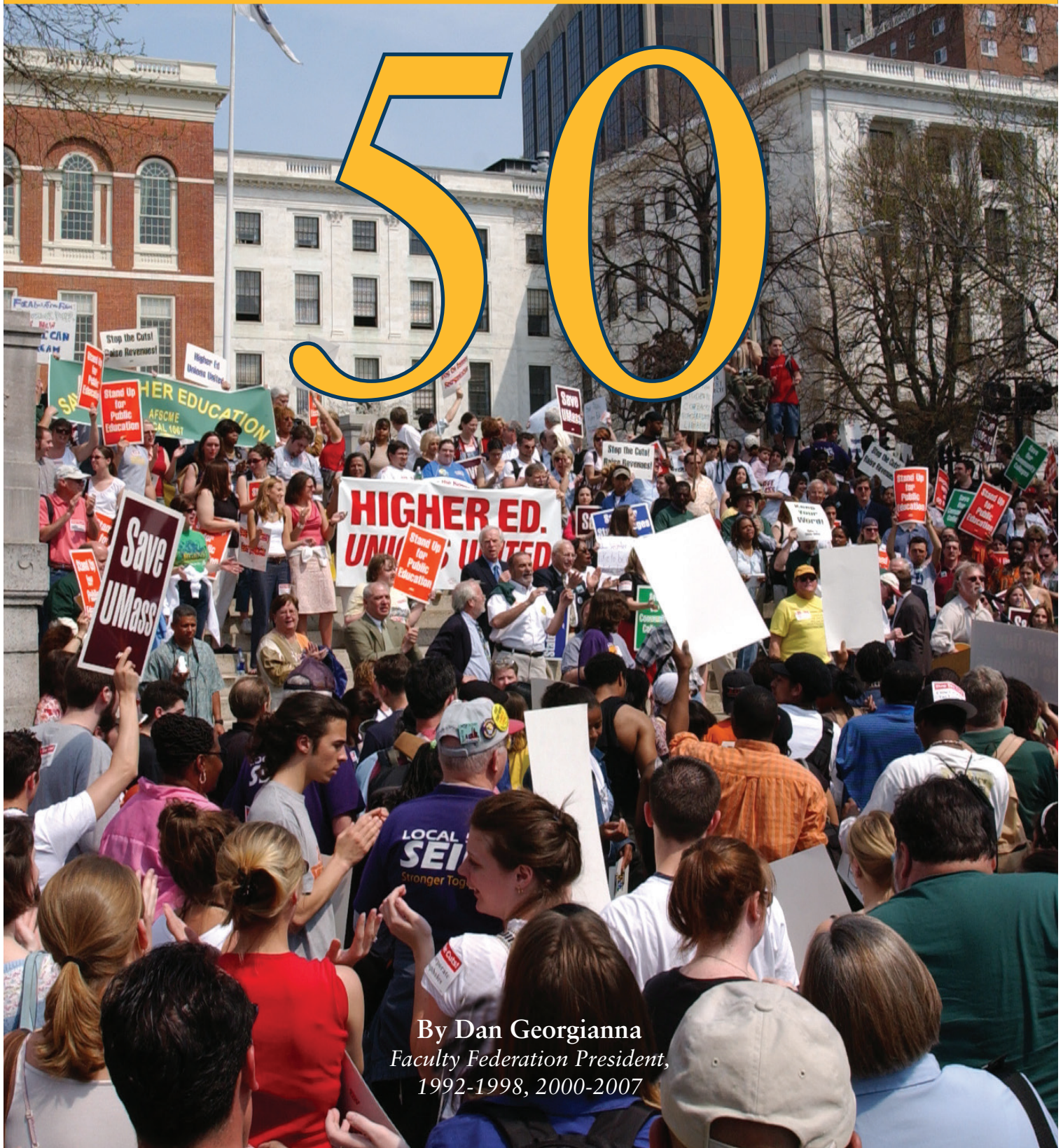


TOGETHER WE ARE BETTER:

The first 50 years of the UMass Faculty Federation



By Dan Georgianna
Faculty Federation President,
1992-1998, 2000-2007

Acknowledgments

Many Federation members and staff contributed to writing this history of our union.

Fred Gifun's history of UMass Dartmouth was an indispensable source on both the history of UMass Dartmouth and the Federation. I found his footnotes especially helpful.

Bruce Sparfven wrote the section on the ESU.

Eric Larson both edited the text and wrote the Preface.

Mike Mahoney designed the document, and **Sharon Fusco** printed the document.

Stacey Alzaibak, our Office Manager, found everything and knows all about the Federation. She and **May Matsumoto**, her predecessor as Office Manager, basically managed the Federation for 30 years, keeping records that surely would have been lost.

Judy Farrar, Archives and Special Collections Librarian, found many of the photographs and other material from the Archives.

Justine Maucione prepared many of the photographs in higher resolution for publication.

D Confar took most of the photographs of rallies, banquets, and other Federation events.

Heather Tripp and **Bob Archer** recorded the interviews and many other Federation activities.

Cathy Curran, current President, and **Jim Mullins**, current ESU chair, and the other officers and board members gave their time willingly to this project. As usual they have their hands full with running the union. Union leadership is not a rational choice based on dollars and cents but a commitment to work together for the campus and for justice. Past presidents, officers, and board members can rest assured that the Federation is in good hands.

My wife, **Sharon Challingsworth**, whose family was long involved in British unions, and our sons **Alex**, **Adam**, **David**, and **Matthew** have suffered through 30 years of my time in the Faculty Federation. Only the family of union leaders understand what this means.



Current Federation President Cathy Curran at 2017 graduation with her colleagues.



Unions United at their booth at Homecoming 2017 with State Senator and UMassD alumnus Mark Montigny.

Preface

By Eric Larson
*Assistant Professor
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Histories of the labor unions of the last half-century tend to center on declines in membership, strikes, and defensive actions in general. But public sector unions have defied this narrative of decline. They have been labor's success story of the last fifty years, having grown from representing a tiny slice of the U.S. public workforce to more than 35 percent of it. As employers, politicians, and the forces of global economic restructuring have dramatically whittled the presence and power of private sector unions, public sector unions have often withstood the wave of anti-labor lawyers, "Right to Work" laws, and the rightward shift of the U.S. electorate.

And that's why they face pushback. In recent years, state-level politicians like former Wisconsin governor Scott Walker (R) led high-profile attacks on public sector union rights. Walker later hoped his efforts would carry him into the U.S. presidency. Following Walker's lead, national anti-union organizations crafted a case against public sector unions that ultimately found hearing at the U.S. Supreme Court. Only a few months ago, the Court ruled in *AFSCME vs. Janus* that employees at a worksite are not required to pay "fair share" fees for representation, even when these same employees enjoy the higher wages and benefits that their union has helped earn. Historians of public sector unionism will undoubtedly identify the *Janus* decision as a fundamental turning point in U.S. labor history.

