

# **Summary of Important Academic Staff Council Issues Second Quarter (October-December) 2009–10**

## **Renewal Language in Appointment Letters**

The Academic Staff Council has been reviewing the renewal language in fixed-term appointment letters. The council has surveyed the language used by other UW institutions. An ad hoc committee has been set up to focus on the issue.

Two versions of language appear in Extension academic staff appointment letters:

### **A. Fixed term, renewable**

This letter provides official notice of your [re]appointment to the [% FTE] academic staff position of [job title] in [department/division] of UW-Extension, for the period of [date] through [date]. Contingent on satisfactory performance and continued funding, extensions of this appointment are possible. You will receive notification of the terms of any reappointment prior to the beginning of each fiscal year.

### **B. Fixed term, terminal**

This letter constitutes a formal offer to you for a [% FTE] fixed term academic staff position of [job title] with [department/division], University of Wisconsin-Extension, for the period commencing [start date] and terminating [end date]. As a fixed term academic staff member, your appointment is for the above-stated period only, and renewal is not intended. Please understand that under UWS 10.05(1)(a) of the Wisconsin Administrative Code, when a letter of offer for a fixed term appointment states that renewal is not intended, no further notice of non-renewal is required. Under this provision, no further notice will be given.

A number of Extension academic staff, particularly in public broadcasting and the Wisconsin Nutrition Education Program, receive appointment letters with language B and yet are renewed year after year. The result is that the language loses its import. When newly hired people ask about the language, they often get a “wink wink” routine implying that the language doesn’t mean what it says and renewal is in fact very likely.

Upon learning this, David Prucha, Director of Human Resources, said that he would raise the issue in meetings with human resources directors and deans to ensure that the language is presented as meaning exactly what it says.

At a later ASC meeting, Greg Hutchins, Secretary of the Academic Staff, reported that Prucha had spoken to deans and directors about the continued use of “hire/fire” letters over many successive limited-term appointments. The response was that this language is needed to retain units’ flexibility.

Hutchins suggested that the ASC formulate the handling of academic staff appointments into an interview question for the new chancellor candidates.

Several ASC members said that the Extension academic staff Web site should specify and explain the types of appointments and give the number of Extension academic staff with each appointment type.

Another concern is that the current language for Academic Staff Personnel Policies, Chapter 10.06, refers only to renewals or renewable appointments. The fixed-term terminal appointment is not considered renewable and is therefore not covered under the guidelines. The ad hoc committee will be examining this issue as well.

## **Academic Staff Personnel Policies, Chapter 10.06**

According to the current language of Chapter 10.06, a fixed-term academic staff member who has received a non-renewal notice can request an informal “reconsideration” conference with the appointing official. The official may or may not grant the conference. Non-renewed *probationary* academic staff may request an informal conference and also request and be granted a formal hearing.

It was proposed in the ASC to rewrite Chapter 10.06 so that non-renewed fixed-term academic staff with at least four years of full-time equivalent service shall be granted an informal conference on request as well as having recourse to a formal hearing. Such an adjustment would bring Extension’s policy in line with policies at most UW System institutions.

Chancellor David Wilson expressed reservations about the change:

- In such an informal conference, the appointing authority might be extremely guarded to avoid providing fodder for a possible subsequent hearing.
- A conference seems superfluous because a non-renewed employee can request and receive in writing reasons for the non-renewal.

In response, it was suggested that a conference would allow a long-term employee to have a discussion and a sense of closure, instead of merely a one-way communication from management.

In its December meeting the ASC passed a rewritten version of Chapter 10.06 stating that non-renewed fixed-term academic staff with at least four years of full-time equivalent service shall be granted an informal conference on request as well as having recourse to a formal hearing. The new language now goes to Chancellor Wilson.

## **Title Progression**

The ASC is considering rewriting Unclassified Personnel Guideline 15, Policies and Procedures Governing Title Prefix Review for Promotion, so that the criteria better reflect the kind of work Extension academic staff actually do and how they do it. At the January meeting the ASC will try to finalize the language.

In preparatory discussion, ASC members noted that Extension academic staff need to be made more aware of the prefix review process—especially that the process must be initiated by the *employee*. The Extension academic staff Web site should provide information on initiating a prefix review and perhaps have a page congratulating employees who have advanced.

## **Definition of Scholarship**

The ASC is divided on the issue of whether to formulate a definition of scholarship. On the one hand, there is the position that for academic staff who do engage in scholarship a formal definition would help in acknowledging their contributions. On the other hand is the misgiving that a definition of scholarship could be used to segregate academic staff into tiers of those who engage in scholarship and those who don't. A worst case would be that unions use the definition to make cases for unit clarification. Discussion will continue in future meetings.

## **Unit Clarification**

The ASC decided to invite a WERC (Wisconsin Employment Relations Commission) representative to attend the January Academic Staff Council meeting to update the council on the status of the unit clarification petitions currently before the commission, and to answer questions. Peter Davis, General Counsel at WERC, has accepted and will attend the January meeting.

Unit clarification is a procedure whereby a union can identify academic staff positions that it perceives as not being uniquely "academic" and petition WERC to designate those positions as classified. If WERC finds in favor of a petition, the positions become classified and are assigned to existing collective bargaining units. Currently there are three such petitions before WERC. None involve Extension, but they do involve positions with the same job titles as many positions at Extension. UW System vigorously opposes unit clarification and would likely contest in court any attempts to change position status.

## **Collective Bargaining**

Hutchins reported on a collective bargaining training session given by System's consultant (C. Richard Barnes). The consultant said that the enabling legislation passed by the legislature is very unclear. The consultant said that System should establish a uniform approach to collective bargaining so that there isn't a campus-by-campus patchwork of contract structures. The first contract negotiated will likely establish the precedent according to which subsequent contracts are negotiated.

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