

Panel & Workshop Descriptions (listed in order of the conference schedule)

Research Panel: The History of Collective Bargaining in Higher Education

To understand the status of collective bargaining in higher education and anticipate the future we must have grounding in applicable history. For over 50 years, faculty and administrators have engaged in collective bargaining at institutions of higher education. While the historical development of faculty negotiations is rich and labor-management relationships are complicated, the historiography is relatively sparse. The participants on this panel will present original research, analyses and commentary concerning the history of collective bargaining on campus.

Workshop Training: Collective Bargaining and Labor Relations for New Administrators and Labor Representatives

This interactive workshop training is designed for administrators and labor representatives who are relatively new to collective bargaining and labor relations. The purpose is help develop strong basic skills in forming and working with bargaining teams, formulating negotiation proposals, participating in negotiations and mediation, and engaging in day to day labor relations including the processing of grievances.

Workshop Training: Use of Financial Data Analysis for Collective Bargaining

This special interactive workshop training is designed to advance the skills of administrators and labor representatives with direct responsibilities for contract negotiations. The workshop will provide participants with hands on training in analyzing budgets and other financial data for purposes of collective bargaining. The workshop will include varying perspectives concerning how financial information can be interpreted including assumptions underlying those interpretations.

Note: The capacity for this special workshop is limited to 20 attendees, and requires each attendee to bring a laptop or tablet. We strongly encourage only those directly involved with the bargaining process to sign up for this workshop.

Research Panel: The Impact of Collective Bargaining and Local Appropriations on Faculty Salaries and Benefits at U.S. Community Colleges

This research panel will begin with a presentation followed by commentary concerning a study analyzing the federal Integrated Postsecondary Education Data System data for faculty and salary for full-time faculty using the Carnegie Classification of Associate's Colleges to analyze geographic differences, the National Center's Directory of Collective Bargaining, and Grapevine's listing of states with and without local support. Findings reveal a very wide range in salaries and benefits for full-time faculty based on differences in geographic classification, the availability of local funding support, and the presence of collective bargaining.

Plenary Session: Panel: Civility and Academic Freedom

Civility is obviously a desirable quality in interpersonal relations within a workplace. Furthermore, it is a goal that managers should and can encourage and train for. However, in an academic setting, principles of academic freedom may constrain the use of civility as the basis for evaluating faculty and possibly students as well. During this plenary, the panelists will examine the tensions and commonalities regarding the concepts and principles of civility and academic freedom. The panelists will examine the definitions and applications of civility and academic freedom on campus and set forth their distinct perspectives to reach the proper balance in higher education.

Research Panel: Collective Bargaining and Contingent Faculty: A Survey of Results

The growing unionization efforts by non-tenure track faculty in the private and public sector calls for data concerning the results of collective bargaining set forth in negotiated agreements. This research panel will include a presentation and commentary concerning the research findings by Gary Rhoades with respect to collective bargaining results for contingent faculty in separate standalone negotiating units, and contingent faculty in units that also include tenure track faculty.

Panel: Higher Education Scorecards, Performance Based Metrics and Faculty Compensation

Scorecards and performance based metrics are being encouraged or implemented on a federal and state level. These efforts have a direct impact on faculty compensation and negotiations at colleges and universities. This panel will examine the performance based metrics system implemented in Illinois and the impact it has on negotiations in that state.

Panel: Faculty Diversity and Retention: Best Practices

Anthony Browne (Chair) and Milagros Denis-Rosario (Assistant Professor), Africana & Puerto Rican/Latino Studies, Hunter College, CUNY: The Faculty Research Seminars at Hunter College bring together Hunter College faculty and visiting scholars in interdisciplinary or disciplinary groups for the purpose of exploring topics of common intellectual and scholarly concern. These seminars are designed to offer opportunities through regularly scheduled meetings for faculty to investigate and develop new areas of research and teaching through sustained intellectual collaboration. Past participants have found the seminars especially useful in advancing their research agendas and preparing papers for publication.

