



UNIVERSITY OF MINNESOTA  
TWIN CITIES

All University Senate Consultative Committee

220 Biological Sciences Center  
1445 Gortner Avenue  
St. Paul, Minnesota 55108

Telephone (612)373-3226

MINUTES  
FACULTY CONSULTATIVE COMMITTEE  
September 3, 1981

The first Faculty Consultative Committee meeting of the 1981-82 year was convened by Douglas Pratt, Chair, at 10:45 a.m. in Room 300 Morrill Hall. Other members present were Marcia Eaton, John Howe, Marvin Mattson, Rick Purple, Paul Quie, Donald Spring, and Patricia Swan. Maureen Smith of University Relations and Marc Perrusquia of the Daily also attended.

1. Faculty Political Action Committee organization. Members had copies of a memorandum sent by Phil Shively to members of the organizing committee. There was discussion within the FCC as to whether the FCC should as a body join in the charting of the PAC. Consensus of opinion was that it would not participate collectively. Rick Purple exhorted each FCC member to individually endorse the PAC charter.

Purple reported a current rumor of apprehension that the funds reserved by the state for salary increases of state employees might be used instead to offset the latest shortfall in revenues.

2. FCC fall quarter dinner meeting with the Regents will be held November 12 at 6:00 p.m. in the Campus Club. Doug Pratt asked if the FCC wanted to continue to propose the focus for the meeting, or to offer the Regents a turn to identify topics. Marcia Eaton recommended checking with Duane Wilson to learn the Regents' questions. Pat Swan sees the time ripe for a discussion of the University faculty's understanding of what is happening with regard to retrenchment. Since the faculty are concerned about what will happen in 1982-83, the meeting could discuss the criteria to be used for that selective, planned retrenchment for next year, since it will be a departure from the recent pattern of across-the-board cuts. Doug Pratt agreed that the subject was worth discussing, although the extent of retrenchment necessary probably will not be known by the time of the meeting. He also recommends continuing the FCC's practice of assigning specific aspects of the discussion topic to various individual FCC members.

3. Agenda items for FCC meeting with the President. Rick Purple reminded the FCC that the search for a General Counsel for the University is nearing conclusion, and that President Magrath could be asked to bring the FCC up to date. Purple, who serves on the search committee, reported that hundreds of candidates, many of them very strong, responded to the advertisement. The job level makes it roughly equivalent to another vice presidency. SCC would like to be among the groups scheduled to interview the finalists, and would appreciate a report from Betty Robinett, search committee chairwoman.



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To: Faculty Consultative Committee  
From: Meredith Poppele  
Date: August 20, 1981  
Re: MEETING NOTICES and ENCLOSURES LISTS FOR BOTH FCC AND SCC

FACULTY CONSULTATIVE COMMITTEE MEETING

Thursday, September 3, in Room 300 of Morrill Hall

10:45-11:15 FCC

11:15-12:15 FCC with the President

(Box lunches will be served)

SENATE CONSULTATIVE COMMITTEE MEETING

September 3, Regents Room

12:30-1:15 SCC

1:15-3:00 SCC Conversation with the President

FCC ENCLOSURES:

1. Letter, 8/20/81 from D. Pratt to President Magrath re agenda for FCC meeting with him.
2. Bonus reading on Health Sciences Vice Presidency:
  - Executive Summary of The Organization and Governance of Academic Health Centers
  - Report of the External Committee on Governance of University Health Sciences--University of Minnesota (1970).
3. For information: "Senates and Unions--Unexpected Peaceful Coexistence," sent in by Vera Schletzer who thought Committee would be interested.
4. For information: Memo, 8/5/81, Phil Shively to 17 faculty members re organizing a Political Action Committee.

SCC ENCLOSURES (see other side)

SCC ENCLOSURES

1. Agenda.
2. Report of the Chair.
3. Copy of D. Pratt letter to President Magrath identifying items for SCC discussion with him.
4. SCC membership roster. Please check for accuracy.
5. SCC calendar of meetings for the year.
6. Letter, 8/7/81, Shirley Moore, Chair, UCEEOW, to Vice President Keller re June 18 SCC meeting.
7. Letter, 8/10/81, Victor Bloomfield, on behalf of CBS heads, to Vice President Keller re O&M retrenchment to support the Minnesota Foundation.
8. Seven pieces relating to Health Sciences vice presidency, with their own cover sheet.

