
Executive Committee: President – **Jamie Phillips**; Vice President – **Barry Sweet**; Secretary – **Sally Sentner**; Treasurer – **Sue Courson**; Delegates – **Jamie Phillips, Barry Sweet, Karen Bolinger, Elizabeth MacDaniel, Deborah Ellermeyer, Annette Rosati**; Alternate Delegates – **Karen Cook, Greg Goodman, Mark Kilwein, Paul Klenowski, Lynn Smith**; Coaches Delegate – **Ron Righter**; Coaches Alternate – **Chris Weibel**; Coaches State Rep – **Al Modrzejewski**; Coaches State Rep Alternate – **Gie Parsons**; Venango Campus – **Bill Hallock**; CAP – **Joseph Croskey**; DRC – **Stephen Johnson**; Grievance – **Elizabeth MacDaniel**; Health & Welfare – **Janice Krueger**; Legislative – **Barry Sweet**; Membership – **Suzanne Boyden**; Negotiations – **Jamie Phillips**; Nominations & Elections – **Ellen Foster**; Gender Issues & Social Justice – **Deborah Ellermeyer**; Public Affairs/Relations – **Mark Franchino**; Retirement SERS & TIAA-CREF – **Lynn Smith**; Student Liaison – **Naomi Bell O'Neil**; Human Relations – **Sonja Heeter**; Rules & Bylaws – **Colleen McAleer**; Mobilization Chair – **Andy Lingwall**; Temporary Faculty Committee Chair – **Jessica Modrzejewski**

The President's Message...Meet & Discuss vs. Negotiations



One of the most important aspects of having a CBA is that it legally mandates that Management has to negotiate with the Union on certain specific issues and meet & discuss with us on many others. Thus, Management is legally required to *negotiate* with APSCUF on the upcoming Winter Session pay-schedule for Winter 2011, and Management is legally required to *meet & discuss* with APSCUF on program elimination. Yet, it is likely not clear in your mind what the real difference is between Negotiations, on the one hand, and Meet & Discuss, on the other. Today I want to try to make that distinction clearer for you. I think this is important not just because it will help you better understand two important avenues the Union has by which to bargain with Management, but so that you can also better appreciate the opportunities and limitations each format presents to the Union.

Negotiations

It might seem that negotiations only involve the PASSHE and State APSCUF hammering out a new CBA every four years, but even after a CBA is approved, negotiations continue. These negotiations occur at both the state and local level and involve contract implementation of mandatory items of bargaining. Mandatory items of bargaining—contrasted with permissible items of bargaining—involve those issues that both sides must legally bargain over. The specific areas that constitute mandatory items of bargaining is determined by legal and historical precedent, but generally includes things like salaries, work hours, grievance procedures, layoff procedures, etc. Thus, the PASSHE could not unilaterally change the salary schedule and Clarion University could not unilaterally decide that faculty will now work during Winter Break. Management could only implement these kinds of changes with the approval of the Union (not likely!) after negotiations have taken place.

Consequently, the Union has a great deal of say over the final disposition of mandatory items of bargaining. For example, as you may recall, State APSCUF filed an unfair labor practice against the PASSHE regarding the imposition of a system-wide smoking ban. This imposition constituted a clear change in faculty working conditions (whether you agreed with the ban or not), so the PASSHE should have negotiated with APSCUF regarding it. Since PASSHE did not negotiate with APSCUF, APSCUF argued that they, in effect, broke the law. The Labor Board agreed and, as a result, the ban was lifted and the PASSHE was forced to take the issue to the negotiations table. We are actually in the process of negotiating this item right now.

Meet & Discuss

Meet & Discuss (M&D) involves bargaining over items that are classified as permissible items of bargaining and/or bargaining over items in the CBA where M&D is specifically required, e.g., Article 29: Retrenchment. Permissible items are, generally, non-prohibited (i.e., legal) items of bargaining that lack the kind of legal/historical precedent to make them mandatory. Thus, though it is mandatory for Management to negotiate with the Union regarding the maximum number of credit hours a faculty member can teach without overload pay, it is not (yet) mandatory for Management to negotiate with the Union regarding class-size. The latter is currently considered a permissible item of bargaining due to prevailing legal precedent, even though a larger class size could have more of an impact on a faculty's actual work-load than an additional class. Obviously, the distinction between mandatory and permissive items of bargaining is not always clear, rational, or happy.

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Moreover, the requirements of M&D relative to the requirements of Negotiation substantially favor Management over the Union. The legal requirement that Management meet & discuss with the Union regarding a range of permissive topics, e.g., class size, scheduling, summer school, classroom availability, program elimination, etc., only requires that Management bring the matter-at-hand to the Union's attention and that Management sincerely consider the Union's proposals or ideas regarding the final disposition of these matters. So long as Management brings up the permissive issue, though, and discussion takes place, Management can go ahead and implement whatever proposals it likes without approval by the Union.

