

Faculty bargaining: yes

The University faculty will vote Tuesday and Wednesday on the question of whether to organize for collective bargaining. They will also decide which agent would represent them at the collective bargaining table.

We're not ready to pass judgment on which agent would do the best job representing the faculty, but if student interests are a factor in this election the faculty will vote "yes" on collective bargaining.

It is important to students that collective bargaining be established because they are by law included in the collective bargaining process. House Bill 3043 stipulates that students shall be able to present their views at all negotiating sessions between the faculty and the State Board of Higher Education.

Currently, what negotiations take place are conducted on an informal, unstructured basis completely removed from student criticism and comment.

Of course, advocates of collective bargaining are primarily concerned with the benefits it would bring to the community of professors and instructors at this University. Student interests aside, the arguments in favor of a collective bargaining process outweigh those against.

Under a collective bargaining system grievances would be dealt with in an established, uniform manner. If complaints about hiring, promotion and tenure could not be settled through informal discussion, an impartial arbiter could be consulted.

A collective bargaining agent could also act as an advocate for higher faculty salaries before the Legislature, the state board and the administration. Some progress toward narrowing the salary gap between old and new faculty could also be expected.

Some would argue that university professors are already pretty well off, pointing to the fact that the last Legislature voted a higher salary increase for faculty than for most other state employees. Nevertheless, the faculty would be wise to establish an advocacy process that could act effectively in case some kind of crunch were to come.

Most important for students, however, is that they be allowed to express their opinions in whatever kind of negotiations take place between faculty and the state board. Currently the student voice has no place in those negotiations. Under a collective bargaining system both parties would be required by law to at least consider student interests.

Equality at the expense of quality

Editor's note - The following letter from President Boyd was delivered to University faculty late last week. It is reprinted here with President Boyd's knowledge and consent.

As I indicated I might, I am writing to present some views on the question of whether or not this faculty should vote for collective bargaining. I believe that it should not, that the adoption of faculty unionism would be detrimental to the future quality of the University. I wish to advance two arguments for your consideration.

At the outset, however, I acknowledge that there are valid arguments for collective bargaining. There are also counter arguments familiar to those who have done much reading on the subject. I acknowledge their existence, but let them go without comment now because I am assuming familiarity with the usual arguments, pro and con. Instead, I wish to concentrate on two considerations which are relatively unique to our situation, and which might, therefore, not be familiar to many persons.

First, there is the fact of the charter which sets this University apart from its sister institutions. Its substantial delegation of authority to the faculty makes it virtually unique in higher education. Certainly no other university in Oregon enjoys such a privileged status. If we choose collective bargaining, we may surrender that special advantage and gain in its place exactly the same status the Oregon Public Employees Collective Bargaining Act confers upon all public colleges which choose to unionize. A "yes" vote gives one the right to participate in a union, but at some cost to the right to participate directly in the governance of the University. Thereafter, an elected agent acts for the faculty. To the extent that former procedures are maintained, they survive at the mercy of contracts which are subject to renegotiation year by year. The University administration would be prohibited from dealing with any person or body other than the designated agent in matters that fall within the scope of bargaining. Court decisions have begun to raise serious doubts about the effective survival of independent senates, advisory councils, and faculty assemblies at unionized colleges.

On some campuses there may be little to lose and much to gain through unionization. My belief is that this particular faculty would lose power and influence through such a decision. Our traditional methods of sharing authority are often clumsy and exasperating, but they have worked to produce a first rank university of a high quality out of all proportion to the support levels possible in a state such as ours. In the face of such a record of accomplishment, I would be reluctant to see the laws and practices of collec-

tive bargaining replace the arrangements established by our charter and traditions.

A second special consideration concerns the role which the Oregon State System may play in bargaining on those campuses which choose to unionize. The state board still wants a single, state-wide bargaining unit. That issue has not been finally settled. The eventual outcome is unknown, but the board's position now has the strong alliance of the State's Executive Branch. If they lose in the courts, they may well win in the political arena. The reasons why a faculty like this would be ill served by being subsumed in a system-wide unit are too obvious to need elaboration.

If in the end the board's view fails to prevail, the Chancellor's Office can approximate the same end by choosing to be the bargaining agent for the Board. That right clearly exists now. The reasons that cause the Board to prefer a single unit would cause them to choose, as a second choice, to have the Chancellor bargain with each separate campus unit. An important, if not exclusive bargaining role for the system office seems an almost certain consequence of a decision to unionize.

The result would be a substantial transfer of influence and authority from the president to the chancellor, from the University to the system. This loss of University autonomy and special identity would almost surely unleash further leveling forces — of which too many already operate. I can imagine

exultation on some campuses, but Oregon would surely become a poorer university if equality became a higher concern than quality.

These two special considerations strengthen my own conviction that we should not opt for bargaining in the coming election. A "no" vote will not lock the door to collective bargaining. A new election can be called each year. If events suggest that the negative decision was unwise, an easy remedy exists. The opposite is not true. Once established, a union has substantial protection for its role as exclusive agent. The prudential rule seems wise now: "If in doubt, don't."

