenure Review: see [http://www.albany.edu/academics/promotion\\_tenure/introduction.shtml](http://www.albany.edu/academics/promotion_tenure/introduction.shtml)).

6. In those instances in which by-laws, procedures, and criteria are present, such documents are often out of date (in two Departments by more than 20 years) and make reference to policies and documents that are likewise out of date.

**Recommendations:**

Academic faculty are at a significant professional disadvantage when they do not have ready access to the criteria and processes by which they will be evaluated for RTP. The absence of such departmental-level documents leaves faculty members vulnerable to shifting expectations and mechanisms for evaluation and at risk of being evaluated on inappropriate criteria. Therefore, the ACC makes the following recommendations:

1. Departments should establish clearly articulated workload expectations and evaluation procedures of contingent academic faculty. These documents should be provided to contingent faculty and periodically reviewed with them so as to ensure that their rights and responsibilities are clearly articulated.
2. Departments should develop documents that clearly articulate the policies and expectations for RTP for faculty in academic rank. These should pay particular

attention to those aspects of RTP that are department-specific, such as determining which materials are to be submitted, by what date they are to be submitted, and who will be evaluating them. These documents must correspond with the Agreement between the State of New York and UUP, the Policies of the SUNY Board of Trustees, and University Procedures for Promotion and Tenure Review.

Note: When forming these documents, we recommend that timelines should be given in terms of semesters in academic rank, not in years. Given that some academic faculty members begin in the Spring semester or are placed on Qualified Academic Rank (e.g. for fellowships, on medical leaves, for the Dr. Nuala McGann Drescher Affirmative Action / Diversity leave), timelines in terms of semesters in academic rank allow faculty to know clearly when their cases are up for renewal or promotion.

3. Definitions of voting faculty on RTP cases must be made specific in departmental documents. The Policies of the SUNY Board of Trustees state that voting faculty are comprised of “Members of the academic staff of the college having academic rank and term or continuing appointments” (2014, Article X, § 3), however, in terms of departmental votes on RTP cases, many departments allow for a wider range of participants, including contingent faculty and professional faculty.

Note: according to the Agreement only academic faculty are permitted to evaluate academic faculty for RTP. Professional faculty and other departmental staff are not permitted to evaluate academic faculty.

4. Documents should also clearly inform academic faculty of their rights in the RTP processes. For example, candidates are permitted the right to disallow particular scholars from being solicited for external letters of evaluation. They have the right to review the external letters of evaluators who have consented that their letters may be shown. Candidates are permitted five business days to respond to the recommendations at any level. Candidates are permitted to add documents helpful to their case at any stage in the process. Finally, should renewals not be granted for faculty in academic rank, they are guaranteed one year of final employment after the notice of non-renewal.

5. Discussions of which faculty members should comprise review committees should be made in consultation with the candidate.

6. Committee reports, departmental minutes (taken by

someone other than the Chair), and letters from Chairs should be substantial documents that indicate that the faculty evaluators have followed the University guidelines that require a full assessment of all aspects of the candidate’s teaching, research, and service.

7. According to University Senate Bill 8384-07, Student Instructional Rating Form scores (SIRF) are insufficient mechanisms by which to evaluate teaching effectiveness. While student feedback is recognized as “an important, relevant, and distinct form of information” it is not a substitute for more rigorous methods, such as evaluation of teaching materials, and classroom observations (with consent of the instructor), and peer evaluation.

In particular, the biases inherent in SIRF scores make them a wholly inadequate means of evaluating student learning and teaching effectiveness in classes taught by contingent academic faculty. We agree with University Senate Bill 8384-07 which insists that, “It is the obligation of and prerogative of the faculty (and chairs) than an effective peer review play the primary role in the evaluation of teaching in a university.” We refer to the contractual language cited above stipulating that only academic faculty can evaluate academic faculty; the de facto use of SIRF scores as the sole or primary mechanism for evaluating contingent faculty violates this premise.

8. Departmental documents concerning RTP cases should be reviewed on a regular cycle, with oversight from the University Senate.

9. We recommend that departments considering revising documents related to RTP criteria and processes consult those of the departments of Political Science and English as models. These documents provide clear criteria, procedures, timelines, and articulations of academic faculty members’ rights in the RTP process.

10. We again urge the University Senate and the University President to consider appointing an Ombudsman (link to proposal below) to help assist academic faculty with their RTP cases. UUP is contractually limited in the support that it can provide, as RTP cases are not subject to the grievance process. Additionally, because UUP does not have the authority to raise points of concern except with the President’s representative, an Ombudsman would have the ability to speak to University personnel at any point in the evaluative process.

11. Finally, RTP policies and procedures concern the

terms and conditions of academic labor as determined in the Agreement, and as such are mandatory subjects of negotiation. It is the Chapter’s position that departments must contact UUP prior to ratifying changes in RTP documents. We insist on this not to complicate the process, but to ensure that all such materials correspond with the contractual rights of academic faculty. As departments prepare to bring their bylaws or RTP documents into line with the expectations outlined above, our Chapter is happy to provide guidance and consultation.

**See Page 18 for Documents and Websites Referenced**

## **A Brick and Mortar Union**

### **Tom Hoey VP for Professionals, Statewide MDO**

Growing up most of us heard the popular story of the three pigs and the types of houses they built using various building materials. The houses that were built of straw and wood were able to win the low bid and were constructed quickly, but they had a serious drawback: they could not stand up to the harsh environment of the big bad wolf’s breath. The house that was made of brick and mortar took longer to build, and it was more expensive, but when the destructive wind came it was able to protect those within and survive.

Our union is constructed like a brick house; we are the bricks and our contract is the mortar holding us together. Unfortunately for us, there is more than one big bad wolf. The biggest wolves by far are the Koch brothers and the many front organizations they fund. We stand up to the winds of change that are constantly attacking us trying to chip away the mortar bond that holds us together. We do have holes in our walls however, and those missing bricks are called agency fee payers. These are people who pay dues and who get the advantage of our collective bargaining strength when we negotiate our contract yet do not choose to step up and be members with us. There are different reasons folks don’t sign the membership card and by far the largest reason is that they forgot to and now don’t know their membership status.

