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IFO PRESIDENT'S COLUMN: SPRING IS HERE?

by [Don Larsson](#), *IFO State President*

"If Winter comes, can Spring be far behind?"

--"Ode to the West Wind," Percy Bysshe Shelly

In Minnesota, it seems, Spring has been taking its own sweet time to get here, despite a teasing day or two along the way. The economic and political weather have felt like April—dreary and cold. Despite a recession that has officially “ended,” the economy continues to sputter along slowly toward a full recovery—not entirely a bad thing since that has helped to boost enrollments at our universities, but definitely not a good thing for the unemployed and for the state budget, which also means not good for MnSCU’s or the universities’ budgets. The Legislature, which started out at full speed, has slowed to a crawl in wrapping up its budget bills, playing a slow-motion game of “chicken” with the Governor as the legal end-date for balancing the state budget for the next two years nears (just two weeks away now). Outside right now, however, the temperatures are finally starting to climb and the sun is making more frequent guest appearances. We are finally on the verge of spring and we might even get to summer eventually. This last edition of the *IFO Update* for 2010-2011 provides a good occasion to take stock of some of the more positive things that have happened over this last year. Here are some of the things that the IFO has managed to accomplish:

We have been holding bad legislation at bay. See [Russ Stanton’s column](#) below for details. Due to Russ’s efforts and your own willingness to write letters, lobby your state senators and representatives, and even show up at the state Capitol for hearings, some of the worst possibilities have disappeared or at least been put on hold. Various bill proposals would have frozen all state employee salaries, mandated salary cuts, or required increased employee pension contributions (equivalent to a cut in take-home pay). In all of those cases, the bills’ language has been removed or MnSCU employees have been exempted from the requirements. We have also supported the Chancellor’s Office in arguing against tuition caps and policy language that would force us to follow legislative mandates, such as blanket requirements for course transfer in MnSCU.

There are still plenty of bad ideas lurking at the Legislature. The House and Senate Higher Education budget proposals are still far below the Governor's, and the Governor's proposal is below the MnSCU system's own proposal, which the IFO has supported. There are other proposals that could negatively affect all or many of us or the universities at which we work. But it is clear that the IFO's efforts, including your individual efforts, have made these legislators pay attention. We will continue to make sure that they do!

We have lessened the pain of budget cuts on our campuses. The IFO helped to craft and promote the legislation that created new Early Separation Incentives for faculty retirements at our universities. As senior faculty took advantage of those incentives, jobs for junior faculty members were spared and many actual retrenchments were rescinded, also sparing some academic programs from being cut. Your local Faculty Associations and the state IFO office have also expedited individual campus Memoranda of Agreement that extended deadlines and made necessary adjustments to timelines so that faculty members could take advantage of those retirement incentives. Those incentives were not always easy for faculty members to take. I have personally witnessed the emotional pain that it has caused faculty members to leave a job they loved sooner than they had planned, and I know that it was not always an easy choice financially. We need to remember and thank those faculty for their personal sacrifices.

We have clarified language and procedures dealing with seniority rosters and retrenchment. Facing actual retrenchments of probationary and tenured faculty for the first time in decades, we discovered many unclear points and unanswered questions about procedures and faculty rights in the contract's retrenchment language. There is more work to be done on these issues, but we were able to craft a Letter of Understanding with MnSCU that clarifies "cross-rostering" rights for faculty when seniority rosters are revised, and we have dealt with many individual problems on a case-by-case basis.

We have made faculty voices heard as the Chancellor's Office restructures. The IFO's insistence over a long period of time that the central system office needs to share the pain our campuses have felt as they have downsized and restructured has been heeded. As at most of our universities, the Chancellor's Office has made significant cuts this last year to its staff and operating budget. As at our own institutions, some of the people who are leaving through retirement or other means will be missed for their abilities and willingness to work with the IFO. However, the end result should be—we hope—a leaner and more efficient central office that will be able to draw on the best that our campuses and faculty can offer without merely shifting more work to them.

One part of that restructuring has been a **trimming down and reorganization of MnSCU committees** that depend on the input of university and college faculty, staff, administrators and students. The impetus for these changes came from our colleagues in the Minnesota State College Faculty union, and the IFO had a strong voice in shaping those changes, especially through our Academic Affairs Coordinator, Donna Brauer. (Vice Chancellor Olson even refers to this structure as "the Brauer plan.") See her comments below for more about these changes.