As your colleague, I felt entitled to share my views with you. As a campus executive officer, I felt obligated to state my beliefs about the hazards I foresee for this University. But I do know that matters such as these are arguable, and that people of good will and good judgment are of varying opinions. Your collective judgment will be expressed on Nov. 9 and 10. I renew my pledge to work faithfully to implement whatever decision you make, free of rancor and recrimination.

William Boyd
President

collective bargaining - AFT response

Boyd's tactics questionable, arguments one-sided

University of Oregon faculty returned home Friday to find a letter from President Boyd urging a "no" vote on collective bargaining. With the election on Tuesday and Wednesday of this week, there is almost no possibility of responding to President Boyd in time to reach the faculty. The letter, written on stationery bearing the letterhead of the Office of the President, was mailed at University (public) expense.

President Boyd, of course, has a perfect right to express his opinions. But for someone who has often declared his concern for the research function of the University and its intellectual integrity, it is very disappointing to see him engage in this kind of last-minute tactic. Could not the President have raised these issues in time to allow an airing and perhaps a rejoinder? Could not he have utilized the campus mailing system? Are individual faculty members now free to communicate with colleagues via the US mail at University expense?

It should also be noted in this connection that the UO American Federation of Teachers has extended invitations several times to President Boyd to participate in public discussions on the merits of collective bargaining. At no time has he seen fit to do so.

Everyone knows that collective bargaining, now an established and generally effective process at the elementary, secondary, and community college levels, is relatively new for higher education. It is very easy to play upon all sorts of fears. A recent statement from a group of faculty and ex-administrators spoke of strikes and large dues payments, without once mentioning that Oregon labor law forbids the calling of any strike or the assessment of "fair share" dues without a majority vote of all employees.

President Boyd's letter makes two arguments. The first concerns the authority which the U of O Charter ostensibly delegates to the faculty. Actually, as was pointed out by AFT in its successful fight (together with the American Association of University Professors) to

establish campus by campus bargaining, the only protection in law for the authority of the faculty lies in the special Oregon statute which protects the right of the faculty to determine matters of "curriculum" and "government." Nevertheless, honesty requires the admission that in practice the "privileged status" which Boyd alleges we possess has often evaporated in the clench.

Anyone who was present during the very unpleasant Hearing Panel on University Priorities budget-cutting process will remember that it was not the elected bodies of the faculty which constituted the panel, but administrators and faculty appointed by the President. Even then it made recommendations only. As always, the final decision was the state board's.

Moreover, President Boyd's own decision last year eliminating the minority centers, quite apart from the merits of the decision itself, suggests that he is not averse to moving swiftly and without apparent concern for faculty decision-making. A posteriori involvement of faculty in committees to evaluate the minority program is not the same as faculty participating in making the decisions.

When he refers to Oregon as a "first rank university," President Boyd is nearly correct, though somewhat flattering. Most of us take pride in this institution for a number of reasons, but certainly not in the extremely low ranking of faculty salaries as compared with those of other top % ranking institutions. According to Boyd, "if we choose collective bargaining, we may surrender that special advantage" conferred by our charter and "lose power and influence." We cannot help pointing out (perhaps indelicately) that the pronoun we as used here is both inaccurate and broad-ranging. It is inaccurate because, as President Boyd knows, he is considered management and cannot vote in the election. It is broad-ranging because it encompasses salary levels from his (\$54,000) to that of faculty earning \$13,000 or less.

The second major point raised by President Boyd is

much more Machiavellian, namely that even though the Employment Relations Board and the courts have decided on local campus units, the State Board of Higher Education will attempt to subvert this decision in practice. He also expressed the fear that authority would transfer from the President to the Chancellor. We have always considered that the faculty would negotiate with the Board, through its appointed agents, which could well include President Boyd himself, who, in his present capacity, is appointed by the Board.

If President Boyd's letter is intended to raise important unfamiliar issues, his tactic of a last-minute missive is disturbing. Those of us involved in labor matters think back to this past spring and summer when President Boyd sought the aid and counsel of AFT and the AFL-CIO in securing the University of Oregon as the site for the new Oregon Labor Center. We are pleased that his (and our) efforts have proven successful in this venture of several hundred thousand dollars. But we wonder whether the President's obvious hostility to collective bargaining ("it's all right for others") will affect the kind of relations and climate the Center will require.

It is natural that faculty should want to tread carefully on new ground. For this reason, UO-AFT has gone to some expense to place in the hands of faculty the independent Carnegie Commission Report on Collective Bargaining, a study which is not uncritical of any of the faculty organizations, including AFT. The fundamental question facing our faculty is whether we wish to be represented on matters concerning our welfare by an organization of our own choosing, enjoying the protection of the law and not be dependent on the paternalism of "faculty-oriented" administrators.

For UO AFT Local 3209
Nathaniel Teich (English), President
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