I am often asked why does our Albany UUP Chapter want to achieve 100% membership, when we are already over 85% and collecting 100% dues. My response is that our union is all about fairness—we believe in a fair day’s pay for a fair day’s work—so we need 100% membership to be fair. Full membership also gives strength to our 35,000 member bargaining

unit as we negotiate from a position of 100% consensus. At the same time, membership is required to have input and vote on our contracts as they come up for renewal and we are currently working on our next contract, which only comes up for renewal every 4-5 years. It is not too late to become a member and have input on this upcoming contract. UAlbany will have a strong voice in this new contract: the Chief Negotiator is our own Philippe Abraham and our Chapter President Bret Benjamin is on the Negotiation Team. They both will be sitting at the table with the State of New York working out the terms and conditions of our next contract. Many of you might not know that we actually work for and negotiate with the Governor of New York, not the State University of New York.

We are asking for your help. Be a proud union member and sign up fee payers! Surprisingly we are finding that close to 80% of those asked to sign their union card truly believe that they are already members. We need to find and talk face to face with our co-workers and explain that they are not members and ask them to sign the card. Of course, there are those who will refuse to sign the card. The sentiment that I often hear is that unions are greedy and not good for society as a whole. Really! This sentiment is far from the truth and with a little research one can find that unions are responsible for the 5 day work week and 8 hour work day; they are responsible for child labor laws and minimum wages and so many other protections that we enjoy today. Closer to home, in New York it was illegal for public employees to form a union until that was changed in 1967 with the passage of Taylor Law. Here at the University, our union UUP negotiated permanent appointment for Professional Faculty in 1974, health benefits for part-time employees, 30 days of family leave as well as all of the other benefits you enjoy. Look around and you will find that the members of our union are, in fact, the good people of our society. They are active in communities, serving on PTAs, coaching sports teams, feeding the homeless, to name a few. In addition we are a Faculty Union consisting of both Academic and Professional members and by working together we are changing the world one student at a time.

Please verify that you are a member of UUP. If the After Tax Deductions section of your paystub reads “UUP Agency Fee,” you are paying the equivalent of union dues, BUT YOU ARE NOT A UUP MEMBER! It should read “UUP Member 26P.” In addition to checking your own membership status, please reach out to your union leadership and volunteer to make this a better place to work and live. Help us find the bricks needed to fill in the holes in our walls. We need you!

## Compact Planning

Aaron Major, Asst. VP for Academics

A new round of Compact Planning has snuck up on us. No big announcement from the President's Office, and no mass email to the faculty soliciting proposals. This change in approach comes directly out of the rather negative experience that many departments and units had with the process last time around. Faculty toiled away crafting their proposals only to discover that, in the end, they were being asked to play a game in which most units had no meaningful chance to win. So, to avoid a repeat of this situation, the administration in the current round has asked departments to provide outlines of proposals, some of which will be selected for further elaboration and development and, ultimately, sent through the rest of the compact planning process.

Recognizing that a lot of time and effort goes into these proposals, and acknowledging the faculty's complaints that, in the end, it felt like wasted time and effort, is laudable. It likely saves many departments some busy-work. In the bigger scheme, however, this new approach to the compact planning process fails to address the real reason for its poor reception among the faculty and threatens to further delegitimize the process by making it even less transparent than it already was.

In the last round, the administration laid out a set of core principles that were supposed to guide the Compact Budget Process. First, incrementalism: the process would privilege proposals that made incremental changes to existing programs rather than funded entirely new programs. Second, transparency: the process of selecting proposals was supposed to be transparent, funding decisions would be announced in July, and the campus would be given a full accounting of the University's financial position. Third, shared governance: the documents outlining the compact planning process explicitly stated that the University Senate, through UPC, would be consulted during this process.

The actual Compact Budget Process, from the time that it was first announced to the campus in October of 2014, to the time when the funded proposals were announced by the President in October of 2015, failed to follow any of these core principles. The process by which proposals were selected remains unclear and, after proposals left individual departments and units, they were never reviewed by the University Senate or any other faculty governance body. As troubling as these failures are, what most damaged the legitima-

cy of the process in the eyes of many faculty was the final distribution of funds.

Faculty can, and should, view that final distribution through their MyUAlbany accounts, but here are some highlights. Of the \$8.8 million that was 'officially' budgeted, nearly one quarter (\$2.1 million) went to the newly established College of Engineering and Applied Sciences, with \$1.2 million going to just the Computer Engineering Department. By contrast, the entire College of Arts and Sciences received only \$240,000, all of it going to the Human Biology Program. Athletics received \$650,000 for equipment, staff and summer school funding. \$400,000 was set aside to raise the salaries of contingent faculty. I draw attention to these figures not to question the deservingness of any particular department, unit, or funding area, but rather to draw attention to larger issues of concern that budgets, taken as a whole, reveal.

First, the stated principles by which we, the faculty, were told would inform budgeting decisions appear to have been abandoned entirely. Instead of prioritizing the incremental development of existing programs, funds disproportionately went to new initiatives that had already been championed by the administration. Instead of using the process as a means of determining the priorities of individual departments and units, the results of the process show that, to be funded, departments and units needed to align their needs with the University's larger organizational objectives as expressed in President Jones' "four stakes": expanding degree offerings, recruiting more out-of-state and international students, increasing community engagement, and growing university resources.

The notion of "compact" in Compact Planning is a reference to the way in which the funded proposals that come out of this process are intended to signal an agreement between the stakeholders across the university about our goals and priorities which, in turn, requires broad and meaningful participation and communication. Faculty, through institutions such as the Senate and the Union, should play a key role in determining priorities, establishing criteria, and evaluating proposals. This has not happened. If there has been any communication between the administration and departments in this process, it has been entirely one way. If this is how the Compact Planning process is going to be conducted, then units submitting applications should know in advance the criteria upon which their submissions will be evaluated. When the stated criteria are abandoned, faculty walk away frustrated and the process loses legitimacy.

Second, the results of the first round Compact Planning reveal something important, and potentially

of concern to the wider the faculty, about how the administration plans to achieve the goals expressed in President Jones's "four stakes." Funding for academic programming went almost entirely to newly created (CEAS) or fast-growing (Human Biology) areas of the University. This clearly fits with the administration's goal to expand the University and to generate additional revenue sources, but as a result units that have long been part of the University's core are left with the feeling that their contribution to the University and its mission are not valued.