Request: Please call me, if at all possible, if you will not be able to attend. I will return from vacation August 31.



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We engaged him to do the legal groundwork for us (chartering, etc., and finding out precisely about our tax status). He quoted us a price for this of \$500 to \$1000, and said that they would try to keep towards the low side of that range.

We would also like to bring him to a meeting of the full committee, to talk with us concerning strategy.

### 3. Request for contributions.

We will need to raise a small "start-up" pot largely from among ourselves. Could you send contributions to me (c/o Political Science Department, 1414 Social Sciences, West Bank) fairly quickly? Checks should be made out to "University Faculty Association", which is a name I've pulled out of the air, and which we can change at our leisure. (We might, for example, choose University Faculty Fully Determined to Act - UFFDA - or then again, we might not.)

The figure \$50 was floated at our last meeting as a suggestion for the size of contributions, but I know that this is a rotten time of year for many of us. Any contribution will be welcome. What you contribute now, I assume, would be credited towards your first "dues" in the association.

### 4. Call for Meeting

We should move rapidly now, both in light of development in the state, and in light of the fact that we're already getting some press notice. I've attached the usual calendar for arranging meetings. Could you return it to me, noting times you cannot make a meeting.

### 5. Miscellaneous

a) I have started regularly sending copies of our memos, etc., to Ken Keller; to Doug Pratt as chair of SCC; and to Bob Anderson of VP Kegler's office, to keep them informed of what we're doing.

b) I'll circulate a draft of a letter to you before our next meeting.



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Department of Political Science  
1414 Social Sciences  
267 19th Avenue South  
Minneapolis, Minnesota 55455  
(612) 373-2651

AUG 20 1981

August 19, 1981

FYI

To: Professors Don Browne  
Stephen Dunham  
Stephen Gassowicz  
Don Geffen  
Russell Hobbie  
Robert Holt  
Robert Kudrle  
Richard Leppert  
Bruce Overmier  
Marcia Pankake  
Richard Purple  
Donald Rasmusson  
Peter Robinson  
Irwin Rubinstein  
Tom Scott  
Craig Swan  
John Turner

From: Phil Shively (for Dunham/Geffen/Overmier/Rubinstein/Scott/Shively)

Our group will meet to develop a full plan of attack for a faculty lobbying effort on:

Sept. 1, 12 - 2  
Room 608, Campus Club.

Unfortunately, the sixth floor line won't be open, so we'll have to carry our meals up from the fourth floor.

The subcommittee report which you have already received will serve as our agenda; if any of you have alternative proposals, or other questions to raise, could you circulate them to the group?

I'll look forward to seeing you.

AUG 11 1981



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5 August 1981

To: Professors Don Browne  
Stephen Dunham  
Stephen Gassiwicz  
Don Geffen  
Russell Hobbie  
Robert Holt  
Robert Kudrle  
Richard Leppert  
Bruce Overmier  
Marcia Pankake  
Richard Purple  
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Peter Robinson  
Irwin Rubinstein  
Tom Scott  
Craig Swan  
John Turner

From: Phil Shively (for Dunham/Geffen/Overmier/Rubinstein/Scott/Shively)

As per our meeting of 29 June our subcommittee has met to draw up a concrete set of recommendations for your consideration. We have talked to people at Ohio State and Wisconsin to inquire about similar programs there, we have checked into the Minnesota law regarding PACs, and we have talked to a couple of lobbyists and officials.

In general, we have concluded that a PAC for the faculty would be feasible. It would not require a prohibitive amount of book-keeping and red tape. And faculty contributions would apparently be tax-deductible on both state and federal income taxes, though (apparently) not eligible for tax credits on either. This should make it possible for us to raise enough faculty support to launch a creditable effort.

We suggest that we proceed as follows:

(1) Buy a few hours of time from a good lawyer/lobbyist to give us advice regarding our legal situation and our precise situation with regard to tax deductibility, advice on how to charter our group, and advice on lobbying strategy.