We have also made certain that state university faculty were represented in the search for new MnSCU administrators. I had the privilege of serving on the search committee for a new Chancellor, culminating in the selection of Dr. Steven Rosenstone, who will take office on August 1, by the MnSCU Board of Trustees. I am now also serving on the search committee for a new Vice Chancellor for Academic and Student Affairs. (Interim Vice Chancellor Scott Olson will return to his job as Provost at MSU Mankato this summer.)

We have held at bay potential problems and pitfalls in key system initiatives, such as Smart Transfer and Students First. We have continued to point out that such system-wide initiatives have to take into account the complexities of our institutions and academic programs. Even though we will need to be constantly attentive to such issues, administrators have been taking our advice seriously.

We have supported faculty rights in curriculum and intellectual property. We have worked to improve language (or remove bad language) from MnSCU policies, especially MnSCU Board of Trustees Policy 3.22, which defines "course outlines" and "course syllabi." It is now clear as a matter of system policy that syllabi are the creation and intellectual property of individual faculty. The revised policy language will have a second reading at the next Trustees meeting this month, where it is likely to be adopted.

We have also worked to craft Memoranda of Agreement, especially at Metropolitan State University, that make certain that individual faculty members' intellectual property rights in the curriculum and learning that they create are protected. "Intellectual property" issues at our state universities have typically not had a high profile in the past, but we believe that they will be of increasing concern to our faculty members in the very near future. Regardless of whether you personally believe that your own intellectual property should be yours alone or believe that it should be shared across the academic universe, the IFO will continue to make certain that your right to that property is protected and that all parties understand what is yours to own or give away.

We have continued to advance the understanding of equity for all on our campuses. The IFO's equity committees (Feminist Issues Committee, Multicultural Issues Committee, GLBTA Issues and Benefits Equity Committee) have completed the first phase of a system-wide Campus Climate Survey. The Salary Equity Committee, which includes MnSCU administration, has reviewed salaries for new faculty hires in 2008 and 2009, resulting in step increases for several faculty.

We have worked to make our own state office operations more efficient. The IFO Board of Directors has approved changes in our own committee structures that make their roles clearer and more consistent. We are also working with a website design company (Meta 13 Interactive, based in St. Cloud) to redesign the IFO website (www.ifo.org) to make it more attractive and user-friendly. The project should be online by mid to late summer.

Each of these accomplishments alone may seem like a fairly minor victory, but **cumulatively they add up**. You can be certain that the IFO and your individual Faculty Associations will continue to work for you, represent you and watch out for you over the summer and next academic year and years to come. Compared to much larger state employee unions, we have a small statewide membership and very small staffs, but comparatively our presence is huge and our voices are heard.

I want to close this column and this academic year with **an acknowledgment of Chancellor McCormick**, who is retiring on August 1. I have said for some time now that the *good news* about James McCormick is that he is the first MnSCU Chancellor who knew what he was doing, and the *bad news* is that . . . he is the first MnSCU Chancellor who knew what he was doing. Many of us faculty who have been around for a while had strong doubts about the need for the MnSCU system when it was formed, and we often had occasion to complain about the system's priorities, policies and actions over the years, but I personally have to admit that Chancellor McCormick has brought the MnSCU system to a level of maturity and stability that is miles above where it was when he started ten years ago. Even though we still find plenty of reason to comment and complain, I also have to acknowledge that this Chancellor does have a genuine respect for the faculty, unlike some of his predecessors. I have strong reason to believe that mutual respect, even when we may fervently disagree, will continue with Dr. Rosenstone when he becomes Chancellor. In the meantime, I hope that you will all join with me in wishing Chancellor McCormick a good retirement and good fortune in any future endeavors.

Finally, **I wish you all a good summer**. I know that—contrary to what certain politicians and pundits say—your summer will not be a "three-month vacation." You will be teaching, conducting research, working in and for your professional and regional communities, and preparing for another year when your "twelve-hour week" will actually require more than the ideal forty hours. Your Faculty Associations and IFO staff in St. Paul will still be working for you and preparing to greet you all again in the next Fall Semester.

Finally, the weather is clearing,

“. . . and spring/ they say/ Spring is icummen in --- “

--"The Sea-Elephant," William Carlos Williams

17 DAYS TO GO AND NO SOLUTION IN SIGHT

by [Russ Stanton](#), IFO Director of Government Relations

The End is Near

With just 17 days left to go before the constitutionally mandated date for adjournment, few bills have become law,

and most those address relatively minor issues. The House and Senate have each passed their separate versions of major tax and spending bills, but they still have not agreed on a common version of any of the budget related bills except the Agriculture Bill, which is only about 1% of the budget.