However, and as Governor Walker learned in 2011, attempting to dismantle a state's public sector unions can lead to massive popular unrest. Teachers and other public sector employees occupied the Wisconsin state capitol for months, while tens of thousands protested outside. While Walker's side eventually won that battle, Chicago teachers won concessions after a courageous strike only two years later. Just this year, teachers in states like Oklahoma and North Carolina – hardly the traditional bastions of unionism – launched walkouts that pushed state legislators to invest in education and in teachers. And they won. The *Janus* decision will change public sector unionism, but it won't end it.

What's important about public sector unions is more than their size. Unlike many private sector unions, those in the public sector represent diverse groups of workers. As the Trump administration simultaneously supports the country's richest few but trumpets a romanticized view of "American workers" as white, male, and reactionary, public sector unions represent significant percentages of Black workers and of

white women workers. These unions may not always get much attention, but their history captures many of the key elements of contemporary U.S. history.

That brings us to the history of the Faculty Federation. Like so many public sector unions, UMass Faculty Federation Local 1895 doesn't always attract the headlines. But as Dan Georgianna shows here, its influence has extended far beyond the Dartmouth campus of the University of Massachusetts. In its early days, the Federation successfully negotiated the nation's first collective bargaining agreement for university faculty. Its contract language on intellectual property rights for faculty has been copied by numerous universities.

Few are better to tell this story than Dan Georgianna. A Chancellor Professor Emeritus in Economics, he served as Treasurer for the Federation from 1986-1991, and as President for most of the 1990s and early 2000s. The Federation, under his leadership, won union rights and benefits for part-time faculty. As President, he led a coalition of Massachusetts higher education union locals to successfully pressure the state legislature to fund salary increases after then-governor Mitt Romney (R) vetoed them. Together, the unions of the coalition picketed the Massachusetts State House daily and protested outside events whenever Governor Romney and UMass President William Bulger visited campuses.

Unionism and negotiating are part of Dan's own history. His mother, he said, was a tough-minded woman, who inspired her children to do their best. She set an important example of negotiating skills – including negotiating lower prices for dented canned goods at the supermarket. His father was a leader of a United Auto Workers local in Syracuse, NY, and Dan "grew up with the UAW contract on the kitchen table because Dad's members would stop at our house on their way to the shop rather than speak to him at work."

Please enjoy this important history of the UMass Faculty Federation Local 1895, AFT, AFL-CIO. As public sector unions face post-*Janus* realities, histories like these become increasingly important. Far from simply recounting the history of the rights and benefits workers enjoy today, they help provide blueprints for the future.

Beginnings

In 1968, twenty-seven faculty members, most of whom had taught at either the New Bedford Institute of Technology or the Bradford Durfee College of Technology (Fall River), predecessors of the University of Massachusetts Dartmouth, petitioned for a charter from the American Federation of Teachers (AFT) as the Southeastern Massachusetts Technological Institute Faculty Federation Local 1895.

The history of unions at UMass Dartmouth, however, goes further back than 1968. In 1895, MA State Senator Sam Ross, President of the New Bedford mule-spinners union, proposed a bill to create four textile schools in the Commonwealth, including schools in New Bedford and Fall River, which passed the State Legislature in that year. Mule spinners were textile workers who oversaw a moveable spinning frame called a mule, which twisted cotton fibers into fine yarn that was woven into fine cloth, the main product of New Bedford's early textile industry. Mule Spinners were among the first textile workers to form unions but were little known outside textile cities. When drafted into the army during WWI, they were assigned to care for horses and mules, which most mule spinners had never seen.

In 1895, State Senator Sam Ross, President of Mulespinners Union, proposed the bill that created textile schools in Fall River and New Bedford, predecessor schools of UMassD.



Tommy John: co-founder & first President of the Faculty Federation (1968-1973); also first Vice Chair of the Faculty Senate.

Senator Ross wasn't the only New Bedford or Fall River union leader to seek and hold high public office during the textile era in those cities, but he was the one most interested in industrial education. Ross served on the Board of the New Bedford Textile School for over 50 years, from its inception in 1896 until his death in 1947, his last seven years as president of the Board. He also served several terms in the State Legislature, where he often presented bills for funding the state's textile schools. The Faculty Federation ultimately opted for its local number (1895) in recognition of Senator Ross's work dating back to the nineteenth century.

The Faculty Federation was granted its charter as an American Federation of Teachers (AFL-CIO) local on July 6, 1968 to represent faculty, librarians, and professional technicians. They voted to have the AFT represent them as bargaining agent (Fred Gifun, p. 74.). Under a Massachusetts law, enacted in 1965, state and local public employees had rights to organize unions that could negotiate legally enforceable Agreements with their employers over salaries and working conditions.



SMU in exile
Richard Ohman,
Chancellor of Wesleyan
University, address
students and others at
“Joe Must Go” Teach-In.



Crowd at statehouse
Rally at the State House
May 15 2003 organized
by the Faculty Federation
and other unions to
overturn Governor
Romney's veto of funding
for all MA higher
education agreements.

The boss organizes the shop

Joe Driscoll, President of Southeastern Massachusetts Technological Institute (SMTI), was used to getting his way. A decorated marine pilot in WWII, he transformed SMTI, a technical college, created in 1960 from the merger between New Bedford Institute of Technology and Bradford-Durfee College of Technology in Fall River into Southeastern Massachusetts University (SMU) in 1969. He worked with Governor Foster Furcolo and area legislators to build a new campus in Dartmouth. Hiring mostly recent and a few established PhDs and accepting the faculty from the former textile schools, he expanded a technical institute into a university with four colleges (Arts & Sciences, Business and Industry, Engineering, and Fine and Applied Arts). The university offered programs in fine arts, science, engineering, and liberal arts. (Gifun, 34-38.)

During the same period, many faculty members carried over from the textile colleges objected to the higher salaries, raises, and privileges for the new faculty, which President Driscoll distributed unilaterally. For their part, many of the newly hired faculty opposed the university president's disregard for academic freedom in his treatment of Vietnam War protesters. He responded to anti-war protests by threatening non-renewal of contracts and firing faculty who participated.

These were partly opposed and partly overlapping groups that supported "Joe Must Go" united by opposition to President Driscoll, whose power to favor some and punish others threatened all. The newly formed Faculty Senate

recommended limits to President Driscoll's power, but he ignored recommendations from the Senate, which he chaired. The large American Association of University Professors (AAUP) chapter on campus voted for President Driscoll's dismissal and called for faculty input into hiring of academic administrators, but these resolutions also went unanswered by President Driscoll. (Gifun, 73-75, including Notes.)

These factors led a group of faculty members from the former textile schools to investigate forming a union. The leaders were an eclectic group of academics led by Tommy John from the Mathematics Department at the New Bedford campus and Bill Wild from the Business Department at the Fall River campus. As with President Driscoll, Tommy John fought in WWII as a pilot. He had founded the Faculty Senate a few years before, serving as the first vice-chair. Bill Wild, Chair of the Business Administration Department, had previously worked for a textile manufacturer in Fall River where he represented management in collective bargaining. Aware of the power of collective bargaining agreements, which were enforceable by law, they sent out a call to several unions for representation. The AFT responded. Following the process from the recently passed Massachusetts public sector collective bargaining law, the union collected cards calling for an election for union representation of a bargaining unit of faculty, librarians, and professional technicians, who voted for the union (156 to 90) on April 24, 1969. (Gifun, 73-75, including Notes.)

