

- From Your President, Page 1
- From Your Contract Administrator, Page 2 - 3
- From Your Grievance Officer, Page 4

From Your President David Schimpf

The Year Ahead

I hope that UMD will have an outstanding year educationally, and that each of you will experience many rewarding experiences with students, colleagues, your scholarly/creative passions, and the broader community. It is incumbent on all of us to provide good value in these areas. A university should consider frequently how it can improve the quality of its work.

We want Duluth faculty to begin the 2011-12 academic year with an awareness that UEA will enter contract negotiations with Administration in the spring of 2012. Lead Negotiator John Hamlin will be soliciting input this fall via an online survey; please give the survey items some thought and provide feedback. In addition, faculty are welcome to communicate directly with UEA-D leaders, including departmental representatives, but should do so by mid-October. A general member meeting this fall will be another

venue for asking questions or offering suggestions. UEA-D will combine this input with the thoughts that were offered last spring by department heads and non-regular faculty at meetings that we arranged for those groups.

Duluth faculty can help the effectiveness of negotiations on their behalf by electing to be members of UEA. The more members we have, the stronger we stand in developing an appropriate balance of power within the University of Minnesota. With the collective bargaining rights of public employees being mugged in many states this past year, it's important to take countering action. The right to bargain collectively is stipulated in the Universal Declaration of Human Rights (1948), a constitutive document of the United Nations that the U. S. government and those of 47 other nations affirmed. Help honor that principle by supporting the exercise of that right. A UEA membership enrollment form is included with this issue of the newsletter. If you are already a member, many thanks again! You can use the form to encourage a colleague who is in the bargaining unit (and thus covered by

the contract) but is not a UEA member to join us.

Near the turn of the calendar year UEA-D will be seeking candidates for its elective offices – President-Elect, Vice President, Treasurer, and Member-at-Large. The election will be held in the spring of 2012 for 24-month terms that start July 1, 2012. Begin thinking now about taking your turn to represent the interests of faculty across the campus. Individuals who serve in these offices are surprised by how much they learn about the University, an awareness that can spill over into being a more effective faculty member.

Finally, be alert for pressures to make you do more work without additional resources or compensation. Tight financial times tempt supervisors to attempt that very thing. If you think that what you are being asked to do may not be right, contact a UEA-D officer or official to discuss it, even if you are not so sure. It is incumbent on you to give good value, but only within reason.

Welcome Back
Welcome Back



From the Contract Administrator

Al Roline

As we begin this fall semester, the UEA-D leadership feel it is important to provide tenured and tenure-track faculty, especially such faculty who are new to UMD, with a brief summary of how the negotiated process for promotion and tenure (P&T) works under our UEA-D contract. Below is a brief outline of the process. (While this is intended to be an accurate summary of the most typical process, you should recognize that what follows is just that—a *summary* of a *typical* process. You should refer to the UEA-D Collective Bargaining Agreement Section 201.400 et. seq. for the controlling language.)

- (1) Section 201.405 of the contract provides that a tenure-track member may initiate the P&T process by submitting a written request to the Principal Administrator (typically the Dean) on or before September 30. It is the member who has control over when to start this process. However, the same section also provides an outside time limit (at which point the principal administrator will initiate the process if the member has not done so), though it should be noted that this limit can be extended by medical, parental, or other leaves that are approved by UMD administration.
- (2) While the September 30th date is the only date specifically stated in the UEA-D contract, each year the UEA-D and the administration jointly work out

a timeline for P&T deadlines to fit the current calendar, and these are announced to the campus. For example, although not stated specifically in the Contract, the deadline for the departmental/committee meeting (which directly affects when the dossier must be ready and the statements to the Dean are due) is generally set for early December. The tenure-track faculty member should start preparing his/her P&T “package” of materials at an early date, including all relevant evidence of his/her performance in the domains of teaching, research, and service. The format and content varies from college to college and even from department to department, so it is best to use examples of recent successful P&T candidates from one’s department and/or college as a guide.