Carlos N. Medina, Chief Diversity Officer and Sr. Associate Vice Chancellor at SUNY: Given the demographic realities of the State of New York, helping to attract and retain diverse faculty within SUNY is of critical importance. The Faculty Diversity Program is designed to assist campuses with the recruitment, retention, and promotion of outstanding scholars from different backgrounds, including individuals from groups that have been historically underrepresented in higher education. Under this highly competitive program, state-operated campuses compete for salary support and start-up packages to recruit outstanding scholars who have attained a record of distinction. The Faculty Diversity program provides state-operated campuses with a percentage of the faculty member's salary for three years.

J. Philippe Abraham, Vice President for Professionals, United University Professions (UUP): The Affirmative Action/Diversity Leave Program, a joint labor/management sponsored initiative of the UUP is available to SUNY employees from the state-operated campuses. The program enhances employment opportunities for people who are preparing for permanent or continuing appointments with preference given to minorities, women, employees with disabilities, or an employee with military status.

Rose Campbell, Faculty Administrator, Florida A & M University: This presentation will provide a brief overview of the mentoring program instituted at Florida Agriculture and Mechanical University to support faculty development on all levels. Emphasis was placed on mentoring first year and junior faculty members to assist them in enhancing their teaching strategies and identifying a possible research focus in their area of expertise. Using resources from the Title III grant, a Faculty Development Center was created to provide activities and support services while enhancing the mentoring process. Monthly activities were also planned to encourage networking and assist new faculty with their acclimation to the university environment. Focusing on retention of new faculty, improvement of job satisfaction and increasing the quality of teaching emphasizing critical thinking, a survey and interviews were

administered to determine job satisfaction. As a result of the survey and interviews, recommendations were used to improve communication and increase training and stipends for faculty research.

Mark Hauber, Acting Associate Provost for Research, Hunter College, CUNY: The Grant Writing Boot Camp is an intensive, all-day program designed to help Hunter College faculty develop, improve, and near completion of grant proposals that would be submitted within the first 2-3 months of calendar year 2015. The program's aims were not merely theoretical, but focused on the practical- -the nuts and bolts of the actual writing process in situ.

Panel: Phased Retirement in Higher Education

This panel will present experiences in the negotiations and implementation of phase retirement programs for faculty on various campuses. Phased retirement is aimed at encouraging experienced faculty to continue to contribute to the college or university in a part-time capacity over a set period of time, and to ensure continuity of operations and to enhance mentoring and training of junior faculty.

Panel: Public and Private Sector Negotiations: Distinctions and Similarities (CLE)

Judi Burgess, Director, Labor Relations, Boston University, Moderator: This panel discussion will explore the similarities and differences involved with bargaining subjects in the private v. public sector. Particular attention will be paid to lessons learned, strategies for more effective bargaining, publicity and campaigns during bargaining, public sector balancing tests, and rights of the electorate. We will also explore the question of whether public sector bargaining causes governmental inefficiency.

Cindy Oliver, President of the Federation of Post-Secondary Educators of BC: Although they are often viewed as "two solitudes", the reality is that collective bargaining in the private and public sectors have many important similarities and both provide teachable moments for faculty negotiators. Cindy Oliver will discuss those similarities as well as the distinctive differences between the two and use the analysis to map out important lessons for faculty negotiators. Oliver's analysis will consider the influence that factors such as union density, member mobilization and the over-arching political and economic climate have on how negotiations proceed in both sectors. She will also provide a series of recommended strategies for faculty associations to consider as they prepare for negotiations with their employer.

Workshop Training: Mindfulness and Stress Management for Negotiations and Labor Relations

The purpose of this workshop is to introduce the participants to the practice of mindfulness means of stress management. The workshop will begin with a review of the science behind stress management and the studies that support meditation and mindfulness practice. The participants will then learn a basic mindfulness meditation and then apply mindfulness techniques to several exercises that can be applied to labor relations work.