Faculty Federation and other campus unions "welcome" President Bulger in September, 2002 to campus to convince him to support contract funding.



While it is not possible to determine the support for the union from each group of faculty members, the vote represented both factions of faculty and their converging issues of fair process for salaries and working conditions and academic freedom. Capricious decisions by President Driscoll and his administration, especially President Driscoll's threat to hire and fire at will, united the faculty in their support of the union. Tommy John and Bill Wild were elected as Faculty Federation President and Vice President. Caleb Smith and Theo Kalikow from the new faculty were elected as Treasurer and Secretary. John Fitzgerald from the new faculty, who succeeded Tommy John as Faculty Senate Chair, also supported the Faculty Federation.

President Driscoll's refusal to negotiate with the union led union leaders to focus on the SMU trustees, who mostly opposed President Driscoll autocratic reaction to student and faculty demonstrations against the Vietnam War, but were not necessarily favorable to collective bargaining. Governor Sargent, who had told a student rally at the State House that, "Academic Freedom, in my opinion, is the name of the game," had appointed six new Trustees to the Board, including William Taylor, publisher of the Boston Globe, and several faculty from major private universities. Governor Sargent proposed dismissal of President Driscoll at the first meeting of the new Board in January 1970. (Gifun, 266)

After the trustees also refused to negotiate with the Faculty Federation as required by the Massachusetts collective bargaining laws, the Federation's Executive Board voted to picket their individual work places. This was an extraordinary decision. The Federation leaders, both from the older and newer faculty, were very conservative with little experience with union tactics. Their focus on contractual academic freedom and faculty voice within a negotiated process for hiring and tenure decisions united them, and the students' protests encouraged them.

President Tommy John was especially troubled by the decision to picket the Trustees. His military background and his business connections, as well as his family ownership of Thomas's Department Store in New Bedford, went against picketing business offices. He carried out the Executive Board's decision, however, even when few actually joined the picket lines. When his friend, Gus LaStaiti, President of the Southeastern Bank and Trust Company, confronted him outside the bank, asking him if he was ashamed to be picketing a



PROFESSORS PICKET: Representing the Faculty Federation of Southeastern Massachusetts University in a picket line outside the Fall River Five Cent Savings Bank Thursday were, from left, Dr. Walter J. Cass, Dr. William P. Nicolet, and Prof. Leo T. Sullivan, federation vice president. Douglas J. Richardson, bank president, is a member of the SMU board of trustees. **Herald News Photo**

trustee's business office, Tommy told him, "Yes I am ashamed to be picketing your bank but I'm more ashamed that you refuse to negotiate." (Interview with Tommy John, 1991)

Ultimately, President Driscoll's unilateral form of rule led to his dismissal. His reaction to student and faculty opposition to the Vietnam War helped ignite calls for his ouster, and the rallying cry "Joe Must Go" eventually led the SMU Trustees to vote for his dismissal in 1971. In July of that year, they replaced him with a three-person Executive Committee led by Richard Fontera, Dean of the Faculty. In August 1972, following the recommendation of the Search Committee that included faculty and student representation, the Trustees selected Donald Walker to succeed Joe Driscoll as President of SMU. (Gifun, 76-77.)



ESU Chair Bruce Sparfven and others "welcome" Governor Romney at ATMC in FR after he had vetoed contract funding in 2003.

The first collective bargaining agreement

Under the direction of John Vertente, a local textile union leader, as Board of Trustee Representative and Observer, the Faculty Federation and the SMU administration completed their first collective bargaining agreement in 1971. Led by Tommy John and Bill Wild, the Federation's negotiating committee consisted of three professors and three department chairs. The Trustees recognized that the Federation represented tenure track faculty, including department chairs, librarians, and professional technicians in collective bargaining negotiations over salaries and working conditions. The Trustees and the Federation agreed on a salary schedule by rank with 10 steps in each rank that allowed the administration to hire new faculty at any step within rank, essentially allowing higher salaries for the new faculty. But it also gave equal raises to all faculty, librarians, and professional technicians.

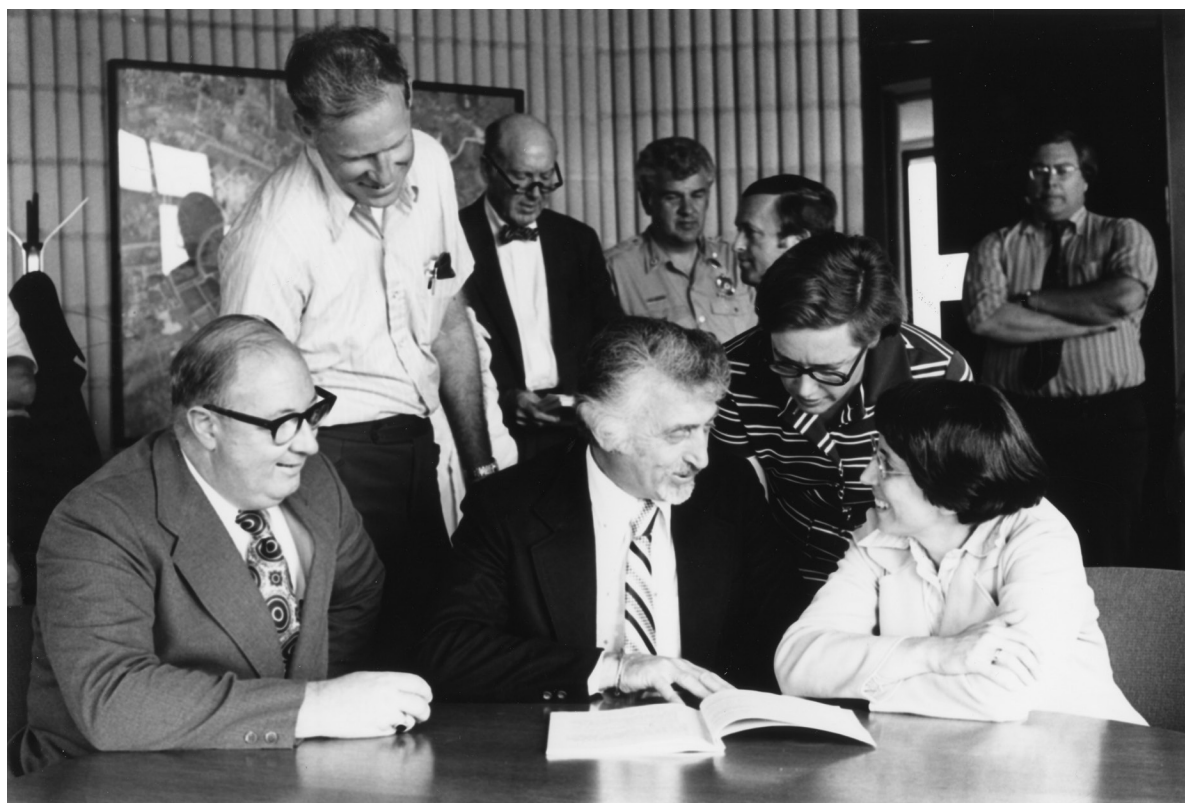
The Agreement recognized that working conditions included issues central to a university: academic freedom and decision-making processes that included faculty recommendations for hiring, tenure, and sabbaticals. Academic freedom rights were taken directly from the AAUP 1940 Statement of Principles on Academic Freedom and Tenure. The Agreement also gave faculty the

responsibility and right to determine course content and course texts. These sections both on academic freedom and on conflict resolution through consultations and negotiations remained essentially unchanged in all subsequent agreements.

