

Remarks on Collective Bargaining for Faculty Senate  
October 15, 2008  
By Jack Fiorito, Senator and UFF-FSU Chapter President

Good afternoon!

Since our last Senate meeting faculty members overwhelmingly ratified our new collective bargaining agreement (CBA). Thank you for your help with that. As usual, we were able to carry out a relatively complex voting process spread across three days and at least six different polling places only through the help of the scores of faculty volunteers that attest to the truth of the motto on our UFF-FSU bookmarks, "Faculty Power, Faculty Powered." We will try to get a hard copy of the new agreement to all UFF-represented faculty as soon as the agreements are available.

Believe it or not, we are scheduled to return to the bargaining table in less than three weeks to begin discussions for next year. Salaries are one of the issues we'll discuss, but we also expect to discuss reclassification of non-tenure track faculty and other issues. All indications are that the coming year will be even worse than this one for budget matters. The good news, possibly, is that an idea we've long championed, that to neglect current faculty is "penny wise and pound foolish," seems to be gaining currency. That's reflected in the retention adjustments we negotiated for this year for nearly all FSU faculty, and in a recent statement by Governor Crist's higher education advisor, who was quoted in last Sunday's Tampa Tribune saying: "It costs a lot more money to bring [faculty] in than it does to retain them. You have got to find the money to stop this talent exodus."

For the upcoming negotiations, we want to refresh our understanding of FSU faculty views on issues and priorities. We will hold a Collective Bargaining Advisory Council meeting on November 12<sup>th</sup> at 12:30 in the Askew Student Life Building, with a hot lunch provided by the UFF-FSU Chapter. All faculty members are invited. There will be further announcements, of course, but please make a note of it and try to attend.

I feel compelled to address a somewhat unpleasant issue. Dean Marcus' "Do's and Don't's" memo regarding graduate assistant employees' efforts to form a union is being widely distributed. I can't help but feel a sense of déjà vu about several objectionable elements of this memo. Many of you will recall that during the faculty re-organizing campaign in 2002-03, it was similar overly broad FSU administration efforts to define artificial dividing lines between work time and non-work time, work areas and non-work areas, and similar nonsense (for an academic setting) on a highly discriminatory basis that led to what I call the "Gag Order Case." UFF prevailed at PERC on nearly all points in that case. (See: <http://www.uff-fsu.org/art/gosettl.pdf> and <http://www.uff-fsu.org/art/gonotse.jpg>)

Here again, however, it seems that overly aggressive FSU legal counsel or administrators are encouraging overly broad efforts to suppress the grad assistants' campaign, perhaps

counting on any legal reversals to come too late to undo the damage intended for the organizing campaign.

There is also a suggestion of the standard anti-union fodder that individual freedoms will be repressed by collective bargaining: “It would no longer be possible for a graduate student to negotiate his or her own terms and conditions of employment on an individual basis with department administrators.” Aside from the questionable premise that individuals generally have effective bargaining power in dealing with an employer the size of FSU, this statement neglects the fact that our CBA allows individual negotiation so long as those arrangements are consistent with the CBA. Individualized assignments of responsibility are one example, and perhaps a more striking one involves our CBA’s provision for discretionary raises (CBA Sec. 23.9). Since July 1 this year, our administration has awarded more than \$300,000 in discretionary raises to individuals. These are not the retention adjustments most of us received, nor are they promotion raises. These are individual discretionary raises based on such considerations as increased responsibilities, special achievements, and external offers, and in a very real sense are based on individual negotiations.

I have one final comment on Dean Marcus’ memo, and specifically its reference to an FSU “philosophy” that opposes collective voice for employees, using the standard anti-union terminology characterizing that collective voice as an external “third party” (see above re faculty volunteer efforts!). I am delighted at the opportunity to once again remind the administration that the faculty’s response to this “philosophy” in 2003 was a vote of 736 to 33 in favor of UFF representation.

Thank you for your time. I’ll be happy to take questions.