

Testimony of Kate Budd, M.F.A.
Before the House Higher Education Committee
Rep. Tom Young, Chair
November 15, 2023

Chair Young, Vice Chair Manning, Ranking Member Miller, and Members of the Higher Education Committee:

My name is Kate Budd, and I am a professor of art at The University of Akron, where I have taught for 25 years. I do not represent The University of Akron (UA), but rather am submitting testimony as a private citizen in opposition to Substitute Senate Bill 83.

I am currently in my 3rd year as chair of the University of Akron faculty senate. Prior to that I served in a leadership capacity for the Akron-AAUP for 13 years, and have experience in contract negotiations.

My opposition to Substitute SB 83 comes from my faith in collective bargaining as a proven mechanism for the creation of policies that are fair, work for both administration and faculty, and that meet nationwide industry standards.

UA has experienced its share of difficult and contentious times, with 97 full time faculty being let go from UA as part of a reduction in force action in 2020. The relationship between faculty and administration at that time was abysmal. Prohibited from striking by our contract, the union was fighting a public campaign in a desperate effort to prevent the reduction of so many faculty, which we were convinced would damage UA's reputation for academic excellence. That public fight undoubtedly had a negative effect on enrollment and afterwards, faculty morale was as low as I have ever seen it.

The RIF was part of the contract negotiated that summer and the faculty voted to reject it. Arbitration upheld the RIF, but once the previous contract ended in December 2020, we were back at the negotiation table. Nobody was optimistic about how those negotiations would go, but unlike the Summer 2020 contract negotiation, the faculty had some leverage at the table because our previous contract had run out and we had the legal right to strike.

That leverage created a more equal power balance at the table and ultimately both sides were able to come together to address both sides' needs and agree on a contract.

One of the most charged topics under negotiation was retrenchment. Having recently gone through a RIF conducted under the contract provisions for *force majeure*, both sides were acutely aware of the public and internal damage that a reduction in force conducted wholly on the administration's terms does. The negotiating teams worked hard to create a retrenchment article that everyone could accept (see pg. 58 of our [CBA](#)). The new article lowers the bar for

the conditions necessary to begin a retrenchment, so that the administration isn't forced to initiate a *force majeure* process. It also gives the administration the flexibility they need to reduce faculty in specific areas, while giving faculty earned protections through rank, years of service, tenure and other factors. No faculty member likes to think about retrenchment, and none wants to be let go before others. But the faculty could appreciate the essential fairness of the provisions of the retrenchment article, and voted overwhelmingly to ratify the contract.

Our tenure and evaluations processes have gone through similarly rigorous negotiations. What we have ended up with are processes that work for us as an individual institution.

Being able to come together with our administration to agree to a fair contract has led to stability and much improved faculty morale. It has helped to establish a sense of trust and respect. UA has enjoyed almost completely positive press for the last couple of years due in large part to the improved faculty-administration relationship. Our enrollment numbers are finally improving, and our retention numbers are excellent - another sign that faculty are generally happy, as it is much easier to be an engaged and enthusiastic teacher when you aren't constantly afraid for your job, fighting your corner in public, or looking for a job elsewhere. Faculty are working collaboratively again with the administration to address our problems. I (for one) chose to run for election as senate chair because we were able to negotiate a fair contract - it showed me that it was possible to work with the administration again.

I am grateful that the prohibitions on striking were removed from this bill, but argue that when you remove faculty's ability to negotiate over other essential issues such as tenure, post-tenure review, evaluations and retrenchment, you remove the checks and balances necessary for a fair contract.

When faculty have a say in determining vital policies, we can and do compromise. Shifting the decision making power completely towards the administration won't lead to faculty invested in the success of their institutions. If you remove the protections of tenure - which this bill does - faculty will leave for states where they can find the job security they need to focus on their teaching, conduct their research and compensate for the pay they could expect in non-academic fields.

Finally, requiring syllabi with topics, class locations and dates to be publicly posted will allow faculty teaching potentially controversial topics to be targeted for harassment. I can think of no legitimate reason why such specific information should be available to anyone not taking the class. Which begs the question, why is this level of detail necessary? What problem does this solve?

Ironically, in its attempt to improve teaching in Ohio's institutes, this bill will drive our best and most talented teachers away and make it harder than ever to attract new ones to replace them.

Please do not pass SB 83-11.

