

My Commitment To The Congress Of Faculty Associations

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Recently I wondered about the reasons for my commitment to the Congress of Faculty Associations. A number of good friends of mine are associated with the United Professors of California. Is the difference in our choices about union representation simply a matter of a different series of particular events that have had a significance in our lives? I believe that in part this is the case, but I know that in matters of this importance, our judgment will also be based on an analysis of objective differences and we have an obligation to engage in a community dialogue about our perceptions before a final decision is made.

Both CFA and UPC have as their purpose effective collective bargaining. They are both unions in the essential meaning of the term and their existence heralds a change in the governance process of the CSUC system. This forthcoming change has been provoked by the CSUC administration although not all elements of the system bear equal responsibility. I think our situation at Humboldt in general has been one of effective collegial governance. However, for the system as a whole, the consultative process frequently had the character of a charade; whenever the faculty recommendations did not accord with a previously determined administrative view, they were ignored. The so-called meet and confer process was in fact a meet and defer situation. Too often local and state academic senate resolutions resulted in actions that in many instances did not survive the administrative bureaucratic labyrinth.

AB 1091 which establishes the collective bargaining alternative for the CSUC system, in effect, represents legislative recognition of the defects mentioned above.

The need for a collective bargaining process is affirmed by both CFA and UPC. Thus the distinction between the two organizations must be found elsewhere. Is there a difference between the model of unionism held by each of the organizations? To answer this question, one can proceed by an

examination of the historical roots of both CFA and UPC and such an examination points to the importance of the UPC affiliation with the AFL-CIO. Given this affiliation, it seems logical to argue that the UPC vision of its role will spring from what the AFL-CIO designates as the industrial unionism model. From the point of view of the historical roots, CFA has a much more eclectic philosophy. As a collective bargaining organization it springs from three older professional associations, each of which had its own distinct character. However, a unifying element held by all three of these organizations was their commitment to the collegial system of governance with its foundation in a common consensus and unity of purpose within the total academic community. Their vision of the academic community did not contain as a fundamental premise the idea of an adversary relationship with the administration. It is with real regret and a deep sense of betrayal that these three associations formed CFA to express their recognition of the need for a new governance system. To buttress this new governance system is a unionism model perhaps somewhat less clearly specified than the UPC model, but at the same time much less extreme in its vision of the adversarial nature of the situation.

A crucial implication of this difference in the model of unionism is particularly relevant to the California situation. AB 1091 has a unique character as collective bargaining legislation in that though specifying exclusive representation for the elected union agency, the bill also divides the representation responsibilities between a union and an academic senate system of governance. The language of the following section as originally written by the CFA authors states this intent:

“Section 3561 (b) The Legislature recognizes that joint decisionmaking and consultation between administration and faculty or academic employees is the

long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of such institutions, and declares that it is the purpose of this act to both preserve and encourage that process. Nothing contained in this chapter shall be construed to restrict, limit, or prohibit the full exercise of the functions of the faculty in any shared governance mechanisms or practices, including . . . the Academic Senates of the California State University and Colleges, and other faculty councils, with respect to policies on academic and professional matters affecting the California State University and Colleges . . . ”

The exclusive representation characteristic is one that has long been advocated by industrial unionism adherents. However, one of the essential characteristics of industrial unionism is a much broader conception of exclusive jurisdiction and the proscription against dual unionism that traces back to Gompers. It implies an interpretation of a UPC reluctance to the sharing of authority with another agent such as the academic senate. It may be that the bill's statement of intent can guarantee AB 1091's unique dualism if UPC were to have responsibility for wages, salaries and working conditions. However, the phrase "working conditions" offers an ambiguity which could be used by UPC to encroach upon the senate's specified area of academic and professional matters.

CFA's philosophy of unionism supports the existence of a dual system and a division of responsibilities. In fact, the constituent organizations of CFA (AAUP, CCUFA/CTA, and CSEA) have moved toward collective bargaining in the hope that with the power to be found in this mode, the senate system can be revitalized so as to fulfill the earlier hopes for that method of academic governance. This position implies that if CFA assumes the collective bargaining responsibility, then a first order of business in the initial contract negotiations will be power for the system of academic senates. This can be accomplished by a real bilateral process of policy adoption, resulting in a binding contractual agreement. The above element suggests a philosophy of unionism that might be termed the codetermination model as contrasted to the industrial union model of UPC. This term codetermination was used by the Carnegie Commission on Higher Education in a report

discussing shared governance systems and its reference is to the West German industrial situation in which parallel systems of works councils and union bargaining at the centralized level provide labor with its decisionmaking roles.

I argue that one can distinguish between CFA and UPC on the basis of the model of unionism that provides the rationale for each organization's vision of its role. I think that CFA support for shared governance with the academic senate system is such an important distinction that the codetermination model can be used as a differentiating designation. I contend, further, that the CFA model of unionism is less extreme in its vision of the adversarial nature of university collective bargaining. Also associated with this less extreme position is a view of the strike, which although not denying its role as a part of the collective bargaining scene, recognizes the differences between the state supported university and the private firm basis of the industrial union model. This then is the analytical grounding of my commitment to the Congress of Faculty Associations.