Plenary: Reporter's Roundtable: Covering Labor-Management Issues in Higher Education

This plenary session will include presentations by four reporters from newspapers and radio concerning the coverage of labor stories on campus. Each reporter will describe their experiences and expectations concerning their coverage of a news story, their needs and deadlines, and provide helpful hints for labor and administrator representatives when interacting or being interviewed for a story. The plenary will include ample time for questions from the audience.

Panel: University of Oregon: Bargaining and Implementing a First Contract

The University of Oregon (UO) is a research institution with 2,084 tenure and non-tenured faculty. In 2013, after 10 months of negotiations, a first contract was reached between United Academics of the University of Oregon AAUP/AFT (UA) and UO for a bargaining unit that includes: tenure related faculty and non-tenure related instructional faculty (including librarians); non-tenure related research faculty; and post docs.

This panel will include presentations by UO and UA representatives who will describe the negotiating process that began with a primarily positional approach to bargaining that evolved into a primarily interest based approach. The accomplishments in the agreement, from the perspectives of the UO and UA will be articulated, particularly as it relates to non-tenure track faculty, as well as articulating specific processes for the development of key policies in a shared governance model. The panel will conclude with a discussion of the challenges associated with being in the midst of bargaining a second agreement while continuing to implement the first. Panelists will describe the similarities and differences in approaches to bargaining the first and second contracts and to what extent the interest based approach to implementation is influencing bargaining.

Panel: Ins and Outs of Faculty Salary Structures and Wage Equity

Pierre Joanie, Associate Vice President for Human Resources, Bucknell University and Michael O'Malley, Senior Vice President for Sibson Consulting in New York: The growing schism in many colleges and universities between faculty and administration regarding faculty pay is indicative of diverging points of view on what constitutes fair compensation for faculty. How can the perspectives of two intelligent factions be contentiously dissimilar? In this presentation, we discuss the myriad factors that contribute to differential attributions of competitiveness, explaining how differences of opinion can be ameliorated. Topics to be discussed include: institutional factors related to faculty pay; how to extract an agreeable comparison group; how to account for factors that affect an institution's pay comparisons to the marketplace such as school/college, rank, discipline, and years in rank; how "competitiveness" is defined; the role of supplemental pay in evaluating market competitiveness; and how to think about the appropriateness of a faculty member's compensation relative to the market median (or other targeted value). In addition, we will discuss the factors that potentially affect internal pay inequities as well as how to assess pay equity, describing elements of analyses that often are left out such as tests of effect sizes and corrections for multiple analyses.

Panel: Electronic Privacy in Higher Education (CLE)

This panel will discuss the scope of privacy and data protection in higher education under federal and state laws as it relates to faculty and administrator email, social networking, and research utilizing college computers and personal digital devices such as smartphones. The panelists will discuss the ramifications of the NLRB's Purple Communications decision and the impact e-discovery in litigation has on privacy rights. Lastly, the panelists will examine best practices for institutions and faculty members for protecting against unwanted discovery of personal and professional electronic information.

Panel: Views from Mediators: Resolving Higher Education Labor Disputes

Mediation is an important tool that can help parties resolve impasses in negotiations, contract and disciplinary grievances, and other forms of workplace disputes. Utilizing case studies, this roundtable of experienced mediators will describe their individual approaches in mediating disputes in higher education as well as their perspectives on best mediation practices for parties in academia.

Research Panel: International and Domestic Perspectives on Non-Tenured Track Faculty Bargaining

This research panel will include presentations that will compare the characteristics and challenges in collective bargaining for non-tenure track faculty in Brazil and the United States.

Workshop Training: Practices and Policies on Bullying and Harassment

In this training, presenters will provide an overview of bullying and bullying typology, examine the challenges of implementing policies in an academic environment, explore bullying analytics with the use of case studies, and set forth ten pointers for effectively handling bullying at colleges and universities.

