

## **Our Kent State Faculty Union and AAUP**

### **Vol. 3: The pros and cons of disaffiliating from AAUP**

October 11, 2024

Dear Kent State Faculty,

This is Volume 3 of a series of communications that I am sending out over the semester concerning the possibility that our faculty union would disaffiliate from AAUP. This installment will discuss some of the **pros and cons (both real and perceived) to our union of disaffiliating from AAUP**. As I mentioned in Vol. 2, the pros and cons of remaining affiliated and those of choosing to disaffiliate are not wholly independent—a pro of choosing to disaffiliate is a con of choosing to remain affiliated and vice versa—they are two sides of the same coin. I hope you will share my sentiment that there is value in discussing the costs and benefits of the two options separately.

Previous Installments in this series of communications can be found at the links below and on our [website](#):

- [Vol. 0: Our Kent State Faculty Union and AAUP](#) (sent April 22, 2024);
- [Vol. 1: A deep dive into the history and circumstances leading to our disaffiliation discussions](#) (sent September 27, 2024);
- [Vol. 2: The pros and cons of remaining affiliated with AAUP and becoming compliant with our affiliation dues](#) (sent October 2, 2024).

### **Benefits of disaffiliating from AAUP**

As mentioned in the previous installment (Vol. 2) of this series, there are two primary costs of remaining affiliated with AAUP: the actual financial cost to our union and its members and a loss of local control that would compromise our independence. Unsurprisingly, there are **two correlative benefits of disaffiliating: (i) increased financial security and (ii) the ability to maintain our independence and more fully exercise our autonomy**.

Not only would we not face additional (and ever growing) expenses related to affiliation dues, were we to disaffiliate, we would **reduce our annual expenses by roughly \$140,000**—the approximate amount we will pay to AAUP national in affiliation dues this year. Meanwhile, our current annual affiliation dues to OCAAUP are just over \$40,000. In most of our discussions about the possibility of disaffiliation, we've entertained the idea of continuing to make a sizable annual donation to the Ohio Conference AAUP (OCAAUP), perhaps comparable to what we currently pay in affiliation dues. Were we to decide to make a smaller (though still substantial) donation or were OCAAUP to be prevented from accepting a donation from us by AAUP national (more on that possibility in the section on the costs of disaffiliation below), our annual expenses would be further reduced. To put this in context, our total expenses have averaged roughly \$600,000 since we made the post Janus decision to cap what we would pay in affiliation dues. So, disaffiliating from AAUP would reduce our expenses significantly.

Since we lost our “fair share” fee revenue to the 2018 Janus decision, we’ve had to make some tough cuts to our budget. Although we are currently on a sound financial footing and operate in the black, there is a very real possibility that we would soon face a situation—not unlike that currently facing the University—in which our expenses increase faster than our revenue, making it harder and harder to avoid dipping into reserves. In particular, the healthcare benefits we offer to our staff go up every year by an amount that exceeds the rate of growth in our revenue. Moreover, we want to continue to offer raises to our dedicated staff that (at least) match those we receive from the University. We want to be able to continue to afford the rent on our office, which (per the terms of our lease) is due to increase in the next couple of years. In the past, the University has sought contractual increases in what we pay to buy out teaching load for our faculty leaders during the academic year. Although we have been successful at avoiding such increases in past rounds of bargaining, I would not be surprised to see the University make such a proposal again. Since I became President of our union, I have been working in my capacity as President on a pro-bono basis during the summers (though I have taken compensation in my role as chief negotiator for the TT unit in what were anticipated to be bargaining summers). We will not be able to rely on future Presidents agreeing to work in the summer for no compensation.

The reduction in expenses that would result from **disaffiliating would provide some much-needed financial security for our union**. Kent State University and institutions of higher education in general are facing some strong headwinds. It would be nice to know that our union can weather whatever the future holds. Potentially, we could channel some of the savings into increased services for our members or even reduce membership dues. Alternatively, we could create a new strategic reserve designed to assist faculty who might be involuntarily separated from the University should the University be forced to invoke reduction in force of FTNTT faculty or the retrenchment of TT faculty at some point in the future.