Budgets have often been referred to as "moral documents" because they announce an organization's goals and priorities more powerfully than any statement of principles can. This is why the revisions to last year's process—culling through outline proposals before departments and units submit full proposals—does not address the underlying problem. The administration's response is based on the idea that 'what went wrong' was that there was too much faculty involvement, too many proposals for them to sort through. Rather, the problem stems from the fact that the process failed to establish any "compact" between faculty and administration.

What would it take to make this process one that, at the very least, did not breed cynicism and, ideally, promoted a sense of shared mission? For one, if the Compact Planning process is going to be shaped by an overarching set of administrative goals and priorities, those goals and priorities need to be made clear to the faculty. Here again, the administration's response to the criticism that last year's stated priorities for Compact Planning were not followed has been to launch this year's process without stating any priorities. The current round is thus proceeding with even less transparency, and more important, less of a "compact" than the previous round.

In addition, reopening the Compact Planning process presents an opportunity for meaningful, substantive engagement with the faculty and other university "stakeholders" around defining the mission of the University and shaping the process of achieving that mission. This engagement does not need to take the form of an onerous 'vetting' of every proposal through a faculty governance body. As I stated earlier, the issue with the Compact Planning process is not the merit of each proposal, but rather the procedures and, more importantly, principles that shape the evaluation of those proposals. If the Compact Planning process adhered to clearly stated goals and objectives, and if the wider University community had real input into defining those goals and objectives, this would go a long way towards restoring the "compact" in the Compact

Planning process which would not only reduce faculty frustration with that process but, positively, take advantage of the important opportunity that this process presents for building that sense of shared mission that it strives to achieve.

## Structural Racism

Paul Stasi

In an essay called "Nasty Habits," Adolph Reed Jr., a Professor of Political Science at the University of Pennsylvania, describes the "two conditions" under which the "refusal to accept existing [racial and gender] inequalities as evidence of the likely workings of discrimination. . . would be reasonable. Disproportionate concentrations of social benefits among whites and men must either (1) arise purely at random, through uncommonly good luck, or (2) reflect whites' and men's natural, and therefore justifiable, superiority" (124-125).<sup>1</sup> Reed has in mind statistics such as those found in the Federal Reserve Board's 2013 Survey of Consumer Finances that found the median net worth of non-hispanic whites to be \$142,000 compared to \$18,100 for all non-whites. Figures for median income were similarly skewed: \$55,800 to \$33,600.<sup>2</sup> We might also add the well-known statistic that women earn roughly 81 cents for every \$1 men earn (based on 2010 figures).<sup>3</sup> Reed's point, of course, is that these two options are the only logically consistent, if obviously false, alternatives to his preferred explanation: a pervasive, often unconscious, pattern of structural discrimination. I will discuss this point, here, primarily in terms of race, with an eye towards offering some remarks about the student altercation on a CDTA bus that has occupied so much of the campus' attention this semester.

Let's begin with the prison population. African-Americans make up roughly 15% of the population at large and 38.7% of the prison population.<sup>4</sup> How are we to explain this statistic? The easiest – and racist – explanation is that African-Americans are simply more likely to become criminals. But let's dig into the statistics a little bit. According to the U.S. Department of Commerce, 14.3% of the U.S. population in 2007-2011 lived below the poverty line. For African-Americans the number is 25.8%. Perhaps more striking is the fact that for whites the poverty rate was 11% but for those

1 Adolph Reed Jr. *Class Notes*. New York: The New Press, 2000.

2 <http://inequality.org/racial-inequality/>

3 [http://www.ilo.org/washington/areas/gender-equality-in-the-workplace/WCMS\\_159496/lang-en/index.htm](http://www.ilo.org/washington/areas/gender-equality-in-the-workplace/WCMS_159496/lang-en/index.htm)

4 Stats from January 2016. [https://www.bop.gov/about/statistics/statistics\\_inmate\\_race.jsp](https://www.bop.gov/about/statistics/statistics_inmate_race.jsp)

of “two or more races” it was 19%.<sup>5</sup> Now let’s connect the dots. According to a report by the non-profit Prison Policy Initiative “in 2014 dollars, incarcerated people had a median annual income of \$19,185 prior to their incarceration, which is 41% less than non-incarcerated people of similar ages.”<sup>6</sup> Poor people, of all races, are disproportionately represented in jail. And non-white racial groups are disproportionately poor. No surprise, then, that the prison population is racially skewed.

To make this point I have used statistics, which give us a snapshot of how a society functions outside of individual intention. No one individual is attempting to create this racially divided system. And yet our society, as a whole, has created a discriminatory social structure. When we add all the numbers together—when we combine all our individual actions—the result is undeniably a discriminatory social structure, which disproportionately doles out rewards and punishments to groups based on race (and gender). This is why we call it structural racism, because it occurs at the total level of society absent any intention.

Given the undeniable reality that we live in a society that discriminates – and given, further, that we are wise enough to reject either the “good luck” or “innately superior” arguments described by Reed above—then we have to understand how this reality creates certain attitudes and ideas in the people who live in it. Structural racism, that is to say, also has individual effects. If more African-Americans are in prison, then someone disinclined to look for larger contextual explanations might simply—and falsely—conclude that African-Americans are more violent. This false conclusion is nevertheless also due to structural racism. A racist social system supports—we might even say creates—people’s racist beliefs because these seem to explain the way race functions in that society.

But race functions differently on either side of the racial divide. If whites fear African-Americans because they are more likely to be incarcerated, African-Americans are similarly likely to see effects of structural racism for the very same reason (because they, themselves, are more likely to be incarcerated). These two positions are built into the social order. Michael Brown, for instance, gives a small amount of attitude to a cop because he knows the cop is likely to take him for a thug. The cop, in turn, finds his own initial prejudice that Michael Brown is a thug confirmed, and a tragedy results. But we must be very suspicious of false equivalents like the fallacious notion of “re

<sup>5</sup> All stats from <https://www.census.gov/prod/2013pubs/acsbr11-17.pdf>.

