

The Roar

UFF/Saint Leo University Chapter

During Lent, let us find concrete ways to overcome our indifference. - Pope Francis

President's Message

by Valerie Wright

Thanks to all of you who were able to attend our Union Update meeting on February 19! We had wonderful attendance and a vigorous discussion led by our UFF Organizing Specialist, Lauren Byers. We will be in touch soon with specific plans for some of the future events we outlined.

Regarding questions about the possibility of striking, we have heard from our UFF legal team. As many of you know, Article 7 of the Collective Bargaining Agreement (CBA) prohibited faculty from striking. However, as of October 23rd, we are no longer bound by the CBA, since the Board of Trustees voted to no longer recognize it or the Faculty Union. At our next Union Update, we will discuss the two options presented by our lawyers if we decide to go this route.

Tenure

February is typically when faculty learn whether they have been awarded tenure or not. What is different this year? For one, the procedures for the P&T Committee have drastically changed.

Under the former CBA:

"Promotion and Tenure Committee deliberations shall be electronically recorded and sealed. The sealed recording shall be kept for seven years following the decision on promotion or tenure," and "in the case of a disputed decision regarding promotion and/or tenure, the sealed recording may be opened in the presence of appropriate persons as describe in the grievance process if requested by either the administration or the grieving faculty member."

Under the Interim Faculty Handbook policy:



Union Elections

Election season begins this week! If you have paid your at-large dues, either half or full, you are eligible for a position.

All at-large members may vote. If you have not paid your dues, please contact Peter Marian.

2020-2021 Officers

President: Valerie Wright

Vice President: Thomas Humphries

Secretary: Carol McLeish

Treasurer: Peter Marian

Senator: Kelly Atkins

Senator: Angel Jimenez

At Large: Burgsbee (Lee) Hobbs

At Large: Fr. Michael Cooper

At Large: Patricia Senger

Grievance Chair: Patrick Crerand

“The recommendations concerning tenure and promotion shall be decided by a majority vote of the full Committee. The Committee shall prepare a written memorandum documenting their recommendations. This document shall be housed in the Office of Academic Affairs for two years. At the conclusion of the Committee's deliberations, the Committee will submit their recommendations in writing to the VPAA.”

So, while faculty will still be allowed to file a grievance for “alleged violations of the Tenure and/or Promotion process” under the guidelines put forth in the Interim Faculty Handbook, there is no clear procedure for what it would look like with regard to promotion and tenure. Will faculty be able to see the written memorandum from the P&T Committee? After a challenge over a previous tenure grievance, it is extremely doubtful. The President of the University will continue to have the ultimate decision, but now with no discernable timeline.

Consider the following scenario. You are a probationary faculty member who has received very positive feedback on yearly evaluations from your chair, your dean, and the VPAA. While this evidence is no guarantee of success, it should offer some guidance that you are heading in the right direction. You submit a portfolio to the P&T Committee and earn a unanimous vote in favor of tenure. However, the VPAA and President meet, and afterward, the President denies your application for undisclosed reasons. This situation has occurred, and it is legal under the old and new contract.

Under the Interim Faculty Handbook, you would be unable to determine where the denial occurred – at the committee level or the administrative – since the P&T vote is now forbidden from being released through a grievance process. Under the old CBA and the filing of a grievance, you would have been able to see that vote. Now, there is no way to determine at which stage your application failed.

What is more problematic, is that now, under these conditions, the administration, seeking the path of least resistance, can pretend the denial was the decision of the P&T Committee, and can offer murky reasons for the denial, leaving you with a judgment, but with no substantive comments for improvement. In short, there is no formal process to address what went awry in the decision, no requirement for any of the decision-makers to explain the denial beyond an informal meeting, which, even under the old CBA, was brief and vague. One may wonder how such a meeting would look now, with no recourse in the process. In the meantime, you are left to question what can be done to fix the portfolio, reapply for



**If there is
anything
that a man
can do well,
I say
let him do it.
Give him
a chance.**

-Abraham Lincoln

tenure/promotion, and hope for the best, rather than being able to address any deficiencies and make improvements.