(Note: We will need legal advice in any case, and it would be good to have some expert advice in developing the lobbying program we lay before the faculty.)

(2) Send out a call to the faculty, laying out in general terms the lobbying program we intend to pursue, and asking them to pledge a contribution. We should state that we will not call in the pledges unless a minimal threshold number of faculty (30%? 50%? 60%?) have responded.

Doug: We still need an acronym. I'm thinking of suggesting UFFDA: U Faculty For Determined Action!



(Note: If we decide to proceed in this manner a number of questions remain: What should the threshold be? - The "pro" we consult might have useful advice on this - What should we suggest as a minimum contribution? Some fixed percent of base salary? How do we define the "faculty"? - Our subcommittee might suggest the Twin Cities "collective bargaining unit" plus law and non-clinical health sciences faculty, plus the Morris and Crookston faculties.)

(3) Once we have the requisite number of pledges, set up a nominating committee for the initial election, and start an elected board going. At this point our job would be done.

(4) Once this is a going concern, it should seek endorsement by the faculty senate. But it should not be controlled by the Senate.

Could we call a meeting of the full committee to consider these recommendations? I know late summer is a bad time, but we should try to get together before the beginning of the fall term so that we can move expeditiously once September 15 is here.

Though our subcommittee chose to recommend a specific set of proposals rather than a broader variety of proposals, this was more a function of the way our discussion went than of any desire on our part to foreclose discussion of alternative ways of doing things. Our proposals can serve as an agenda for discussion, but there are obviously alternative ways that our group may be set up.

Could you indicate on the enclosed calendar when you would not be available for a meeting over the next few weeks?

P.S.: I've enclosed a copy of the original document by which Wisconsin's PAC was set up. Wisconsin has about 55% of its faculty donating .1% of their salary via payroll deduction. The fellow I talked to from there said that the major weakness of their plan was that they were locked into the strategy simply of having a faculty member on released time lobby for them (as we already do here), and he thought they should have been more flexible regarding tactics.

*This part might be changed by the full group, who may wish to closer ties to the senate.*

JE Frank R. Kemerer  
J. Victor Baldrige

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## Senates and Unions

### Unexpected Peaceful Coexistence

In a 1976 article in this *Journal*, we reported the results of our research on the initial impact of faculty collective bargaining on academic senates [2]. That article pointed out that while coexisting unions and senates stake out respective spheres of influence, the political nature of unions causes them to expand their influence into senate territory. We predicted that while senates would not likely disappear overnight, the growth of union power threatened their existence. We frankly were dubious about the continued viability of faculty deliberative bodies. In addition to union encroachment, we identified faculty apathy, unaccommodating legal decisions, ineffective administrators, and the polarization of faculty-administrative relationships as forces contributing to senate breakdown.

Recently we completed a multifaceted research project designed to take another look at the consequences of faculty unionization in higher education. We surveyed five groups: presidents at a cross section of nonunionized campuses, presidents at *all* the unionized campuses in the country, faculty union chairpersons at those same campuses, system-level administrators, and central office union officials. By mid-1979, the number of campuses with unions had swelled to nearly 650 and represented about 25 percent of the faculty and professional staff in higher education. All told, nearly fourteen hundred questionnaires were mailed out in 1979 with an eventual return rate averaging 52 percent. Case studies and contract analysis were once again included as part of the research. This article updates our earlier findings with respect to faculty senates and notes some surprising developments.

*Frank R. Kemerer is professor of education law and administration, North Texas State University. J. Victor Baldrige is senior research sociologist, Higher Education Research Institute, Inc., Los Angeles.*

*Unions Sometimes Challenge Senates—Yet the Dual Track Survives*

In the 1979 responses, 14 percent of the presidents at nonunionized campuses reported they had no campus senate or equivalent body. The percentage was more than doubled for presidents at unionized campuses. For both groups, community colleges were most frequently without senates—25 percent for the nonunionized and 38 percent for the unionized. Community colleges generally lack a tradition of faculty influence through deliberative bodies, a situation that unions often do little to alter. At nonunionized, two-year campuses without senates, most presidents said they never had such a body. At campuses with faculty unions, a majority of respondents indicated the union replaced the senate. In the latter situation, this is a development sometimes resulting from factors outside of the bargaining relationship. For example, in Minnesota, the collective bargaining law gives unions the right to “meet and confer” with public employers regarding policies and matters not included in the scope of bargaining. In effect, unions have a statutory right to invade the traditional arena of senates. As a result, the role of deliberative bodies in both the Minnesota community college system and in the state college system has been significantly curtailed [3].

