

A cartoon from the AAUP Album. Used by permission of the Central Upper Peninsula and Northern Michigan University Archives.

### "Faculty Divided"

# The Battle for Shared Governance: The Northern Michigan University Chapter of the American Association of University Professors, 1967 to 1976

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In the spring of 1976 the faculty at Northern Michigan University (NMU) in Marquette, Michigan, approved its first collective-bargaining contract with the university's administration. Faculty members' struggle for collective-bargaining rights had begun nine years earlier and centered around their demand for an active and meaningful role in the government of the university. The notion of shared governance of the academy (shared between the faculty and the administration) is a time-honored tradition in higher education and, to the professoriate, nearly as important as academic freedom. By the mid-1960s many professors saw the faculty's role in shared governance diminish compared to what they perceived to be the growing power and arrogance of university administrations. In response, more and more faculties embraced unionization and collective bargaining as legitimate and effective tools in defense of shared governance, and by 1976 the faculties of two hundred four-year colleges and universities had organized unions and engaged in collective bargaining.<sup>1</sup>

Studies published in the 1970s that sought to explain the rise of collective bargaining on college campuses focused on the relationship between faculty and administrative power. These studies found that administrators at schools where conflict erupted insisted upon the hierarchical nature of the bureaucracy and sought to control all levels of activity. Not surprisingly, faculty members' demands for a share in governance and their sense of themselves as independent professionals outside bureaucratic control challenged and threatened to undermine

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<sup>1</sup> Allan O. Pfnister, "Collective Bargaining and Decision-Making in the Four-Year College: Emerging Patterns of a Decade," *North Central Association Quarterly* 51 (Winter 1977): 313.

administrators' prerogatives.<sup>2</sup> Open confrontation between these two perspectives often led to escalating conflict. Despite the early reluctance of the American Association of University Professors (AAUP) to accept collective bargaining as a workable and appropriate response to this conflict, faculty members eventually realized that they could successfully achieve and protect shared governance at colleges and universities through labor contracts that guaranteed professors' traditional rights and formalized their governmental role.<sup>3</sup>

This essay will argue that the faculty at Northern Michigan University achieved real shared governance through the movement for unionization and collective bargaining that culminated in its first negotiated contract with the university in 1976. This contract forced the administration to accept the faculty as a partner in deciding the current and future direction of the institution. The process was difficult, however, and it was marked by bitter competition between the players for the hearts and minds of the faculty, a group that did not lend itself well to collective action. The administration, led by a principled and resolute president, did everything in its power to stave off unionization and truly believed it had met the faculty's demands. The faculty, on the other hand, was divided and uncertain, but it was led by a core group of activists determined to bring the faculty a share of power through collective bargaining.

Organized in 1915 as the professional association for faculty in higher education, the AAUP sought, among other goals, to increase the faculty's role in governing the academy. In 1920 Committee T (College and University Government) issued its first statement on the subject of shared governance "emphasizing the importance of faculty involvement in personnel decisions, selection of administrators, preparation of the budget, and determination of educational policies."<sup>4</sup> Forty years later Committee T published a brief outline on faculty participation in governance that championed five specific principles: 1) faculty representation in administration and on governing boards; 2) major faculty responsibility for educational and research policies; 3) an active faculty role in budget decisions; 4) an active faculty role in appointments, promotions, and dismissals of academic personnel; and 5) faculty election

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<sup>2</sup> Frank C. Gerry, "Reflections on Faculty Unionization: Academic Implications," *Liberal Education* 64 (May 1978): 71-81.

<sup>3</sup> Lionel S. Lewis and Michael N. Ryan, "The American Professoriate and the Movement toward Unionization," *Higher Education* 6 (December 1977): 139-64.

<sup>4</sup> American Association of University Professors, *Policy Documents and Reports* (Washington, D.C.: American Association of University Professors, 1995), 179-86.

of department heads and active faculty participation in the selection of higher administrators.<sup>5</sup>

Committee T's work culminated in 1966 with the publication of the AAUP's "Statement on Government of Colleges and Universities." This document served as a national guide for faculty organizing efforts, and to this day it remains the acknowledged blueprint and definition of shared governance in higher education. Approved by the American Council on Education and the Association of Governing Boards of Universities and Colleges, the statement clearly delineates the responsibilities of governing boards, presidents, and faculties. The section dealing with faculty responsibilities and rights assigns to the faculty "primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, [and] faculty status." Moreover, the statement strongly asserts that faculty judgment on these matters should be final and that "the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in *exceptional circumstances*" (emphasis added). The document also envisions that faculty members will participate in long-range planning, future capital-improvement projects, and the budget process.<sup>6</sup>

In marked contrast to the ideals enunciated in its statement, the AAUP found that by the late 1960s faculty members in higher education were expressing serious dissatisfaction about their lack of participation in governance. In 1967 the American Association for Higher Education reported that this dissatisfaction was particularly intense at four-year teachers' colleges and public universities.<sup>7</sup> Many professors began to criticize the AAUP's reluctance to accept collective bargaining as a way to secure shared-governance rights, and many began to abandon the organization completely.

The AAUP was slow to embrace collective bargaining as an effective tool in achieving faculty rights because it sought to develop a professional association similar in structure and intent to the American Medical Association. As the AAUP grew, however, tension developed between the ideals of professionalism and the realities of bureaucratic employment. Most professors refused to consider themselves employees and rejected unionization and collective bargaining as contrary to their view of themselves as independent professionals. However, the explosive growth of higher education during the 1960s and the corresponding aggrandizement

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<sup>5</sup> Philo A. Hutcheson, *A Professional Professoriate: Unionization, Bureaucratization, and the AAUP* (Nashville: Vanderbilt University Press, 2000), 50-51.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, 98.

of the power of university administrations forced faculty members to confront and acknowledge their place as employees within a bureaucratic hierarchy. Recognition of this fact made collective bargaining appear less odious to many professors, and eventually they came to realize that the traditional tool of the working class could work for them as well. Nationally, the parent organization of the Michigan Education Association (MEA), the National Education Association (NEA), had begun organizing faculty at four-year institutions of higher education in 1963. In 1969 the MEA had succeeded in organizing the faculty at Central Michigan University.<sup>8</sup> By the early 1970s, the NEA was heavily involved in higher education with thirty-one agents working at four-year institutions.<sup>9</sup> So after a great deal of debate and handwringing customary among academics, the AAUP formally adopted collective bargaining as an organizing tool in 1972.<sup>10</sup>

As the professoriate and the AAUP wrestled with the concept of collective bargaining during the 1960s, Northern Michigan University expanded both in physical size and student population. Indeed, during the presidency of Edgar L. Harden (1956 to 1967), Northern's student body grew from 888 to 7,085. Undergraduate curricula expanded, and Northern began its first independent graduate program in 1960. The institution achieved university status in 1963. Using his connections with the state legislature, Harden successfully lobbied for significant increases in Northern's state appropriations and oversaw construction of the Don H. Bottum University Center, West Science Hall, several residence halls, and the Learning Resources Center (LRC).<sup>11</sup>

Harden is generally credited with saving Northern from closing after 1956, yet his decision on July 28, 1967, to terminate Robert McClellan, a nontenured assistant professor of history, served as the catalyst for faculty unionization. In his study of faculty collective bargaining, Ronald L. Johnstone argues that only some precipitous, arbitrary, and arrogant action by the administration will set faculty members on the road toward

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<sup>8</sup> Ronald L. Johnstone, *The Scope of Faculty Collective Bargaining: An Analysis of Faculty Union Agreements at Four-Year Institutions of Higher Education* (Westport, Conn.: Greenwood Press, 1981), 15.

<sup>9</sup> Hutcheson, *A Professional Professoriate*, 137.

<sup>10</sup> *Ibid.*, 151.

<sup>11</sup> Miriam Hilton, *Northern Michigan University: The First 75 Years* (Marquette: Northern Michigan University Press, 1975), 139-90. See also Russell M. Magnaghi, *A Sense of Time: The Encyclopedia of Northern Michigan University* (Marquette: Northern Michigan University Press, 1999); Suzan Travis-Robyns, *Northern at 100: Celebrating Success, Embracing Change* (Marquette: Northern Michigan University, Office of Communications and Marketing, 1998), 5-7.



Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

**President Edgar L. Harden**

unionization. As an example, he cites the unilateral abolition in 1968 of Central Michigan University's existing salary schedule by the university's Board of Trustees as the catalyst that sparked the union movement on that campus.<sup>12</sup>

At NMU, the absence of any explanation in McClellan's letter of termination and the fact that Harden gave McClellan no warning of the action lent credence to the belief that the decision was arbitrary.<sup>13</sup> Robert McClellan was a dedicated member of the faculty and an Episcopal priest with a strong commitment to social activism. He personified his generation's antipathy toward authority and its resistance to injustice. McClellan brought this philosophy and a strident personality into the classroom in ways that challenged and provoked his students and colleagues. Philosophy professor James Greene recalled that McClellan was "a very dynamic and colorful figure and when he lost his job, many people felt sympathy for him."<sup>14</sup>

McClellan had openly challenged Edgar Harden's administration. Hoping to expand the university northward beyond Wright Street, the administration had devised a plan that required the relocation of numerous families in the area. The neighborhood was largely working class and poor, and McClellan interpreted the expansion plan as an elitist abuse of power, unfair to the area's residents. As a class exercise, he involved his students in a campaign to educate the residents about their rights and encourage them to resist the university.<sup>15</sup>

McClellan's colleagues and students responded indignantly to his termination. For his part, McClellan fought back and enlisted the legal support of the American Civil Liberties Union (ACLU) and the NEA.