The specific criteria for promotion and tenure are contained in what is known as the department’s “7.12 Statement.” These statements were recently revised by all departments on campus but have not yet received official approval. When that approval occurs, the tenure-track members who began their positions before the approval date will have the option of using either the old or the new 7.12 Statement.

- (3) As soon as the “Convener” of the P&T committee (usually the department head) knows that the P&T process has been initiated, he/she should begin preparing

requests to outside reviewers so that the letters of those reviewers will be received by the time the Probation, Tenure and Probationary Readiness Form is prepared. This form indicates the member’s agreement that his/her file is complete and ready for review by the “Eligible Voting Members” of his/her department. (In some disciplines, outside reviewers appreciate having the summer to review candidates’ files and write their letters, so the convener may wish to initiate their requests in those disciplines early.)

- (4) “Eligible Voting Members” is defined in section 201.420 of the Collective Bargaining Agreement. It does not include department members who are serving outside the continental United States, are on disability leave, or are on a formal medical leave. In a case in which there are not at least five such Eligible Voting Members in a department, then the Dean has the authority to appoint additional faculty from outside of the member’s department. In these cases the Dean may appoint enough people to form a committee of at least five individuals; those appointed from outside the department are to be drawn from two lists: one submitted by the department head and the other by the tenure-track member.



Faculty Awards

Members are encouraged to contact Scott Laderman (laderman@d.umn.edu or 726-7207), the UEA-D Information Officer, with news of member awards and accomplishments.

Contract Administrator

Continued from Page 2

- (5) After at least four calendar days following distribution of a written notice and a written agenda for the committee meeting to the Eligible Voting Members, there shall be a meeting to vote on both tenure and promotion. The committee's recommendation shall be determined by a simple majority of those Eligible Voting Members voting. The votes are to be on printed, unsigned ballots, tallied by two of the Eligible Voting Members who are not the convener/department head.
- (6) Within five days after such meeting and vote, the convener must a) forward the original ballots and member's file to the Dean and b) prepare and forward to the Dean and member a statement of the recommendation, including: the number of Eligible Voting Members, the number of votes cast in favor of and opposing the recommendation, and the number of Eligible Voting Members present but abstaining. There must also be a statement of the committee's recommendation identifying the reasons therefore and any minority recommendation identifying the reasons therefore. A separate statement of whether the convener agrees with the majority's recommendation and a statement identifying the reasons for such agreement or disagreement must also be included.
- (7) Once the member receives a copy of the committee's recommendation, he/she then has 10 calendar days in which to review it and to supplement his/her file with written comments or documents, provided, however, that such supplemental comments or documents are accompanied by a statement identifying at whose request such comment or document was prepared, who prepared it, and the date of preparation.
- (8) After the 10-calendar-day period in which the member has had the

opportunity to supplement his/her file, the Dean shall review the file and state in writing whether he/she supports or does not support the award of indefinite tenure and/or promotion for the member and state the reasons therefore.

- (9) When the Dean has completed his/her recommendation, written notification of such recommendation must be given to the member before forwarding on the recommendation to the Executive Vice Chancellor for Academic Administration (EVCAA). If the recommendation is to disapprove the request, the reasons(s) therefore must also be included. Similar to step 7 above, the member shall then have a period of 10 calendar days from the date he/she was notified of the Dean's recommendation to discuss and review the recommendation with the Dean. Again, as in step 7, the member also has the right to prepare a written response related to the Dean's recommendation, and such response must be forwarded to the EVCAA as part of the member's file.

A timeline similar to that for the Dean is followed for approvals by both the EVCAA and Chancellor, with similar opportunities provided the member to review and respond to their recommendations. Ultimately, it is the University of Minnesota Board of Regents that must finally decide upon whether to promote and/or to confer indefinite tenure, and such decision is final and binding. The UEA-D contract clearly provides that "[t]he decision, the criteria upon which such decision was made, all recommendations leading up to the decision, and the reasons for such recommendations shall not be grievable." However, members may certainly bring a grievance if they feel that the P&T procedure as spelled out in the contract was not followed. Therefore, I would strongly encourage all tenured/tenure-track members to become familiar with the provisions in the UEA-D Collective Bargaining Agreement with regard to the P&T process. If you have questions or concerns in this area, please feel free to contact me at aroline@d.umn.edu for clarification.