What about the situation where senates and unions coexist? Have unions progressively whittled away at senate prerogatives? To get some sense of change over time, we looked carefully at senate-union relations at campuses with a collective bargaining history predating 1975. The influence ratings given senates and unions by presidents and faculty union chairpersons *at four-year and graduate institutions* are included in Table 1. The 1974 influence ratings are also included for comparison purposes.

A careful review of Table 1 indicates that the dual track concept is indeed alive and well. Senates concern themselves with academic matters while unions concentrate on economic issues. In fact, the demarcation lines seem clearer in 1979 than in 1974. Note that presidents see an increase in senate influence in such academic areas as degree requirements, admissions, and curriculum, while they view unions increasing their influence over such economic matters as faculty salaries and working conditions. Union chairpersons see senates increasing their influence in several areas but note little change in union influence. Note as well the remarkable consistency in the responses of presidents and faculty union chairpersons both in 1974 and again in 1979.

Neither senates nor unions are perceived by our respondents as having much influence over department budgets. In fact, presidents see

TABLE I

Influence of Coexisting Senates and Older Unions at Four-Year Campuses: 1974 and 1979 Contrasted

	Curriculum		Degree Requirements		Long-Range Planning		Admissions Policy		Faculty Promotion and Tenure Policies		Dept. Budgets		Faculty Hiring Policies		Faculty Working Conditions		Faculty Salaries and Fringe Benefits		
	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	
Presidents (N = 59/43)																			
Senates	4.2	4.3	3.9	4.9	3.2	3.4	2.9	3.0	3.1	2.7	1.9	1.5	2.5	2.0	2.2	1.7	1.5	1.4	
Unions	1.7	1.6	1.5	1.4	1.9	1.9	1.3	1.2	2.9	3.2	1.6	1.4	2.3	2.5	2.8	3.5	4.1	4.7	
Union chairpersons (N = 56/48)																			
Senates	3.8	4.0	3.7	3.7	2.6	3.2	2.5	2.6	2.7	2.3	1.5	1.6	1.8	2.0	1.6	1.7	1.3	1.2	
Unions	1.8	1.7	1.5	1.6	2.4	2.3	1.4	1.3	3.7	3.7	1.4	1.5	2.7	2.9	3.7	3.8	4.7	4.5	

NOTE: The question was: "How much influence does the faculty union and senate have on these issues at your institution?" The respondents gave answers on a five-point scale, with "1" indicating low influence and "5" indicating high influence. Only campuses with a collective bargaining contract prior to 1975 are included from the 1979 survey so as to approximate the 1974 group.

some influence decline by both senates and unions in this area. Senates appear to have gained influence over long-range planning, probably the result of the hard times facing most institutions. This adds support to the assertion that administrators need deliberative bodies to adjust their campuses successfully to changing times. While senates have gained in this area, union influence remains low.

The influence profile of coexisting senates and unions at two-year institutions is reflected in Table 2.

In keeping with our previous observations about the absence of a tradition of shared governance at two-year institutions, presidents at these institutions accord the senate generally less influence than their counterparts at four-year campuses. Presidents at two-year campuses indicate that senates have increased their influence over curriculum since 1974 but have lost influence in several areas, particularly faculty working conditions. Union chairpersons report an increase in senate influence over several academic matters but note a loss of influence over faculty promotion and tenure policies. Taken together, the responses of presidents and chairpersons at two-year colleges indicate growing senate influence over academic issues but decreasing influence over personnel and economic matters.

Two-year campus presidents see unions continuing to have strong influence over economic issues and increasing their influence over personnel matters such as faculty hiring, promotion, and tenure. Union chairpersons, on the other hand, see unions actually losing influence in all areas since 1974. It is possible that this loss reflects concern about union impotence in the face of runaway inflation, Proposition 13-like budget cutting, and enrollment decline.