<sup>12</sup> Johnstone, *The Scope of Faculty Collective Bargaining*, 13-14.

<sup>13</sup> Robert McClellan, interview by Carrie Fries and Marcus C. Robyns, tape recording, February 2, 2001, Central Upper Peninsula and Northern Michigan University Archives, Marquette, Mich. (hereafter CUPNMUA).

<sup>14</sup> James Greene, interview by Carrie Fries, tape recording, September 18, 2000, CUPNMUA.

<sup>15</sup> "The Case of Robert McClellan," Northern Michigan University Faculty Senate, 1967, Series 1, 5/5, Robert McClellan Papers (hereafter McClellan Papers), CUPNMUA. In October 1967 interim president Ogden Johnson gave the following official reasons for McClellan's dismissal: 1) McClellan criticized the four course plan. 2) As chair of the committee on student affairs, McClellan had encouraged the students to protest against conditions in the new dormitories. The protests led to student threats to sue the university for a rebate of their room and board payments. 3) At public meetings McClellan harassed and humiliated the representatives of the university. 4) During the summer of 1967 McClellan had his Humanities 2 class interview residents of north Marquette about how they felt toward NMU. This project was done in connection with a discussion of private vs. public interests.



Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

**Robert McClellan in 1975**



Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives

**Student Protest Parade on Front Street in Downtown Marquette  
during McClellan Week**

Faculty and students organized rallies and marches supporting McClellan and attacking the administration and the Board of Control. These protests culminated in the fall of 1967 with "McClellan Week," a sixteen-point program that included a boycott of classes, marches through town, a mock funeral, the burning of effigies, and numerous campus sit-ins. Interpreting McClellan's dismissal as an affront to academic freedom and a violation of the university's termination policies, faculty members joined students in marching and boycotting classes. They also passed resolutions of condemnation, and the faculty senate resigned en masse.<sup>16</sup>

In an interview with a reporter from the *Mining Journal*, President Harden explained that the controversy involved an issue of university governance rather than academic freedom. Who really ran the university, Harden asked the reporter: "The Board of Control? The faculty? The students?" Harden clearly intended to send a message that administrative prerogatives outweighed any notions of shared governance. There would be no democracy or consensus at Northern. Moreover, Harden warned students and faculty not to act foolishly "as a tool for those who would, for selfish reasons, want to destroy the university."<sup>17</sup>

Despite the protest, the Board of Control refused to rescind McClellan's termination. In response, 137 faculty members, in addition to the Associated Students of Northern Michigan University, filed a lawsuit against the administration accusing it of violating McClellan's civil and academic liberties. Incoming president John X. Jamrich settled the suit out of court and reinstated McClellan, but his actions came too late to heal the breach between the faculty and the administration.<sup>18</sup>

The McClellan controversy was strikingly similar to an event that occurred at nearly the same time in another part of the country. In 1967 the administration of St. John's University, a Catholic school, refused to renew the contract of the Reverend Charles Curran, even though Curran had received a positive evaluation and recommendation for promotion the prior year. The faculty and students at St. John's responded with greater militancy than their counterparts at Northern, participating in boycotts, rallies, and a successful month-long strike. Whereas the McClellan controversy went unnoticed nationally, the Curran affair had a

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<sup>16</sup> Magnaghi, *A Sense of Time*, 262-73; Travis-Robyns, *Northern at 100*, 5; Hilton, *Northern Michigan University*, 200.

<sup>17</sup> *Mining Journal*, October 24, 1967.

<sup>18</sup> *Mining Journal*, March 19, 1968. See also Series 1, 5/5, McClellan Papers. McClellan, the faculty, and students sued for damages of not less than \$100,000 for McClellan, not less than \$500,000 for faculty members, and not less than \$500,000 for the student government association.



Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

### **Bonfire during McClellan Week**

profound impact on the development of the AAUP. Essentially, the success of the faculty strike in reinstating Curran at St. John's taught the AAUP that collective action by the professoriate could work against an intransigent administration. This realization resulted in the adoption of a "Statement on Faculty Participation in Strikes" that recognized professors as "employees with the right to strike against management."<sup>19</sup>

Similarly, the McClellan controversy at Northern empowered and radicalized the faculty. "It was," McClellan remembered, "the beginning of excitement among the faculty."<sup>20</sup> Like the AAUP and their colleagues at St. John's, Northern's faculty members came to realize that an organized effort could defeat the administration and, for the first time, they publicly aired their demand for a greater role in university governance. The faculty senate sent telegrams to Governor George Romney, state senator Joe Mack, and state representative Dominic Jacobetti that made several demands including participation of the faculty in decisions concerning promotion and tenure, creation of a better system for communication with the board, and formation of a subcommittee of three senators authorized to attend Board of Control meetings.<sup>21</sup> These and other demands paved the way for the struggle that followed with the administration over governance and the future of the university.

The first attempt to unionize NMU faculty occurred during the height of the McClellan controversy. Taking advantage of the tumultuous climate, the Northern Michigan University District of the Higher Education Division of the Michigan Education Association, known on campus simply as the MEA, began circulating membership cards that authorized it as the faculty's official bargaining agent. By May 1968 the MEA had received enough signed cards to petition the Michigan Employment Relations Commission (MERC) for a collective-bargaining election. Newly appointed President John X. Jamrich, notified of the effort, met with the organizers and pleaded with them to postpone the election for at least a year, giving him time to present his program for improvements in governance and address other issues of concern to the faculty. The MEA agreed to give Jamrich a chance and called off its organizing drive.<sup>22</sup>

The Board of Control had appointed Jamrich as the eighth president of Northern Michigan University on March 8, 1968. Jamrich

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<sup>19</sup> Hutcheson, *A Professional Professoriate*, 103-8.

<sup>20</sup> McClellan, interview.

<sup>21</sup> Series 1, 5/5, McClellan Papers.

<sup>22</sup> *North Wind*, November 13, 1975.



Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

### **Students Rally on Old Memorial Field during McClellan Week**

graduated from the University of Chicago with a bachelor's degree in physical science in 1943. After wartime service in the United States Army Air Corps, where he trained to be a meteorologist, Jamrich returned to school and earned a master's degree in mathematics from Marquette University in 1948. He received a Ph.D. in administration, teacher education, and mathematics from Northwestern University in 1951. Before coming to Northern Michigan University, Jamrich had been an administrator at Michigan State University, where he served as the associate dean of the College of Education, directed the Center for the Study of Higher Education, and conducted studies and surveys of almost every institution of higher learning in Michigan.

President Jamrich's extensive experience in higher education gave Northern's faculty reason to hope. He immediately issued pronouncements that seemed to respond to the senate's demands and to promise mutual respect and open dialogue. In his first address to the faculty in the fall of 1969, President Jamrich outlined the three key principles that he promised would characterize his administration:

1. The first is the shift from secrecy to publicity in the general conduct of university and academic affairs.
2. The second is the development, sometimes institutionalized, sometimes highly informal, of a cabinet style of government instead of the presidential system of executive leadership.
3. Third is the introduction of new forms of decision-making, which, if not entirely as rational as their advocates might suggest, are nonetheless considerably less subjective than the purely intuitive styles of the past.<sup>23</sup>

These principles responded to many faculty members' perception that Northern Michigan University's style of administration was autocratic, and, for a short time, slowed the movement toward collective bargaining. Jamrich clearly sought to heal the wounds caused by the McClellan controversy by breaking with NMU's past practices.

Building upon his three principles, Jamrich launched a number of initiatives. In the fall of 1968 he appointed eight faculty members, one student, and the vice president of academic affairs to a task force on academic governance. In 1969 Jamrich accepted and implemented the task force's recommendation for a reconstituted academic senate, complete

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<sup>23</sup> *President's Newsletter*, September 29, 1969, Office of the President, General Subject Correspondence, Series 0200-01, 10/3, 5-4-5, CUPNMUA.