<sup>6</sup> <http://www.prisonpolicy.org/reports/income.html>

verse discrimination,” for if these two figures were both, in some sense, victims of socially structured racism, only one of them was left dead. It matters, that is to say, if you are in the privileged position or the oppressed one. Indeed, it is often a matter of life or death, which is why the simplistic, yet true, statement that “all lives matter” is racist when marshaled against the more specific—and taking account of the total structure still not yet agreed upon—claim that “black lives matter.”

All of which brings me to the Albany bus incident. The details of the story are, by now, well-known. A drunken fight happened on a bus. Initially, three women involved in the altercation asserted that they were the victims of racial slurs, that a number of white students collectively assaulted them, and that other onlookers did nothing to help them. Extensive video footage has complicated this narrative. The women seem, from the video, to be the initial aggressors, though it is unclear, due to the poor audio of the videos, what is being said. Racial slurs, in other words, might have been part of the story and may have precipitated the events. Nevertheless, the incident seems not to have transpired in the way it was initially reported. This event, and its aftermath, have generated, broadly speaking, two moments of public response. The first was a public expression of outrage on the accusers’ behalf (not without some vitriol spewed at them on social media), the second a more conflicted and complicated sense of outrage at the accusers’ alleged dishonesty.

It is worth stating at the outset that the women are the subject of two ongoing investigations – the first a legal proceeding, the second an internal University judicial proceeding. I will return to this issue below. What is important to note, here, is that, as of this writing, neither procedure has reached a verdict on what exactly occurred. The fact that the video did not entirely corroborate the women’s initial claims has, however, led many to conclude that their story was false and has led, in particular, to harsh criticism of the University—and President Jones’—initial response to the affair. But even if we assume, for the sake of argument, that their claims were untrue, this does not mean that the initial support from either President Jones or the University community was wrong. In fact, I would argue, there is no other way for anyone who cares about the conditions of structural racism to have proceeded. Simply put, to fail to take the student’s accusations seriously would have suggested that such incidents don’t happen. But incidents such as the ones

the women alleged do happen, routinely. They happen at social gatherings and at fraternity parties and, increasingly, at political rallies. And because they happen consistently, the women’s accusations had to be taken seriously—and, one could argue, they still should be, since the investigations are ongoing. To refuse to do so would be to agree to an unjust social order; it would have constituted a refusal to see the effects of structural racism in our society and our University community.

Sadly, the incident’s aftermath has also brought out some good old-fashioned individual racism. Those who initially supported them (and some who continue to) have been vilified in social media. For instance, our UUP Chapter’s Academic Vice-President Barry Trachtenberg, who directs the Judaic Studies Program, was called, via Twitter, “oven-ready,” and told to “go back to Auschwitz.” This is not an isolated tweet. If I were not interested in protecting people’s privacy, I could list literally hundreds of social media replies equally vitriolic in their racism and misogyny directed at the accusers and their defenders, replete with profanity-laced calls for rape, murder, lynching, and the racist refrain, —“go back to Africa”—as reprehensible as it is anachronistic. Of course anyone who spends a few minutes on any internet comment board knows how quickly things devolve into name-calling and the racist – and, in particular, misogynist – qualities of this phenomenon have been well-documented.<sup>7</sup> President Jones himself has been the victim of such attacks, as if his investment in taking students’ complaints seriously was due entirely to his race rather than his position as University president.

But we, as a University community, cannot be blinded by individual actions. As I have suggested several times in this article, racial discrimination is primarily structural – it occurs at the level of society, and so it occurs whether or not people tweet racist vitriol at those who supported the accusers and it exists whether or not the accusers accurately described what occurred on the bus. No doubt each of these women could provide examples of racism from their day-to-day lives, whether of a subtle or obvious nature. To live in a racist society is, necessarily, to encounter these, and they occur regardless of one’s race. How many white people, like myself, for instance, have found the tenor of a conversation turn racist once the room is “white only,” the assumption being that we are all white and, therefore, all in agreement? So we can

<sup>7</sup> See, for instance, <http://www.psmag.com/health-and-behavior/women-arent-welcome-internet-72170> or [http://www.salon.com/2015/11/25/it\\_officially\\_sucks\\_to\\_be\\_female\\_on\\_the\\_internet\\_95\\_percent\\_of\\_online\\_abuse\\_is\\_aimed\\_at\\_women/](http://www.salon.com/2015/11/25/it_officially_sucks_to_be_female_on_the_internet_95_percent_of_online_abuse_is_aimed_at_women/) or <http://www.businessinsider.com/internet-racism-2012-5>

imagine that these women saw race where, perhaps, race was not the only, or primary, ingredient. But can we really say that race was not a determining factor in the incident? Was no one in that moment aware of it? Did it not enter into the fight at some point or in some fashion? Can anyone truly walk around in our society oblivious to its debilitating power?

To take the accusers’ story seriously, then, is to take seriously the way race functions in our lives and the worst outcome of this incident would be if it served to undermine the credibility of such claims in the future. We must not, in other words, use this incident to pretend that such incidents do not occur. I applaud the University community, then, for taking structural racism seriously. This is a teaching moment, one that allows us to explain both the all too commonplace occurrence of incidents such as the one the accusers initially described as well as the complications of what has subsequently occurred.

At the same time, however, the University should use this moment to examine its own student conduct procedures. For these women currently find themselves in a particularly invidious position. They are, as I have already noted, the subject of two ongoing investigations – a legal one and an internal one, and these two investigations are, in various ways, at odds with one another. Internally, for instance, the students have no recourse to legal counsel and are not allowed to see the evidence against them in full (as they would be in a court of law). This fact not only damages their ability to defend themselves within the University, but even more seriously could hurt them in their legal defense, since anything they say to the University – without benefit of legal counsel – could be used against them in court. Clearly the University should suspend its own internal proceedings when they risk putting its students in legal jeopardy.

But more the point, the University should also look more closely at what those proceedings hope to achieve. We are, primarily, an educational institution, and education should be at least as important to student conduct hearings as justice. I have called this a teachable moment, and I mean this, primarily, to suggest that all those who would deny structural racism should be made aware of its power. But it’s also a teaching moment for the three young women who, for whatever reason, found themselves at the center of a violent confrontation. Whatever facts the inquiries ultimately uncover, we still have an obligation, as a University community, to teach our students about the consequences of life choices with compassion, without always rushing to seek justice. Let’s hope that if there is punishment to be dealt out, it is in line with the

nature of the offense, rather than an imagined obligation to answer the frenzied social media calls for retribution. After all, if a University can't take the time to patiently explain the complexities of our social life to its own students, what are we here for in the first place?

