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Cobleskill, New York 12043

**United University Professions**

**Cobleskill Chapter**

**May 4, 2015**

**INFORMATION SHEET FOR IMPROPER PRACTICE SETTLEMENT**

On behalf of UUP President Fred Kowal, I am pleased to announce that the improper practice charge filed by UUP regarding a unilateral increase in the academic teaching faculty’s workload for the 2012-13 and 2013-14 academic years has been amicably settled. The following is an outline of the terms and an explanation of the reasons for the resolution.

The settlement has three main parts: establishing the historical teaching load; a payment to affected faculty; and the establishment of the academic teaching faculty’s professional obligation self-report.

The historical teaching load is based on responses to the Chapter’s survey of what faculty informed us they were teaching over a several-year-period, we compared those responses to the college’s records and then submitted that information back to the departments for verification. The college did release this information prior to the start of the current academic year to ensure compliance with the historical load. I have reproduced it here:

*Affliliations: NYSUT ♦ National Education Association ♦ American Federation of Teachers ♦ AFL-CIO*

Historical Teaching Workload Ranges

|  |  |
| --- | --- |
| **Department Name** | **Contact Hours Per Semester** |
| Agricultural Engineering | 15 |
| Ag Business | 12-14, not to exceed 26/year |
| Animal Science | 13-15, not to exceed 28/year |
| Culinary | 15 |
| Fisheries and Wildlife | 15 |
| Plant Science | 12-13, not to exceed 25/year |
| Business | 12 |
| Accounting | 12-14, not to exceed 26/year |
| Computer | 12-14, not to exceed 26/year |
| Early Childhood | 12 |
| Humanities | 12 |
| Mathematics | 12-13, not to exceed 25/year |
| Social Sciences | 12 |
| Natural Sciences | 12-13, not to exceed 25/year |
| Sports and Exercise | 8 |

Prior to today, there has been discussion among some faculty that the Chapter should have negotiated for a uniform teaching load across the campus. The Chapter asked for this several times but management held by the standard that the Public Employment Relations Board (PERB) would have held UUP to; that is, the provable historical load.

Based on the above chart, teaching assignments beyond the above contact hours will be paid as extra service unless the faculty and department agree to a change in the mix of professional responsibilities.

Another piece of the settlement is the faculty activity self-report that will be submitted by the academic teaching (not Librarian) faculty. It will come to the faculty member pre-populated with the teaching assignments. The faculty member will self-report on the other aspects of the professional obligation. A UUP chapter academic forum is scheduled for Tuesday May 5th at 12:30 in Bouck Auditorium to work through best practices for reporting.

Finally, the College will distribute over $114,000 in back pay to the full-time academic teaching faculty who taught in the 2012-13 and 2013-14 academic years who currently are employed by the College. UUP requested that this back pay be distributed equally among these faculty members. The reasons are several: first, $114,000 is a settlement amount; it is not every dollar that UUP sought in the improper practice. It has been UUP’s contention from the start that every full-time faculty member who taught in those years had an increase in workload whether it was having an extra class assigned, or that s/he did an extra assignment to justify a release from the extra class or that historically the department had taken on extra contact hours. UUP firmly believed that each of the full-time faculty deserved recognition of his/her contribution in those years to an equal percentage of the back-pay.

Why is it not every dollar that UUP was seeking at PERB? That is the nature of a settlement: taking a sure thing instead of enduring years of litigation with the possibility that an unfavorable outcome could be issued by PERB. In the meantime, the increased workload would have been institutionalized becoming the “new norm.” Additionally, with a new president starting in July, UUP wanted this chapter behind it and a fresh start with the new administration.

As I pointed out above, the Chapter has planned an academic forum on Tuesday May 5th at 12:30 in Bouck Auditorium to help faculty develop best practices and answer any questions about this settlement. Until then, I remain yours in solidarity.

Bill Tusang

Chapter President