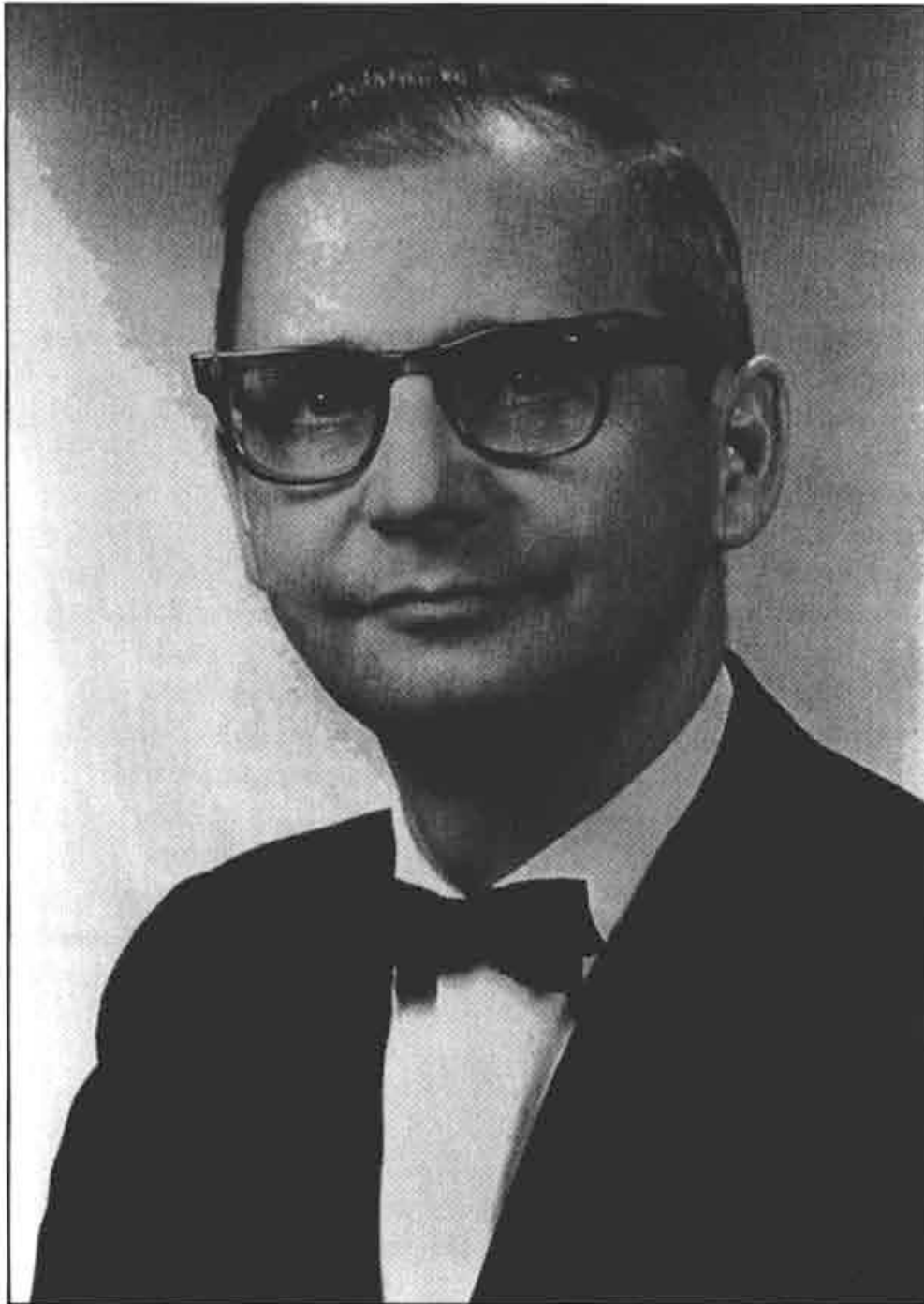


Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

**President John X. Jamrich in 1968**

with a new constitution, bylaws, and committee structure. Although NMU had had a faculty senate since 1963, it consisted of only nine members and played a limited advisory role in academic governance. The new senate grew to thirty-five members and gained expanded, well-defined responsibilities.<sup>24</sup>

On paper the new academic senate dramatically strengthened the faculty's role in governance. The task force envisioned a "process by which the members of the university community responsibly collaborate to *establish and implement* [emphasis added] the educational and administrative policies that determined the role and functions of the institution." To that end, the task force gave the senate sweeping powers to control the undergraduate and graduate curriculum; advise the administration on budget and planning matters; oversee cases of dismissal, evaluation, and tenure; and provide for departmental and school organization. The plan assumed that policy formulation would begin at the lowest level "where reasonably full information on consequences is available and the interests of the majority of those directly affected are represented."<sup>25</sup>

On August 15, 1970, the Board of Control voted to accept the AAUP's "Statement on Government of Colleges and Universities" as the guiding principle for all future decisions regarding the university's affairs.<sup>26</sup> This decision marked a high point in the faculty/administration relationship. It showed that the Board of Control had officially committed itself to recognizing the faculty as decision-makers and not merely advisors. Ironically, when English professor Leslie Foster showed a copy of the statement to the university attorney a year later, the lawyer caustically remarked, "I could tell the board they've already given the farm away, and there's not much left for us to talk about except the furniture in the house."<sup>27</sup>

Emboldened by the new and improved senate and the Board of Control's acceptance of the AAUP's statement, the faculty set about developing and implementing a grievance procedure. In the fall of 1971 a senate committee under the leadership of Leslie Foster, the president

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<sup>24</sup> Taskforce Report on Academic Governance, October 1969, Academic Senate Records, Series 73, 10/3, 16-01-04, CUPNMUA.

<sup>25</sup> Ibid.

<sup>26</sup> Minutes of the Board of Control of Northern Michigan University, August 15, 1970, Series 0200-01, 10/7, 5-4-5, Office of the President, General Subject Correspondence, CUPNMUA; *AAUP Policy Documents and Reports* (Washington, D.C.: American Association of University Professors, 1973), 179.

<sup>27</sup> Leslie Foster to Committee T, November 20, 1971, Series 9005-11, 1/1, 20-02-42, Leslie Foster Papers (hereafter Foster Papers), CUPNMUA.

of the local chapter of the AAUP, presented the faculty and administration with a proposed Policy and Procedures for the Processing of Grievances.<sup>28</sup> The new grievance procedure entrusted responsibility for review and recommendations to a faculty review panel comprised of twelve faculty members elected from the faculty at large, and divided into informal and formal hearing subcommittees. At numerous points, the grievance procedure gave the university president opportunities for review and consent. In the end, however, the Board of Control would make the final decision based on the findings and recommendations of the panel.

Despite the implementation of new procedures that on the surface expanded the decision-making role of the faculty, the Jamrich administration soon disappointed the faculty by engaging in actions contrary to the new policies and the president's stated principles. These experiences forced the faculty to reassess its relationship to the administration.

Two weeks after the publication of the senate's proposed grievance procedure, the Board of Control unilaterally approved revisions to the document that effectively gutted the faculty's decisive role in the process. The decision contravened the board's earlier acceptance of the "Statement on Government of Colleges and Universities" as the blueprint for governance at Northern. At issue was language derived from the statement that allowed the Board of Control to reverse a decision by the faculty review panel only for "serious and compelling reasons." The implication was that the board would rarely, if ever, overturn a decision by the panel. In his written opinion following a review of the procedure, Richard A. Jones, the university attorney, declared that such language subverted the board's authority and thereby violated state law.<sup>29</sup>

This decision shocked Foster, who had confidently expressed his anticipation of board approval in an earlier memo to the faculty. He bitterly characterized the board's decision as a complete rejection of its commitment to the "Statement on Government of Colleges and Universities." In a letter to Jamrich, Foster charged that the decision represented "a stunning lapse of tact in the relationship of the Board to

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<sup>28</sup> Policy and Procedures for the Processing of Grievances, Series 93-4, 2/20, 3-2-1, Jon Saari Papers (hereafter Saari Papers); CUPNMUA.

<sup>29</sup> Richard A. Jones to John X. Jamrich, November 30, 1971, Series 9005-11, 1/1, 20-02-42, Foster Papers.

the faculty which never should have been allowed to occur.”<sup>30</sup> In a letter to Foster, AAUP National General Secretary C. B. Stortz recommended that the academic senate make it very clear to President Jamrich and the Board of Control that their unilateral revision of a document that was supposed to be a joint project of the faculty and administration represented a serious breach of trust that would not go unnoticed by the faculty. “I see no kindness,” Stortz warned, “being done to the president in concealing from him the great seriousness with which very many faculty members regard what has happened.”<sup>31</sup>

Following Stortz’s recommendation, NMU-AAUP’s Committee T, charged with keeping the faculty informed on the issue of collective bargaining, voted to reject the board’s decision as symbolic of its “unwillingness to live by the principle of primary faculty responsibility in the determination of faculty status.” In a lengthy memo to the faculty, Committee T called for the development of a clear distinction between the faculty’s “authority” and the administration’s “power.” The law, Committee T argued, gave the Board of Control power but “real authority rests with the faculty” because the university fundamentally exists as an “interchange between teacher and student.” The AAUP’s “Statement on Government” affirmed this principle, and Committee T warned “it would be a serious weakening of government if natural authority were to be overridden by legally sanctioned power.”<sup>32</sup>

A major test of the grievance procedure that confirmed Committee T’s assessment occurred with the termination of business professor Fred Harris in 1971. Harris had received his undergraduate degree in 1950 from Macalester College and in 1953 a master of science degree in accounting and education from the University of North Dakota. Harris did additional graduate work in statistics at the University of Wyoming and in management, accounting, and operations research at the University of Iowa. He taught classes ranging from accounting to business administration at the University of Iowa, the University of Montana, Carroll College, and the University of Illinois.

The administration terminated Harris ostensibly because he lacked a doctorate and because he was a poor instructor.<sup>33</sup> However, Harris and many other faculty members interpreted his dismissal as a violation of

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<sup>30</sup> Leslie Foster to John Jamrich, January 10, 1972, Series 93-4, 2/20, 3-2-1, Saari Papers.