The section in the first Agreement on shared governance directed the SMU President and college deans to meet monthly with the Federation officers with the purpose of "discussing and resolving mutual problems affecting the overall relationships between the parties to this Agreement." While the Federation officers have met monthly with the President and later with the Chancellor since the first Agreement, meetings between Federation officers and college deans were never implemented. The Agreement also directed the SMU Board of Trustees to give the Federation agendas for and minutes from all Trustee meetings. The Agreement also directed that union members elect their representatives.

Contrary to President Driscoll's rule, the Agreement codified faculty processes for hiring and tenure that included minimum requirements for appointment and qualifications for appointment by rank and timetables for the tenure process. Faculty eligible for tenure would

David Feldman, (center) negotiating for President Walker, with Federation leaders (from left) Bill Wild, John Fitzgerald, Ann Carey, and Theo Kalikow.



be nominated by secret ballot of the tenured faculty in the department based on evaluations from at least two faculty members or professionals from other institutions familiar with the candidate's scholarship. The department's faculty recommendation and the chair's recommendation would be sent to the Academic Council composed of faculty representatives from the departments in that Council as defined in the Agreement. The Dean of the Faculty would receive faculty recommendations and forward all recommendations including his or her own recommendation to the University President, who would submit all recommendations including his or her own to the Board of Trustees "no later than ten (10) days prior to the established May meeting of the Board of Trustees."

A faculty committee would determine sabbatical leaves with two members selected by the Federation President and three members selected by the SMU President. The tenured faculty of a department would recommend their candidate for Department Chair with the Dean of Faculty making the appointment. Faculty members would also serve on screening committees that nominated college deans. The Agreement guaranteed office space on campus for faculty members and for the Federation. Shortly after the Agreement went into effect, the Federation hired its first secretary, Rita Whiteside.

The negotiators also agreed to a grievance process that gave faculty, librarians, and professional technicians several opportunities for grievance hearings, with binding arbitration if the Federation filed for arbitration.

The first Collective Bargaining Agreement succeeded in unifying the older and newer faculty by including issues that were important to faculty members in each group. Governor Sargent's strategy of packing the Board of Trustees with academic and other state leaders both eliminated the authoritarian President Driscoll and unified the campus around values of academic freedom and shared governance. Much of the language on academic freedom and governance from the first Agreement remained in successive agreements, evidence of the care and attention that the negotiators gave to contract language. The SMU Faculty Federation/Board of Trustees Agreement was the first faculty union agreement successfully negotiated at a U.S. university.



Susan Krumkolz, Federation President from 2014 to 2016, celebrates with a graduate at 2015 Commencement.

(below)
President Walker picking up trash. "(Effective administrator) style is pragmatic...their job is to solve problems, they are always willing to accept alternative solutions, especially solutions proposed by others."



The second collective bargaining agreement

The immediate aftermath of the first Agreement coincided with the Trustees' decision to hire Donald Walker as SMU's next President. The product of a distinguished academic and administrative career, Don Walker had a PhD in Sociology from Stanford. After several years in faculty and administrative positions, he was selected President of Idaho State University. At 39 years old, he was the youngest university president in the U.S. After several years at Idaho State University, at the University of California at Irvine, and at San Diego State College where he became acting President in 1970, Walker had gained a reputation as a progressive university administrator, who practiced shared governance with faculty, both in academic and personnel processes. In *The Effective Administrator*, a guidebook for university administrators, he wrote, "They regard themselves as working with faculty colleagues, who deserve respect as fellow professionals. ... Their roles as administrators is to work with and reconcile the differences among constituencies if possible by arriving at solutions to problems." (Walker, p. 4)

President Walker put these concepts into practice in negotiating the second collective bargaining agreement. He brought with him a labor lawyer, David Feldman, who he had worked with at San Diego State College, to lead the Administration's negotiating team.

Don Walker, SMU President from 1972 to 1983. Author of *The Effective Administrator: A Practical Approach to Problem Solving, Decision Making, and Campus Leadership*.



Negotiations were cordial, with both sides trying to solve problems while representing their constituents: the administration and faculty, librarians, and professional technicians. John Fitzgerald, the second Faculty Federation President, reported that, "It was an amazing contract.... We negotiated that contract in a week around the holidays." (Gifun, p. 268) Tommy John, who remained as First Vice President of the Federation and a member of the Negotiating Committee, recalled that they once heard President Walker outside the room listening to negotiations. He suggested that they raise their voices to show that Feldman and the Administration Bargaining Team weren't giving away the store to the Federation. (John Interview, 1991)

The second Agreement extended and clarified processes agreed to in the first, giving both the Faculty and Administration clearly defined roles in processes to remove department chairpersons. The Agreement created the Department Faculty Evaluation Committee that recommended faculty for contract renewal, promotion, and tenure using input from faculty and student evaluations with further recommendations from college deans. Faculty would be evaluated in 5 areas: Teaching Effectiveness, Research and Publications, Professional Activities, Professional Service, and Participation in community affairs associated with one's area of professional competence. Faculty members would receive their evaluations, including a summary of student evaluations and copies of any documents added to their files. The Agreement specifically created advisory committees including faculty on hiring college deans, the Dean of faculty, and SMU President. Faculty appointments were to follow the process of Department Chair recommendation to College Dean, to Dean of Faculty, to University President, to Board of Trustees. Curriculum Committees were created at department, college, and university levels. Much of this language also remains in the current Agreement.

According to the Agreement, layoffs of non-tenured faculty could only be conducted by campus-wide seniority given an economic emergency, requiring the administration give the Federation proof of financial emergency. This section effectively forced the administration to find additional funds rather than lay off faculty members, a process that continues to the current Agreement.



Federation presidents Elaine Fisher (l) and Theo Kalikow (r) and with secretary Rita Whiteside. "Our time was one of great upheaval dealing with Governor Dukakis, who betrayed us after verbally agreeing to a negotiated contract. We fought long and hard to get the best salary contracts."—Elaine Fisher



Jim Griffith (l) was Federation President from 2007 to 2014, 1st Vice President from 1985-2007, and chief negotiator for Federation contracts from 1992-2007. He was also Chair of Medical Lab Science Department from 1984 to 2013.

