

Contractual Rights Training 2014

Appendix A: Scenarios

The following are typical fact situations that may be presented to grievance stewards by unit members. For each, we will discuss the following in small groups, then as a whole:

1. Is this a gripe or a grievance?
2. If it's a grievance, which articles and subsections does it violate?
3. If it's a grievance, what kind of evidence do you need? How are you going to get it: RFI, data base research, other?
4. To the extent time allows, fill out a grievance form.

Scenario#1. Molly has taught in the English Department for ten years, so she has a continuing appointment. She used to teach mainly introductory courses in general composition and literary analysis, but lately she has been given only tech writing courses to teach. She wants to teach the Survey of New Wave Cinema course, which she has written a book about, but that course almost always gets assigned to graduate students. She thinks the department chair is out to get her because not only does she have to teach the tech writing courses, but her classroom assignments are way across campus next to the botany department's greenhouse and it is always muggy and miserable over there. The ac in the classroom doesn't work very well so she has to keep the windows open, and the drumline marches past every Wednesday during her class. She has to share her office with two grad students, and one of them is always picking political arguments with her. And then, her department chair did an annual classroom visitation to her class, only stayed ten minutes, and ranked her only 4 out of 7 possible points on everything on the visitation report checklist. She wants to bring charges against him for academic fraud and is worried about her job. She does not feel respected in her work and feels she is working in a hostile environment.

Scenario #2. Joe has taught in the Ethnic Studies department for six or seven years, off and on (not always all three quarters every year, course load varying at 33% FTE or 67% FTE). He thinks his current quarter count is 15 quarters as of spring 2014, but his tax records only go back 3 years and his wife tossed everything else. His department MSO (management service officer) told him that the courses he has been teaching are getting phased out and his services will no longer be needed in 2014-15. He thinks that this is unlikely (he teaches Intro to African American History, crosslisted with the History department, and Race, Gender, and Class, crosslisted with the Sociology department). Somebody else told him that the department has a policy against employing lecturers for more than six years. His department chair says that if they employ a lecturer at over 50% FTE for two years, they have to do a national search, because that's the Dean's policy. The university course website shows only the courses for fall 2014, and neither of the courses he customarily teaches are being offered this fall. However, there is a new course being offered called Black Like Me: Topics in Cross-Racial Passing. The instructor listed for this course is named Staff. Joe feels that he is qualified to teach this course and asked the department chair to consider him for it, but the chair said that the class will be taught by the new spouse of a full professor, who is relocating here this summer. He talked to the

MSO again, asking why his customary courses are being phased out, and she said the funding for those particular courses is gone because the donor died.

Joe remembers getting a departmental newsletter in an email several years ago that said lecturer positions are primarily for new PhDs to help them while they're on the job market, and that lecturers are not expected to remain in these positions past three years. He did not save the email. He also heard another professor in the mailroom saying something about somebody getting a little long in the tooth, and suspects that the professor was talking about him.

Scenario #3. Farrokh has been teaching Business Communications (housed in the School of Business Administration) for twelve quarters. It is a large lecture class with discussion sections led by TA. Up until a couple of years ago, there were rarely over 100 students in the class (maximum 120), and two TAs handled the discussion sections with a maximum 20 students each. Since the University built a new classroom building, the course is taught in an auditorium that seats 500, and class size has been steadily increasing. The course last had 390 students, and Travis supervised 5 TAs this past year. The course is valued at 1.0 IWC and no adjustment has been made for the increasing class size. The department chair does not understand why Travis thinks more work is involved than what he's always done, since all he has to do is deliver the lectures. The union field rep, however, discussed the situation with a Labor Relations representative, who persuaded the department to enter into an informal resolution of a potential grievance whereby Travis will receive a \$500 stipend for every 25 students above 350 during 2013-14, and class size will be capped at 350 with the stipend to be ongoing whenever the class has more than 350 students.

Travis signed the settlement agreement pursuant to this informal resolution around the middle of June, and then noticed that his name is not on the course schedule for fall. The Dean of SoBA had made comments in meetings about changes to the staffing, and the School stated that to keep its accreditation as a Business School, it needed all instructors to have PhDs. The instructor listed is a lecturer from the university writing program (a campus-wide program, not housed in any particular college or department).

Scenario #4. Margaret taught on quarterly appointments for all three quarters in 2012-13, at 75% FTE in each quarter. She was processed out of the system as a "separation from employment" at the end of spring quarter. She teaches an introductory calculus class for which enrollment fluctuates, and the department chair claims he does not know how many instructors he will need until all the placement exam reports are completed in August or early September. In mid-September 2013, Margaret was rehired for fall quarter. The MSO advised her that she would not be eligible for full health benefits until she met the 750 hour threshold, which would not happen until sometime during winter quarter, if she received a course assignment winter quarter. Margaret is very upset because she had been waiting for her fall reemployment to get some important medical tests done.