<sup>31</sup> Series 9005-11, 1/2, 20-02-42, Foster Papers.

<sup>32</sup> AAUP Committee T to the faculty, January 10, 1972, Series 93-4, 2/20, 3-2-1, Saari Papers.

<sup>33</sup> Robert McClellan to Bill Owens, June 4, 1971, Series 1, 5/1, McClellan Papers.

due process. Harris argued that his original employment agreement allowed for tenure and promotion without a Ph.D. and that he had completed the work required for tenure. Robert McClellan took up the case and represented Harris before the faculty review panel. After lengthy hearings, the panel agreed with Harris and recommended reversal of his termination. Jamrich rejected the panel's recommendations and upheld Harris's termination.<sup>34</sup>

Jamrich's decision to overrule the faculty review panel incensed many faculty members. Many soon came to believe, as McClellan recalled, that "the faculty member at Northern Michigan University served at the pleasure of the administration, period."<sup>35</sup> Disgruntled faculty members saw the administration's action as another example of their powerlessness, a clear warning that the administration had no legal obligation to heed their recommendations or concerns.

In 1974 the selection of Robert Glenn as the new provost and vice president for academic affairs dramatically validated this sense of weakness in the decision-making process. Early in 1973, President Jamrich had formed a search committee of several administrators and faculty members that included James Greene, an assistant professor of philosophy and a leader in the AAUP.<sup>36</sup> Greene remembered that the committee selected three candidates, including a former Northern administrator favorable to Jamrich,<sup>37</sup> but did not put forward Robert Glenn as a finalist. President Jamrich rejected the committee's recommendations and chose Glenn, who at the time was dean of the College of Arts and Sciences. In his announcement Jamrich defended the decision by insisting that he had "studied with great care the recommendations and conclusions of the Selection Advisory Committee" and made "a careful analysis of the individual candidates personally." As dean, Jamrich concluded, Glenn had proven his "ability

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<sup>34</sup> John Jamrich to faculty review panel, April 29, 1972, Series 1, 5/2, McClellan Papers. In his explanation, Jamrich claimed that the panel's conclusions were contrary to the facts in the case.

<sup>35</sup> McClellan, interview.

<sup>36</sup> John Jamrich to the faculty, December 14, 1973, Series 9000-01, 2/1, 3-4-5, College of Arts and Sciences, General Subject Correspondence (hereafter CAS Records), CUPNMUA. The search committee included Mary Cushman, Clifton E. Ealy, James P. Greene, Thomas Griffith, Donald H. Hangen, John Holliday, Sylvia Kinnunen, Robert Maust, Harry A. Rajala, Jean M. Rutherford, Roland S. Strolle, and Howard R. Swaine.

<sup>37</sup> Greene, interview.

to approach complicated problems analytically and personnel problems with a deep human concern.”<sup>38</sup>

Robert Glenn received his bachelor of arts degree from Western Michigan University in 1949 and an M.A. and Ph.D. from the University of Michigan in 1953 and 1961. His teaching career started at State University College in Cortland, New York, where he was an associate professor of English from 1961 to 1963 and then associate dean of the college from 1963 to 1966. For the next academic year he went to California State University in Fresno, where he was an administrative intern to President Frederic W. Ness. Glenn returned to Michigan and served as the academic dean at the University of Michigan, Flint, from 1967 to 1971. He went to Northern Michigan University in 1971 and served as dean of the College of Arts and Sciences until 1974.

Glenn’s selection as vice president for academic affairs convinced many that Jamrich had lost touch with reality. The choice represented a stunning lapse in judgment because the faculty generally disliked Glenn and some were very open about it. His bluntness and autocratic style created friction in nearly every academic department.<sup>39</sup> Glenn’s appointment as provost, as Greene remembers it, “really got the faculty to sign the cards for the AAUP.” Participation in the academic senate dropped off as many faculty members became cynical and disillusioned. “Jamrich may have changed the structure,” Greene grimly remembers, “but not the result, and the faculty wanted to see their talks turn into something.”<sup>40</sup>

Making matters worse, Michigan’s economic misfortunes in the early 1970s compounded the faculty’s feelings of vulnerability and exacerbated tensions with the administration. Many feared what they referred to as “creeping retrenchment,” noting that since 1971 teaching positions in the College of Arts and Sciences had declined from 212 to 164 despite record enrollments.<sup>41</sup> Worse, in 1973 reductions in the state’s appropriation resulted in implementation of the retrenchment policy and serious programmatic cutbacks and layoffs. The faculty was very suspicious about budget crises, and its lack of information fueled that suspicion. Up to that point the university had been expanding and

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<sup>38</sup> John Jamrich to the faculty, May 14, 1974, Series 9000-01, 2/1, 3-4-5, CAS Records.

<sup>39</sup> Jerome Roth, interview by Carrie Fries and Marcus Robyns, tape recording, January 29, 2001, CUPNMUA.

<sup>40</sup> Greene, interview.

<sup>41</sup> AAUP statement to the faculty on retrenchment, November 11, 1975, Series 138, 1/6, 14-01-11, Arnold Aho Papers (hereafter Aho Papers), CUPNMUA.

faculty members were unfamiliar with retrenchment. In their minds, the administration was cutting only academic programs and specifically targeting the faculty.

As relations worsened between the faculty and administration, it remained uncertain which agency—the MEA or AAUP—might come to represent the faculty. Not long after its agreement with President Jamrich in 1968, the Michigan Education Association resumed its organizing effort. McClellan had joined the MEA because it was, as he put it, a “real union.” The MEA had provided him with financial and legal support during his crisis, and McClellan wanted to belong to a national group with a long tradition of union organizing, experience, personnel, and financial resources. “It was a big-time powerful union,” he recalls; “they had organizers and they raised money and they did boycotts.” Indeed, by 1971 the MEA was well ensconced in Michigan with a budget of \$8 million, 130 full-time staff members, and a main office in Lansing.<sup>42</sup>

The NMU–MEA’s greatest difficulty, however, was its reputation as a union that specialized in the representation of K–12 teachers. Not surprisingly, the MEA’s primary support on campus came from the School of Education, where the group’s president, George Helfinstine, was an assistant professor. Even those faculty members who were staunchly pro-union resisted the idea of MEA representation. According to McClellan, MEA organizers could not “come to NMU and talk about the successes of the MEA in K–12 or they would be through.” Regardless of the difficulty, McClellan and his comrades forged ahead and in 1971 acquired enough membership cards to successfully petition the Michigan Employment Relations Commission to hold NMU’s first collective-bargaining election.<sup>43</sup>

As the administration’s intransigence and apparent duplicity moved the NMU faculty toward collective bargaining, its members were torn in their allegiance. A core group of activists led both the MEA and the AAUP, and members from both groups attended each other’s meetings, making it difficult to gauge relative levels of support. For their part, MEA organizers regarded the AAUP as ineffective and elitist, interested only in grand philosophical notions rather than direct action. Conversely, the members of the AAUP regarded the MEA as “immature” and “adolescent in some of [its] positions.”<sup>44</sup> Jon Saari, an

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<sup>42</sup> McClellan, interview; MEA information brochure, April 26, 1974, Series 93-4, 2/1, 3-2-1, Saari Papers.

<sup>43</sup> McClellan, interview.

<sup>44</sup> Jon Saari, interview by Carrie Fries and Marcus Robyns, February 19, 2001, tape recording, CUPNMUA.

assistant professor in the Department of History at the time, saw the AAUP as a “professional watchdog” and called the organization the ACLU of academia. For Saari and his comrades the important objective was the protection and promotion of core principles and traditions in higher education. “To have a group organize that understood those principles,” Saari remembered, “and wasn’t about to throw them out for another cause is what swayed the faculty members to go with the AAUP and not the MEA.”<sup>45</sup>

McClellan and his MEA comrades campaigned hard for the 1971 collective-bargaining election, but they met stiff resistance from President Jamrich and from the NMU chapter of the AAUP. Both antagonists feared the MEA’s organizational and financial strength and the group’s strident leadership. The election occurred on April 6, 1971, and the MEA lost by a large margin. The vote to reject the MEA as the faculty bargaining agent was 168 to 97 with more than 90 percent of eligible faculty members voting.<sup>46</sup> The *Mining Journal* quoted President Jamrich as enthusiastically stating that the outcome was not unexpected and demonstrated “solid faculty support for the current direction of the institutional operation and the influence of members of the faculty.” Moreover, he triumphantly declared that Northern enjoyed “a degree of faculty participation in campus governance and policy found in relatively few institutions of higher education.”<sup>47</sup> This would, however, prove a Pyrrhic victory for Jamrich because the event would finally move the AAUP’s leadership from talk to direct action in support of collective bargaining.

Jamrich believed the MEA endangered his plans for the university, and he also rejected what he called the “industrial union model.” Jamrich was convinced he was moving in the right direction and noted in a memo to the faculty that together they had already solved many problems. Believing that he had consistently shown good faith on many issues, Jamrich assured the faculty that any future difficulties would continue to be “resolved if we commit ourselves to working them out with integrity, honesty and trust.” At a meeting with the AAUP on December 2, 1971, Jamrich asked his listeners to contrast themselves to an assembly-line worker who had little control over the final product. Since faculty members at Northern had complete authority over curriculum and instruction, unlike the assembly-line worker they had the ability to mold their final product, the graduating student. Therefore,

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<sup>45</sup> Ibid.

