

Email to faculty re: Our Kent State Faculty Union and AAUP
April 22, 2024

Dear Kent State faculty,

Despite its current name, the Kent State faculty union is not a chapter of AAUP in the way in which that notion is commonly understood. Our union is an independent entity that voluntarily affiliates with AAUP rather than a dependent, local unit that owes its very existence to AAUP. From time to time over our history, the leadership of Kent State's faculty union has questioned whether continuing the affiliation with AAUP is in the best interest of our union. We once again find ourselves in such a time.

The Origin of Kent State's Faculty Union:

Kent State faculty first formed a union in 1975, nearly a decade before the 1984 statute giving full-time faculty at Ohio's institutions of higher education the right to collectively bargain was signed into law. The initial bargaining unit represented by the union was described in Article I, Section 1 of the 1978 collective bargaining agreement (CBA) as "all Kent Campus and Regional Campus full-time teaching and research faculty members, librarians who hold faculty rank, and full-time University faculty members." Among the University employees excluded from the bargaining unit were "Adjunct, Part-time, Temporary, and Visiting Faculty." Sadly, at that time the University considered full-time, but non-tenure-track faculty to be "temporary" employees. As a result, FTNTT faculty were not included in that original bargaining unit. It wouldn't be until 1996 that Kent State's FTNTT faculty would organize, be recognized by the University, and become the second bargaining unit represented by our union. (It wasn't until 2005 that the original bargaining unit was officially redescribed as representing only tenured and tenure-track faculty in the CBA.) Even so, the earliest history of the faculty union at Kent State is important to both bargaining units in understanding our relationship with AAUP.

The original name of our union was the United Faculty and Professional Association (UFPA). In the beginning UFPA was affiliated with both AAUP and the Ohio Education Association (OEA). That changed some time in the relatively undocumented period between the ratification of the first CBA in 1978 and the negotiation of its successor in 1987. It was only after disaffiliation from OEA that the union's name was changed from UFPA to the Kent State Chapter of AAUP. The decision to disaffiliate from OEA was almost certainly made due to the high cost of paying affiliation dues to two separate entities and the belief that the Kent State's faculty would get more bang for their buck from AAUP than from OEA.

More Recent History:

The current discussions surrounding our affiliation with AAUP are taking place for reasons similar to those that led to the disaffiliation with OEA. Although we represent all of Kent State's TT and FTNTT faculty, our revenue comes exclusively from the individual faculty who choose to become dues paying members of the union. (In the years between 2006 and 2018 we also collected a "fair share" representation fee from faculty who elected not to become members. Such fair share fees were ruled unconstitutional by the Supreme Court in the 2018 *Janus v. AFSCME* decision.) As an affiliate of AAUP, we receive quarterly dues invoices from both National AAUP and the Ohio Conference AAUP (OCAAUP) in an amount reflecting the

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number of dues paying members in each bargaining unit. Although our union has not increased dues on our membership since 1997, the amount of dues per member we are invoiced from National AAUP rises every year. Meanwhile, the dues rate for OCAAUP is the highest of any state conference in the nation and increases periodically.

By Fiscal Year 2017-2018, our union was paying 28% of our dues revenue to National AAUP and OCAAUP combined. With the 2018 Janus decision that eliminated the fair share fee, we instantly lost 30% of our revenue. We made the decision in March of 2020 to cap the percentage of our revenue that we would pay to National AAUP and OCAAUP combined at the pre-Janus amount. Had we not done so, that percentage would have increased to 40% by Fiscal year 2020-2021 and would have been steadily climbing ever since. Needless to say, that decision has impacted our relationship with AAUP. However, had we not made that decision, our options would have been to either disaffiliate from AAUP at that time or substantially raise the dues on our members to cover the ever-increasing costs of affiliation with AAUP.

The AAUP / AFT Affiliation and Its Impact on Kent State's Faculty Union:

As you may be aware, National AAUP recently elected to affiliate with the American Federation of Teachers (AFT). Although Kent State's faculty union has elected not to initiate the process that would be required in order to affiliate with AFT, we are increasingly finding that AAUP and AFT are a package deal. There is now a proposal being circulated to have OCAAUP affiliate with the Ohio Federation of Teachers (OFT), the state conference of AFT. The proposal includes a significant increase (almost 200%!) in dues over time phased in over 10 years. This would mean that we would effectively be paying affiliation dues to two entities once again.

Unlike some other chapters of AAUP, we do not, and to our collective knowledge never have, required the assistance of either National AAUP or OCAAUP in negotiating a contract, in enforcing our CBAs through the grievance process, or for legal counsel. We are a strong, independent union that relies on our Kent State faculty leaders to negotiate and enforce our CBAs. On the occasions where we do require legal advice, we have our own attorney who is knowledgeable of the provisions in and bargaining histories of our two CBAs. What we do get from AAUP, aside from a brand name, primarily takes the form of value derived from their lobbying efforts at the Federal and State level on matters of importance to faculty. We are particularly thankful for the effective lobbying by OCAAUP in response to SB 83. Even so, we continue to question whether we're getting adequate value for our AAUP affiliation dues.

What It Would Look Like to Disaffiliate from AAUP:

At this time, no decision on whether to initiate the process of calling for a vote of our members to disaffiliate from AAUP has been made by the leadership. (According to our constitution, such a vote would have to be initiated by a petition signed by 30% of our dues paying members.) However, we do want to say something about what it would look like were we to disaffiliate. Importantly, and unlike more ordinary chapters of AAUP, we would be able to disaffiliate without de-certifying our union. Our CBAs would continue in full force and effect and our union would remain the exclusive bargaining agent for Kent State's faculty. Of course, we would have to once again change the name of our union. But, regardless of what we call

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ourselves, we would continue to stand in solidarity with AAUP as we have with other unions. Likely, we would choose to make periodic, voluntary donations to OCAAUP and perhaps other unions in connection with their lobbying efforts on matters of importance to us. Last but not least, by eliminating the affiliation dues we pay to National AAUP and OCAAUP, we would obtain greater financial security into the future allowing us to remain a strong, independent union.

Again, there is no current plan to seek a disaffiliation vote. We are, however, contemplating formally changing the name of our Chapter (e.g. to something like the Faculty Association of Kent State University) in order to better reflect our independent status even while remaining affiliated with AAUP.

We plan to have some Townhall meetings to discuss all of this with you either in May or at the beginning of the next academic year. In the meantime, don't hesitate to let us know if you have comments, questions, or concerns.

Sincerely,

Deborah C. Smith
President, AAUP-KSU, TT Unit

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