## **Income Strategies for the Underemployed Adjunct**

**Rebekah Tolley, Officer for Contingents**

We often think of unemployment benefits for those who recently lost their jobs and are without income. However, unemployment benefits are not just for those who are unemployed. New York State is one of 20 or so states who also have a benefit program for those who are underemployed. Adjunct's salaries fluctuate with changes of pay, changes of employer, and we often teach more courses in one semester than another, or have no employment during parts of the year. Because of these employment changes, we don't always have as much employment at one point as we do in another, which helps to make a case for benefits. Adjuncts may be eligible to apply for partial benefits during the school year, so long as they are not working more than 3 days a week or earning more than \$425/week. (And have earned at least \$1900 in one calendar quarter, and have worked in at least two quarters.) Additionally, once you are qualified for partial benefits you will have full benefits when you are not working during the summer. Regardless of their particular situation, adjunct faculty should apply to find out if they are eligible, as the application is not onerous and is easily completed online at: <https://applications.labor.ny.gov/Individual/>

Potentially hundreds of adjuncts at each SUNY campus may be eligible for unemployment benefits even while they are working during the school year. Many adjuncts are, of course, also eligible for food stamps, medicare etc. How ironic to be working for a state that compensates you so little, you are eligible for one, if not more, of its own assistance programs. Those teaching one or two, and even 3 courses in some cases, cannot only supplement their low income with partial benefits year round, but can also help to pressure the university to pay us adequately and with more stable contracts. More adjuncts applying for benefits for which they are eligible puts pressure on the university to raise wages and supply more stable contracts since they are responsible for paying premiums for unemployment. More workers applying will

raise the premiums. Under the Taylor Law, we may not be able to walk out, but this is one way we can effect change if the hundreds of us who are eligible apply.

Many adjuncts report that they tried applying for unemployment over the summer when they were out of work and were denied, so they gave up. This is a common mistake. It is much more difficult to apply over the summer months due to a specific law that was designed to prevent educators from "double dipping." NYS law 590.10 currently prevents educators from applying for unemployment over the summer months if they have reasonable assurance of re-employment in the fall for at least 90% of what they were employed in the past. This law was originally intended to prevent educators who were otherwise employed full time and earning a full income during the school year from collecting unemployment income during the summer months as well. Unfortunately, it now serves to hurt adjuncts who truly have no income or employment over the summer months, and are not paid nearly enough during the school year to get by. NYSUT, UUP, and PSC along with other unions have been working to get this law changed.

So is summer an impossible time to apply? Not necessarily. More and more adjuncts have been successful, but it is certainly more difficult if you are required to supply documentation in order to satisfy the law. Some states, including New York, are now more familiar with the working conditions of adjuncts and it has become easier; but why wait until summer when it's more difficult to apply? Once you qualify for benefits you can continue to collect for your benefit year (so long as you are not earning more than \$425/week), so you are better off applying for partial benefits now, and then you will receive full benefits during the summer months when you are not working.

But let's say you don't get around to applying before summer and you realize you are about to be without income again. And what does "Reasonable Assurance" mean anyway, and do I have it? "Reasonable assurance" could be in the form of a letter that must specify which courses you will teach. If the specific courses are not listed in your letter then it does not count as "reasonable assurance". If your course assignments for the fall are any less than 90% of what you had in the Spring then you are eligible because you do not have reasonable assurance of as much work as you had in the past. For example, if you taught two courses in the Spring and are only assigned one course in the fall, you are eligible to apply. "Reasonable assurance" could also be your name in a course schedule to teach the following semester. However if your course is under enrolled and may not run, you can use this evi-

dence of lack of reasonable assurance.

To initially file, it's important to recognize that the intake questionnaire is designed for those who recently became unemployed and there is not a separate one for those still working part-time. According to the NYS Department of Labor website: You will be asked to enter the date of your last day worked. Enter the last day you physically reported to work, regardless of whether this was your part-time work. You will also be asked to enter information about your last or most recent employer. The last or most recent employer is where you most recently reported to work, regardless of whether this was your part-time employer. If it was your part-time employer, and you will continue to work part-time, enter "lack of work" as the reason for separation.

You must keep a record of your work searches while on unemployment. This shouldn't be difficult as many adjuncts are constantly looking for, and actively applying for, full-time or better paying positions. You will also need to attend three mandatory sessions at a local state career service center throughout the year where they will review your CV, make sure you have resources you need, and ensure that you are looking for work.

If you have questions, please contact me at [rebekahatolley@gmail.com](mailto:rebekahatolley@gmail.com). If you are denied unemployment you should contact the Workers Defense League (a free, non-profit) for help: (212) 627-1931

## **Closets**

**Carol Jewell,  
Chair, Disability Rights Committee &  
LGBTQ Concerns Committee**

Closeted. What does it mean? According to dictionary.com, it means, "functioning in private; secret." I'll hazard a guess here and assume that many of you automatically think in terms of sexual orientation and/or gender identity in relation to this word. For example, "the professor was not out (of the closet) with regard to his being gay." But, some people with disabilities are also in the closet, that is, they have not disclosed that they have a disability. Why might this be?

It might be because they are on the tenure track or permanent appointment track and they are afraid that if they disclose their disability, it may hinder obtaining tenure or permanent appointment. It might be because they have seen their colleagues with disabilities, who are out of the closet, shunned at departmental meetings. It might be because they

fear retaliation from their supervisors if they ask for a reasonable accommodation, thus "outing" them. This kind of retaliation is against the law, but it's also hard to prove, and so many employees with disabilities just keep their mouths shut. Now imagine you are a UUP member with a disability AND you are also LGBTQ. Are you in one closet? Both? Neither?

There is support for you. If you are an employee with a disability, and you are part of the LGBTQ community, and you want support and/or more information, please do not hesitate to contact me. I am the Chair of the UUP UAlbany Chapter Disability Rights & Concerns Committee, and co-Chair of the UUP UAlbany Chapter LGBTQ Concerns Committee, and you may reach me at [cjewell@albany.edu](mailto:cjewell@albany.edu).