Joe Bronstad (r), Federation President (1979-1991), negotiated contracts that increased minimums at rank in every contract to increase salaries for almost everyone in the bargaining unit.

Further advances In collective bargaining

Clyde Barrow President 1998 to 2000. State-wide organizer in 1990 opposition to Question 3 that would have abolished the state income tax and cut funding for UMass by more than half.



The next few agreements further codified evaluation processes for faculty and extended specific evaluation processes for librarians, professional technicians, and professional staff. These Agreements also extended shared governance in the selection of academic administrators, curriculum decisions, and sabbatical leaves. Faculty input and process for granting tenure was applied to reappointment and promotion. Contract language specified annual evaluations that used faculty annual reports as the basis for contract renewal, promotion, and tenure processes. While final decisions rested with deans, Dean of the Faculty, and President for reappointment and promotion, and Board of Trustees for tenure, faculty input was considered in faculty personnel decisions. All faculty members knew where they stood in evaluations and personnel decisions throughout their careers.

Language was added to the agreements that included processes for academic departments to determine for-credit courses taught in the Division of Continuing Studies and to select faculty to teach these courses. They also included recognition of the Faculty Senate and extended contract coverage to part-time faculty and research associates. They reduced teaching loads to match those at other universities; increased credit for scholarship, eventually gave it equal weight to teaching. Finally, they extended intellectual property right for faculty.

All of these collective bargaining agreements were based on a form of negotiation that required that both sides gain what they need for agreement in their own terms. Faculty received due process rights and clear process language, codified evaluation processes, and control over course content. They also won input into hiring, reappointing, and tenuring faculty, and input into hiring academic administrators. The Administration retained basic employer rights including final decision over hiring, promotion, and tenure, evaluations of faculty by their students, and the right to remove faculty providing it was for just cause. These agreements also extended processes for hiring and promotion, terminations only for just cause or economic exigency, and professional leave to librarians and professional technicians.

The 1980 and following Agreements extended legal protection to the Faculty Senate under the control of the faculty. Members of the Senate were full-time faculty elected by the faculty. The Senate also featured the representation of a librarian elected by the librarians, a professional technician elected by the professional technicians, and a student selected by the Student Senate. The Faculty Senate, as founded by President Driscoll, fell under the control of the academic administration. He was the first Chair of the Senate and basically ignored all Senate recommendations that he disagreed with. Under the 1980 and following Agreements,

the Senate continued to advise the University administration, but the Collective Bargaining Agreements, which required negotiation with the Administration to change them, covered its rules and processes. This was not a problem with President Walker, who preferred collaboration with an autonomous Faculty Senate, and strengthened the Senate in relations with presidents and chancellors.

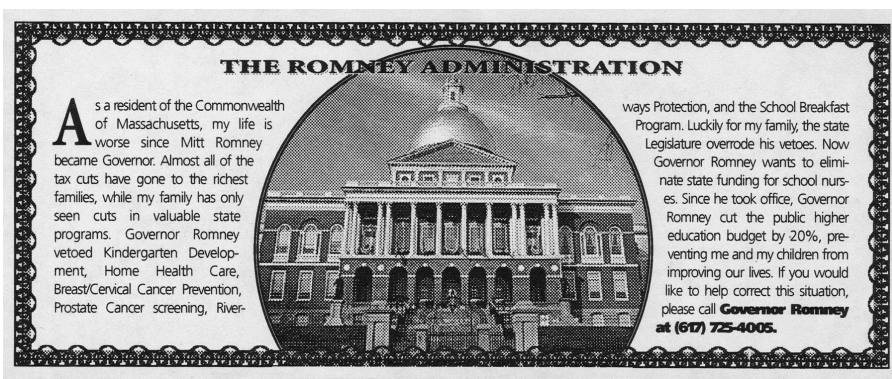
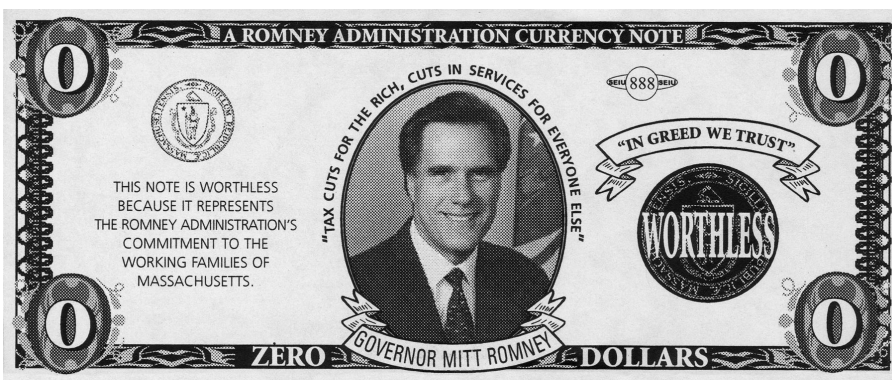
The collective bargaining agreements created positions of Senate President, Secretary, and Advisory Board elected by members of the Senate. The agreements named Senate standing committees “concerned with academic matters and matters relating to the intellectual life of the University.” The Agreements created processes for collaboration between the Senate and Academic Administration that required presidents and chancellors to give reasons for rejecting Senate recommendations and to suggest alternatives.

Union representation rights for part-time faculty were also a major accomplishment at this time. After a card drive signed by over 80% of the part-time faculty, part-time faculty voted overwhelmingly to join the Faculty bargaining unit. They had to contend with intensive legal opposition by the UMass Dartmouth administrators who argued that part-time lecturers were itinerant employees. After extensive and imaginative union actions, including bake sales for health care for part-time lecturers in front of the UMass President’s office in Boston, the 1990 Collective Bargaining Agreement added language for part-time visiting lecturers. The Agreement increased payments per credit hour and gave full-time status to part-time visiting lecturers with 10 credit hours or more of courses with the same salary and benefits as other full-time lecturers. The Agreement also extended full benefits including health and dental state coverage and state retirement benefits to part-time lecturers with four consecutive semesters of teaching.

Successive collective bargaining agreements also reduced teaching loads to 18 units per year, which meant three courses per semester for most tenure track faculty. They gave credit for teaching laboratory courses for science and engineering faculty and studio courses for fine arts faculty. The agreements also modified faculty evaluations to give more credit for scholarship, which included credit for creative achievement in fine arts, health protocols in nursing, and creative writing and theater.

Working with the faculty unions on other

UMass campuses, the 1998 Agreement added language on intellectual property rights that gave faculty ownership rights to “Scholarly Works” that included “textbooks, class notes, classroom and online presentation and instruction, research articles, research monographs, student theses and dissertations, paintings, drawings, sculpture, musical compositions and performances, dramatic works and performances, poetry, and popular fiction and nonfiction or other works of artistic expression.” It also affirmed that “Exempted Scholarly Works need not be disclosed to the University and the University automatically waives any ownership interest in such works.” Intellectual property rights also gave faculty joint rights with the administration to apply for patents and copyrights in work funded by grants and contracts with outside agencies. This language has been widely copied in university collective bargaining agreements around the nation.



