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A Union Plus Three Senates

Shared Governance at the University of Scranton

By Michael D. Friedman

As the story goes, the Faculty Affairs Council (FAC) at the University of Scranton owes its existence to a brain tumor. The faculty union came into being in the early 1970s in response to an attempt by the university's president to make intersession and summer school teaching a part of the faculty's regular load. This unilateral decision galvanized faculty resistance to the administration, and the existing faculty bargaining unit applied for and received union certification by the National Labor Relations Board in 1974, during a brief period when the NLRB was allowing the formation of unions at private religious institutions. Shortly thereafter, the university's president died of a brain tumor, which had probably contributed to his uncharacteristically authoritarian behavior.

Since that time, FAC has continued to function effectively as the sole bargaining agent for the faculty at the University of Scranton on all matters regarding wages, hours, and working conditions. However, in the mid-

1980's, an accreditation visit by the Middle States Association found inadequate faculty participation in shared governance at the university. Specifically, the accrediting team contended that the existing university senate (comprised of representatives from the faculty, administration, staff, and student body) did not grant the faculty sufficient influence in the development of the curriculum.

In response, the university created a new faculty senate, which initially operated alongside the university senate and took responsibility for providing faculty input on curricular matters, as well as on policy issues not connected to wages, hours, and working conditions.

Eventually, the university senate was disbanded and the staff and students each formed their own senates. For the discussion of university-wide issues, such as a speakers' policy, a university governance committee

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was established, comprised of representatives from the three senates (faculty, staff, and students) and the administration.

This system of shared governance continues at the University of Scranton, and for the most part, it allows the faculty sufficient opportunities to affect the operation of academic affairs on a regular basis. The relationship between FAC and the faculty senate has not always been a cordial one, however, especially in the senate's early years, when there were significant turf battles and concerns about the faculty senate's potentially "supervisory" oversight of the curriculum. One of the first major tasks assigned to the faculty senate after its creation was an overhaul of the general education curriculum. A senate proposal creating a faculty body charged with monitoring compliance with general education policies caused considerable alarm among the union officers in light of the *Yeshiva* decision, which declared that faculty with managerial duties were not entitled to bargain collectively. Although the general education proposal was clearly a curricular matter, and therefore the business of the faculty senate, the very existence of FAC was at stake, and thus the proposal became a union issue as well. Eventually, after much contentious debate, the monitoring body was removed from the general education proposal.

Although it might seem desirable to draw clear dividing lines between the purview of the union (wages, hours, and working conditions) and that of the faculty senate (curriculum and University-wide policies), in practice, it is impossible to do so. Since FAC has a responsibility to ensure compliance with the collective bargaining agreement, which includes the *Faculty Handbook* and the *Faculty Contract*, any issue that touches upon a matter mentioned in either of those documents becomes a union issue, even if it also involves curriculum or policy.

For example, in the early 2000s, the University undertook a revision of its sexual harassment policy, and as part of that discussion, the administration followed the principles of shared governance by sending a draft to the faculty senate for recommendations. However, this proposal contained a provision where-

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by a record of sexual harassment culpability would be placed in a faculty member's evaluation file. According to the *Faculty Handbook*, the board on rank and tenure, which examines the faculty member's evaluation file, is limited to the consideration of teaching, scholarship, and service, so the placement of a record of sexual harassment culpability in that file would violate the collective bargaining agreement. FAC was therefore compelled to intervene in the faculty senate's consideration of this policy change and to demand that the provision be deleted. Eventually, a compromise was reached whereby the *Faculty Handbook* was altered to allow the president to consider sexual harassment culpability in rendering a final decision on rank and tenure cases, but the board on rank and tenure's role in the process with regard to the contents of the evaluation file remained unchanged.

With its two overlapping faculty bodies, the University of Scranton's system of shared governance is complex, unwieldy, and inefficient, which means that alterations to existing procedures often require a great deal of time. Yet when such changes do occur, they represent the product of considerable thought and valuable contributions from multiple perspectives, so new policies are less likely to make a negative impact on those affected by such procedures. Moreover, any process of shared governance is only as good as the administrators in charge of running the system allow it to be. If the academic officers of a university genuinely seek the input of the faculty, and then listen with careful attention to the recommendations that result, then they are in a position to make wise decisions about the operation of academic affairs.

However, if administrators become impatient with the time that effective shared governance requires and subvert the system by enforcing policies on a top-down basis, they may achieve short-term success in changing existing procedures at the cost of faculty commitment, which is essential to the long-term efficacy of any academic endeavor. Indeed, the mission of a Catholic and Jesuit university depends upon the dedication of all members of the community to the institution's core values, which is most effectively promoted by an inclusive and on-going conversation among various constituencies, not by pronouncements delivered from on high. ■

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