<sup>46</sup> *Northwind*, April 23, 1971.

<sup>47</sup> *Mining Journal*, April 7, 1971.

according to Jamrich, the “labor-management” model was “simply inappropriate for the university.”<sup>48</sup>

Jamrich’s statements at the meeting were not well received. Many members of the faculty challenged his peculiar metaphor. For example, Martin Dolan, an instructor in the Department of History, interpreted Jamrich’s rejection of the industrial union model as hypocritical. If it was inappropriate to compare the university to industry, he demanded to know why the administration used terms like “credit hour production,” referred to education as a “product,” and often talked about the need for efficiency. “We feel that educational institutions,” Dolan explained, “can’t be talked about in the same way that one would talk about a production line, and yet this language keeps coming out, coming up in memoranda from the administration. . . . If the union model does not apply then let’s clean up our language.”<sup>49</sup>

Jamrich ignored Dolan’s challenge, yet this apparent contradiction between words and actions only added to the faculty’s growing apprehension. In his written statements and public pronouncements Jamrich presented an image of the university and his own relationship with the faculty that was out of touch with reality. Ignoring growing evidence to the contrary, he constantly reiterated progress made by his administration in the areas of shared governance, faculty control over the curriculum, retrenchment, and economic security. “I made a point of meeting with [faculty members],” Jamrich later recalled, “on a regular basis, sharing with them every kind of fiscal plan, projection, and programmatic idea.” This recollection confirms that he believed that his administration represented a transition to what he called a “multi-various kind of administrative operation.”<sup>50</sup>

Regardless of what Jamrich thought, faculty members such as McClellan, Roth, Greene, and Foster perceived him to be a very accomplished and clever man with an arrogant and elitist attitude. To them, Jamrich saw himself as a knight in shining armor come to save Northern Michigan University from “poor, ignorant people.” McClellan despised Jamrich and was convinced that he “was not a nice man. If Jamrich could hurt you, he would hurt you.”<sup>51</sup> On the other hand, some

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<sup>48</sup> AAUP Chapter Meeting Minutes, December 2, 1971, Series 71, 2/13, 15-03-05, American Association of University Professors Records (hereafter AAUP Records), CUPNMUA.

<sup>49</sup> *Ibid.*

<sup>50</sup> John X. Jamrich, interview by Russell Magnaghi, July 25, 1994, tape recording, CUPNMUA.

<sup>51</sup> McClellan, interview.

faculty members took a more sympathetic view of Jamrich. Saari, for example, believed that the faculty was already psychologically conditioned by its experiences in the Harden years to be suspicious of the new administration. Even today he does not believe Jamrich could have done anything to change the faculty's attitude or prevent establishment of a faculty union.<sup>52</sup>

For his part, Jamrich refused to accept responsibility for the union movement. Like Saari, he placed some of the blame for the union debacle on his predecessor, Edgar Harden. "I think the seeds of [a] faculty union," Jamrich concluded, "were actually harvested, so to speak, during that confrontation period when Dr. Harden resigned."<sup>53</sup> Looking back, he believed that the AAUP had to engage actively in collective bargaining in order to maintain its influence in higher education. At the same time Jamrich correctly perceived that the faculty had to combine its function as a professional association with the industrial union model or become irrelevant. Finally he was convinced that the faculty believed that if it did not organize, it would be unable to compete for political influence in Lansing.

The core leadership of the early NMU-AAUP was just as much a product of the sixties as the MEA's Robert McClellan. Indeed, Ronald L. Johnstone suggests that professors learned from the aggressive tactics of student and civil-rights activists. "Some faculty," he concludes, "realized that action can bring results, and collective action can bring even more results." Johnstone also suggests that professors, like much of the rest of society, lost confidence in governmental and other authorities. This distrust had a negative effect on the faculties' overall relationships with their administrations and controlling boards.<sup>54</sup> For the most part young, ambitious, and full of idealism, the AAUP organizers at Northern had just come out of graduate schools with long-established traditions of faculty involvement in university governance. They were shocked when they found an entrenched "oligarchic" system in control of Northern. Jon Saari, James Greene, Leslie Foster, Jerry Roth (Chemistry), Arnold Aho (Economics), and others were "citizens of this community, not just individual, professional entrepreneurs. . . . They really believed they were right and believed in building communities."<sup>55</sup>

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<sup>52</sup> Saari, interview.

<sup>53</sup> Jamrich, interview.

<sup>54</sup> Johnstone, *The Scope of Faculty Collective Bargaining*, 13-14.

<sup>55</sup> Saari, interview.

Although the AAUP rejoiced in the MEA's defeat, the association did not share the president's characterization of faculty participation in governance at the university. Because they had actively opposed the MEA, however, the AAUP leadership now realized that it would have to find an effective way to address the faculty's growing dissatisfaction with NMU. Indeed, members of Committee T believed that the AAUP now had a "moral obligation" to educate the faculty on the merits of collective bargaining and that the AAUP was the best agent for the cause.<sup>56</sup> To this end, the committee distributed AAUP documents on collective bargaining and statements from the AAUP's "Red Book." It also circulated an AAUP brochure that outlined the following benefits of collective bargaining: 1) institutional regulations clearly defined regarding academic freedom, tenure, and due process, 2) greater faculty participation in governance, 3) a just and responsive grievance policy, 4) salary and fringe benefits for highly trained professionals, and 5) fair and reasonable treatment of nontenured faculty.<sup>57</sup> Once the AAUP finally adopted collective bargaining in 1972, it offered a practical alternative to the MEA. Indeed by 1974 the AAUP had organized twenty-seven collective-bargaining units nationwide, twenty-four of them at public institutions.<sup>58</sup>

In 1972, Committee T at NMU conducted a straw poll to gauge the faculty's position on collective bargaining and found it still divided on the issue. Sixty percent of the faculty responded to the poll; of these 107 opposed collective bargaining and 92 favored it. However, when asked which organization they preferred to represent them, 117 voted for the AAUP and 35 chose the MEA.<sup>59</sup> Clearly the AAUP had the support of NMU's faculty, but it still had a long way to go to convince members that collective bargaining was the solution to their problems.

Neither the poll results nor the educational efforts of Committee T impressed the still-active members of the MEA. This time, however, the group forged ahead without its charismatic leader, Robert McClellan, who had been so crushed and demoralized by the MEA's defeat in 1971 that he completely retreated from any union activity and abandoned the MEA.<sup>60</sup> Nonetheless, George Helfinstine rallied the troops and in fall

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<sup>56</sup> Committee T to the faculty, April 10, 1971, Series 71, 2/13, 15-03-05, AAUP Records.

<sup>57</sup> AAUP information brochure on collective bargaining, 1970, Series 71, 2/13, 15-03-05, AAUP Records.

<sup>58</sup> *Ibid.*

<sup>59</sup> Straw-poll results, March 23, 1972, Series 71, 2/13, 15-03-05, AAUP Records.

<sup>60</sup> McClellan, interview.



Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

**James Greene in 1975**

1973 the MEA again began circulating authorization cards. Helfinstine accused the AAUP of bad faith and inaction, derisively noting that the group “saw fit to spend its money only to defeat the issue of collective bargaining. Since that time, the AAUP chapter has taken the initiative only in the area of surveys and polls about collective bargaining.” The AAUP, Helfinstine charged, was not committed to collective bargaining and only worked to stop the MEA from becoming the faculty’s agent.<sup>61</sup>

Realizing that unless they got serious the AAUP might lose to the MEA, Roth, Greene, and Saari took over leadership of the local chapter by 1973 and, as Roth later put it, “went hog wild for collective bargaining.”<sup>62</sup> Foster and Roth also responded directly to Helfinstine’s charges. Foster accused the MEA of frantic impulsiveness and noted that the group had a history of “attempting to hurry collective bargaining through without adequate discussion of the topic.” He informed Helfinstine that the AAUP would sponsor a facultywide meeting to discuss the issue and welcomed MEA participation. For his part, Roth rejected Helfinstine’s charge of insincerity and inactivity by noting that the AAUP had taken a role in numerous programs, such as the development of the grievance and retrenchment procedures. Foster implored the MEA not to call a formal election before December 1, 1973, “in order to allow time for discussion of collective bargaining and the differences between the possible agents.” He assured Helfinstine that the AAUP would not oppose collective bargaining and expressed his hope that they would work together to determine the appropriate agent “without encouraging divisions within the faculty.”<sup>63</sup>

The AAUP had good reason to fear another headlong rush into a collective-bargaining election. The results of a second informal poll in September 1973 again showed the faculty evenly divided on the question of collective bargaining. The poll results and the previous year’s disappointing turnouts at AAUP-sponsored discussions on the issue convinced the leadership that the faculty still was not ready to accept collective bargaining.<sup>64</sup> The AAUP did not want to risk another election

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<sup>61</sup> George F. Helfinstine to the faculty, September 3, 1973, Series 93-4, 2/1, 3-2-1, Saari Papers.

<sup>62</sup> Roth, interview.

