



# TABLE TALK

*Table Talk is a communication of CSU-AAUP to its members to inform them of the progress of contract negotiations with the CSCU-BOR.*

This issue of “Table Talk” combines notes from two negotiating sessions, which were quite similar and very short. This was because, although CSU-AAUP chief negotiator Patty O’Neill proposed seventeen agenda items for April 29 and four items for May 6, BOR negotiator Andy Kripp did not propose any. We made some progress, but still have many things to discuss before we get to economics.

**The BOR withdrew some proposals to which AAUP objected.** For example,

- 1.) **Intellectual property.** Before the April 29 session a subcommittee of AAUP and BOR team members met to discuss AAUP’s objections to BOR proposals that delete faculty intellectual property rights for online courses and give management the right to take materials from a faculty member and give it to another (10.15.3, 10.15.6, 10.15.7 & Appendix E). Based on the subcommittee’s work, the BOR agreed to withdraw their proposals and return to the original CBA language.
- 2.) **Termination for incarceration.** On April 29 AAUP explained their objection to the BOR proposal that “in extreme cases when a member has been arrested and incarcerated, the Administration may terminate the member” immediately (16.5.2). Patty said we found it strange that “in this day and age the BOR would propose something that would disproportionately impact people of color.” On May 6 Andy said “we heard you last week” and the BOR is withdrawing all changes to that article.

**AAUP stated that we would never accept certain BOR proposals.** For example,

- 1.) On April 29 AAUP asked the BOR to withdraw proposals eliminating the **Promotion and Tenure Committee** (4.11.1, 4.11.11, 4.11.12) because they are radical and no peer institutions in the United States has done such a thing.
- 2.) AAUP also told the BOR on April 29 that we will not agree to their changes to the procedure for termination in Article 16, including the deletion of the faculty **Termination Hearing Committee**.
- 3.) In an article outlining procedures for the university administration to **transfer a faculty member from one department to another**, the BOR proposed deleting “upon agreement of the member and administration” (5.19). On May 6, AAUP made it clear that the consent of the faculty is necessary and that “we think the existing language is sufficient and we don’t see a need for this change.”

**Ongoing discussions** are still taking place about a number of issues.

- 1.) **Family leaves.** On April 29 AAUP said we do not see the need for the BOR to delete family and medical leave (13.4), maternity leave (13.4.1), adoption leave (13.4.2), and child rearing leave (13.5). We also stood by our proposals that members use the sick leave bank for **paid family leave**, and for **sick days for part-time faculty**. (13.2, 13.2.1, 13.3.1, 13.3.2, 13.3.7, and 13.4). On May 6 team member Nicole Krassas presented a very detailed cost estimate for this AAUP proposal, which demonstrated that it was reasonable and not overly expensive. Andy will look at it in more detail.

2.) On May 6 we also discussed AAUP's proposal for a procedure to **stop the tenure clock** for faculty who experience major life events (13.11.1). Andy said the BOR was not interested; it only affects "corner cases" and can be dealt with on a case-by-case basis and so should not be in the contract. Patty asked what that phrase meant, to which Andy replied that they were uncommon, unusual, and unique cases that don't happen that often. Patty explained that our proposal "would primarily apply to women faculty members ... with a newborn or newly adopted child" and that, as we already discussed with Andy, "the responsibilities for child care disproportionately impact women faculty members." These are not, therefore, "what you just referred to as corner cases." Andy became defensive, perhaps because of AAUP's previous concerns about sexism. He told us: "I don't want to get caught up in the 'corner case' reference. .... I don't want too much read into that." But he did not back down: "The position of the Board remains the same."

3.) **Pay inequity of library faculty** (8.5, 8.7): Our librarian colleagues work 12 months on a 10-month salary (8.5, 8.7). During a lengthy exchange on April 29, Andy repeatedly indicated that the BOR is "not interested" in addressing this inequity. AAUP believes it is necessary for librarians to be paid fairly for their work.

4.) **Counselors teaching** (7.5): The BOR is proposing deleting language that allows counselors to teach. Andy argued that they "want counselors focused on counseling, not teaching." In addition, summer teaching opportunities would not be allowed for 12-month counselors because "we're not interested in any kind of arrangement that will generate more pay." AAUP believes that teaching is an important part of the job of Counseling faculty.

5.) The BOR proposed giving a President the unilateral authority to pick and choose who is awarded a sabbatical without reference to rankings from the committee by adding to Article 13.7 the statement "The President may select among the proposals submitted by the **Sabbatic Leave Committee** that best meet the needs of the university and the students." AAUP objected. Discussions will continue.

### **An update on the childcare task force:**

AAUP is still fighting hard for a childcare task force because it was one of the top priorities identified by our members. Because the BOR said they didn't see a need for it in the collective bargaining agreement, AAUP compromised by crafting a memorandum of agreement (MOA) to create it outside of the contract. On April 29, the BOR refused even this. Andy insisted that "it is a much bigger issue than you" and that the BOR is working on something "across the entire system" to "address the broader audience... outside the narrow construct of AAUP."

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### **General impressions:**

The BOR has backed down on some important issues. They also are defensive. We continue to work to **ensure that faculty can provide the best possible education for our students.**

We also will appeal to the **new President of the CSCU system, Terence Cheng**, to help us "reset" our relationship with the BOR. If the draconian contract proposals are withdrawn, we are confident we can work with him to make the CSUs a world-class system of public higher education.

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Our next negotiating session is **Thursday, May 20**. We hope to have a mutual conversation about the items we have agreed to, the items we have talked about but not agreed to, and those items we haven't yet talked about, including those that we believe are unresolvable, so that we can mutually understand where we are. After that, we can turn to economic proposals.