Worthless money passed out at union rallies showing Governor Romney's priorities.

The history of the Educational Services Unit

By Bruce Sparfven
ESU President
1995-2015

Following the Faculty Federation winning collective bargaining rights and negotiating their first Agreements, several members of the professional staff at then SMU began to test interest among the staff to form their own union. While there was some initial interest amongst the 29 professional staff members, there was also opposition by some who felt that there was no need to organize a union. They believed their positions were part of the administration and that they were secure in their current positions. Those discussions among the professional staff led by Jim Costa (Comptroller), Paul Fistori (Registrar), and Barrie Phelps (Admissions Director) continued into the mid 1970's when funding increases for public higher education campuses dropped below inflation. In addition, more staff members began to realize that the upper administration did not value their opinions on their individual departments' direction and needs. Some professional staff members who originally opposed a professional staff union changed their minds.

Beginning in 1974 professional staff members began the process to follow the faculty and form their own union. Although a few professional staff members continued their opposition to a professional staff union, the overwhelming number of professional staff signed union cards with a formal vote to form a professional staff union. In discussions with the

President of the Faculty Federation, John Fitzgerald, who offered unity with the Faculty Federation, Jim Costa and the other leaders concluded that a union of 29 members would not be viable. They decided to join the Faculty Federation as a separate bargaining unit of professional staff, the Educational Services Unit (ESU). The Faculty Federation would have two separate bargaining units each with its own structure and Agreement: one for faculty, librarians and technicians and the other for professional service staff. While there were distinct differences in working conditions between faculty, librarians, and technicians and professional service staff, the ESU founders realized that they shared common professional interests.

The ESU followed a similar governance structure as the faculty with yearly elected governance positions: Chair, First Vice Chair, Second Vice Chair, and executive board member-at large positions. These positions constituted the executive committee of the ESU, which created and maintained its own by-laws. In order to have a formal connection to the Federation governing body an elected member of the ESU leadership would hold a position on the Federation governing board. This position was formalized years later to automatically include the ESU Chairperson as 3rd and now currently 2nd Vice President of the Federation.

Early leaders of the ESU came from the initial

Deanne Sullivan, ESU
Chair from 1979 to 1982,
with ESU members
Jim Flanagan, Cheryl
Tyson, Anne Welsh, and
Gerry Coutinho



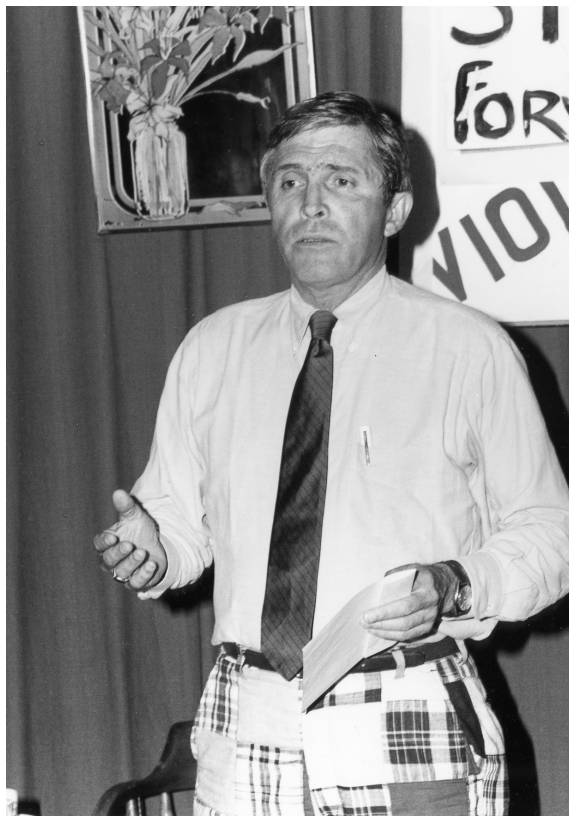
group of profession staff who saw the need to form a union. Jim Costa was the first elected chairperson of the unit followed by Barrie Phelps, Paul Fistori, who served several times in later years, and Deanne Sullivan.

The first ESU Negotiating Committee led by its Chairperson, Jim Costa, focused on a union of professionals, which covered salaries and benefits and a basic classification system of its members. Subsequent Agreements expand the union focus to include certain rights that governed wrongful termination similar to the rights that tenured faculty enjoyed commonly referred to as “Just Cause” as well as requiring written position descriptions, minimum starting salaries, yearly evaluation process and procedures, retrenchment (layoff provision), grievance procedures and inclusion to certain university governance committees such as the Budget Review Board and search and screen committees for upper level administrators.

While both faculty, librarians, technicians and professional staff had common interest in salaries and benefits, they also were aware of the differences in work, work day and work year. Leaders of both bargaining units recognized the importance in supporting each group’s concerns regarding general working conditions, which made the Federation a stronger union. This is not to say that conflicts did not exist, but were discussed, debated, and resolved at the Federation Executive Board. Over time, this unity of interests within the Federation has expanded to unity with other unions representing professional staff. ESU leaders have worked closely with professional staff unions at the other UMass campuses to collaborate on responses to challenges.

The ESU successfully faced many challenges since the mid 1990’s mostly connected to top administrators’ responses to budget shortfalls through layoffs and their attempts to take ESU positions out of the bargaining unit. Recently, and without any discussion with the campus community or parents of students, the administration decided to close the UMass Dartmouth Health Services office that provides health services to all students. When health services office members reported the administration’s plan to ESU leaders, they spread the information to campus faculty, student leaders, and others. Meeting with administration’s representatives, ESU leaders discovered that the administration planned to save money by sending students in need of health services to a new walk-in clinic located on Route

6 near the university. While the administration only focused on potential savings by closing the health office, they failed to consider how students who were ill would get to the off-campus clinic or which health insurances would be accepted or whether the clinic would be staffed and open 24 hours a day. By working closely with the Faculty Federation members, students, campus unions representing clerical staff, maintainers, and campus police officers, the chancellor was persuaded to rescind the decision to close the UMass Dartmouth Health Services.



Paul Fistori founded ESU with Jim Costa and Barrie Phelps. Chair 1968 to 1973 and 1992 to 1995.

(Below)
Current ESU Chair Jim Mullins and 1st Vice Chair Verena Lisinski, AFSCME President Cindy Costa, and Gail Lyonnais serve Moonlight Breakfast before start of final exams.



Salaries and benefits

Funding salary increases and promotions have been a major sticking point in collective bargaining throughout the past 50 years. Massachusetts Law (Section 150E) stipulates a complicated process for funding Collective Bargaining Agreements for public higher education. The Office of Administration and Finance under the Governor sends salary increase negotiating positions to UMass and other state university and college administrators who are negotiating for their boards of trustees. When agreement is reached between the higher education unions and the UMass, state university and state college administrations, the governors may or may not include proposed line items to fund salary increases to the state legislature. That means that the Legislature considers budget bills that may or may not include funding for the negotiated salary increases higher education employees.