In [the previous installment of this series](#), I noted the ways in which remaining affiliated with AAUP and becoming *de facto* affiliated with the American Federation of Teachers (AFT) would undermine our ability to remain an independent, self-reliant union. **The only way to completely alleviate such a threat to our independence is to disaffiliate from AAUP. The financial security that would result would allow us the freedom to more fully exercise our autonomy going forward.** We might be able to fund academic year workload equivalency for a faculty member who would keep an eye on problematic legislation being floated in Columbus and serve as our voice at the Statehouse. We might be able to provide a dedicated budget to our advocacy committees (Committee W, Committee Q, and the Racial and Ethnic Concerns Committee). The possibilities, while not endless, are vast. We would have the freedom and the financial resources to evolve in almost any way that Kent State’s faculty might need us to evolve.

It's worth noting in this context that we aren't the only strong, independent union in the local area—the [Kent Education Association \(KEA\)](#) is the union that represents K-12 teachers in the city of Kent. KEA was founded in 1946 and has been independent of state and national affiliations since 1981. As evidenced by the success rate for school levees in the city of Kent, **KEA is an excellent model of what can be achieved when an independent union is able to effectively exercise its autonomy.**

## Costs (real and perceived) of disaffiliating from AAUP

Although it should be clear from this series of communications that I believe that the benefits of disaffiliation outweigh the costs, it is important that we be mindful of the costs. It seems to me that there are three categories of costs that warrant consideration: (i) costs that we are guaranteed to incur if we disaffiliate, (ii) potential costs that we are somewhat likely to incur if we disaffiliate, and (iii) perceived costs which are either highly unlikely or which would be equally likely whether or not we disaffiliate. In what follows, I'll explore some of the putative costs of disaffiliation, making clear to which category I take each to belong.

### Loss of the AAUP brand name:

The Kent State faculty union receives surprisingly little directly from AAUP national apart from a brand name. However, there is value in that brand, as AAUP is widely known and respected in academia and beyond. Even if we change the name of our union to better reflect our independence, were we to remain affiliated, we could continue to benefit from the AAUP brand. By contrast, disaffiliation guarantees the loss of our ability to directly benefit from any association with the AAUP brand.

### Loss of our relationship with OCAAUP:

We, like all Ohio faculty, benefit greatly from the lobbying power of OCAAUP. They were instrumental in the 2011 fight against SB 5—a law that would have completely eliminated our collective bargaining rights. OCAAUP's more recent communications concerning SB 83 have allowed us to mobilize our members to write to their state representatives and submit testimony in opposition to the bill. The Executive Director of OCAAUP, Sara Kilpatrick, ensured that I would be among those with an opportunity to provide oral testimony before the House Higher Education Committee. Although OCAAUP similarly granted such an opportunity to provide oral testimony against SB 83 to students and others unaffiliated with OCAAUP, we would likely not be on the list of those afforded such a privilege in the future were we to disaffiliate. (This is why it would be important to consider funding our own lobbying efforts.) While we are unlikely to be cut off entirely from receiving communications from OCAAUP (individuals in Ohio who join AAUP receive automatic individual membership in OCAAUP), it is unlikely that OCAAUP would remain as receptive to communications from us as they have been.