At both four-year and two-year campuses, our respondents rate union influence *highest* over salary matters. This in part reflects the fact that the salary issue is a traditional mandatory topic of bargaining. It is an unfair labor practice for management to refuse to negotiate over salaries. And, of course, faculty members are also now most concerned with salaries. Otherwise, the influence of both unions and senates tends to be moderate or low. Obviously, once again, many matters are the prerogative of academic departments and administrators. There is also mounting evidence that administrators are less fearful of faculty collective bargaining now than in 1974 and are taking a tougher stance at the bargaining table. For example, the percentage of presidents at unionized campuses who see bargaining decreasing their power has declined from 41 percent in 1974 to 34 percent in 1979, while those seeing their power actually increasing has almost doubled in the

TABLE 2

Influence of Coexisting Senates and Older Unions at Two-Year Campuses: 1974 and 1979 Contrasted

	Curriculum		Degree Requirements		Long-Range Planning		Admissions Policy		Faculty Promotion and Tenure Policies		Dept. Budgets		Faculty Hiring Policies		Faculty Working Conditions		Faculty Salaries and Fringe Benefits		
	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	1974	1979	
Presidents ( <i>N</i> = 70/46)																			
Senates	3.8	4.1	3.7	3.8	3.2	3.3	2.8	2.7	2.7	2.4	2.3	2.1	2.5	2.2	2.5	1.8	2.0	1.3	
Unions	1.6	1.8	1.6	1.6	1.6	1.7	1.2	1.3	3.3	3.4	1.7	1.6	2.3	2.7	4.2	4.1	4.7	4.9	
Union chairpersons ( <i>N</i> = 78/60)																			
Senates	3.6	3.9	3.3	3.7	2.7	3.1	2.2	2.4	2.4	1.9	1.7	1.6	1.9	2.1	1.9	1.9	1.7	1.4	
Unions	2.2	1.9	1.8	1.8	2.6	2.2	1.6	1.3	3.9	3.6	2.0	1.6	3.1	2.7	4.1	4.0	4.6	4.4	

NOTE: The question was: "How much influence does the faculty union and senate have on these issues at your institution?" The respondents gave answers on a five-point scale, with "1" indicating low influence and "5" indicating high influence. Only campuses with a collective bargaining contract prior to 1975 are included from the 1979 survey so as to approximate the 1974 group.

same period—14 to 23 percent. As in 1974, 45 percent report no change. At the same time, the percentage of campus presidents who see collective bargaining increasing faculty influence has declined from 37 to 29 percent, while the percentage reporting the opposite effect has nearly doubled. About half in both surveys report no change.

Confirmation of the low union governance profile comes from contemporary studies of collective bargaining contracts. In special studies conducted at our request, both the National Center for the Study of Collective Bargaining in Higher Education at Bernard Baruch College/CUNY and Professors Harold I. Goodwin and John Andes at the University of West Virginia report that contracts at institutions with a history of collective bargaining contain few provisions dealing directly with governance. For example, Goodwin and Andes found only 7 percent of the contracts mentioned the senate in 1974. This percentage increased to 10 percent in 1979. Where governance provisions are included, most often, contracts merely incorporate prior arrangements from faculty handbooks, AAUP policy statements, and the like. Thus, unions, by and large, continue to focus on traditional bargaining matters—salaries, working conditions, job security—not governance.

#### *Examining the Underlying Factors*

Some have characterized the lack of union involvement in academic areas as a sign of weakness [1]. While union weakness probably is a factor at many institutions, particularly two-year institutions that have long been administratively dominated, it cannot alone account for dual track stability. Several other factors seem particularly influential.

First, the legal framework has generally confined the scope of required bargaining to traditional economic matters. This fact accounts for limited negotiation of governance topics at many campuses. It must be noted that legal restraints on bargaining cut both ways, for while they afford administrators the means to *oppose* union governance demands, they also *thwart* union efforts to enfranchise the faculty. Because of this, some commentators have opted for small campus-based bargaining units and a wide open stance on permissible bargaining topics, thus maximizing the opportunity to leave the outcomes of bargaining to the parties themselves [4].