So, to sum up the distinction: (1) APSCUF has great power when it comes to bargaining via Negotiations, but Negotiations has a fairly limited scope. Only a few items will be subject to mandatory bargaining and, typically, neither side is eager to touch them once a CBA is in place. (2) APSCUF has much less power when it comes to bargaining via Meet & Discuss, but M&D has very broad scope. Most of the issues that faculty are presented with on a daily basis are items that could be brought by the Union to Management for Meet & Discuss.

Of course, if you personally have an issue or matter that you want the Union to address, just let me or our local Chair of M&D, Barry Sweet, know. We will do our best to make sure that your voice is heard by Management.

Jamie Phillip,
President, Clarion APSCUF



FALL 2011 MEETING DATES *(Please mark your calendars!)*

EXECUTIVE COMMITTEE (EC) ***(Rhea Conference Rm @ 3:30 pm)***

Tuesday, October 18
Tuesday, November 1
Tuesday, November 15
Tuesday, November 29

MEET & DISCUSS (M&D) ***(All meetings are held at 2:30 pm)***

Wednesday, October 12 – M & D
Friday, October 28 – Pre-Meet
Friday, November 4 – M & D
Friday, December 2 – Pre-Meet
Friday, December 9 – M & D

DEPARTMENTAL REP COUNCIL (DRC) ***(Rhea Conference Rm @ 3:30 pm)***

Tuesday, October 11
Tuesday, November 8
Tuesday, December 6

LEGISLATIVE ASSEMBLY 2011-2012 (LA)

*November 17 - 18, 2011
Ramada, Altoona
*February 9 – 11, 2012
Holiday Inn East, Harrisburg
*April 26 - 28, 2012
Ramada, Altoona

PROFESSIONAL DEVELOPMENT TRAINING SERIES FOR FACULTY SCHEDULE

- **Friday, October 21** – *The Value of Assessment: An Oxymoron?* in Room 250/252 Gemmell Student Center at 12:30 pm – Presented by Susan Turell, Associate Provost
- **Tuesday, November 1** - *Hiring of Faculty Workshop* – in Montgomery Hall, Venango Campus, at 9 am till 11 am - Presented by Tim Fogarty, HR, and Jocelind Gant, Social Equity **AND** *The Value of Assessment: An Oxymoron?* - Presented by Susan Turell, Associate Provost
- **Friday, November 4** – Topic t/b/a in Room 250/252 Gemmell Student Center at 12:30 pm



ARE YOU TRYING TO FIND THE PROMOTION, TENURE, SABBATICAL AND/OR EVALUATIONS INFORMATION AND MATERIALS? You will find it under the Clarion APSCUF webpage. Go to www.apscuf.org. Click onto "Universities" then "Documents" than click "Faculty Documents". Note that all materials are updated on the web when received from each university-wide committee chair.

Fall 2011 Supplemental Payments
Overload & Related Payments – November 4th paycheck
Distance Education – December 2rd paycheck



Welcome Aboard New APSCUF Members!!

DJ Bevevino - Coaches
Rebecca Franchino - Education
Randall George - CIS
Phyllis Howard - Mathematics
Margo Johnson - HPE
Corinne Kittka - Allied Health
**Shintrika Hudson - Academic
Enrichment & Coaches**

Poornima Krishnamurthy - Physics
Joseph Occhipinti - AGES
Kate Overmoyer - Mathematics
Tonya Stewart - Mathematics
Elissa Stuttler - Finance
Krisztina Beni - HPE
**Jacqueline Knaust - Chemistry &
Biochemistry**

APSCUF MEMBERSHIP AT CLARION

APSCUF Membership is open to ALL faculty and coaches: tenure track, full-time temporary and part-time temporary. The majority of faculty and non-faculty coaches at Clarion University are APSCUF members. We truly ALL benefit from the work environment created by the CBA and by APSCUF. And during this important negotiating year for our upcoming contracts, APSCUF membership is more important than ever. Our current membership includes 297 (Plus 5 APSCUF members from other campuses) of 367 faculty members and 16 of 22 coaches. Below are the numbers of Fair Share (non-members) by department. If you have not joined APSCUF and wish to do so, please contact the APSCUF office at (814) 227-2420 for a membership application.