<sup>63</sup> Jerome Roth to George F. Helfinstine, September 3, 1973; Leslie Foster to George F. Helfinstine, September 19, 1973, both in Saari Papers.

<sup>64</sup> Leslie Foster to the faculty, September 30, 1973, Series 71, 3/7, 15-03-04, AAUP Records. The AAUP received only eighty ballots. Of that number, twenty-eight voted in favor of collective bargaining, and forty-one voted against. The vote for representation broke down as follows: fifty-eight for the AAUP, eight for the MEA, and ten for the senate.

defeat that this time might kill the collective-bargaining movement forever. Consequently, on December 5, 1973, the AAUP formally announced its decision not to support the MEA's move to petition for a collective-bargaining election, citing little support from the faculty.<sup>65</sup>

The AAUP's apparent intransigence and lack of faculty support did not stop the MEA. About three months later, on March 17, 1974, the MEA filed a petition with the MERC requesting that a collective-bargaining election be held at Northern Michigan University. As the MEA had forced the issue, on March 27 the AAUP executive committee reversed itself and decided to begin circulating authorization cards. Two weeks later a MERC representative arrived on campus and verified enough authorization cards to certify a collective-bargaining election with both the MEA and the AAUP as candidates for the job of bargaining agent. The race was now on, but it would be a long and difficult one.<sup>66</sup>

The AAUP's campaign depended on a handful of committed members. In order to maximize its limited resources, the AAUP leadership focused on activities at the department level. The AAUP had members in every department, and it was there that they organized serious discussions. "If you didn't have anything good coming out of the departments," Saari realized, "you had a flawed foundation. Academic departments are the crucial cells of a good and functioning university."<sup>67</sup> At the same time Roth, Saari, and Greene went about campus distributing membership cards and "glad-handing" faculty. Roth set up a telephone tree and recalls spending numerous evenings on the phone lobbying his colleagues. The AAUP also organized meetings where, as Roth described it, "a lot of jawboning went on."<sup>68</sup> Ironically, the administration facilitated the organizing drive by moving the faculty into new and cramped offices in the Harden Learning Resources Center. The move angered some faculty and made it easy for the AAUP to target fence-sitters.<sup>69</sup>

Not only did the AAUP stump for votes, but also the leadership developed a series of lengthy position papers that explained the organization's stance on collective bargaining and its benefits. The papers addressed issues such as salary, the status of department heads,

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<sup>65</sup> Leslie Foster and Jon Saari to the faculty, December 5, 1973, Series 71, 3/7, 15-03-04, AAUP Records.

<sup>66</sup> "AAUP Bulletin," April 5, 1974, Series 71, 2/13, 15-03-05, AAUP Records.

<sup>67</sup> Saari, interview.

<sup>68</sup> Roth, interview.

<sup>69</sup> *Ibid.*

and credit-hour productivity, but they focused primarily on the issues of shared governance and the faculty's control over the curriculum and academic programs. The papers acted as the organization's manifesto and "gave people credit," according to Saari, "for understanding what was in their own self-interest and their professional interests."<sup>70</sup> In spring 1975 the AAUP brought the papers together as an "AAUP Album" complete with editorial cartoons. In the introduction Foster asserted that "no one should fear taking a step [collective bargaining] that is a guaranteed right of all public employees in this state. . . . Nor need anyone think less of himself/herself as a professional for moving in the direction of collective bargaining, for faculty unions around the country are creatively using bargaining as an additional tool in the struggle to secure and/or maintain traditional faculty prerogatives."<sup>71</sup>

In response, the administration attacked collective bargaining as anathema to academia. Leading the administration's campaign this time was Jamrich's lieutenant, Robert Glenn. Roth believed that Jamrich and Glenn shared the same view for the direction of the university and that Glenn was "willing to take the heat for the hard decisions that had to be made. Jamrich didn't want to take the heat and needed a hatchet man."<sup>72</sup> Glenn made no bones about his attitude toward collective bargaining and shared governance and also made it clear that he was perfectly willing to terminate faculty members in order to meet budget reductions. Unlike Jamrich, however, he approached the problem of the union movement in a practical manner. Glenn seems to have viewed the university as a loose confederation of academic departments under the management of a strong and autocratic central authority, i.e., the Board of Control. He believed that the faculty should have only an advisory role because as a body it concerned itself solely with internal matters. The Board of Control, on the other hand, was accountable for both internal and external issues and therefore required complete control over the affairs of the university. The board and administration, Glenn insisted, simply would not tolerate faculty members meddling in affairs that did not directly concern them. Remarkably, he went further and advised Jamrich not to grant faculty members even the illusion of having a voice in decisions because eventually they would wake up and realize the deception. Like a stern but patronizing parent, Glenn was adamant that faculty members must accept their limited advisory role thereby avoiding

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<sup>70</sup> Saari, interview.

<sup>71</sup> "Introduction to an AAUP Album," March 25, 1975, Series 93-4, 2/2, 3-2-1, Saari Papers.

<sup>72</sup> Roth, interview.

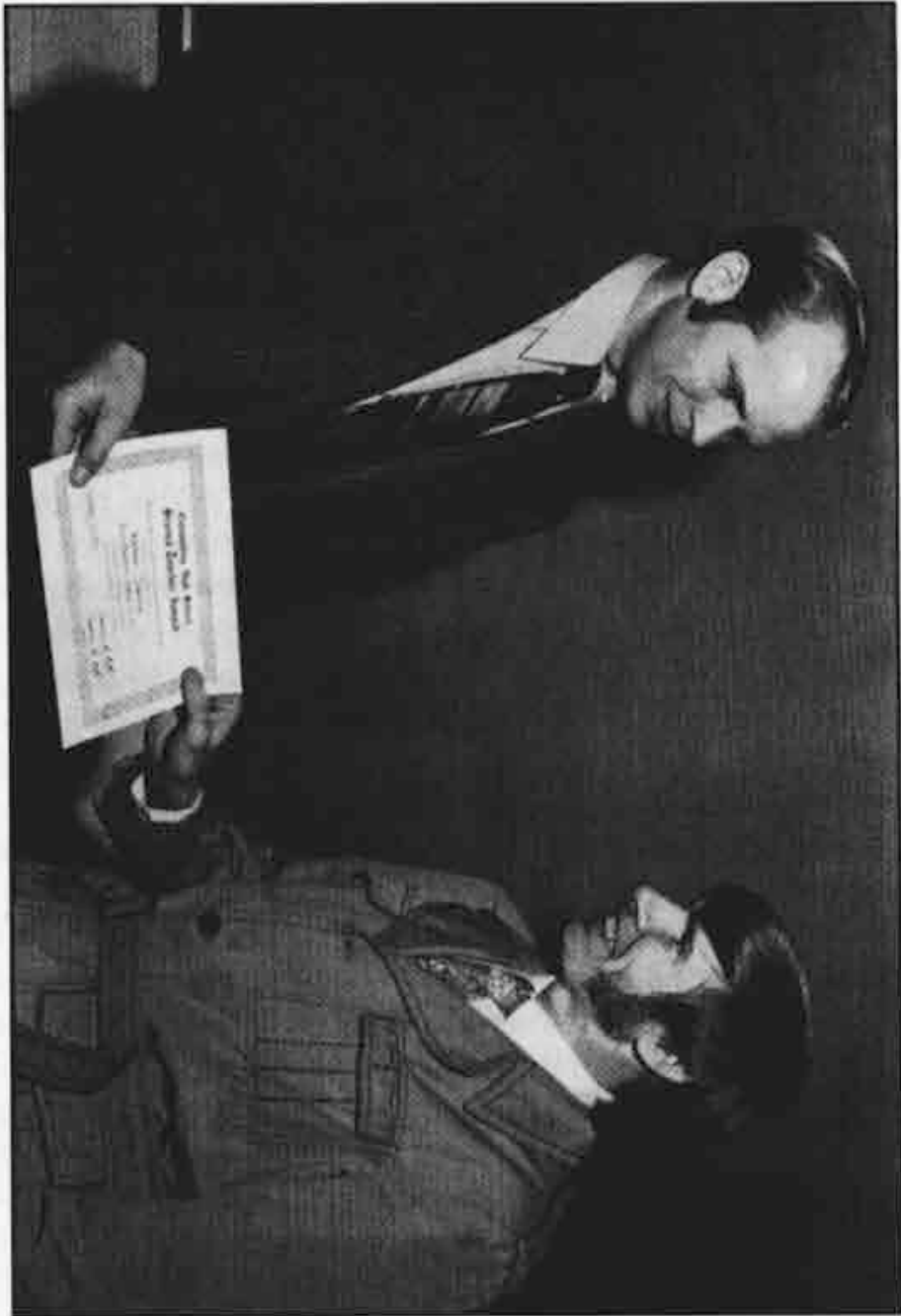


Photo courtesy of the Central Upper Peninsula and Northern Michigan University Archives.