The Budget Standoff

The legislature and Governor Dayton are still miles apart on how to address the state's \$5 billion budget shortfall left over from last biennium. While the Governor did send letters to the conferees working on the budget bills, telling them what he liked and didn't like about the bills under consideration, he said he cannot begin negotiating a solution to the budget problems until the legislature passes a comprehensive budget. Said Dayton, "I won't negotiate with myself."

There are major sticking points on the budget that have to be worked out. The Governor's budget is based on a balance of spending cuts and tax increases on the top 5% of income earners; the Republican majorities in the legislature say they will oppose any tax increase as part of the budget solution. The Republican controlled legislature has included many policy issues in the budget bills—pay freezes, tuition caps, mandatory transfer of all credits within MnSCU, to name just few. Governor Dayton has said the policy issues must come out of the budget bills or he will veto the bills (so far, the policy issues have not come out). Finally, the budget bills before the legislature rely on over a billion dollars worth of "savings" assumptions for various changes they are making to balance the budget. However, the Minnesota Management and Budget Office, which does fiscal notes that cost out the financial impact of bills, claims the savings just aren't real. Dayton has assigned members of his staff to work with legislative staff to get a common agreement on the cost and/or savings of the budget bills, but Dayton said he will not sign budget bills based on exaggerated estimates of savings. The prospects of an agreement on a budget before May 23rd are starting to look dim.

Constitutional Amendments Proposed

In the last few weeks, the Republicans have upped the political ante by proposing a number of constitutional amendments that Governor Dayton and DFLers oppose. These include proposed amendments to the constitution to require a 3/5th super majority to raise taxes; to limit expenditures to the revenues collected in the previous biennium; to require a photo ID to vote; and to define marriage as the union of one man and one woman. The implications of the proposed constitutional amendments on raising taxes and limiting spending would have enormous implications for state universities, which rely on state appropriations for about half of their revenue. Since constitutional amendments cannot be vetoed by the Governor and go straight to the ballot without requiring the Governor's signature, Republicans are using this avenue to bypass the Governor on some major tax and spending issues.

Democrats claim the motivation for the constitutional amendment on same sex marriage is simply a Republican attempt to turn out their base in a presidential election year; Minnesota statutes already prevents same sex marriage, and the Minnesota Supreme Court has already ruled against same sex marriage. Republicans say the people should vote on an issue of this importance.

Public Employee Bills

The proposed 6% pay cut for public employees is dead. The increase in employee contributions to pensions by 3% of salary (and 3% cut in public employer contributions) has been tabled for the rest of the session. The bill to reduce the state workforce by 15% has been amended to exempt MnSCU employees. MnSCU faculty and administrators are exempt from the performance pay legislation. The pay freeze bill is still alive in conference committee; the House version of the legislation exempts MnSCU—the Senate version does not. The legislation mandating a high deductible HSA health insurance plan for state employees is still alive in the Senate bill—the House bill has no such provision. We are making some progress lobbying the conferees on the pay freeze and health care issues, but for the moment they remain in the Senate bill.

A Government Shutdown?

If the legislature does not finish its business by May 23rd, the Governor will have to call a special session. If the legislature and Governor do not agree on a budget by July 1st, state government will shut down. The last time the state had a shutdown, in 2003, higher education institutions were exempt because the higher education bill had

made it into law before the shutdown; this time we may not be so lucky. The MnSCU institutions could probably function for a while on reserves and tuition revenues, but functions like state payroll may not be working— faculty may not get their pay checks. Another problem is the state has been borrowing hundreds of millions from MnSCU in recent years for state cash flow purposes—and we don't know if MnSCU will be able to get it back if there is a shutdown. While there are many unanswered questions, everyone seems to agree a shutdown would be very messy and could hurt a lot of people.

There is not much we can do at this point other than urge legislators to get their work done and go home. If you visit the IFO [web page](#) you can find a list of campus legislators, and legislators on the major conference committee. If you have time, send them a note urging them to wrap it up and avoid a shutdown.

Have a good summer break!

WHY IS THE IFO OPPOSED TO THE CONSTITUTIONAL AMENDMENT AGAINST MARRIAGE?

by [Patrice Arseneault](#), IFO Director of Grievances and Equity

The Minnesota legislature has been busy cranking out bills that would place numerous amendments to the state Constitution on the 2012 ballot. One of the amendments being proposed is a bill to amend the Minnesota Constitution to prohibit same sex marriage by defining marriage as between a man and a woman. One of the IFO legislative goals is to oppose any legislation that attempts to amend the state Constitution to outlaw same sex marriage. Why is the IFO opposed to an attempt to amend the Constitution to exclude same sex marriage?

