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The Communicator

Pear Trees and Hostile Work Environments

Over the past few months, PSCFA has received numerous complaints concerning a hostile work environment and workplace bullying by an interim administrator. The union has followed the contract in an attempt to resolve the allegations, meeting with impacted faculty members and multiple administrators.

With no resolution to the situation, and with escalating incidences, PSCFA filed four separate grievances on behalf of multiple faculty members. The grievances are slowly working their way through the process. However, the administrator (who had no previous administrative experience prior to being appointed to this position) is being

recommended to the Board of Trustees for a permanent position in January. Those who complained appear to be the targets of retaliation by upper administration. One has been demoted, another terminated, and one chose to seek employment elsewhere rather than continue to endure the bullying.

In the meantime, rather than working to resolve these serious allegations, the administration turned its attention to replacing those harassing pear trees on College Boulevard. If there's a bright side to this story, it is this: faculty may have to endure bullying and harassment from supervisors, but at least they won't have to see

unsightly pear trees on campus. Those who speak up against bullying, though, may find themselves banned from campus—as some have—so it's a lose/lose situation after all.

For more information about workplace bullying, please visit the website of the Workforce Bullying Institute at workplacebullying.org. If you are a victim, please let PSCFA know so that we can address the issue.

Article 6.02E states that all College employees shall be treated with respect and courtesy. We hope that the upper administration will adhere to this language and require all employees to exhibit professional behavior, including

Pensacola State College Faculty Association

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Paige Anderson; Cindy App;
Jennifer Brahier; Carla Williams,;
Charlotte Sweeney

FEA Delegates

Paige Anderson; Charlotte Sweeney; Blaine Wall

Bargaining Team

Paige Anderson, Chief Negotiator
Cindy App
Jennifer Brahier
Joyce Kaplan
Keith Prendergast

First District Court of Appeal Overturns PERC Ruling, Sides with PSCFA

On December 14, the First District Court of Appeals in Tallahassee overturned PERC's ruling that the PSCFA's two percent pay grievance was not "arguably arbitrable."

The Appeals Court found that in the original PERC ruling, PERC "erred by focusing on the merits of the grievance" instead of determining solely whether the issue was arbitrable. In doing so, the PERC panel

ignored the recommendation of its own hearing officer. That recommendation included public statements by the Board of Trustees that they had violated the contract and coverage of legal fees for PSCFA.

Now that PERC's ruling has been overturned, the grievance returns to PERC where the merits of the case will be heard and arbitrated.

In other words, the original grievance will finally

be heard and subject to binding arbitration. Also, the District Court of Appeals has therefore ruled that administration and BOT violated the contract by refusing to proceed with the grievance process outlined in the CBA.

Does this mean faculty will be receiving a 2% raise? No---but it does mean that PSCFA finally will be allowed to argue its case for that raise.

Bargaining Update

By: Paige Anderson, Chief Negotiator

PSC's Top Ten in 2010

Ever wonder how your salary compares to administrations'? Here are PSC's top ten administrative earners:

1. **E. Meadows**
\$196,860
2. **G. Emond**
\$124,333
3. **T. Gilliam***
\$121,895
4. **M. Gonzalez**
\$118,212
5. **L. Bracken**
\$102,065
6. **C. Phillips***
\$100,713
7. **J. Hurst***
\$100,000
8. **G. Frazer**
\$94,804
9. **E. Spicer**
\$86,700
10. **J. Ziel**
\$83,965

*These individuals were new hires last year (or rehires). For comparison, newly hired faculty make under \$35,000.

As bargaining began in September 2010, the PSCFA team was hopeful that the process would be swift, uneventful, and productive. The Board of Trustee's negotiators indicated that they would not open any articles and believed that we were close to resolving our issues on intellectual property which had been tabled during the previous year's sessions.

Our hopes were quickly dashed when the BOT team presented intellectual property language which effectively gave ownership to the College of everything produced by a faculty member either during his scheduled work hours or

using College facilities and services or even produced by the faculty member at home using his/her property if that product was ever used in a Pensacola State course.

To illustrate the BOT's position, Dr. Jason Hurst compared faculty's intellectual work product to a bookcase, arguing that if faculty built a bookcase with College supplies, the faculty member would not be allowed to keep the bookcase. It appears that the BOT and its representatives are somewhat fuzzy on what "intellectual property" really is---and it's not a bookcase.

Accepted practice across the country in institutions of

higher learning is that all works produced for use in a classroom are property of the faculty member *unless a prior agreement transferring ownership for compensation has been made.*

Some progress has been made since then; however, the BOT still is determined to claim at least partial ownership of faculty work product.

Bargaining resumes January 20 at 2:00 in the Atwell Room. We will continue working on the intellectual property question, in addition to PSCFA proposals changing load points, OPA scheduling, the 2011-2012 academic calendar, and financial matters.

News Briefs

- ❖ According to the CBA, **Promotion Applications** are due on or before January 15. Since the 15th is a weekend, and Monday, January 17, is a holiday, Dr. Gonzalez has indicated that applications may be submitted through Tuesday, January 18.
- ❖ Join PSCFA at its annual **All College Day workshop on Friday, January 28**. We'll discuss what's going on with bargaining, grievances, and state legislation impacting education.
- ❖ PSCFA will be scheduling campus meetings for this semester soon! Please watch your e-mail for more information.
- ❖ The PSCFA website will be updated soon! Please visit www.uff-pensacola.org.
- ❖ For information about joining PSCFA, visit our website or contact Charlotte Sweeney at csweeney@pensacolastate.edu or at 484-2007.