The Legislature submits its state budget to the Governor, who has line item veto power, and the Governor sends her or his version back to the Legislature. The Legislature may vote to override line item vetoes. In short, Massachusetts' governors have three access points in the process: they can deny salary increases for faculty and staff during negotiations, not include funding for higher Education salary increases in budget bills submitted to the Legislature, and veto line items for faculty and staff funding. The Legislature has two ways to deny funding salary increases: not include funding in the budget bill sent to the Governor and not overriding vetoes by the Governor. Several governors, starting with Governor Dukakis and continuing through Governor Baker, have interrupted the collectively bargained salary increases at one or more points during the legislative process, including vetoing line items for salary increases that they had previously sent to the Legislature.

This tortuous process forced the Faculty Federation and other higher education unions to develop political action to fund agreements that were negotiated with university and college administrations. That's because higher education administrations had little effect in delivering on their agreement for salary increases. In 1991, the Federation formed its Political Action Committee to focus on its connections with local and other state representatives and political leaders, especially those who were graduates of SMU and UMass Dartmouth. The Faculty Federation PAC accepted donations from Federation members and others to use for lobbying and other political

action. PAC donors elect a Board of Directors to run the organization. The PAC brought legislators and other government officials to campus, including several visits by Governors Dukakis and Patrick.

Health insurance for full-time faculty and full and part-time professional staff have long been covered by state agencies, currently the Government Insurance Commission (GIC). Likewise, the Massachusetts State Retirement Board has long administered retirement benefits for full-time faculty and professional staff. The AFL-CIO, which includes the Faculty Federation as member through the AFT-MA, and other unions in Massachusetts, have long insured and expanded these benefits. The AFL-CIO and other unions have representatives on both the GIC and State Retirement Board. The specific terms of these benefits are subject to state law rather than collective bargaining, but payments are guaranteed under the Faculty Federation/ Board of Trustees Agreements.

Other benefits, such as life insurance, worker's compensation, sick leave, family leave, other leaves of absence, and other benefits are also provided in the agreements. In 1976, the Sick Leave Bank, which allows members to withdraw sick leave at no charge after their own sick leave benefit has been exhausted, and tuition waivers were added to both the Faculty and ESU contracts. From 1980, faculty members, librarians, and professional staff could accumulate sick leave with 20% of accumulated sick leave paid to bargaining unit members upon retirement. In 1995, the health and welfare trust fund, which provides dental insurance, was added into both Agreements. In 1998, health care, retirement benefits, dental insurance, and tuition waivers were extended to domestic partners and subsequently replaced by Massachusetts' same-sex marriage protection. The Massachusetts Supreme Judicial Court added that protection to members or partners who reside in a state without provisions for same-sex marriage.

Human Resources on campus administers the health care and retirement benefits, but the Federation Office under office managers May Matsumoto, who served over 25 years, and now Stacey Alzaibak have advised Federation members on contractual issues over the past 30 years. May and Stacey became the face of the Federation due to their knowledge of members' rights under the Agreement.

Conclusion

The UMass Faculty Federation has come a long way from its AFT Charter in 1968. The union local negotiated the first collective bargaining agreement for faculty at a U.S. university. Since then, it has since successfully negotiated 12 Agreements with its Board of Trustees. In 1975, the Federation added professional staff through the Educational Services Unit, which is a separate bargaining unit with its own agreements. More recently, the Federation added part-time lecturers and research assistants and associates into the faculty bargaining unit. The Faculty Unit and the ESU have worked together seamlessly in the same executive board for decades. Both groups have accomplished the general goals of unions for their members: negotiating equitable pay and benefits, rights of fair process in grievances, respect on the job, and most importantly, representation in work processes.

The Faculty Federation has also helped build coalitions of unions to better advocate for workers' rights and benefits. At the local level, the five UMass Dartmouth unions formed a coalition named the UMass Dartmouth President's Council that focuses on campus issues. Beyond our campus, the Faculty Federation has helped build and maintain strong connections with the AFT, the AFT-MA and the MA AFL-CIO. It has enjoyed especially strong relationships with the Greater Southeastern Massachusetts Labor Council and with the Massachusetts Teachers Association (MTA) which represents faculty and staff unions on the other higher education campuses. In addition, the Faculty Federation sends representatives to the monthly meetings of the Higher Education Leadership Council of the MTA, where representatives of all the unions in public higher education (community colleges, state universities and UMass campuses) meet to discuss issues and challenges.

Joe Sconti was awarded the first Teacher of the Year in 1970. Committees of faculty and professional staff select Teacher of the Year, Scholar of the Year, and ESU Service Award, given every year at our annual Awards Banquet.



Without these contacts and collaborations, salary increases and benefits negotiated with the administrations would not have been funded. Almost every contract has its own history of coalitions to override contract funding vetoes and other conflicts. Federation members have been wearing yellow shirts at union actions since 2002, when Governor Romney vetoed contract funding for all Massachusetts higher education faculty and staff. After six weeks of picketing the State Legislature, it not only overturned Governor Romney's veto, but also fully funded the contracts and which included all back pay.

The union faces several current threats. The UMass Dartmouth Academic Administration, led by its Provost, has filed a charge at the MA Labor Commission to remove department chairs from the faculty bargaining unit. They claim that the campus's insufficient funding due to lower than expected enrollments and declining research grants were caused by their difficulty in managing the chairs, because they are members of the faculty bargaining unit. The Federation and the AFT-MA, its state affiliate, is defending the chairs' right to remain in the Faculty Federation in current hearings at the MA Department of Labor. For the Federation, low enrollments and declining external grant funding are a problem, but chairs in the faculty bargaining unit are not the cause. Chairs are invaluable members of proper university functioning as faculty leaders, who should be part of the bargaining unit – as with the majority of universities with faculty unions in Carnegie R1 universities nationwide.

Another threat comes from the U.S. Supreme Court, which ruled last June that public employees who choose not to join public sector unions do not have to pay collective bargaining fees. They will continue to receive benefits from collective bargaining, and unions will continue their responsibility to represent them in grievances and other contractual obligations. The Federation is committed to maintain its high membership (currently 97%) of faculty, librarians, and professional staff despite the Supreme Court decision.

Few would have predicted that our union, with its humble and politically fraught beginnings, would not only survive for half a century, but also become a national referent for its pioneering work nearly five decades ago. The Faculty Federation has faced many threats in its fifty-year history. The threats will likely continue – but so will the union's resolve.

