



COUNCIL of UNIVERSITY
SYSTEM FACULTY

Senate Finance Committee
Senate Bill 823

State Personnel - Collective Bargaining

- Faculty, Part-Time Faculty, Post-Doctoral Associates, and Graduate Assistants March 7,
2024
Favorable

Below you will find two resolutions passed by the Council of University System Faculty of the University System of Maryland. We are the only representative body for the Faculty at all twelve USM institutions.

These resolutions support collective bargaining rights, for faculty, and for graduate students. Both of them passed unanimously at our January 2024 meeting, with abstentions from members who have administrative roles.

It is a fit statement of how well shared governance is working that the USM vice chancellors who submitted witness testimony did not mention the Council of University System resolutions supporting collective bargaining rights. They attend our meetings. They have read our resolutions. But you do not hear our voice through them. Our views are only advisory, and can be ignored.

I write also to address some claims in that USM testimony about how shared governance works, claims that are problematic. In that capacity I write as chair of CUSF last year. I conducted the surveys in question. It was extremely difficult to circulate those surveys, since we needed the permission of the presidents of each university. In most cases the surveys went only to the members of the representative bodies on those campuses, to those already involved in shared governance. In one case, Global Campus, there is no faculty senate, only an appointed council. They refused to share the survey at all (they have 5,000 faculty). The average for most answers was a three, which translates to neutral, neither satisfied nor unsatisfied.

Shared governance deals well with some issues, such as curriculum requirements or approving programs. It deals hardly at all with personnel issues, as the surveys reveal. One issue that arose this week at my campus (College Park), concerned just such an example. Non-tenure track brought attention to the fact that many had very

low pay, in some cases only \$2,000 per course, did not get paid on time, had no office or desk, worked on semester-to-semester contracts, etc. The committee they petitioned to redress these issues was Faculty Affairs. Administrators informed us that we had no jurisdiction to address this issue, that it was an administrative issue, not an issue for shared governance.

Shared governance, in sum, does not currently or normally deal with the issues that a union would address.

Furthermore, it is important to note that according to the shared governance survey from last April, less than half of the respondents felt comfortable speaking openly about issues of concern. Many are afraid they will lose their positions or be punished. Decreasing percentages of faculty now have tenured or tenure track positions, and on some campuses even tenured faculty have had their positions threatened when they spoke up about problems. Those reports are [available here](#).

It is my opinion (and the survey results confirm) that shared governance is an insufficient check on administrative authority. Administrators often make decisions, sometimes in their interest, without consulting faculty, who have the most contact with students. Our input is always, even in the best situations, only advisory. It is in the best interests of the university system that faculty have a stronger voice in setting, and checking, policies, including broad personnel policies.

Respectfully submitted,

Professor Holly Brewer

Chair, Legislative Affairs Committee, Council of University System Faculty 2023-2024
Ex-Chair for the Council of University System Faculty 2022-2023

Resolutions

At our 1/23/2024 general body meeting, CUSF (the Council of University System Faculty) voted to reaffirm our support of this resolution that we have passed eight times previously.

The vote was 21 yea, 0 opposed, 4 abstentions.

Resolution Reaffirming the CUSF Affirmative Position for Collective Bargaining Rights for University System of Maryland Faculty

Whereas, the Council of University System Faculty (CUSF) serves as the faculty advisory body for the University System of Maryland (USM); and

Whereas, CUSF Council passed 23-3 the following resolution on November 16, 2010 which was and still is the current position of CUSF regarding collective bargaining.

CUSF urges the Chancellor and the Board of Regents to support legislation extending the right to consider the alternative of collective bargaining to USM faculty. This is not an endorsement of collective bargaining. Rather CUSF would like each campus to have the right to consider collective bargaining if it chooses based on its circumstances, as other public sector employees, even on some of our campuses, already have done.”

Submitted by Legislative Affairs Committee, 2023/2024

The motion above was passed every year by CUSF between 2010 and 2017.

n.b..The link to the 2017 minutes, which records this fact, is here.

<https://www.usmd.edu/usm/workgroups/SystemFaculty/meetings/gen20171214.pdf>

CUSF Resolution in Favor of Graduate Student Collective Bargaining

Passed by a vote of 20 yea, 0 opposed, 6 abstentions on January 23, 2024.

“Whereas the Council of University System Faculty (the Council) consists of faculty representatives elected by the faculties of the constituent institutions of the University System of Maryland (USM) to represent USM faculty; and

Whereas it is the Council’s responsibility to consider and make recommendations on matters of System wide professional and educational concern to USM faculty; and

Whereas the Council advises the USM Chancellor and reports regularly to the USM Board of Regents on matters of interest to USM faculty; and

Whereas CUSF members and their constituents are committed to supporting graduate students at USM institutions, who represent the next generation of higher education teachers, researchers, and scholars; and

Whereas support for graduate students at USM universities is an excellent investment in the growth of the Maryland economy because USM graduate students contribute substantially to the next generation of Maryland leaders in education, business, health care, and research; and

Whereas pursuing a graduate education is inherently challenging, and unnecessary additional challenges related to financial support and compensation, health care

benefits and working conditions create barriers to recruitment to and completion of graduate programs; and

Whereas CUSF members and their constituents have observed that students pursuing graduate studies at USM institutions face significant challenges relating to working conditions, financial support, compensation, and benefits; and

Whereas CUSF members and their constituents believe that these challenges have a deleterious effect on the education and research mission at USM institutions; and

Whereas USM graduate students have consistently expressed a desire to address these challenges by engaging in collective bargaining; and

Whereas bills proposed in the Maryland General Assembly in each of the last five years that would allow graduate students at USM institutions to engage in collective bargaining have earned consistent, overwhelming support from graduate students and USM faculty and staff; and

Whereas graduate students at many top research universities have formed collective bargaining units in recent years; and

Whereas graduate students are transitory employees with no direct, sustained professional ties to state government; and

Whereas graduate students at USM institutions do not have supervisory or managerial control over their institutions or working conditions; and

Whereas individual graduate students at USM institutions with a collective bargaining unit will have the option not to join or financially support a union;

Be it here resolved that the Council supports the amendment of Maryland law to allow graduate students at USM institutions to engage in collective bargaining.

Reaffirming Support for a Resolution Originally at CUSF General Meeting on February 24, 2023