

GEO

Graduate Employees Organization
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August 9, 2010

Ron Dick, Associate Director
Academic Human Resources, University of Michigan
2072 Administrative Services Building
1009 Greene Street
Ann Arbor, MI 48109-1432

Dear Mr. Dick,

Under Article XV, Section B of the Contract between GEO and the University of Michigan, GEO wishes to call a Special Conference to discuss the appointment of an Equity and Access GSSA for the 2010-11 Academic Year.

During the term of the current agreement an Equity and Access GSSA was appointed for both the 2008-09 and 2009-10 Academic Years. As provided in Article XV, Section B of the GEO Contract, the purpose of these appointments was to complete a specific project. That project was laid out in an associated Memorandum of Understanding, "Equity and Access GSSA and Article IV", which describes three components of the Equity and Access GSSA project:

- 1) Develop educational materials for Employees and employing units that (a) describe services and resources available to Employees with disabilities and (b) describe the accommodation process.
- 2) Develop a distribution plan for the educational materials pursuant to #1 above.
- 3) Research and summarize "best practices" with respect to disability accommodation for Employees at the University.

Rachel Wells, the 2008-09 Equity and Access GSSA, created a first draft of the educational materials described in #1 above and conducted extensive outreach to the U-M disability community. The purpose of the outreach conducted by Ms. Wells was to understand the experiences of employees with disabilities in navigating the accommodations process. This was necessary both for the purpose of describing the process and for the purpose of developing "best practices" as described in #3.

Joanna Tatomir, the 2009-10 Equity and Access GSSA, revised the materials drafted by Ms. Wells and made progress on #2 above by planning and conducting a workshop for LSA/LGRAD administrators in March 2010.

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While much has been accomplished by the Equity and Access GSSAs during the last two academic years, much remains to be done. The presentation planned and conducted by Ms. Tatomir in March 2010 may serve as a useful template for further such presentations, but a single presentation to LSA/LGRAD administrators does not constitute a plan for distributing those materials to employing units -- in fact, the feedback received by the GSSA following the presentation included a recommendation from LGRAD participants suggesting that further presentations be made directly to faculty. Further, as far as we are aware there exists no plan for distributing educational materials to employees with disabilities. Lastly, little research toward "best practices" has been done, and there exists no summary of those practices. In sum, it is clear that the specific project outlined in "Equity and Access GSSA and Article IV" has not been completed. Thus, it is the GEO position that an Equity and Access GSSA should be hired for the 2010-11 academic year.

Before proceeding with the hiring process, however, we believe it is important to discuss and address certain issues which appear to have interfered with the completion of the agreed upon project.

The most fundamental of these issues from our perspective is that Carole Dubritsky, Associate Director of the Office of Institutional Equity as well as the University's ADA coordinator, has resisted allowing the Equity and Access GSSA to work on aspects of the agreed upon project. For example, prior to hiring the Equity and Access GSSA for the 2009-10 Academic Year GEO and U-M negotiated a job description which included as part of the envisioned work that the GSSA would, "interview graduate students with disabilities about the accommodations process and develop in depth case studies to expand the resource guide, especially in regards to particular disabilities." Despite the fact that this component of the job was made explicit and that GEO made clear its position that this task was essential to its understanding of the agreed upon project, Ms. Dubritsky discouraged Ms. Tatomir from having the described conversations and repeatedly expressed to the GSSA her belief that it would be inappropriate to include case studies in the guide. In addition, Ms. Tatomir was actively discouraged from conducting research on best practices for the accommodation process through contact with other academic institutions and government agencies. Furthermore, it was suggested to the GSSA that completion of the handbook would significantly lighten the workload of the ADA Coordinator, and therefore represented the ultimate purpose of the GSSA position.

In raising these issues, GEO does not wish to imply that it is asserting a view concerning Ms. Dubritsky's performance in her role as Associate Director of the Office of Institutional Equity or as the University's ADA Coordinator. Instead, our view is that the difficulties encountered were primarily a result of the way that supervision of the Equity and Access GSSA position has been structured. The description of the specific project contained in the MOU "Equity and Access GSSA and Article IV" describes the project as being "in cooperation with Employees with disabilities and the Office of Institutional Equity." In negotiating this language, GEO envisioned a process in which Employees with disabilities had a voice in directing the work of the GSSA and in evaluating the work product which emerged. To us, this is what 'in cooperation with' plainly means. In stark contrast to this expectation, however, the work of the GSSA has been closely supervised and controlled by the Office of Institutional Equity. The result has been that

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those aspects of the agreed upon project which are congenial to the Office of Institutional Equity have been favored over those aspects which are most important to GEO and to the community of Employees with disabilities.

We believe that there is a simple solution to this problem. Namely, the Equity and Access GSSA should be relocated to a University unit which will allow the GSSA sufficient independence to work on the agreed upon project. Thus, in calling this Special Conference our hope is to work with Academic Human Resources to identify a more appropriate home for the Equity and Access GSSA. We hold that this transfer of authority will enable the GSSA to consult with both groups regularly regarding the position's goals, and to modify the focus and content of the work based on a collaborative, ongoing dialogue regarding *meaningful* access for this specific population. Ultimately, we wish to establish sufficient authority to the GSSA to perform the job tasks adequately, as this will be the person interfacing most directly with the community.

We also note a further issue which may bear on the hiring of the Equity and Access GSSA for the 2010-11 Academic Year. The current GEO Contract will expire in March 2011, meaning that GEO and the University will spend much of the coming year engaged in contract negotiations. One of GEO's top priorities in these talks will be to negotiate an accommodations process for Employees with disabilities. While we hope that the University will share our enthusiasm for adding such provisions to the contract, we also understand that given our priorities and the nature of contract negotiations hiring an Equity and Access GSSA to work on the agreed upon project under the current supervisory arrangement could be problematic. We hope that it will be possible to identify a supervisory arrangement which will alleviate these concerns, but also wish to express our willingness to work with the University to re-envision the agreed upon project in order to insulate it from the inevitable tensions of the negotiation process.

We believe that it is possible for GEO and the University to come to an agreement such that our shared goals around improving access for graduate employees with disabilities will be met while minimizing potential conflicts between our groups in the upcoming bargaining year. Climate issues loom large on this campus, but we believe they could be mitigated to a great degree if these changes were implemented. A recent brochure distributed by Cornell University's Program on Employment and Disability titled "A Human Resource Perspective on Implementing the ADA" attests that "no significant organizational change occurs without top-down commitment from organizational leadership," and that "top management must affirm and effectively communicate the importance of recruiting and retaining individuals with disabilities." In addition to recommending involving union leaders in this process, it suggests that managers "provide training and continuing communication on ADA requirements," and that such "training is important at all levels of the organization." It continues:

The ADA isn't just a law to provide equal access to individuals with disabilities. It's also about sensitivity, about looking at our behaviors and attitudes to determine whether we may be part of the problem in ensuring equal access" (2001; p. 3).

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We at GEO trust that the University shares in our goals to improve the accommodations process for Employees with disabilities. We hope that you will approach our suggestions for the Special Conference with an openness reflective of these shared ideals.

Sincerely,



Rob Gillezeau, President
Graduate Employees Organization, AFT Michigan Local 3550