Panel: Georgetown University: Lessons from Bargaining a First Contract for Contingent Faculty

In 2014, a first contract was reached at Georgetown University for a bargaining unit of approximately 650 part-time contingent faculty. This panel will be composed of university and faculty negotiators who will describe their perspectives with respect to the process that led to the agreement, the terms of the agreement, and the lessons learned with respect to negotiating a first contract for contingent faculty at a large university.

Panel: Postsecondary Minority Serving Institutions: Labor Relations and Collective Bargaining

This panel will provide an overview of faculty labor-management and collective bargaining issues at postsecondary institutions of higher learning serving significant percentages of undergraduate minority students.

Annual Panel: Year in Higher Education

Three experienced administrators in higher education will participate in this panel discussion, presenting their insights and perspectives on major issues faced by higher education over the past year.

Panel: Student Evaluation of Teaching in Higher Education

Student evaluation of teaching has existed in higher education for close to a century and has been the subject of extensive research. This panel discussion will focus on best practices concerning student evaluations including presentations on recent research from the University of California at Berkeley and North Carolina State University and experiences in collective negotiations over use of student evaluations at the University of Michigan.

Panel: Affordable Care Act Update

This panel will provide attendees with an update concerning the requirements and regulations of the Affordable Care Act (ACA) as applied to institutions of higher education. A particular complexity is the proper measuring of employees as full-time since higher education institutions employ many contingent faculty with variable hours. This session will review the rules and discuss emerging best practices to address compliance with the ACA.

Panel: Due Process Issues for Non-Tenured Track Faculty: How Much Process is Due? (CLE)

Faculty members at public and private sector institutions of higher education have certain due process rights with respect to continued employment. In the public sector, due process is protected under federal and state constitutions, and under public sector labor laws. At private universities, tenure is a contractual right protected by contract law principles that can be every bit as binding as public-employee constitutional and statutory protections. But what of contingent faculty members, many of whom are part-time employees? This panel will analyze the legal, political and practical aspects of due process issues for contingent faculty through the use of case studies. The goal will be to raise awareness of the interconnectedness of these important and complex concepts. Both union/faculty and

administrators will come away with a better understanding of how labor law and “due process of law” can combine to muster legal challenges to the traditional notion of adjunct faculty as merely at-will employees.

Panel: Impact of Pacific Lutheran on Collective Bargaining at Catholic Colleges and Universities (CLE)

The National Labor Relations Board issued a decision in *Pacific Lutheran University* enunciating and applying a new standard for determining whether it may assert jurisdiction over a religiously affiliated school and faculty without impairing the free exercise of religion. This panel will examine the implications of that decision on NLRB jurisdiction over Catholic and other religiously affiliated colleges and universities. It will also explore possible alternative procedures that might permit unionization and collective bargaining at schools that are excluded from NLRB jurisdiction under the standards set forth in *Pacific Lutheran University*.

Research Panel: Negotiating Over Academic Freedom in Higher Education for Contingent Faculty

This research panel will examine empirical data focused on collective bargaining outcomes concerning the subject of academic freedom for tenure-track and non-tenure track faculty. Panelists will address the level of importance that has been placed on academic freedom in negotiated agreements in comparison to other working conditions.

Panel: Graduate Assistants: Special Issues and Challenges in Collective Bargaining

While the right of graduate assistants to unionize and to engage in collective bargaining has long been recognized under state labor laws, the decisional law in the private sector has fluctuated. Presently, the NLRB is reconsidering the Brown University decision, which concluded that graduate assistants did not have the right to unionize under the National Labor Relations Act (NLRA). Despite the current state of the law, New York University voluntarily recognized a union to represent its graduate assistants and graduate assistants at Columbia University and the New School are currently seeking to unionize. The presenters in this panel will examine the special issues and challenges involved in negotiating over terms and conditions of employment for graduate assistants in the public and private sector.

Panel: Politics of Higher Education Funding

State funding for public colleges and universities is essential for insuring high quality and affordable higher education at public colleges and universities. This panel composed of a state legislator, union leader and a consultant to higher education institutions will explore the politics of higher education in three states: Pennsylvania, New Jersey and Illinois.