### Potential financial impact on OCAAUP:

As I mentioned above, we've always entertained the idea of continuing to make a sizable annual donation to OCAAUP when considering the possibility of disaffiliation. Doing so would allow us to continue to support the valuable work that they do and increase the likelihood that they would continue to work closely with us on matters of mutual interest. Moreover, we are by far the largest dues paying Chapter of OCAAUP, contributing over 22% of their dues revenue in the last fiscal year. (OCAAUP includes 13 collective bargaining chapters and 11 advocacy chapters.) We would like to ensure that our disaffiliation would not unduly impact OCAAUP's finances or force the other state Chapters to accept the proposed merger between OCAAUP and the Ohio Federation of Teachers (OFT), the state division of AFT, when they might otherwise prefer not to. Unfortunately, OCAAUP Executive Director Sara Kilpatrick informed us on September 18<sup>th</sup> that **AAUP national might prevent OCAAUP from accepting any donation from us.** The idea seems to be to force us to either remain affiliated or become “free riders” with

respect to the lobbying efforts of OCAAUP. (It is admittedly strange that they would accuse us of being free riders in this case when it would be AAUP refusing to accept our donations.) I have no idea how likely AAUP national is to follow through on such a threat if we vote to disaffiliate. Although I can't speak for the Joint Coordinating Board (JCB) of our union, I predict that JCB would authorize a donation to OCAAUP even if AAUP national were to inform us that they were barring OCAAUP from accepting it. That way, it would be clear that we are willing to continue to financially support OCAAUP and clear that AAUP national would be solely responsible for any financial harm to OCAAUP.

*Concerns about the loss of solidarity with other unions:*

A common concern that has been expressed is that, if we disaffiliate, we'll be left isolated and alone with no one with whom to stand in solidarity. To be sure, if we disaffiliate, we won't have the built-in solidarity of being directly affiliated with other AAUP chapters. However, disaffiliation needn't entail the end of the solidarity relations we stand in with AAUP or other unions. When several of our faculty union leaders traveled down to Dayton in January of 2019 to support the Wright State University Chapter of AAUP in their strike, it wasn't merely because they were a sister Chapter of OCAAUP. We routinely have unions with which we are not affiliated reach out to us requesting solidarity actions and are always happy to comply. We routinely engage in solidarity actions to show support for Kent State's AFSCME Local 153 workers. When they called for informational picketing on a very cold day in December 2011, our union supported them by renting a van to serve as a warm place for the picketers to take a break and enjoy coffee and donuts. When their negotiations bogged down in 2014, we supported them by engaging in informational picketing of our own and by authorizing a \$175,000 a strike fund for their members (which happily was not ultimately needed). Over the years, we have engaged in various solidarity activities with the faculty union of Youngstown State University, which is affiliated with the Ohio Education Association (OEA) rather than with AAUP. When the United Auto Workers (UAW) were on strike in the fall of 2023, we put out a call for solidarity support for UAW Local 573 and I personally joined their picket line. We hold a "solidarity chapter" membership in the Tri-County Labor Association, a regional division of AFL-CIO. We would support any one of the unions that make up the Tri-County Labor Association and I know that they would support us if we needed it. **Disaffiliation from AAUP will not change the fact that we stand in solidarity with AAUP, AFT, OEA, KEA, AFSCME, UAW and all other unions.** It similarly should not impact their willingness to stand in solidarity with us.

*Concerns about potential loss of bargaining power:*

I have heard a few faculty express concern that disaffiliating from AAUP would cause our union to lose leverage at the bargaining table. Having been involved in the leadership of our union for over 20 years and having served on the TT negotiations team for the last three bargaining cycles (the two most recent of which I served as Chief Negotiator), I can assure you that this is not a real worry. As mentioned previously, AAUP provides no assistance to us in bargaining our contracts. The negotiating teams for our two bargaining units have been able to secure favorable contracts in the past, not because our union is branded with the AAUP name and logo, but because we are well-trained, data driven, and passionate about securing the best contracts we possibly can for the faculty we represent. If we disaffiliate, we will be able to continue the in-house training we've always provided to first-time members of our bargaining teams. (In fact,

we might be able to use some of the additional funds freed up to enhance such training.) We will continue to have the institutional memory of what data is relevant to the issues we are bargaining and how to obtain it from the University. We will continue to be passionate, because these are *our* contracts. **No assistance we might receive from AAUP/AFT in the future could possibly replace (or even much enhance) the expertise our Kent State faculty leaders bring to the table.**