Union Officers circa 2018-19

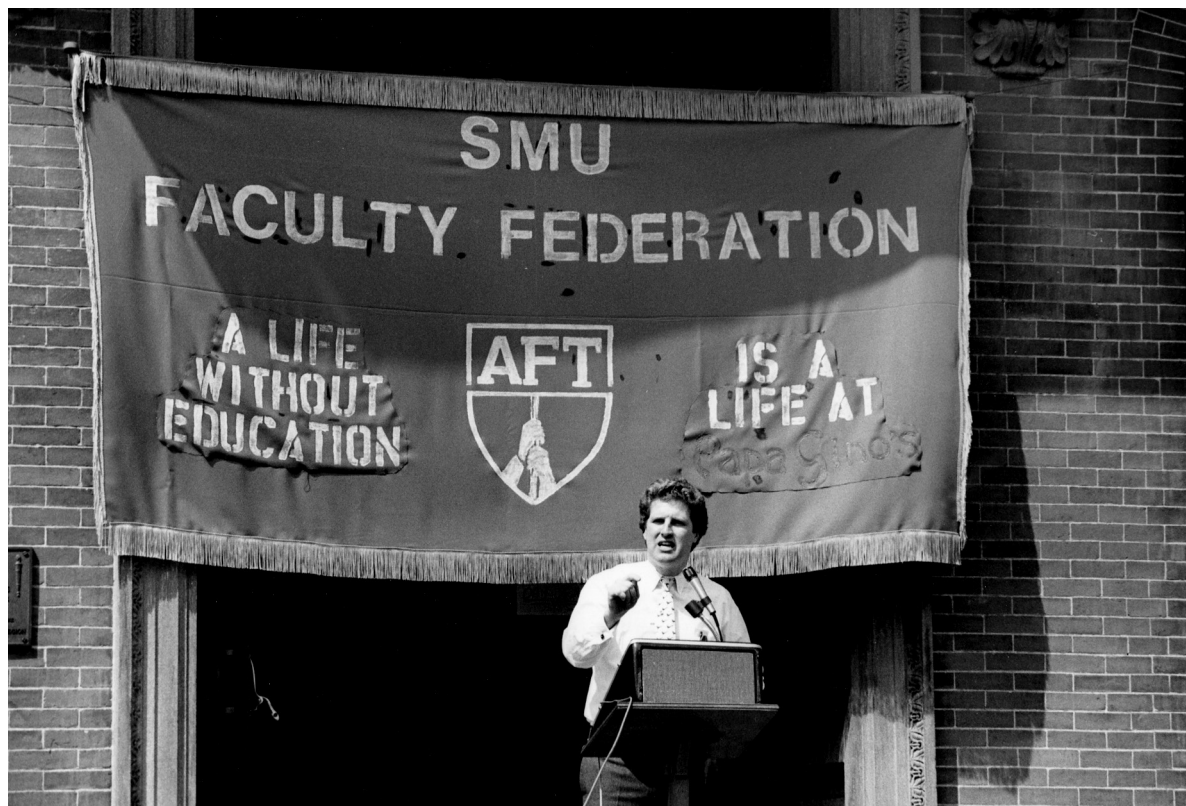
Faculty Federation Officers

Cathy Curran (Management & Marketing) President
Grant O'Rielly (Physics) First Vice President
Jim Mullins (Athletics) Second Vice President
Verena Lisinski (CITS) (Third Vice President
Wayne LeBlanc (Medical Laboratory Science) Treasurer
Elizabeth Winiarz (Library) Secretary
Jo-Ann Cooley (Library) Executive Board Member
Antonio Costa (Electrical & Computer Engineering) Executive Board Member
Dan Georgianna (Fisheries Oceanography) Executive Board Member
Crystal Lubinsky (History) Executive Board Member
Doug Marshall (Biology) Executive Board Member
Kathy Miraglia (Art Education) Executive Board Member
Nancy O'Connor (Biology) Executive Board Member
Melissa Pacheco (Charlton College of Business) Executive Board Member
Richard Peltz-Steele (Law School) Executive Board Member
John Fernandes (STEM Learning Lab) Central Labor Council
Kim Wilson (Labor Ed Center) Central Labor Council
Susan Krumholz (Crime & Justice) Ex Officio

ESU Officers

Jim Mullins (Athletics) Chairperson
Verena Lisinski (CITS) First Vice Chairperson
Melissa Pacheco (Charlton College of Business) Second Vice Chairperson
John Fernandes (STEM Learning Lab) Third Vice Chairperson
Don King (University Marketing) Recorder
Gina Reis (Study Abroad) Member at Large

State Representative
Joe McIntyre speaking at
a union rally in front of
New Bedford City Hall
against Question 3 that
would have abolished
state income tax.



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Collective Bargaining Agreements

Agreements between the Board of Trustees of the University of Massachusetts and the American Federation of Teachers Local 1895, AFL-CIO Faculty Federation. 1970-1973, 1973-1976, 1976-1979, 1980-1983, 1983-1986, 1986-1989, 1990-1993, 1995-1998, 2001-2004, 2004-2007, 2009-2012, 2012- 2014-2017.

Agreements between the Board of Trustees of the University of Massachusetts and the American Federation of Teachers Local 1895, AFL-CIO Educational Services Unit. 1976-1980, 1980-1983, 1983-1986, 1986-1989, 1990-1993, 1995-1998, 1998-2001, 2004-2008, 2009-2012.

Recorded Interviews

Gifun, Frederick V. Various dates. Jim Costa; Paul Fistori; John Fitzgerald; Dan Georgianna; Jim Griffith; Don Walker. University Archives, Claire T. Carney Library.

Georgianna, Daniel. Various dates: John Fitzgerald, Tommy John, and Bill Wild; Tommy John; John Fitzgerald and Bruce Sparfven; Theo Kalikow; Cathy Curran, Jim Griffith, and Susan Krumholz; Jim Mullins, Juli Parker, and Bruce Sparfven. University Archives, Claire T. Carney Library.

Appendix

Faculty Federation Presidents

Tommy John, 1968-1973
John Fitzgerald, 1973-1976
Theo Kalikow, 1976-1978
Elaine Fisher, 1978-1979
Joe Bronstad, 1979-1991
Pat Foley, 1991-1992
Dan Georgianna, 1992-1998
Clyde Barrow, 1998-2000
Dan Georgianna, 2000-2007
Jim Griffith, 2007-2014
Susan Krumholz, 2014-2016
Cathy Curran, 2016-to present

Educational Services Unit Chairpersons

Jim Costa, 1975-1977
Barry Phelps, 1977-1979
Deanne Sullivan, 1979-1982
Paul Fistori, 1986-1989
Gail Berman, 1989-1992
Paul Fistori, 1992-1995
Bruce Sparfven, 1995-2015
Juli Parker, 2015-2017
Jim Mullins, 2017 to present



Dan Georgianna speaking at UMassD CoffeeBreak rally. Unions across the state held rallies at all 27 higher education campuses at 10 am on 9/6/2002



CONGRATULATIONS **on 50 years of advocacy**

AFT Massachusetts is proud to stand
with the UMass Faculty Federation
for the University that
the Dartmouth community deserves.

Beth Kontos
President

Brant Duncan
Secretary-Treasurer