## **Why Faculty Governance Matters to Unionists**

**Jim Collins, Vice Chair of the University Senate, Executive Board Member of Albany Chapter of UUP**

**The ideal and actuality of faculty governance:**

Though it has many specific forms, faculty governance in ideal represents an effort at self-governing, by and for 'the university community' understood as a community of learning. Students in such a community are engaged in something more transformative and lasting than acquiring job skills; faculty and students together are partaking in and contributing to a knowledge commons, "a place where the cultural and intellectual wealth of the past is made available, where ideas are freely shared, and where ideas also grow by cross-fertilization from many fields."<sup>1</sup>

This ideal of self-governance, as opposed to corporate rule, is embattled in our era, in which private wealth and corporate authority are celebrated, and the idea of public obligation and mission (say, to provide accessible, high-quality public education) is undercut and ridiculed. But those of us who care about the university's public mission have resources, including written rights and responsibilities, attached to our membership, as students and employees of a public university. The Faculty Bylaws of the University say many things about these rights and responsibilities, I want to focus on the definition given of faculty rights to consultation with administration, in order to illustrate what rights we have 'in theory,' how they can be

<sup>1</sup> J. Lustig, "The university besieged." Thought & Action 27 (Fall 2011): 15.

ignored in practice, and then to suggest some efforts underway to strengthen faculty governance and how we might continue this work in the future.

Section 2.2.2. of the UA Faculty Bylaws says the following about consultation:

“The Faculty shall be informed and given opportunity to discuss at the earliest possible stages in their formulation, and shall review and provide formal consultation on, prior to adoption, all proposals regarding:

(a) Creation, renaming, major re-organization, or dissolution of academic units and programs

(b) Goals and formal plans directing the future of the University

(c) Policies or standards governing speech and assembly on the campuses of the University

(d) Plans for development of new campus facilities, or major modifications or closure of existing facilities”

In the following subsection, 2.3, the rights and responsibilities of the faculty are embodied in and delegated to a University Senate: “To discharge these responsibilities, the Faculty shall create a University Senate and shall delegate its power to that Senate...”

This delegation of powers is important, because if not honored, rights of the University Faculty are eroded. This past summer and fall, for example, I worked with other Senate leaders in responding to a series of diverse initiatives, some driven by SUNY-wide programs (e.g. Performance Improving Planning), some by new university plans (e.g. the College of Emergency Preparedness, Homeland & Cyber Security), and others by affiliations with other institutions (e.g. the Albany Law/UA affiliation). We often felt we were receiving information very late in the planning and development of such enterprises. As we pressed the issue of consultation, consistent with the language of Section 2 above, it eventually turned-out that university administrators thought that the selection of any faculty member of their choosing for an advisory or working group constituted ‘consultation.’ Such practice, however, completely ignores the significance of the faculty delegating its powers to the University Senate. It recalls the troubled period of program deactivations in 2010-2011, when deactivation decisions were attributed to a shifting cast of Deans, Provost, and President, and murky groups of ‘consulted faculty,’ consisting of Budget Advisory Groups and unnamed members of the CAS Council of Chairs. None of these were constituted or nominated by the Senate of that

period. The point to stress is that the Senate is the faculty’s representative, and Senate Councils and Committees are the organizational means for self-governance and consultation. Such faculty rights and responsibilities will not be respected, however, unless the Senate is aware and protective of its role in the governance of the university.

#### Efforts to improve governance:

There have been recent efforts to strengthen faculty governance. These include redefining voting rights within the Senate, assessing and strengthening shared governance, re-establishing strategic committees, communicating with constituents via Senate Forums, and working with UUP to improve the renewal, tenure and promotion processes at the university.

\* In 2014, the Senate proposed a Bylaws amendment removing voting rights from administrators who held Ex Officio memberships in the Senate. The motivation for this action was a 2014 university-wide survey of shared governance, organized by both the Senate and the Office of the President, the results of which indicated that many perceived the University Senate as dominated by administrative interests. The proposed restriction of voting rights in the Senate was approved by a two-thirds majority in a referendum of the full Voting Faculty in spring 2015.

\* The Senate recently distributed the 2016 survey of shared governance, Streamlined since its first appearance in 2014, it is an anonymous survey of all Senate constituents regarding their view of Senate performance and administrative consultation, which is jointly organized by the Senate and the Office of the President. There has been a large and encouraging increase in response rates this year, and the results will be analyzed and reported to the Senate and available to the public early next fall.

\* Senate councils and leaders have initiated an ongoing discussion with the office of the President to define and enact an appropriate role for faculty in administrative review and evaluation. Faculty participation in review of administration is practiced on many SUNY campuses.

\* The Senate’s Governance Council is working with the University Policy and Planning Council to re-establish important subcommittees, which have been allowed to lapse, such as UPPC’s Resource Analysis and Planning and Facilities committees. These will be populated and meeting for the 2016-2017 year and thenceforth.

• For the first time in many years, the Senate is hosting a series of public forums during the months of March and April on issues of general university interest. Two of these, on Academic Freedom and Contingent Faculty Concerns, are jointly sponsored by the Senate and UUP.

• Lastly, the Senate is considering a proposal for a University Ombudsperson for Renewal, Tenure and Promotion. The proposal was brought to the Senate for consideration by UUP, based on work conducted by the chapter’s Academic Concerns Committee. It proposes an office that can help solve problems arising with the RTP process at any level: departmental, college or school, or university. It is being discussed in two Senate councils.

#### A Way Forward:

These actions work against the familiar notion of a ‘separation of interests’ in higher education, which assigns unions to attend strictly to contractual matters, and faculty governance organizations to attend strictly to curricular and program matters. In my experience with unions and student and faculty governance, such distinctions can easily lead to mutual ignorance, distrust, and disempowerment, on both sides of the presumed divide. There are good reasons instead to seek common ground between unions and faculty governance bodies. Their members and constituents are often the same people; and they share concerns, such as strengthening due process and organizational transparency while improving job security and workplace dignity. Effective faculty governance can be an ally to union struggles for better higher education. Both require self-governing organizations that counter-balance corporate rule.

## Tom Hoey Elected as UUP Membership Development Officer

### Tomas Gomez

Albany UUP chapter member Tom Hoey has been elected to the position of statewide membership development officer. Hoey’s designation to the position follows several resignations before him, in a position that, according to Hoey, has been unsteady for 15 years.