Panel: Work/Life Balance: Framing and Negotiating the Issues

The panel will begin with a presentation on the research concerning how faculty members spend their time, both work time and personal time, and how they feel about work-life issues and policies. The research presentation will be followed by examples of how those issues have been addressed at the bargaining table.

Panel: Dues and Don'ts after Harris v. Quinn (CLE)

The United States Supreme Court issued its decision in *Harris v. Quinn* last year that strongly criticized settled law concerning the legality of a statutory or contractual requirement that a bargaining unit member who does not join the union that represents that unit must pay a fee for the representation provided. This panel discussion will examine the specific legal conclusions reached in *Harris v. Quinn*, the decision's implications for future challenges to agency fee arrangements, and the potential destabilizing impact it might have on collective bargaining relationships around the country.

Workshop Training: Effective Contract Administration for Administrators and Labor Representatives
Compliance with the terms of a collective bargaining agreement is one of the central elements of labor relations when faculty is unionized. This interactive workshop training will help develop practical skills and protocols for contract administration including drafting grievances, conducting a grievance hearing, preparing a grievance decision, and resolving grievances prior to arbitration.

Panel: Legal Issues in Higher Education: Annual Review of Court and Administrative Developments (CLE)

The Legal Issues Panel includes a review of the major labor and employment decisions from the past year and their implications for college and university administrators, faculty, and employees. This covers, among other things, cases decided by the National Labor Relations Board and state and federal courts on labor matters, such as employee rights, collective bargaining, organizing activity, and unfair labor practices. Among the cases to be discussed will be the NLRB's Pacific Lutheran University decision, which determined important issues regarding NLRB jurisdiction over religiously affiliated institutions and their faculty, as well as the standards for determining whether faculty at private colleges and universities are managerial under the United States Supreme Court's Yeshiva University decision. The session will also include a review of the latest cases on academic freedom, employment law, and related topics. Panelists will review emerging trends in all these areas and take questions from the audience.

Panel: Sexual Assaults on Campus: What Is To Be Done?

Colleges and universities throughout the country are facing criticism and federal intervention concerning their handling of sexual assaults on campus. This panel will explore the mandates of the United States Department of Education Office of Civil Rights concerning sexual assaults as well as best practice for administrators and faculty.

Panel: Tufts University: Lessons from Bargaining a First Contract for Part-Time Contingent Faculty

A first contract for part-time contingent faculty at Tufts University was signed last year. This labor-management panel composed of negotiators for the university and the faculty will describe their distinct perspectives concerning the process that led to the agreement, the terms of the agreement, and the lessons learned negotiating this first contract.

Panel: Music and Bargaining: Negotiating in Tune at Music Schools and Departments

Many colleges and universities employ musicians as tenure track and contingent faculty members. This panel will explore the unique issues facing faculty and administrators when negotiating with respect to faculty musicians, and collective bargaining results at the Berklee School of Music in Boston and the New School in New York.

Panel: Past Practices and Labor Relations: The Importance of Institutional Memory

"Past practice" is a term with both positive and negative connotations in a labor-management setting. While such practices aid in interpreting ambiguous terms of a contract, and can form the basis for a workplace benefit not codified in a negotiated agreement, they may also preserve status quo even where alternate approaches may be beneficial to all concerned. The intentional or negligent failure to abide by a past practice can lead to grievances and litigation that have the potential to destabilize the labor-management relationship. Conversely, an unwillingness to examine the merit of potential alternatives to or modifications of a past practice can hinder innovation and adaptation to broader contextual realities. This panel will discuss the importance of institutional memory from administrator

and labor perspectives as it relates to past practices, institutional change, and maintaining collaborative labor-management relationships.

Workshop Training: Collective Bargaining and Labor Relations for Experienced Administrators and Labor Representatives

This interactive workshop training is specially designed to advance the skills of experienced administrators and labor representatives engaged in collective bargaining, labor relations, grievance handling and arbitration. The training will include an introduction to the affinity approach to collaborative economics bargaining.