

Hearing Summary on Public Higher Education Employees Collective Bargaining Bill

HOUSE COMMERCE AND LABOR

Tue., Dec. 1, 2009

HB 365- PUBLIC EMPLOYEES COLLECTIVE BARGAINING (Chandler K) To eliminate an exemption from the Public Employees' Collective Bargaining Law for specified educational employees.

Rep. Chandler said the bill "changes the collective bargaining law by removing language that excludes adjunct professors, contingent employees and part-time faculty members of an institution of higher education from the definition of 'public employee' and thus does not allow them to participate in collective bargaining.

"The bill also removes language that excludes graduate assistants, associates and other students who work part-time except for those who are working mainly for educational training."

She went on to point out that while contingent and adjunct professors have no rights and are excluded from "education decision making and discussions ... they teach nearly half of all courses."

In answer to a question, she said when she was an adjunct professor she was paid by the course -- \$3,000 for a three-hour class.

Asked by Rep. Uecker what the bill would cost, Chandler said it merely gives these adjunct and contingent employees the same collective bargaining rights that university janitors and clerical staff enjoy – something Uecker said "would guarantee a dramatic increase in cost."

She told him she was "glad he was able to predict that" but said she didn't know the outcome of giving these staff collective bargaining rights.

Rep. Adams asked if she knew the number of these staff who qualify to receive Medicaid. She said she would look into that.

Rep. Hagan commented that universities have taken to contracting out janitorial services, describing how they get around providing benefits and having them as actual employees.

Chandler said that Sen. Strahorn has introduced a companion bill in the Senate. (Hannah News)

HOUSE COMMERCE AND LABOR

Tue., Jan. 12, 2010

Rep. Yuko: 614-466-8012

**HB365**

PUBLIC EMPLOYEES COLLECTIVE BARGAINING (Chandler K) To eliminate an exemption from the Public Employees' Collective Bargaining Law for specified educational employees.

Patrick McLaughlin, an English professor at Lakeland Community College; and Steve Doster, an accounting and management professor at Shawnee State University; testified in support of HB365 on behalf of the Ohio Education Association (OEA) Higher Education Advisory Council. Also testifying in support of the bill were Joshua Kurz of the Graduate Employees' Student Organization at Ohio State University (OSU); Darold Johnson, director of legislation and political action for the Ohio Federation of Teachers (OFT); and Matt Williams, vice president of New Faculty Majority (NFM).

Kurz and others emphasized "that this bill does not guarantee that adjunct faculty and graduate employees will form a union; rather, it simply provides the conditions for democratically deciding the issue."

McLaughlin said many adjunct faculty must work at multiple institutions to make a decent living, cutting "greatly into their ability to provide quality instruction, meet with students, attend departmental meetings or participate in professional development opportunities, and address differences in curricular design and implementation." Calling it "short term gains at horrendously long-term costs," he said, "We are bartering the future economic health of Ohio and Ohioans by perpetuating a system that creates a permanent white collar underclass and settles for less than pedagogical excellence in the classroom."

Doster said contingent faculty suffer from low pay, no benefits, no offices and exclusion from organizational participation. Kurz noted that "undergraduate tuition and university administrator salaries have skyrocketed, while graduate assistant pay has remained relatively steady."

Williams, a self described life-long Republican, said he gave up on an academic career (paying \$15,750 per year) to return to marketing earning a six figure salary. He said, "The adjuncts that I know are bright, committed and dedicated to educating their students. Unfortunately, many of them are also poor, lack any sort of job security, and have no health insurance."

Williams called part-time faculty "the sacrificial lambs" in the hard-fought battle over the prospective unionization of academic labor 25 years ago. He estimated hundreds or even thousands of part-time faculty and graduate assistants are also recipients of public assistance, while being denied unemployment compensation between teaching contracts.

Johnson estimated that 50 percent of higher education classes are taught by part-time instructors or graduate assistants. He said Ohio is the only state that allows full-time faculty to organize while prohibiting part-time faculty from doing the same.

In response to Sen. Wachtmann's insistence that allowing contingent faculty to unionize would increase tuitions by 70 percent, McLaughlin said unions would have to bargain for what is available, blaming tuition increases on systemic problems with higher education funding. Doster argued that administrators would require office hours and student counseling in exchange for higher salaries and benefits, resulting in increased student retention that would probably reduce tuitions.

Rep. Hagan noted that state funding has gone from 75 percent of higher education 20 years ago to 40 percent today. Saying "you get what you pay for," Rep. Stewart called education "the key to getting out of the economic malaise."

Doster told Rep. Blair that while "pay for performance" will eventually be addressed, "it is great in theory, but implementation is a challenge."

Williams said administrators drive down compensation for part-time faculty “because they can.” He said HB365’s “permissive language simply enables the thousands of part-time faculty and graduate students in the State of Ohio to pursue collectively bargaining toward the goal of achieving a living wage.” (Hannah News)

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#### House Co-sponsors

Chandler, Kathleen; Hagan, Robert; Foley, Mike; Oelslager, Scott; Williams, Brian; Yuko, Kenny; Domenick, John; Phillips, Debbie; Skindell, Michael; Okey, Mark; Harris, Marian; Letson, Tom; Pryor, Raymond; Stewart, Dan; Fende, Lorraine; Harwood, Sandra (Republican member)