

**Written Testimony Submitted to the
Maryland House Appropriations Committee**

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HB 275

**State Personnel – Collective Bargaining – Faculty, Part-Time Faculty, and Graduate
Assistants**

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FAVORABLE

Good afternoon Chair Barnes, Vice Chair Chang, and members of the House Appropriations Committee. Thank you for the opportunity to add support from the University of Maryland, Global Campus, for the rights of all higher education faculty in the State of Maryland. Also, in my remarks today I hope to shine some light on my school's enigmatic position within the University System of Maryland by adding some unique reasons why we need the same right to bargain collectively with management that the non-teaching staff has long held.

At the outset, let me say that we all applaud UMGC's open enrollment policy that gives mainly working, adult students a fresh chance to reach their educational goals. Online course delivery serves both students and professors who are located around the country and around the world. In theory, the combination of a skills-oriented trade school that helps students enhance their job prospects together with an academic school that offers permanent, life-enhancing studies can work. At least, this is the theory.

My comments today reflect my own point of view as an adjunct professor of writing and the Humanities based on the very limited information available to me and within the legal scope of a potential union contract. These are compensation and working conditions.

During the ten years that I have taught at UMUC, now UMGC, with a Ph.D degree, I've advanced to the upper level of the scale for per-course compensation. Assuming that each eight-week course represents a 20-hour, part-time job, I computed my hourly wage at around \$25, excluding the hours required to prepare for courses and complete grades or participate in uncompensated, but required university activities.

Adding these extra hours brings my hourly compensation close to Maryland's minimum wage level of \$13.25 in contrast with the \$100 hourly rates of appliance and auto repair experts. In comparison, when I worked as a private-sector consultant more than twenty years ago, my time was billed to clients at the rate of \$1,000 per day.

Meanwhile, I have no healthcare, retirement or other benefits for which full-time faculty and staff qualify. Also, I must pay my own home office expenses. Worse, all but a few part-time professors at UMGC are hired and paid on a per-course basis with no assurance that they will ever be offered another course. (Those who rock the boat with complaints or criticism rightly fear potential retribution; they can be dropped from the "available" list at any time and for any undisclosed reason.)

Based on this experience, it is easy to understand why we have high faculty turnover.

Teaching for UMGC appeals to new graduates as a way to show some experience on their CVs. Qualified people newly retired from other occupations may want to teach as a hobby or for some needed, extra income. Another part-time group, young and old, teaches at multiple schools in multiple locations in an unrelenting effort to earn something close to a full-time income.

Mid-career academics consider working for UMGC a personal and professional dead end, if not a blemish on their CVs. UMGC funds no participation expenses for academic conferences or paid time to conduct research and prepare publications. In any case, they are unable to design courses that include their consequential insights. Faculty at UMGC spins in its own orbit separated from each other and from colleagues elsewhere.

Consider this background for my comments about “working conditions” as an area of concern. It also serves as a partial explanation of why I described UMGC’s position in the University System of Maryland as “enigmatic.”

Top down, UMGC really is different.

1. Traditionally, the primary goal of an academic institution has been to advance human knowledge through research and publication that was shared with students.
2. In contrast, UMGC does no research. Management’s goal appears to be the use of a corporate model to maximize profit by providing a standardized educational product, outsourcing as many functions as possible and keeping costs low.
3. Almost all classes are taught online by part-time faculty.
4. There is no Faculty Senate; there are no real academic departments.
5. With few exceptions, managers—not professors—design courses.
6. The school has only a handful of full-time professors; 100 of them for more than 60,000 students.
7. Tenure doesn’t exist.
8. The school has no physical campus or facilities, apart from a fortified administrative complex near College Park whose entrance has a security guard and bullet-proof glass.
9. Courses are run on eight-week cycles that make it almost impossible for students who work full time to read an entire book.
10. Students are guaranteed that they will not need to purchase books; all course materials come from free, online sources.
11. Managers will not pay to use copyrighted material.
12. The library has no books--only subscriptions to online resources--and a few expert librarians working while in fear of being replaced themselves by outsourced customer service representatives.

13. Flourishing plagiarism and other types of academic fraud led to creation of an entire admin department to deal with it—so long as “dealing” doesn’t imperil tuition revenue.

In short, UMGC spins in its own orbit out of sync with the other institutions that comprise the University System of Maryland.

From a bottom-up faculty point of view, all this easily explains the attractiveness of collective bargaining with a union contract.

When former UMGC president Miyares was asked publicly if the quality of education at UMUC was deteriorating, Miyares replied, "The market decides," meaning that paying customers vote with their dollars. This view was somewhat shaken when a federal Department of Education report examining how Pentagon funds were being used by vendors under contract on military bases around the world, it questioned why 70% had been allocated to “administration” and only 30% to instruction.

Fortunately, UMGC survived the attack because it has long been clear that the institution would likely collapse were it to lose its military contracts. Similarly, Miyares learned early in his tenure—before his corporate “Business Model” proposal was accepted by the Board of Regents in 2015—that, without the ability to put “University of Maryland” on its diplomas, enrollment overall would collapse.

Early on, professors feared that the Business Model was putting the school on a fast slide toward becoming a trade school/diploma mill that would degrade the credibility of all University of Maryland diplomas. Worse, there were no brakes in place, no Faculty Senate, no tenure and no meaningful “meet and confer” process.

The chair of the Adjunct Faculty Association, envisioned as representing thousands of professors, summarized meetings with management by saying, “We ask. Administration says ‘no.’”

This misguided process explains why faculty’s primary complaint is lack of respect. Management says “no” because it can.

- Faculty wonders why professors have been denied the right to bargain collectively while nonteaching staff can and does have union representation.
- Faculty wonders why numerous academic decisions are made without its participation.
- Faculty wonders why, with the exception of UMGC’s current CEO, few managers have significant teaching experience. Many have come from for-profit schools or from the private sector with no prior employment experience at any university.
- Faculty wonders why a bloated and well-paid administration appears to have ample funds while funding requests from professors are considered unaffordable.

From a professor’s point of view, this situation is disrespectful when it is not insulting.

Meanwhile, management tightly controls access to the all-faculty email list so that individual professors have no way of exchanging information because they are dispersed around the

country and the world. Lacking any physical facilities where they could meet, there are no opportunities for traditional union organizing or even for sharing information across professional silos.

At the same time, management makes available only select, limited amounts of information. The information most pertinent to faculty in understanding union issues can be deemed “proprietary” and withheld at will.

At traditional public universities only information about patented or potentially patentable research qualifies. However, UMGC does no research. As is common in the private sector, management uses information control to thwart union organizing efforts.

A faculty that feels exploited rather than respected will surely have detrimental effects on academic quality and real student achievement, especially the kind of effects that cannot be measured quantitatively or described with “analytics,” a territory in which the current president’s predecessor was an expert.

We hope that UMGC’s new president, Greg Fowler, will not use data analytics mainly to bamboozle legislators. Let me end my remarks with a plea that this legislature assure the right to bargain collectively with union representation based on binding contracts, rights that are enjoyed by virtually all other workers in Maryland. Look at the very positive example of Montgomery College and do not be deceived into believing that higher education will only be able to afford union contracts by raising student tuition. I believe that, as elected state representatives, you are too smart to fall for that trick. ●