

AAUP NEWSFLASH

I am writing to you on behalf of AAUP's Council to advise you that the University intends to provide non-renewal notices to an unspecified and presumably large number of faculty. Despite the AAUP's request, the University has not identified the number of faculty to be impacted or its' rationale for this action. The timing of these non-renewal notices will be as follows:

1. For 2 Year Contracts expiring June 30, 2010: By December 31, 2009;
2. For 1 Year Contracts expiring June 30, 2010: By February 28, 2010; and
3. For 3 Year Contracts expiring June 30, 2011: By June 30, 2010.

The University has further advised the AAUP that it intends to seek, via negotiations with the AAUP, reductions to salary and/or FTE, of faculty who receive non-renewal notices in exchange for their continued employment. In other words, the University intends to use the non-renewal notices to pressure faculty into modifying their salary and/or FTE. The University is aware that they are legally prohibited from negotiating with you directly and have asked the AAUP if they would agree to such modifications on behalf of select faculty who receive non-renewal notices.

In the absence of any rationale for this action, AAUP's Council recently met and decided that it **WILL NOT** agree to any modifications to faculty salary, FTE, or other terms and conditions of employment on behalf of any faculty member after they receive a notice of non-renewal or if they are threatened with non-renewal. This was not an easy decision. However, the Council felt strongly that while the University has the prerogative to non-renew a faculty member, the provision of a non-renewal notice means the University does not intend to employ the faculty member beyond their term appointment. The Council also felt very strongly that it is improper for the University to use non-renewal notices to pressure faculty into modifying their salary and/or FTE and that such behavior would further negatively impact on faculty morale and its' ability to recruit qualified candidates.

Rather, AAUP's Council decided that it will negotiate in good faith and reach agreement on proposed modifications to salary and/or FTE on behalf of faculty where there is no threat of non-renewal to the faculty member. More importantly, AAUP's Council has requested a meeting with the University to identify the problem/issue, share relevant information, and to engage in a discussion on how to best address the problem.

In light of above, we offer the following guidance:

1. Whether or not you receive a non-renewal notice, the University (your Chair, Department Administrator or Dean) is prohibited from negotiating with you directly in regard to your salary and/or FTE, or any other term and/or condition of employment without agreement of the AAUP. If your Chair or any administrator seeks to do so, you should advise them that cannot negotiate with them and advise them that they must make a written request to do so to you and the AAUP.
2. If you are approached or receive a written request to renegotiate your salary and/or FTE under the threat of non-renewal notice or after receiving a non-renewal notice, please contact the AAUP at 973-972-5875 or 732-235-4196.