**Jerome Roth Receiving an Award in 1975**

the inevitable frustration of having their opinions rejected by the administration.<sup>73</sup>

President Jamrich must have heeded Glenn's counsel because the administration acted decisively to prevent the collective-bargaining election. The administration seized upon two issues. The first one involved the ballot format. The MERC proposal called for a mixed-question ballot, such that the voter would select only one of three choices: representation by the AAUP, representation by the MEA, and "neither" (no agent). The Board of Control rejected this format as "fundamentally unfair" since it "mixes questions of two different types in a single election but permits the voter only one vote." The board favored the following "separate-question" ballot:

1. Do you wish to have a collective bargaining agent represent the faculty of Northern Michigan University?  
Yes or No?
  
2. If a majority of voters vote "yes" on question 1, which collective bargaining agent do you prefer?  
AAUP or MEA?<sup>74</sup>

Despite its protestation of fairness, the administration believed that it had a good chance of engineering a majority "no" vote with this format. In a resolution passed on April 3, 1974, the board directed university attorneys to seek agreement with the MEA and the AAUP on the proposed "separate-question" ballot prior to any election<sup>75</sup>

The second issue that the administration and the Board of Control raised to block the election involved the definition of the bargaining unit. Specifically, the administration insisted that any definition exclude department chairs. It argued that department chairs played significant supervisory roles and as a result MERC rules required their exclusion from the bargaining unit. As evidence the administration pointed to the university's policy and procedures manual that clearly described department chairs as responsible for recommendations concerning recruitment, evaluation, and development of the professional competencies of the faculty. Chairs also exercised responsibility for the

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<sup>73</sup> Robert Glenn to John Jamrich, March 9, 1974, Series 71, 4/7, 15-03-07, AAUP Records.

<sup>74</sup> Summary of MERC Hearing, October 30, 1974, Series 93-4, 2/5, 3-2-1, Saari Papers.

<sup>75</sup> Board of Control Resolution, April 3, 1974, Series 9000-01, 3/10, 20-03-03, CAS Records.

preparation and administration of their department's budget, including salary recommendations, teaching loads, and logistical support.<sup>76</sup>

The administration and Board of Control's position on the ballot format and definition of the bargaining unit threw the election process into disarray and succeeded in further dividing the MEA and the AAUP. The latter took a lukewarm position on the ballot question, expressing a willingness to go either way, but vehemently opposed the administration's position on department chairs. The AAUP argued that "chairmen [sic] are properly viewed as faculty members serving for fixed terms as links between the faculty and administration."<sup>77</sup> Conversely, the MEA showed little interest in the department-chair issue, but completely refused to sanction the administration's "separate-question" ballot, believing that it reduced the MEA's chance of victory. In the end neither union came to an agreement, and the administration refused to budge.<sup>78</sup>

The impasse caused a delay in the election when the Board of Control voted at the end of April 1974 not to enter into a consent agreement for an election with the AAUP and the MEA. In a memo to the faculty, the AAUP executive committee bitterly accused the administration of orchestrating the delay in order to kill the election. "This pattern of continually frustrating considered faculty wishes," wrote Saari and Foster, "is unfortunately a familiar experience to us, and is a matter which, we believe, goes to the heart of current discouragement with traditional governance at Northern."<sup>79</sup> Actually, records indicate that the strategy divided the administration. Glenn argued against the delaying tactic. "My hunch," Glenn wrote to Jamrich, "is that an early vote provides the best possibility for a no agent vote. A delay[ed] vote will almost surely be a union vote. This will undoubtedly alienate some of our supporters among the faculty, and swing them over to the union."<sup>80</sup> Glenn was right.

On October 29 and 30, 1974, the conflict went before a MERC hearing in Marquette. All three sides presented evidence, and nine

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<sup>76</sup> Jon Saari to David Klein, July 29, 1974, Series 93-4, 2/4, 3-2-1, Saari Papers; Summary of MERC Hearing, October 30, 1974.

<sup>77</sup> Summary of MERC Hearing, October 30, 1974; Saari to Klein, July 29, 1974. See also Jerome Roth to the faculty, April 24, 1974, Series 71, 2/13, 15-03-05, AAUP Records. Roth referred to the plight of department chairs as "an especially unhappy one" and stated that "there are no department chairmen at NMU: only heads."

<sup>78</sup> Summary of MERC Hearing, October 30, 1974.

<sup>79</sup> Leslie Foster and Jon Saari to the faculty, May 3, 1974, Series 71, 2/13, 15-03-05, AAUP Records.

<sup>80</sup> Robert Glenn meeting notes, undated, Series 9000-01, 20-03-03, 3/10, CAS Records.

department chairs and three faculty members testified about the practices prevailing in twelve academic departments. The AAUP argued for the inclusion of department chairs and the MEA argued in opposition. However, the MEA did agree that “under different administrative patterns their [the department chairs] roles could be compatible with the designation of the faculty unit.” The MEA also argued against the “separate-question” ballot, claiming that it saw “no reason to object to the legal form of the ballot that has been used by MERC for over forty years.” In the end the MERC agreed with the MEA and rejected the “separate-question” ballot, but it also rejected the AAUP’s position and ruled against including department chairs in the bargaining unit. In addition, the MERC set April 17, 1975, as the date for the collective-bargaining election.<sup>81</sup>

Following the MERC decision, President Jamrich made one final plea to the faculty to reject collective bargaining. He continued to insist that “together we have developed our existing academic governance structure. It is working well.” Moreover, he admonished the faculty to consider seriously the implications of collective bargaining on academic freedom and tenure, noting that existing contracts elsewhere provided for minimal faculty participation in shared governance and curriculum control.<sup>82</sup> The faculty did not accept the president’s argument, and on April 17 voted 111 for the AAUP (48.7 percent), 67 for “no agent” (29.4 percent), and 50 for the MEA (21.9 percent).<sup>83</sup> The results forced a run-off election on May 6, 1975, between the AAUP and “no agent,” which the AAUP won 151 to 90.<sup>84</sup> Collective bargaining had finally come to Northern Michigan University, and the AAUP found itself the official bargaining agent.

Roth vividly recalls President Jamrich’s reaction to the AAUP’s victory. Two days before the election Jamrich had visited faculty members in the LRC in an effort to win their support. Since it was his first visit following their move to these quarters in 1974, most faculty reacted negatively to his appearance. “The people who were going to vote against the union,” Roth observed, “were now going to vote for the

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<sup>81</sup> Summary of MERC Hearing, October 29-30, 1974, Series 93-4, 2/5, 3-2-1, Saari Papers.

<sup>82</sup> John Jamrich to the faculty, April 16, 1975, Series 9000-01, 3/10, 20-03-03, CAS Records.

<sup>83</sup> Leslie Foster to the faculty, April 21, 1975, Series 9000-01, 3/20, 20-03-03, CAS Records.

<sup>84</sup> James Greene to the faculty, May 20, 1975, Series 71, 3/7, 15-03-06, AAUP Records.

AAUP.” Remarkably, Jamrich left the building believing that he had the votes. As the counting proceeded on May 6, and it became clear that the AAUP had decisively defeated “no agent,” Jamrich began running about the room in stunned bewilderment, counting and recounting the ballots. “He just couldn’t believe he’d lost,” Roth remembers.<sup>85</sup>

Now that the AAUP was the collective-bargaining agent for the faculty, it had to select officers, create a bargaining council, determine objectives for contract negotiations, and choose a negotiating team. By this time, however, the core organizers were burned out and needed a break, but the only faculty member to step forward as a candidate for president of the union was David Cooper, a nontenured assistant professor in philosophy. Realizing that the union needed someone more seasoned at the helm, Jim Greene reluctantly put his name forward and became the first president.<sup>86</sup> By June 16 the membership had chosen representatives to the bargaining council. The council divided itself into different work groups and completed revisions to a questionnaire designed to determine faculty goals for negotiations. Finally, the council approved plans to bring in a lawyer from the AAUP’s national office to train various members of the council work groups during the last week of June.<sup>87</sup>

By midsummer the bargaining council had selected members of the negotiating team. Ironically, the council chose Robert McClellan, the onetime MEA partisan, as the AAUP’s chief negotiator. The man who had started it all and had long been a thorn in the administration’s side would now lead the fight to win at the bargaining table what the faculty had failed to win in numerous committees. By this time McClellan was seen by many of the faculty as a folk hero. Hard-nosed and experienced, McClellan just could not “stay out of the fire,” Saari recalls; he had nothing to lose “and he was not about to fold or be intimidated.” Other members of the team included Arnold Aho (economics), Leslie Foster (English), Jon Saari (history), and Temple Smith (physics).<sup>88</sup>

The AAUP’s goals for the first contract were numerous, but two issues were paramount: establishing shared governance of the university with faculty control over curriculum and academic programs, and developing a retrenchment policy with significant faculty involvement.

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<sup>85</sup> Greene, interview; Roth, interview.

<sup>86</sup> Greene, interview.

<sup>87</sup> AAUP Bargaining Council Minutes, June 16, 1975, Series 71, 2/15, 15-03-05, AAUP Records.

<sup>88</sup> Saari, interview; *AAUP Newsletter*, August 1975, Series 138, 1/6, 14-01-11, Aho Papers.

Both objectives addressed the root causes of the faculty's struggle with the administration and would form the bedrock of all future contracts.