If unions had carte blanche to negotiate governance matters, would they seek to destroy the senate by replacing it with a union controlled body? Or would they seek to secure a voice for the faculty in governance matters independent of the union? Ladd and Lipset offered a hypothesis in 1973 to the effect that faculty members at prestigious

institutions are torn between their prouion views and their academic values, opting in the end not to join unions [5, pp. 28-33]. Irrespective of the legal environment, we believe a version of this hypothesis is a second important factor in the continuing stability of the dual track. Even when academicians join unions, their professional commitments are often sufficiently strong to restrain the union from encroaching on senate and department territory. At the same time, by incorporating prior arrangements, collective bargaining agreements provide a degree of security not present at the nonunionized institution where faculty governance influence usually depends on administrative willingness to share authority. Much of the commentary in the past, we believe, has tended to ignore the fact that unions reflect the characteristics of their members. Since two-year faculty members in many cases are trying to secure the professional prerogatives of four-year/graduate school faculty, and the latter are trying to prevent their erosion, it is unlikely that most faculty unions will be quick to negotiate faculty rights away. Indeed, when asked in the 1979 survey if the faculty union had undermined the faculty senate or other established decision body, nearly 70 percent of the faculty union chairpersons said no or reported no change.

Third, administrative support for deliberative bodies is an important factor in senate vitality. Rather than make unilateral decisions about matters excluded from bargaining or negotiate them with the union, most administrators see it in their best interest to solicit the high level of expertise provided by the faculty free from the inevitable adversary atmosphere of collective bargaining. Deliberative bodies provide a useful forum where issues can be painstakingly (and sometimes seemingly interminably) discussed. Of course, few administrators are apt to favor a deliberative body that is merely the faculty union masquerading in senate clothing. Where administrators perceive that the senate has been "captured" by the union and is incapable of acting independently, there will be little support for the dual track.

#### *How Lasting the Relationship?*

Senates have been notoriously ineffective in advancing faculty interests at many campuses, particularly those where administrators have long run the show. One of the primary causes of faculty unionization as revealed in our 1974 research is the desire of faculty members to secure greater influence over governance. Then, too, unions as political organizations need to continually justify their existence to the member-



ship. As a result, unions are always striving for greater benefits for their membership. When economic concessions are not forthcoming, unions will naturally look elsewhere for gains. One of those areas will be governance. In our 1979 survey, over half the presidents and faculty union chairpersons agreed with the statement, "our union is gradually moving into educational issues, trying to influence curriculum and program decisions." Interestingly, only 38 percent of faculty union chairpersons at multiversities agreed, compared with 50 percent at public and private colleges and 65 percent at community colleges.

Environmental factors play an important role in the future of senate-union relations. The dual track drama is not played out in a vacuum. The need to make rapid adjustments to meet enrollment and financial exigencies may force administrators to assume greater control of decision making.

Still, many unions hardly want to become directly involved in reaching painful decisions, much preferring to leave this to someone else while they retain a veto through the grievance process. At the same time, administrators need deliberative bodies to make effective decisions in the interest of the institution as a whole. Mayhew notes that most institutions in trouble lack an effective deliberative body and asserts that a first priority for surviving the 1980s is "to create an effective and formal faculty structure" [6, p. 46]. Thus, with both administrators and faculty unions seeking viable deliberative bodies, hard times could just as easily stimulate the role of faculty senates as undermine it.

In summary, our latest research shows that despite prophecies to the contrary, the senate-union dual track has not proven to be unstable. Rather, senate influence over academic issues and union influence over economic matters are greater now than five years ago on campuses where the two have coexisted through the negotiation of several contracts. While the dual track seems viable at most institutions to date, the unprecedented adjustments soon to be forced upon higher education by fewer students and higher costs cloud its future. Polarization of administrators and faculty over program and personnel retrenchment serves to undercut the value consensus necessary for deliberative bodies to function effectively. On the other hand, administrators are realizing that broad consultation is essential to adjust institutions to new missions and markets. For their part, unions may hesitate to seek a role for themselves in retrenchment decision making, regarding doing so as a no-win option. Under these circumstances, the heretofore relatively peaceful coexistence between senates and unions could undergo a few tense cold wars in the next ten years but emerge intact by 1991.

*References*

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