Hoey will not be receiving release time until next summer and says he is already working week-ends. But Hoey is a tireless organizer with a long history of organizing workers. He has chaired UUP’s Solidarity Committee for 17 years. Hoey also fought for 911 dispatchers who had gone six years without a contract. He fought the privatization of an Albany nursing home, while working in collaboration with the nurses’ union. He also fought the privatization of several crossing guards, showing a willingness to organize even a small union of only around 30 workers. He instantly got their pay raised by \$1.25/hour by citing an Albany living wage law, managed to incorporate the crossing guards into the SEIU despite their small size, and got the city to back down on privatization. “I hear ‘privatization’ and the hairs on the back of my neck stick up,” Hoey said in an interview.

Hoey’s tireless work ethic is attested to by many of his friends and colleagues. “Having worked side-by-side with Tom Hoey in union campaigns for decades, I can say with confidence that he is an exceptionally energetic, principled, and effective organizer. He will make a terrific UUP Membership Development Officer,” said Larry Wittner, a longtime colleague of Hoey’s who endorsed him for MDO.

These sentiments were echoed by UUP Albany chapter president Bret Benjamin in an endorsement speech. “As VP for Professionals at Albany he’s out grilling burgers at our homecoming tailgate, setting up tables for meetings, carrying our banner on picket lines. He leads by example. Membership work is about tireless face-to-face organizing. Nobody will work harder than Tom...Tom eats, breaths, and lives union solidarity.”

Hoey’s appointment to MDO comes at an important time. Despite the reprieve granted by the Supreme Court’s decision in Friedrichs v. California Teachers Association, several similar cases threaten the future of union agency fees. Hoey aims to reach 100 percent membership and wishes to organize Albany’s roughly 300 contingent agency fee payers into dues paying union members. Paying dues allows special privileges such as voting on union contracts. A report released last year by the UUP on contingent faculty found that many contingent faculty members are unaware that the agency fee they are paying does not make them members of UUP.

Hoey says his goals are not just increasing membership, but maintaining it, and regardless of which way the courts rule on anti-union cases, Hoey is optimistic. “I think most people will rally for the union. When people are attacked, most people tend to circle the wagons and unify,” he said. “We have to listen to

people. Being a member of the union is a good thing. We're the good guys. We want to go out and help people."

When asked for a statement regarding Hoey's designation as MDO, UUP president Fred Kowal said "Tom comes in as statewide Membership Development Officer at a crucial time for UUP. Our membership drive is in full swing and I will look to Tom to step up and lead UUP's push to recruit and activate union members. I look forward to working closely with Tom to achieve this important goal."

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## Forum on Academic Freedom

Carol Jewell

On Friday, March 25, 2016, the Chapter co-sponsored, with CAFFECOR (the Senate Committee on Academic Freedom, Freedom of Expression, and Community Responsibility), a forum on Academic Freedom. Panelists were Professor Barry Trachtenberg, Professor Rosemary Armao, and Professor Donna Young, of Albany Law School. The Forum was created because SUNY campuses were directed to do a review of all documents pertaining to Academic Freedom, per a resolution passed by the SUNY Senate in October 2015. I am Chair of CAFFECOR, and we were tasked with this work. In our research and discussions we found that the concept of Academic Freedom was not universally understood by faculty at UAlbany, and even that new faculty members were not told anything about it in their orientations.

Approximately thirty-two people attended the Forum. Each panelist spoke for ten to fifteen minutes, and then there was audience participation in the form of a lively Q&A. CAFFECOR will use information learned here, in part, as we continue our discussions.

Prior to the meeting, we sent out some reading material on academic freedom. We included an evaluation sheet, because we want to know if the format was good, and also to ask what topics participants would like to see in the future. Unfortunately, as of March 29th, only 2 forms had been received.

Whether you were able to attend the forum or not, if you have concerns about your own academic freedom, I invite you to write to the Vice President, Academics, Barry Trachtenberg, [barryct@me.com](mailto:barryct@me.com) or Vice President, Professionals, Tom Hoey, [tomtomhoey@gmail.com](mailto:tomtomhoey@gmail.com).

## Year in Review (Continued from page 1)

tions. I cannot predict what the new Agreement will contain; however I can assure you that the Team has listened attentively to your input and that we will work tirelessly to secure the best possible contract we can get.

Second, our Chapter has been pursuing a major membership drive. The threat of a negative Supreme Court ruling on the Friedrichs case has passed for the moment. But we know that strong membership numbers speak loudly at the negotiations table. Our Chapter, like many others in UUP, has historically had a difficult time signing up contingent faculty. In this sense, our membership drive dovetails directly with our Chapter's concerted efforts to improve contingent faculty working conditions on campus. Our membership efforts have paid off. We've signed up over 300 new UUP members since August, 2015. As of April 1, 2016 we have 96% membership among full-time faculty, and 62% membership among part-time faculty. This is up from 94% and 49% at the start of the academic year. We continue to work with our campus activists to reach out to fee payers, and have every intention of improving these figures before the semester is out. We're at 85% UUP members currently; we plan to push that over 90% by commencement.

The point of this membership drive, of course, is two-fold. We obviously want to get cards signed in order to maximize our negotiating power. But as important, we want to be talking with all our members, letting them know that they are part of a union that is working on their behalf on a range of projects and initiatives. Ideally, we also want to talk with members about ways of getting actively involved in the Chapter; we welcome participation from everyone. If people have questions, concerns, or ideas, we want to hear them.

Our third major priority for the year has been organizing for and with contingent faculty. The culmination of several years of work, our Chapter released "Woven Into Its Very Fabric: A Report on Contingent Labor at the University at Albany" <[http://uupalbany.org/documents/pdfs/contingent\\_report.pdf](http://uupalbany.org/documents/pdfs/contingent_report.pdf)> late last fall. Since then, we have made several public presentations about the report, including most recently at the joint Senate/UUP forum on April 5. Drawing from data collected in a survey of our own academic contingent members as well as data from the University,

the State and other sources, we develop ten proposals to transform contingency on our campus and to make UAlbany a national leader in addressing what we consider to be among the principle challenges facing contemporary higher education. Our emphasis is on developing pathways to tenure, raising per-course salaries, extending health benefit eligibility, lengthening appointment, ensuring that all work is compensated, and pursuing a range of other issues to improve the working conditions of our contingent faculty. We have found a willing partner in the UAlbany Administration on this issue, and are pleased to be working with President Jones, Provost Stellar, Senior Vice Provost Hedberg, and the University's Blue Ribbon Task Force on Contingent Concerns, which released its own report in the Fall. To my mind, the shared ground between these two reports is indicative of meaningful collaboration and commitment between University and Union. We've already seen some real improvements, and it is my great hope that the next two or three years will witness substantial material gains for contingent faculty.