The IFO seeks to ensure that the benefits provided to the faculty, counselors, librarians and coaches that we represent are the same for everyone. In fact, several years ago, the IFO created a statewide Benefits Equity Committee (“BEC”) whose sole charge is to review and address benefits equity issues for bargaining unit members. The BEC spends many hours reviewing contractual language and benefits described in state statutes in order to advise the IFO on issues relating to the equitable distribution of benefits. The goal of the BEC is to afford to each member of our bargaining unit the same access to benefits.

In its review of benefits, the Benefits Equity Committee determined early on that as public employees, many benefits we receive are defined and limited by state law. As such, the committee encourages the IFO to adopt legislative goals that support benefits equity as a matter of state law.

In addition to the work of the Benefits Equity Committee, the 2010 Delegate Assembly resolved that achieving equity of benefits for all faculty and their families, without regard to sexual orientation, is recognized by the IFO to be a human rights, civil rights, and labor equity goal of highest priority.

In carrying out the directives of the 2010 Delegate Assembly, the IFO Government Relations Committee recommended and the Board of Directors adopted a series of legislative goals for the 2011 session to promote equity in benefits for faculty, including a goal to support legislation to allow same sex couples to marry and to oppose legislation that would serve to further prohibit marriage equality for same sex couples.

The IFO supports gender neutral marriage because many of the benefits in our contract and in state law are based on marital status. State laws governing pension and retirement benefits provide for a faculty member's spouse to be an automatic beneficiary but not a same sex partner. The state offers long term care insurance coverage to spouses of employees but not to a faculty member's same sex partner. Similarly, family health care coverage is provided based on one's marital status. Since same sex partners cannot marry, some of our faculty members are prevented from receiving a benefit equal to the benefits available to married faculty members.

The IFO opposes any legislative attempt to amend the Minnesota Constitution in a way that would deny our

members who are in same sex relationships the opportunity to access the same employment benefits that married members enjoy. This is a matter of equal treatment for all members in our bargaining unit.

NEGOTIATIONS UPDATE

by [Brent Jeffers](#), *IFO Chief Negotiator*

Our contract is due to expire on June 30, 2011, however, PELRA, the Public Employment Labor Relations Act, clearly establishes a continuation of our existing contract for as long as the IFO and the MnSCU system are actively engaged in collective bargaining. Your negotiating team is scheduled for a joint bargaining session with MnSCU this month. On May 11th and 12th, and we are hopeful and anticipate a collaborative effort to negotiate on several issues in an “Interest Based Collective Bargaining” process. We are in the initial stages of interest based bargaining and both sides have committed to negotiate on mutually agreed upon issues which should be determined at the May 11th bargaining session.

Although the middle of May seems late in the contractual cycle, this is typical and a normal time frame for negotiations. As you may recall, the last round of negotiations we made an unprecedented early settlement offer that helped address the State’s poor economic situation. In that settlement, we assumed a two year pay freeze and status quo on all contractual language. We made that offer in January during the last year of our contract and we have received a lot of good will from what was considered a fast and responsible settlement but, that was not a normal round of negotiations. Because our contract coincides with the legislative biennium and the state’s budgetary cycle, the MnSCU system doesn’t receive its economic allocation until the end of the legislative session which is sometime at the end of May or later if there is a need for a special session. The MnSCU negotiating team has never been serious about negotiating or a contract settlement until well after the end of the legislative session.

Historically, we have been pleased with a settlement before the Delegate Assembly in April, nearly a year after the contract has expired but this too rarely happens. It would not be unusual for negotiations to extend into the second academic year after the contract has expired. So, we are on a normal time frame for negotiations.

During my on the job training as a negotiator during the 2001-2003 contract negotiations it was made very clear to me by the dedicated IFO members and skilled negotiators of the team that collective bargaining is a process of endurance and stamina. This valuable lesson has held true on four of the five contracts that I have been a party to. I expect the IFO negotiating team, if need be, is fully prepared for a protracted round of negotiations with an extremely high level of stamina.

NO INCREASE FOR IFO UNION DEDUCTIONS 2011-2012

by [Cindy Christians](#), *IFO Membership Coordinator*

The 2010 Delegate Assembly approved to keep the member dues and non-member fair share fees at the same level for FY12. There will “NOT” be any union deduction increases for the 2011-2012 Academic Year. The FY12 dues and fair share fee amounts can be viewed [here](#).

CONTACT US

The *IFO Faculty Update* is published and distributed by the [Inter Faculty Organization](#). If you need to contact the Inter Faculty Organization, our 490 Concordia Avenue, Suite 125, Saint Paul, MN 55103, or you can reach us by phone at 800/325-9644 or 651/227-8442. You can send us an email by clicking [HERE](#).