One begins to see the cracks in a new evaluative system put into place and administered by the very people judging that portfolio. What is the point of submitting probationary portfolios, being repeatedly evaluated in the classroom, and collecting letters of recommendation from peers, chair, and dean, if, ultimately, the portfolio is rejected by the two entities least familiar with the academic work of faculty – the Office of the President and the Board of Trustees? Under a cloak of secrecy, one group can blame the other, and probationary faculty are left speculating.

Two unintended consequences of such secrecy are the erosion of trust in the administrative tools to evaluate faculty and the equity of the process performed by the P&T Committee. We all understand that there may be political considerations when we submit a portfolio. The old CBA was designed to limit the arbitrary nature of such considerations and provide recourse to amend these decisions when possible. Only by knowing the vote can we determine the truth of the matter and preserve the P&T process.

Additionally, under Article 9 of the previous CBA, faculty had the ability to seek outside arbitration if we were not satisfied with our own internal grievance procedures or findings. This is no longer a faculty right with the Interim Faculty Handbook. We also do not have the ability to grieve abandonment if administration does not follow its own procedures or for any reprisals towards faculty who do file grievances.

The decision by the President and Board of Trustees on October 23, 2020, continues to restrict and remove previously held faculty rights.

198 Ways to Worker Justice

by Joe Fahey, Chair, Catholic Scholars for Worker Justice

A dark night of the soul has descended upon Saint Leo University. A Catholic university that was once a shining light to other Catholic universities in the United States because of its long-standing faculty union, has been darkened by Saint Leo's Board of Trustees. Without any discussion with the union or the faculty, the Trustees have busted the union and are in grave violation of Catholic teaching on worker's rights.

What are the faculty of Saint Leo to do in this dire situation?

First, you have the support of the larger union organization that will represent you at the National Labor Relations Board and other civil agencies that are chartered to protect the right of workers to



The function of education is to teach one to think intensively and to think critically. Intelligence plus character – that is the goal of true education.

-Martin Luther King

pursue collective bargaining in the workplace. Labor unions know what they are doing; trust them and work with them.

Second, you can engage in a nonviolent campaign to restore your right to bargain collectively. We hope there are some Trustees who will try to persuade their colleagues that they have made a serious mistake in violating Catholic teaching on worker's rights. But that may not be enough. Often, Trustees will repeal or amend policies only when faced with a campaign of shame, or boycott, or strike.

Gene Sharp, the pioneering scholar on nonviolent action tells us, "Nonviolent action provides a way to wield power in order to achieve objectives and to sanction opponents without the use of physical violence." Nonviolent activists like Gandhi, Dr. King, and Dorothy Day view nonviolence as a spiritual weapon that seeks the conversion of an opponent to the cause of justice. In King's words, this "sword that heals" is meant to bring about a "beloved community" where all of God's children will live in peace and harmony based on the rule of justice. And, we might add, based on the Benedictine tradition.

Sharp divides the 198 methods into these categories: (1) Nonviolent Protest and Persuasion; (2) Social Noncooperation; (3) Economic Boycotts; (4) Economic Noncooperation: *The Strike*; (5) Political Noncooperation; (6) Nonviolent Intervention. In his three-volume work, *The Politics of Nonviolent Action*, Sharp gives historical examples of how each of these categories have been used throughout the world. See:

<https://www.aeinstein.org/nonviolentaction198-methods-of-nonviolent-action/>

For more examples of successful nonviolent campaigns see:

<https://nvdatabase.swarthmore.edu/>

Hence, the faculty at Saint Leo have many, many options available to convince the Trustees that they must reverse course and do the right thing to restore the faculty's right to collective bargaining.

Third, another option is called "corporate campaign." This nonviolent action involves picketing the Trustees at their businesses and places of worship. It can occur any time during a nonviolent campaign. Its purpose is to inform the public of the unjust act committed by a member of Saint Leo's Board of Trustees.

The Trustees will wage a campaign of fear, and you must wage a campaign of courage. Nonviolent campaigns have worked at other Catholic institutions, and they can achieve success at Saint Leo University.

Lent is a call to
renew a
commitment
grown dull,
perhaps,
by a life more
marked by
routine than
by reflection.

-Sr. Joan Chittister