In addition to these three major initiatives, our Chapter has continued to take the lead in initiating important policy proposals, and in generating solutions to address problems on campus. Our Academic Concerns Committee, chaired by Barry Trachtenberg, has (or is soon to) publish three important policy reports this year. They have initiated a proposal for an Ombudsman dedicated to concerns around academic faculty renewal, tenure, and promotion cases. That proposal was followed up by a second report, published below in this issue of The Forum, advocating for a wholesale review of the renewal, tenure and promotion policies and procedures at the department level. Finally, a third report on the overemphasis placed on SIRF scores in the evaluation of teaching will soon be out. In each case we will be working both with University Administration and the Senate to implement the recommendations.

We have also pursued initiatives focused on professional faculty. In particular, we have been working closely with new HR Director Randy Stark and others in the Administration on two main issues: expanding internal promotional opportunities, and prioritizing the retention of professional faculty. In both cases, the systems in place are inadequate. Promotional opportunities are governed by what is known as the "Albany Plan," <<http://www.albany.edu/hr/promotion.php>>. This plan provides a workable framework, balancing the need to create opportunities for professional development and career growth among current employees, with the institutional needs to bring in

new talent from outside. Our problem has been less with the framework than with the fact that so many units are either unaware of, or do not follow the guidelines. Likewise, we believe the University has not done enough to track departures on campus and has not prioritized the retention of professional faculty. Again, we have found a receptive partner in HR, and are optimistic that we'll be able to work with the new Director to begin setting up more robust systems of data collection, training, and oversight to help improve the work-lives of our professionals on campus.

The focused attention on the priorities above has been complemented by a range of Chapter events, activities and initiatives. We have had record attendance at General Membership Meetings. We've hosted a number of workshops and events, including a packed-house Joint Labor/Management training on permanent appointment for professionals, and two joint UUP/Senate forums, one on Academic Freedom and the other on Contingent Concerns. Indeed the increased collaboration with the Senate augurs well for strengthening faculty governance on campus over the long haul. We have raised important questions with the Administration about Compact Planning, Performance Based SUNY Excels funding, academic hiring patterns since 2011, campus accessibility, health and safety, winter shutdown policies and a host of other issues that affect members. We have strengthened coalitional relationships with student, labor, and social justice groups and campaigns in the Capital District and beyond. And, finally, we have helped press a strong UUP legislative agenda for increased SUNY funding, in addition to supporting other important campaigns around the Fight for \$15, Paid Family Leave, and more. In all this work, we see that our Chapter is having a powerful impact both on campus, as well as on regional, state and national issues.

I am proud of the work we've done over the past year, even as I realize how much remains to be done. As always, we invite your active participation; we value all contributions, big and small. E-mail me directly [bret.benjamin@gmail.com](mailto:bret.benjamin@gmail.com) to get involved.

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## Standing on the Shoulders of Giants

(Continued from page 2)

bility to be current, and the more basic responsibility to make sure that the next generation of Americans

understands what actually happened in 1776, even if their understanding is subtly (or significantly) different from that of generations before us. As Isaac Newton—himself a great innovator said—“If I have seen further it is by standing on the shoulders of Giants.” And I know that he said this because someone remembered it and taught it to me.

**Let us know what you think.  
Send your comments to:**

**The editor at:  
pstasi27@gmail.com**

**Newsletter Committee:**

**Jim Collins  
Tomas Gomez  
Gail Landsman  
Marty Manjak  
Paul Stasi**

## **Review of Departmental Renewal, Tenure, and Promotion Expectations and Guidelines Documents & Websites referenced:**

Agreement Between United University Professions and the State of New York: <http://uupinfo.org/negotiations/Contract-2011to2016webSECUREv9.pdf>

Albany UUP's Ombudsperson proposal: <http://uupalbany.org/documents/pdfs/OmbudsProposal.pdf> United University Professions: <http://uupinfo.org> Albany UUP Chapter: <http://uupalbany.org>

Woven Into Its Very Fabric: A Report on Contingent Labor at the University at Albany, Survey

Data Analysis and Policy Proposals: [http://uupalbany.org/documents/pdfs/contingent\\_report.pdf](http://uupalbany.org/documents/pdfs/contingent_report.pdf) SUNY Board of Trustees Policies: [http://www.albany.edu/hr/assets/Policies\\_BOT.pdf](http://www.albany.edu/hr/assets/Policies_BOT.pdf) UAlbany Handbook: [http://www.albany.edu/UniversitySenate/handbook\\_section1.htm](http://www.albany.edu/UniversitySenate/handbook_section1.htm)

UAlbany Procedures for Promotion and Tenure Review: [http://www.albany.edu/academics/promotion\\_tenure/introduction.shtml](http://www.albany.edu/academics/promotion_tenure/introduction.shtml)

Career Leadership and University Excellence's Planning Group on Promotion and Tenure: [http://www.albany.edu/academics/files/CLUE\\_PT\\_Full\\_Final\\_Report.pdf](http://www.albany.edu/academics/files/CLUE_PT_Full_Final_Report.pdf)

UUP Albany Chapter  
University at Albany-SUNY  
CS B21  
1400 Washington Ave.  
Albany, NY 12222

Office Phone:  
(518) 442-4951

Fax  
(518) 442-3957

E-mail  
[uupalb@gmail.com](mailto:uupalb@gmail.com)  
[albany@uupmail.org](mailto:albany@uupmail.org)  
Statewide Website  
[www.uupinfo.org/](http://www.uupinfo.org/)

Chapter Website:  
<http://uupalbany.org>

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UUP Albany Chapter  
University at Albany  
1400 Washington Ave.  
LCSB 51  
Albany NY 12222