From the Grievance Officer

Jannifer David

Welcome back for Fall Semester! Seeing the students return to campus always fills me with hope for a new semester full of learning and growing for the students and for me. It also fills me with wonder that despite our good fortune to work in such a nurturing environment, we, at times, seem to fail each other. It is in these situations when we cannot get along with each other or with administration that I hope, as the new grievance officer, to provide some assistance.

Usually, when people are having problems with each other the cause is some miscommunication that can be resolved through careful listening and discussion. Often when we speak with friends and colleagues, we do not articulate our thoughts as eloquently as they exist in our minds. Our colleagues will interpret our comments through their own perceptions, which inevitably differ from our own. The result is that we and our colleagues may have very different expectations surrounding a particular interaction.

I'm sure this has never happened to you, but I have more than once believed that everyone understood things the way I understood things only to find out later that I was the *only* person who understood the situation as I did! Let me give

you an example that I hope will make you smile. A few days ago, I asked my daughter if she had fed the dogs. She smiled at me and said confidently, "Yes, mommy." To clarify, this daughter is six years old (she is one of three daughters) and she is in charge of feeding our two dogs breakfast. Some hours passed and one of our dogs was particularly needy – leaning on me, pushing his nose under my hand for attention, barking for no known reason. I went to the laundry room and saw that the dog-food bowls were empty. So I returned to my daughter to ask again if she had fed the dogs. Upon more discussion it became evident that yes, she had fed the dogs – yesterday! It appears that although my daughter eats every day, she is not clear that her dogs would like food on a similar schedule.

While not a work experience, the lessons from this conversation are just as applicable at work. I had a choice: to make this event a learning experience for me to explain myself better and for her to understand that dogs need food every day *or* to reprimand her for not feeding the dogs and then lying to me about it. I chose the former because I did not phrase my initial question clearly enough for my daughter and because I believe my daughter answered the question honestly, not that she intentionally is trying

to starve her puppies. I believe this same innocence exists in many of our miscommunications at work. People usually do not intentionally try to mislead one another; we simply use shorthand in writing or speaking when more elaborate explanations are necessary or we simply fail to consider everyone who might be affected by our decisions and forge ahead with a course of action without input from an inclusive set of people.

My goal this year as grievance officer is to help folks when they find themselves in these situations. The UEA and Administration have a history of working together through issues before they come to formal grievance procedures whenever possible. My preference is to continue this tradition of informal resolutions. Of course, I am also available to help with the formal grievance process should it come to that. I will be working to help everyone involved find reasonable solutions that would foster our ultimate goal of educating our students.

If you find yourself in the middle of such an unfortunate situation and cannot find your way to a resolution, please call or email me, 726-8692 or jdavid@d.umn.edu. I will do everything I can to help you move forward so that you too can experience the wonder and hope that I always feel at the beginning of fall term.

We're on the Web
uea.locals.educationminnesota.org

UEA-D EXECUTIVE COMMITTEE

President: David Schimpf, x7265, *dschimpf*
Vice President: Evan Brier, x7839, *ebrier*
President-Elect: Michael Pfau, x8886, *mpfau*
Past President: John Hamlin, x6387, *jhamlin*
Treasurer: Linda Grover, x7723, *lgrover*
Member-at-Large: Ed Downs, x7043, *epdowns*
Head Negotiator: John Hamlin, x6387, *jhamlin*
Contract Administrator: Al Roline, x8550, *aroline*

Grievance Officer: Jannifer David, x8692, *jdavid*
BAC Liaison: Jennifer Schultz, x6695, *jschultz*
Legislative Liaison: Michael Mullins, x6155, *mmullins*
Information Officer: Scott Laderman, x7207, *laderman*
Safety Officer: Steve Sternberg, x6165, *ssternbe*
Rep Council Liaison: Jill Torres, x6758, *jtorges*
Rep Council Liaison: Karen Gran, x7406, *kgran*