

## **DRAFT - Senates and Unions: Working Together for the Public Good**

Are senates and unions incompatible? Are unions antithetical to traditional, “collegial” mechanisms of shared governance? Quite the contrary, according to the history and statements of the national AAUP, and the collective bargaining agreements of local AAUP bargaining units.

From its inception, the AAUP developed, defined, and advanced shared governance as the basic structure of decision making in higher education, epitomized in the academic senate. From the inception of faculty collective bargaining, the AAUP indicated that collective bargaining can and should be used to “increase the effectiveness of those institutions [of faculty shared governance] by extending their areas of competence, defining their authority, and strengthening their voice in areas of shared authority and responsibility.” (Statement on Collective Bargaining, 1973) And the AAUP’s commitment to shared governance and its enhancement with collective bargaining rest in recognizing the benefit to students, institutions, and society of professors having an independent voice in institutional matters as well as in teaching, research, and public life, for one of the express aims of the AAUP is to “advance the interests of higher education.”

The AAUP’s historical commitment to senates and unions, and to their mutual compatibility, is as important now as ever before. We are in the midst of a new wave of faculty organizing in the academy, and one of the key issues in many campaigns is faculty members’ desire to gain a meaningful, independent voice in the institution’s governance. Opponents of these drives often claim, with no evidence, that a faculty union will bring an end to collegial governance and will compromise professional relationships and/or replace them with bureaucratic ones. Statements of the national AAUP, which has established basic structures that define professional work and relations in the academy, empirical studies conducted after the emergence of faculty collective bargaining, and current contracts of local AAUP bargaining units all render such a claim false.

In its 1973 Statement on Collective Bargaining, the AAUP not only pointed to the compatibility of senates and unions, it held that collective bargaining serves the public good.

As a national organization that has historically played a major role in formulating and implementing the principles that govern relationships in academic life the Association promotes collective bargaining to reinforce the best features of higher education. (1973)

In a 1981 study of the relationship of senates unions, conducted by leading higher education scholars shortly after the rise of faculty unionization, the authors found that contrary to the claim that collective bargaining is antithetical to traditional mechanisms of shared governance, there was, in fact, “peaceful coexistence” (Kemerer and Baldrige, *Journal of Higher Education*, 32,3: 256-64), which had obtained in the sample institutions over a period of of years in negotiating several contracts. To be sure there must be an ongoing effort to maintain good communication to ensure such peaceful coexistence. But the authors found that at the universities they studied, “senate influence over academic issues and union influence over economic issues are greater now than five years ago...” (p.263) For unions reflect the characteristics and aims of their faculty, for shared governance.

And in current contract language of local AAUP bargaining units, provided in an attachment, there is ample evidence of bargaining agreements ensuring the most important dimensions of shared governance. In its 1988 “Statement on Academic Government for Institutions Engaged in

Collective Bargaining,” the AAUP emphasized the significance of contract language that ensured sufficient information and communication to make faculty involvement in shared governance meaningful, that delineated joint participation in decision making on committees (e.g., for hiring and evaluating academics and academic administrators, regarding curricular matters, and on budgets and strategic planning), and that provided for equitable implementation of established procedures with mechanisms of grievance and arbitration. Thus, the statement closes with:

By providing a contractually enforceable foundation to an institution’s collegial governance structure, collective bargaining can ensure the effectiveness of that structure and can thereby contribute significantly to the well being of the institution.

Governance is a key issue not only in organizing drives, but also in current negotiations at the bargaining table. The AAUP reemphasizes the mutual benefit of strong, cooperative senate-union relationships to ensure an independent faculty voice in the management of colleges and universities, in shared governance structures at the university, college and department level. Senates derive their influence from institutional regulations or bylaws, which administrations and boards can change or ignore unilaterally, whereas the power of a bargaining unit is derived from state and federal law. The latter’s power can support the former’s efficacy. The advisory role of the senate can often mean meeting and deferring, being consulted to consent, or being informed largely after the fact, with limited information/opportunities for meaningful input into decisions. Although senates can speak bluntly, pass resolutions, or take votes of no confidence in the hope of influencing administrators and boards, unions can bring management to the table, ensure joint negotiation, and legally enforce adherence to agreements and processes. Collective bargaining can ensure that shared governance mechanisms and procedures will not be abridged or bypassed.

Collective bargaining strengthens and protects the role of faculty in shared governance, assuring an independent faculty voice that the AAUP sees as central to academic freedom, educational quality, and sound decision making. Too many colleges and universities today are too focused too narrowly on short-term, self-serving institutional status and revenue seeking goals, trying to move up in the rankings in ways that take them away from their historic public purposes. The current context is one of often ill-advised, unsuccessful, counterproductive, and costly initiatives and ventures by institutional executives, undertaken at the expense of significant educational, academic, social and cultural responsibilities of higher education. Now, more than ever, faculty senates and unions working together have the opportunity to call administrations and boards into fuller account for greater fiscal and decision making transparency, to require fuller, more thorough and thoughtful discussion and vetting of initiatives, and to re-center higher education’s priorities on educational activities and on serving the public interest, broadly conceived.