

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

### **Vol. 2: The pros and cons of remaining affiliated with AAUP and becoming compliant with our affiliation dues**

October 2, 2024

Dear Kent State Faculty,

This is Volume 2 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) of choosing to remain affiliated with AAUP and becoming compliant with our affiliation dues**. The upcoming Volume 3 of the series will focus on the pros and cons of choosing to disaffiliate from AAUP. To be sure, the two issues are not wholly independent—a pro of staying affiliated is a con of disaffiliation and vice versa—they are two sides of the same coin. Even so, I think approaching the pros and cons from the perspective of each option will be fruitful.

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).

### **Benefits of remaining affiliated and becoming compliant with our affiliation dues obligations**

Perhaps it should go without saying, but one of the main benefits of becoming compliant with our affiliation dues obligations is the ability to remain affiliated with AAUP. AAUP is committed to defending academic freedom, protecting tenure, defending faculty governance, and more generally promoting the interests of faculty and institutions of higher education. In this regard, AAUP very much shares our values. AAUP has effective lobbyists at the state and national level and is well respected by state and federal elected leaders. Remaining affiliated would be the most straightforward way of continuing to support these activities we so value.

One of the fundamental values of a union is that there is strength in numbers. This is why most unions are incorporated at the state or federal level and divide into smaller “locals.” Moreover, independent unions often seek to bond together in a “union of unions” such as the AFL-CIO. Remaining affiliated with AAUP would be one way (though not the only way) for our small, independent union to continue to benefit from strength in numbers. Not only is AAUP a large, national union, AAUP is now affiliated at the national level with the much larger American Federation of Teachers (AFT). Additionally, AFT is itself part of the AFL-CIO. It is worth noting that, while not strictly speaking affiliated with AFL-CIO, our small, independent union is considered a solidarity chapter of the Tri-County Labor Organization, a regional division of Ohio AFL-CIO. So, we do have a relationship with AFL-CIO that is independent of AAUP’s relationship through AFT with the AFL-CIO.

I would be remiss if I didn't mention that AAUP/AFT believes that one of the benefits of remaining affiliated with AAUP (and becoming affiliated with AFT) would be that, as a very large union with a lot of resources, AFT could provide us with advice on legal matters and assist us with negotiations and grievances. While this assistance is no doubt valuable to AAUP chapters that are not as strong and self-reliant as we are, we don't require this sort of assistance. We do not—and to our collective knowledge never have—requested the assistance of either AAUP national or Ohio Conference AAUP (OCAAP) in negotiating a collective bargaining agreement (CBA), in enforcing our CBAs through the grievance process, or for legal counsel. As an independent union, we rely 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. In all of our endeavors, we can also count on our dedicated full-time staff. Anyone assigned by AAUP or AFT to assist us would essentially be a stranger who would not know *our* CBAs, *our* bargaining history, and *our* relationship with the University administration like we do. So, **not only do we not have to rely on external assistance, as an independent union, we don't want to rely on such external assistance.**

There is, however, a true benefit in remaining affiliated in the vicinity. In the past, leaders of Kent State's faculty union have been involved in providing training to other AAUP chapters by running workshops at AAUP's Summer Institute. Were we to remain affiliated and become compliant with our dues obligations, our leaders could continue to be a resource for other AAUP chapters in the state and nationally.

## **Costs of remaining affiliated and becoming compliant with our affiliation dues obligations**

There are two primary costs of remaining affiliated: **(i) an actual financial cost to our union and its members and (ii) a loss of local control that would compromise our independence.** I will speak in detail to each below.

### *The Financial Cost:*

We receive no financial support of any sort from AAUP. All of our revenue comes from the Kent State faculty who value having a union and choose to pay their fair share of the costs of representation by our union in membership dues. Since the 2018 Janus decision, the percentage of Kent State faculty who are dues paying members of the union has hovered around 75%—we believe this to be the highest membership rate of any faculty union in the state. Currently, our members pay 0.8% of their AY salary in dues.

Estimating our revenue for future fiscal years is somewhat challenging. Our dues revenue fluctuates with the raw number of members and with their salaries. Kent State has reduced the number of full-time faculty over the years and will continue to do so for the foreseeable future. This has a downward impact on our revenue even while we maintain a high percentage of the faculty as members. Since our revenue is a percentage of faculty salary, faculty salary increases (both across the board and individual increases due to promotion, merit, etc.) have an upward impact on our revenue. The future revenue of our union will be a function of these two factors.