ACADEMIC ENRICHMENT: 100% Membership
ACCOUNTANCY: 1 Fair Share
ADMINISTRATIVE SCIENCE: 2 Fair Shares
AGES: 1 Fair Share
ALLIED HEALTH: 1 Fair Share
APPLIED TECHNOLOGY: 100% Membership
ART: 100% Membership
BIOLOGY: 5 Fair Shares
CIS: 100% Membership
CSD: 2 Fair Shares
CHEMISTRY: 3 Fair Shares
COMMUNICATION: 3 Fair Shares
ECONOMICS: 100% Membership
EDUCATION: 7 Fair Shares
ENGLISH: 100% Membership
FINANCE: 2 Fair Shares
HISTORY: 2 Fair Shares
HPE: 1 Fair Share
LIBRARY: 100% Membership



LIBRARY SCIENCE: 100% Membership on-campus/2 Fair Shares off-campus
MARKETING: 100% Membership
MATHEMATICS: 4 Fair Shares
MODERN LANGUAGES: 1 Fair Share
MUSIC: 3 Fair Shares
NURSING: 6 Fair Shares
PSP: 1 Fair Share
PHYSICS: 1 Fair Share
PSYCHOLOGY: 100% Membership
SOCIOLOGY: 3 Fair Shares
SPECIAL EDUCATION: 2 Fair Shares
**STUDENT AFFAIRS FACULTY (athletics):
2 Fair Shares**
**STUDENT AFFAIRS FACULTY (counseling):
2 Fair Share**
THEATRE: 1 Fair Share
VENANGO ARTS & SCIENCES: 6 Fair Shares
COACHES: 6 Fair Shares

STAY INFORMED ON CONTRACT NEGOTIATIONS! GO TO THE "MEMBERS ONLY" SITE AT [WWW.APSCUF.ORG](http://www.apscuf.org)

APSCUF MEMEBERS: Are you signed up for APSCUF's "Members Only" site? If not, here is what you need to do. Contact the local APSCUF office at 227-2420 and supply our Office Manager, Jan Walters, with a password. Your information will be forwarded to State APSCUF for processing. Once processed, you will then be able enter the "Members Only" site at www.apscuf.org.



Once you enter the site, you can participate in forums; get updated on current APSCUF issues and topics; access APSCUF Special Services information such as how to order magazines (QSP Program), receive car rental discounts, amusement park discounts, and Verizon Wireless discount along with AT&T and T-Mobile discounts. Also remember....find the latest information in contract negotiations. The process is easy...so sign up today! For those who have forgotten their password, contact Jan in the APSCUF Office.

No Formal Flu/H1N1 Program for Fall 2011

PASSHE **WILL NOT** be offering flu shots to employees this year. Employees may acquire flu shots through their doctor's office or local pharmacies at a minimal cost. Per the Pennsylvania Faculty Health & Welfare Fund:



IMMUNIZATIONS FOR THE FACULTY PLAN – The **faculty only** are eligible for annual reimbursement up to **\$300.00** for immunizations beginning January 1, 2007. The benefit includes, but is not limited to, foreign travel, influenza, PPV (pneumonia), MMR (measles/mumps/rubella), tetanus, VZV (chicken pox) and hepatitis A & B immunizations. The Fund will reimburse up to **\$30.00** for influenza and up to **\$45.00** for PPV immunizations.

This Fund benefit is available for the reimbursement of expenses not covered under faculty members' basic health care plans. Immunizations covered by PASSHE health plans may not be submitted to the Fund for reimbursement. The Fund's benefits should not be considered a substitute for the health plan benefits provided by the PASSHE.



Chapter President Jamie Phillips, Past Chapter President Colleen McAleer and Past Office Manager June Hetrick

2011 APSCUF Outstanding Service Award

June Hetrick, Past Clarion APSCUF Office Manager, received the Clarion APSCUF Outstanding Service award for 26 years of dedicated service to the organization. She first began working for the local chapter in 1981 as APSCUF implemented the third CBA in July 1981. She continued her service for 9 rounds of contract negotiations for faculty and two rounds of contract negotiations for coaches, and worked under 8 local Chapter Presidents. Throughout her years of service, June was noted for her kindness, patience, keen intelligence, sense of humor, and good organizational skills. She was always helpful to faculty and coaches and was a true friend to many APSCUF members, other office managers across the state, and employees of state APSCUF. She retired in 2007 to spend more time with her family and friends. Congratulations and THANK YOU to June!



How can members stay in touch with APSCUF?



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apscuf.wordpress.com



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twitter.com/APSCUF



STATE APSCUF DISTINGUISHED SERVICE AWARD

at September 2011 Legislative Assembly in Harrisburg, PA - (L to R) Beth McDaniel (Clarion), **awardee Sylvia Stalker (Clarion)**, awardee Joe Cavanaugh (East Stroudsburg), Nancy VanArsdale. **Congratulations to Sylvia!!**



PLEASE NOTE: The Clarion APSCUF Office will be closed from October 24th thru October 28.

DON'T FORGET TO VOTE ON ELECTION DAY, TUESDAY, NOVEMBER 8th.