*Concern about future bad administrations:*

I have heard, both from faculty and from OCAAUP Executive Director Sara Kilpatrick, that disaffiliation might come back to haunt us if we ever find ourselves with a future administration intent on breaking, rather than cooperating with, our union. The fact is that many of us have already lived through such an administration during the President Lefton/Provost Frank era. During the Lefton/Frank administration, the University refused to informally resolve any grievance and forced (at least the TT unit) into costly arbitrations. When our union prevailed in binding arbitration (which it did in almost every case), the Lefton/Frank administration appealed the result through the court system—in at least one instance, all the way up to the Ohio Supreme Court. It was clear that their intent was to nullify our contract and bankrupt our union. Although we were affiliated with AAUP at the time, we received no help from either AAUP national or OCAAUP with any of those arbitrations. They were handled completely in-house by our faculty leaders and our union attorney. We prevailed in those arbitrations because our faculty leaders and attorney were familiar with our CBA and with the history between the parties. That would not have been true of anyone brought in by AAUP national or OCAAUP to assist at the time. **Being affiliated with AAUP did not help us during those very bad times and would be unlikely to help us if we faced an equally bad administration in the future.**

*Concern about the potential loss of members:*

To be sure, there are some Kent State faculty whose sense of identification is greater with respect to AAUP as a national, professional association than it is with respect to our Kent State faculty union and who might choose to drop their membership were we to disaffiliate. At the same time, we are aware of several faculty who have dropped their membership this academic year *because* of our affiliation with AAUP and its recent change in stance on academic boycotts. (We've also lost members in past years over various political stances taken by AAUP national.) The faculty who recently dropped their membership might be persuaded to rejoin were we to disaffiliate. Meanwhile, we would almost certainly lose members were we to increase our dues to the level required to remain affiliated and get compliant with our affiliation dues obligations to AAUP. We value all of our members and don't want to lose anyone's support. However, it is likely that we will lose at least some members no matter what we choose to do in this situation. My prediction is that we will retain more of our members by choosing to disaffiliate from AAUP than by choosing to raise our dues so as to get compliant with our affiliation obligations to AAUP. Even if that prediction is not accurate, the fact remains that we would be in a better financial position to weather a modest (and hopefully temporary) downturn in the percentage of Kent State faculty who are active members of our union if we choose to disaffiliate.

*Concern about the development of future faculty leaders:*

A final concern that I have heard voiced is about whether we will be able to recruit and train new faculty leaders as those of us who have been in the leadership for many years step down and

retire. This is a concern that I share. However, it is not a concern that would magically be addressed if we chose to remain affiliated with AAUP. Those of us with institutional knowledge relevant to our union are making a concerted effort to ensure that that knowledge is recorded in print or video and stored in our electronic archives. From time to time we have held workshops for members of our two Councils and other interested faculty on various topics, such as the University budget, the structure of the healthcare benefits offered at KSU, and collective bargaining. In fact, just this summer I conducted a four-session workshop for the FTNTT Executive Committee on negotiations. We are working to identify emerging faculty leaders and get them more involved with our union. This is work that we will have to continue to do ourselves (and even ramp up) whether or not we remain affiliated. After all, AAUP does not possess *our* institutional knowledge and so cannot identify and train *our* future leaders. In fact, the savings that would result from disaffiliation might allow us to provide additional incentives for younger faculty to step up into leadership positions with the union.

No doubt, other costs of and concerns about disaffiliation will be identified as we continue this discussion. The members of our union will have an opportunity to voice and discuss such concerns at a series of Townhall meetings we plan to hold this academic year prior to any vote on the question of disaffiliation.

In the next installment of this series, I will outline the processes and timelines involved in making the decision about whether or not to disaffiliate from AAUP. Stay tuned....

In solidarity,  
Deb

Deborah C. Smith  
President of Kent State's Faculty Union