Similarly, it is somewhat difficult to estimate what we would owe in affiliation dues to AAUP going forward. Both AAUP national and OCAAUP charge our union affiliation dues on a per-member basis. AAUP national currently charges \$152 per member annually for “entrant” members in their first four years of membership and charges \$275 per member annually for “full-time” members.

At the current affiliation dues rate and given our current membership, **getting into compliance with our AAUP national affiliation dues would cost our union approximately an additional \$65,000 this fiscal year alone.** We haven’t budgeted for such an unexpected increase and would have to dip into our reserves to pay this amount. It would be particularly unfortunate to have to dip into reserves in the year before what is likely to be a very difficult round of negotiations with the University. We rely on those reserves in bargaining years to cover increased legal costs and the potential costs associated with a strike.

AAUP national’s per-member costs automatically increase each year by a percentage pegged to inflation. Since 2020, those annual increases have averaged roughly 3.45%. Needless to say, that is an increase that exceeds the raises that faculty have received, and thus exceeds our revenue growth rate in those years. We anticipate that, were we to remain affiliated and become compliant with our dues obligations to AAUP national, **future increases in our affiliation dues would continue to exceed revenue growth at our current membership dues rate.**

Meanwhile, OCAAUP currently charges \$45 per member annually and is in the process of raising the annual OCAAUP affiliation dues to \$53 per member. (AAUP national and OCAAUP are a package deal. A choice to remain affiliated with AAUP is a choice to pay our full dues obligations to both state and national.) Complicating the matter still further, OCAAUP is in discussions with the Ohio Federation of Teachers (OFT), the state division of AFT, about merging the two entities at the state level. (OCAAUP was originally carved out of the August 1, 2022 affiliation agreement between AAUP national AFT.)

Were the OCAAUP/OFT merger to happen, our union would be billed at the affiliation rate for OFT chapters which is currently \$191.52 per member annually. That amount would be phased in over 10 years. While our union would be eligible for certain “rebates” given our large membership and full-time staff, I calculate that our state-level dues would be **nearly 3 times higher(!)** than what we currently pay. While it is uncertain whether OCAAUP will decide to merge with OFT, it is under incredible pressure from AAUP national and AFT to do so.

Getting into compliance with our affiliation dues obligations would entail more than paying the full amount invoiced going forward—it would also mean **paying back the arrears in our affiliation dues going back to 2020 (currently over \$345,000 and increasing every quarter).** Likely, we would be able to negotiate some sort of payment plan with AAUP national.

Clearly, we cannot get into compliance with our affiliation dues obligations to AAUP while maintaining our current membership dues rate of 0.8% of salary. My back of the envelope calculations suggests that we **would need to ask our members to immediately increase their dues to 1% of salary** and would need to increase dues periodically as affiliation dues to state

and national increase. I anticipate that the **dues would need to raise to 1.2%-1.5% of salary over 10 years depending upon whether or not OCAAUP and OFT merged.**

The back of the envelop estimates that I have provided of the dues increases needed to become and remain compliant assume that there would be no additional new increases to state or national AAUP affiliation dues and that there would be no significant change in the number of faculty who remain members of our union. Neither of these is a safe assumption. In particular, **we would almost certainly lose members (how many is unclear) as a result of the dues increases that would be required to remain affiliated with AAUP.** Were we to lose a significant number of members, the dues increases for those who remain might have to be even higher to maintain compliance with our affiliation dues. In a worst-case scenario, there could be a vicious cycle of dues increases and reduction in membership in reaction to the increases that would ultimately bankrupt our union. (I rate this worst-case scenario as highly unlikely, but it is worth mentioning even so.)

Since it is our members who decide whether or not to raise union membership dues, there is a very real potential that *the members would not continue to approve the increases required to remain compliant with our AAUP affiliation dues over time.* If that were to happen, AAUP national would again impose sanctions on our union up to and including expelling us entirely. We would once again be faced with the question that faces us now: whether or not to disaffiliate from AAUP.

#### *The Cost to Our Independence:*

In addition to the financial cost (which would be substantial), there is a very real potential that choosing to remain affiliated with AAUP would compromise our strength and independence as the exclusive bargaining agent for Kent State's faculty.

