

Notes for Article 8 (UFF proposal #2)
June 8, 2007

8.4: Changes reflect that we will have only 9-month and 12-month employees in unit.

[Why: we used to have one 10-month employee who has since retired.]

8.5(a): Changes reflect that programmatic needs, student demand, and budgetary constraints combine to drive the course offerings that will be made in a particular summer, but they do not provide for the ability to offer summer assignments to (1) out-of-unit employees, such as graduate students or adjuncts, rather than qualified employees or (2) lower paid employees rather than higher paid but otherwise qualified employees.

This does not require that courses must be offered, only that the available monies will be used to set a schedule that hires employees for the courses they are qualified to teach. Qualified does not mean “best qualified” it means “meeting minimum requirements”.

[Why: It’s becoming clear that summer budgets are going to get tighter and tighter. Most in-unit employees have consistently been offered 2 or more courses to teach each summer but that may not continue. UFF understands that funding may not be available, although we argue that it is more a matter of budgetary priorities than lack of funds for summer offerings. Unfortunately, some units (see grievance filed from MIS Department recently) have argued that the current contract language allows them to bypass employees completely and offer summer teaching to graduate students or adjuncts *in place of* employees. UFF disagrees that this is allowed under the contract, but is bringing this clarification to the table to settle the issue.]

8.5(c): New section requires that summer (and planned overload) policy must be developed in writing and made available and sets minimum requirements. Departments are welcome to add features that fit their needs or preferences, as long as these minimum design elements are included and not violated. Minimum requirements are that the rotation allows everyone who wants summer/planned overload teaching (and who has satisfactory performance) to get one course before anyone gets a second and get two courses before anyone gets a third. Employees are offered courses before graduate students or before adjuncts are hired. In a department, the employees who taught less in the previous year (summer plus planned overload) have priority over getting more this year.

This does not require that summer or planned overload be offered when the employee wants, where the employee wants, or for the course that the employee wants to teach. Employee preferences should be considered in offering summer/planned overload assignments and making schedules. Further, the principals of equitable opportunity must be followed (e.g., one employee can’t always get the “specialty” course on main campus while the other is offered the “service” course in Melbourne.)

[Why? When UFF requested copies of written summer rotation policies last year, it was clear that the majority of departments did not have them. At least two colleges had no written policy for any unit in the college. This sets minimum policy elements for all units. It is intended to required modification to existing non-compliant policies, including those that have been created since UFF brought its initial concerns and proposal to the table.]

8.6: Added language differentiates overload contracts for teaching in degree programs where such opportunities have been designed in advance to be offered to the employee on an overload basis (or to give the employee the choice to receive an overload contract.) These “planned overload” opportunities will be subject to the negotiated pay scale for summer teaching contracts and will be included in the rotation for summer teaching. For example, in a department with three employees, Smith, Miller, and Jones, if Smith is offered an overload contract to teach in Spring, Miller and Jones must both receive a first summer course assignment before Smith can be offered a summer course (which would be Smith’s second summer/planned overload course for the year.)

[Why? One college (business) and possibly others are moving degree program offerings to permanent “premium tuition” basis with some or all faculty positions filled on an overload basis (e.g., EMBA, PMBA, professional MS-MIS programs, etc.) This arbitrary practice violates labor law; therefore UFF has brought this proposal to correct that violation.]

8.7: Add greater specificity to appointment types. Four types of appointment in unit: visitor, continuing (annual reappointment), tenure earning/tenured, and fixed-term. Faculty ranks are available only for tenured/tenure-earning appointments. Fixed-term convert to continuing unless notice is given.

[Why? This deals with the misuse of multi-year contracts and also attempts to hire faculty at traditional ranks (Professor, Associate Professor, Assistant Professor) but in non-tenured/non-tenure earning positions. This has never been permitted in the state system nor at UCF - FCGU was a specific exception written into the old contract.]