

## The Other March Madness

March Madness is nearly past us once again – no, not the televised form about which you’re thinking, but the local version in which some tenure-track faculty members squirm, weave and dodge away from their clearly delineated responsibility under Article 16 of the Collective Bargaining Agreement to recommend merit and equity salary increases in a manner consistent with the CBA. Article 16.2.10 of the CBA states,

*“.....Each department will recommend to the Dean, no later than April 15, 2017, the amount of the merit and/or equity increase to be awarded to each department faculty member. If the Dean disagrees, and further negotiation between the department and the Dean does not result in agreement within two weeks, the pool will be distributed across the board.”*

In the context of the CBA, the term ‘department’ means all tenure-track faculty members of the department. It includes the chair, but cannot be construed to mean the chair acting in isolation. A department cannot make a recommendation to the Dean without prior knowledge shared by each member of the department of the specific merit and/or equity salary increases being recommended for each individual.

Past chapter president Deanna Wood framed this simple Article more eloquently in a note to all bargaining unit members on 8 April 2016:

*“On Merit and Equity and Negotiations with the Deans:*

*The contractual provision for merit and equity distribution was negotiated with the University with one intent: that the tenure track faculty should decide how any merit and equity salary pools should be distributed to themselves. This language was a compromise between the University’s desire to have a merit/equity component of our compensation and the union’s insistence that such decisions should be based on shared governance principles and peer review.*

*Over the years, however, there has been some confusion on the procedures described. The language in the contract means to make our intent clear:*

*"Each department will recommend to the Dean, no later than May 6, 2016, the amount of the merit and/or equity increase to be awarded to each department faculty member. If the Dean disagrees, and further negotiation between the department and the Dean does not result in agreement within two weeks, the pool will be distributed across the board.”*

*The four salient conditions here are:*

*1. The department (i.e., all tenure track faculty) must vote to approve both the process and the distribution plan that are recommended to the College Dean. This includes the amount of the merit and/or equity increase to be awarded to each department faculty member before it goes to the Dean. No “pre-approval” from the Dean is required.*

*2. If the Dean proposes any negotiations, these too must be brought before the full faculty for approval. Negotiations with the Dean may be delegated, but the outcome of those negotiations, the particular distribution, must be approved by the faculty.*

*3. Since all merit/equity distributions must be voted on and approved by the faculty, all information about the distribution must be disclosed to the department faculty. We are public employees and our salaries are public information. There are no confidentiality restrictions.*

*4. The contract does not prescribe the method by which departments devise their recommendations. Departments may delegate the work for devising the models for distribution to department chairs or committees. They may also make the decisions among all department faculty. However, the contract is very specific, that only department faculty has the authority to approve the results. If approval with the Dean is not negotiated within two weeks, the pool will be distributed across the board.”*

It is not the intent of AAUP-UNH to determine the criteria by which individual departments decide merit and equity salary increases. It is our intent to remind colleagues that the process of merit and equity increase determination must be transparent for all tenure-track faculty members – a department cannot recommend to the Dean a set of merit and equity salary increases without the full, prior knowledge of those recommendations by the tenure-track faculty.

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