An important core value of the union movement is that there is power in grassroots organizing and local control. (This value is somewhat in tension with the value that there is strength through association with larger and larger entities.) As an independent union that voluntarily affiliates with AAUP, we have the ability to exercise more local control than other AAUP chapters that were incorporated as subsidiary entities of AAUP. *We* govern our affairs in accordance with *our own Constitution*. *We* determine our *own* bargaining priorities and do not rely on outsiders to represent us at the table with the University. *We* determine what causes *we* want to support and which entities with whom *we* want to affiliate.

Remaining affiliated with AAUP entails more than becoming compliant with our affiliation dues obligations—it would entail becoming compliant with the increased set of rules imposed on AAUP/AFT chapters since the merger with AFT. Our Constitution makes clear that a vote of the active membership is required to either affiliate with or disaffiliate from any local, regional, state, or national organization. When AAUP national affiliated with AFT, our union's leadership decided not to conduct a vote of our membership on the question of affiliation with AFT. As a result, and per our Constitution, **we are not affiliated with AFT at this time.** We have clearly communicated this fact to AFT and AAUP national on several occasions (most recently on March 26, 2024) and even paid to ship back the suitable-for-framing AFT Charter Certificates

they sent us with our supposed AFT “local” numbers. However, **both AAUP national and AFT have refused to respect, or even acknowledge, the fact that we are an independent union, free to choose with whom we affiliate.** In fact, AFT sent each of our bargaining units a “compliance score card” in advance of their national meeting July 22-25, 2024. Here is the “compliance score card” that was mailed to my home address for the TT unit (Sue Clement received a similar scorecard mailed to her home address for the FTNTT unit):



AFT Convention 2024

Kent State University Tenured/Tenure Track - 06792

### Compliance Scorecard

In Compliance	<input type="text" value="No"/>	Per Capita (Nat'l)	No	9/30/2023
		Per Capita (State)	Yes	9/30/2023
		Audit	No	
		Officers Compliance	No	8/22/2022
		Exec Board Info	No	
		Membership	Yes	2/12/2024
		Constitution	No	

As you can see, among the compliance obligations for AFT chapters is that AFT be able audit the chapter’s finances. To be sure, we have nothing to hide. Our finances are managed by our capable Office Manager, Shannon Mangrum, with oversight by the Treasurers of our two bargaining units. Our proposed annual budgets are reviewed and approved by our Joint Coordinating Board (JCB) and by the Executive Committees and Councils of both bargaining units. We have our own outside certified public accountants, [Escott & Company](#), who audits our books annually. Our dues paying members are welcome to come to the office to review our budget and annual audits during normal business hours. But, the idea **that we would be required to open up the finances of our independent union to an outside entity with whom we have not chosen to affiliate is an egregious infringement on our independent status.**

It is clear that the cost of remaining affiliated with AAUP would include becoming a *de facto* affiliate of AFT and complying with the rules they impose on their chapters even though we have not voted to become an AFT affiliate. Such a state of affairs would **render moot the language regarding affiliation in our Constitution.**

Some might not find, e.g., an additional external audit too high a price to pay to remain affiliated with AAUP. The problem is that the minor voting power we would have at AFT’s massive national meetings would provide us no real control over what new requirements AFT might impose as the price of affiliation with AAUP. (If OCAAUP merges with OFT, there could be additional requirements imposed at the state level as well.) **The potential cost of remaining affiliated includes significant compromises to our independence as a union.**

In a worst-case scenario, we would cede more and more local control to AAUP national and AFT over time. **Newly imposed requirements might render moot more and more of our**

**Constitution along with the governing documents of our two bargaining units.** In such a case, we might lose our institutional memory that we *are* an independent union and become more and more reliant on outsiders to manage our affairs. We might evolve from being a strong, independent union into being a weaker, more dependent union like many other AAUP chapters in the state.

While I view the worst-case *financial* scenario as highly unlikely, I fear that this worst-case scenario in which we radically compromise our status as an independent union is more likely. It is the scenario that keeps me up at night and is the reason that, when the time comes, I will cast my vote to disaffiliate from AAUP.

In the next installment of this series, I will outline the benefits and costs of choosing to disaffiliate. Stay tuned....

In solidarity,  
Deb

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