The weeks leading up to the first negotiation session were difficult for the AAUP negotiating team. Only one member had the slightest idea of what the team was supposed to be doing. The team met for several days trying to work out a coherent proposal. Smith was the "quick thinker" and would be provocative and direct like McClellan. Saari called him the "Squirrel." Foster was the "Buddha" who didn't say much, but when he did speak, he wore the administration's team down with a "deliberate reasonableness." Aho actually taught a class in collective bargaining, giving him some insight into the complex concepts and tactics involved in such a struggle. In the early stages, Saari was the writer and would quickly compose proposed contract language.<sup>89</sup> McClellan had to bring these personalities and the committee's objectives together and shape an effective and coherent strategy.

The first negotiating session on September 4, 1975, was decidedly confrontational. University attorney James Tobin, who led the administration's team, began with an arrogant declaration that the proceedings would be short because the administration intended to discuss only salary and working conditions. By treating them as mere employees, Tobin and the administration's team tried to make the AAUP negotiators feel as though they had betrayed their professional ethics. Tobin also rejected the AAUP's request for salary and budget information, saying such requests were inappropriate.<sup>90</sup> Saari interpreted this aggressive stance as posturing and a deliberate wearing-down tactic. He saw Tobin as a "bulldog" chosen to hassle them.<sup>91</sup>

McClellan would have none of it. He and Tobin began sparring almost immediately, and at one point McClellan yelled at Tobin, "I will nail your ass to the wall."<sup>92</sup> Worried that things might fall apart, McClellan's team members begged him to back off a bit, saying he was "going crazy and that they weren't there to beat up on those people." McClellan responded by declaring, "We're going to fight until there is blood on the table and then maybe we'll get something." Eventually McClellan settled down and succeeded in persuading Tobin that the AAUP meant business and was in it for the long haul. "Jim Tobin was

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<sup>89</sup> Saari, interview.

<sup>90</sup> AAUP Bargaining Council Meeting Minutes, September 4, 1975, Series 71, 2/15, 15-03-05, AAUP Records; McClellan, interview.

<sup>91</sup> Saari, interview.

<sup>92</sup> AAUP Negotiation Team Minutes, September 24, 1975, Series 71, 2/15, 15-03-05, AAUP Records.

convinced that we would fight," McClellan believed, "and if necessary, that we would shut it down; we would sacrifice ourselves . . . we would do what we had to do."<sup>93</sup>

For McClellan, the foremost objective was shared governance, and this meant formalizing the power of the academic senate in the contract. To him the senate was the key to everything; the faculty would not accept the union without a significant role for the academic senate. This meant, he believed, that the union must contractualize the senate and enhance its authority. Power for the senate was the promise that the AAUP made to faculty members upon beginning its card-signing campaign in 1973, something that the MEA had completely ignored. McClellan had to convince the faculty that the establishment of the union would not mean the end of the senate; on the contrary, collective bargaining would gain increased power and influence for the senate.<sup>94</sup>

It is not surprising that the administration saw things differently and for weeks resisted any inclusion of the senate in the contract. First of all both sides argued over language, with the AAUP insisting on the term "governance" and the administration favoring the less forceful phrase "faculty participation."<sup>95</sup> Midway through the third negotiating session, Tobin referred to the AAUP's proposal for the senate as a "monstrosity." The administration feared having to deal with two formidable faculty entities, the union and the senate, and preferred to identify the union as the sole organization through which the faculty would participate in governance. Also, from the administrative perspective, the functions of both organizations seemed to overlap, which could cause confusion and duplication of effort.<sup>96</sup> In reality, however, the administration worried that having two organizations, each with extensive functions, would expand faculty power and make it difficult for the administration to maintain control.

McClellan fended off these challenges by arguing that the academic senate and the union would be one and the same. "The administration," he told Tobin, "would come to us [the AAUP] about something you were unhappy with and we would be responsible for taking it to the

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<sup>93</sup> Saari, interview; McClellan, interview.

<sup>94</sup> AAUP Negotiation Team Minutes, September 24, 1975. At this meeting the AAUP first presented its proposed role for the academic senate within a framework of shared governance. See also McClellan, interview.

<sup>95</sup> AAUP Negotiation Team Minutes, October 9, 1975, Series 71, 2/15, 15-03-05, AAUP Records.

<sup>96</sup> AAUP Negotiation Team Minutes, October 9, 1975; Saari, interview.

Senate and working it out there, with them.”<sup>97</sup> Moreover, the AAUP did not want to be involved in the curriculum, preferring that that function be specifically reserved for the senate. Faculty control over the curriculum, McClellan sternly informed Tobin, represented “traditions centuries old,” and, he warned, “You will never get a contract that disenfranchises the Senate.”<sup>98</sup>

In the end, the AAUP won much of the argument. Article 3 of the contract, Faculty Participation in Academic Affairs, which defined the senate’s relationship with the union and the administration, essentially made the academic senate an adjunct of the union. The administration prevailed in its refusal to deal with both the union and the senate and insisted that the AAUP be “legally bound by and give full and total support to all actions of the Academic Senate.” All recommendations by the senate had to go through the AAUP for approval before being forwarded to the administration. The senate was not allowed to deal directly with the administration, and the administration was not expected to deal directly with the senate. Only the AAUP would consult with the board and the administration on senate recommendations.<sup>99</sup>

As McClellan planned, the AAUP delegated specific powers to the academic senate that would otherwise have been the union’s responsibility. The real power in the senate rested with its Educational Policy Committee (EPC), which consisted of seven faculty members, the deans of the Colleges of Arts and Sciences, Education, Business, and Nursing, and the graduate dean. The EPC was to be responsible for recommending major and minor curriculum or program changes, including those that entailed reducing or reallocating existing academic positions. The EPC was also directly involved in implementing the retrenchment policy outlined in article 7. Drawing from language in the AAUP’s “Statement on Government of Colleges and Universities,” this article stated that “the recommendation of the EPC shall be accorded great weight by the Provost and shall normally be followed.” This language finally gave legal force to the Board of Control’s decision in 1970 to adopt the statement as the guiding principle of governance at Northern Michigan University.<sup>100</sup>

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<sup>97</sup> McClellan, interview.

<sup>98</sup> AAUP Negotiation Team Minutes, September 24, 1975.

<sup>99</sup> *AAUP Newsletter*, December 11, 1975, 20-03-08, Eugene Whitehouse Papers, CUPNMUA.

<sup>100</sup> American Association of University Professors, *Agreement between the Board of Control of Northern Michigan University and the American Association of University Professors*,

While the bargainers wrestled with the issue of governance, they also fought over the question of retrenchment, what it meant, and how it would work. As noted earlier, the university had begun a process of budgetary contraction as a result of decreases in the state's appropriation that had started in 1973. This retrenchment resulted in some layoffs, elimination of some programs, and general belt-tightening. Throughout the ordeal, faculty members remained suspicious of the administration, largely because they did not have access to budget information and could not, therefore, determine for themselves where it would be best to cut programs and staff. They were, essentially, left out of the planning and decision-making process.

A report by the state auditor general's office in September 1975 confirmed the faculty's worst fears. The report described numerous misallocations of funds, including \$116,000 of general funds approved by the Board of Control for salaries but then transferred to operating reserves and subsequently to nonsalary items without board approval.<sup>101</sup> A senate review of the report indicated that the "General Fund could have been \$758,236 larger than it was in the two years covered by the audit."<sup>102</sup>

The Faculty Affairs Committee (FAC) of the academic senate had developed a retrenchment policy in November 1972, and it was approved by President Jamrich in January 1973. The FAC defined retrenchment as the termination of a faculty member because of "a demonstrably bona-fide financial exigency."<sup>103</sup> This retrenchment policy integrated the FAC and the senate into the process of determining whether such an exigency existed and into the formulation of a plan for budget reductions. So content was the faculty with this new policy that it would eventually become the basis for the retrenchment procedure negotiated by the AAUP in its first contract with NMU's administration. Writing to Donald Heikkinen, chair of the FAC, Jamrich concluded "that the expanded involvement of faculty in this produced a much better set of decisions and carried along with it some very beneficial results."<sup>104</sup> But in October 1975 the Board of Control unilaterally

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*Northern Michigan University Chapter* (Marquette: Northern Michigan University Press, 1976), 10-14.

<sup>101</sup> *Northwind*, December 11, 1975.

<sup>102</sup> *AAUP Newsletter*, December 11, 1975.

<sup>103</sup> Retrenchment Policy and Procedure, November 1972, Series 9000-01, 3/9, 20-03-03, CAS Records.

<sup>104</sup> John Jamrich to Donald Heikkinen, January 19, 1973, Series 71, 11/8, 15-03-07, AAUP Records.

decided to abandon this retrenchment policy it had worked out with the faculty two years earlier.<sup>105</sup>

The AAUP reacted to these events swiftly and angrily. On November 4, 1975, its executive committee voted to censure the administration and approved the following text: "The NMU-AAUP faculty association hereby censures the board of control and the administration for refusing to bargain in good faith. In particular, it charges President John X. Jamrich with seriously damaging the academic program and mission of the university by the mismanagement of funds as specified in the 1968-70, 1970-72 and 1972-74 official state audit report, NMU."<sup>106</sup> The AAUP also charged Jamrich with "failure to live up to his promise to utilize the collective bargaining process to strengthen the university."<sup>107</sup> Finally, the executive committee voted to file a charge of unfair labor practice with the MERC because the administration had abandoned the retrenchment policy.<sup>108</sup>

These events played themselves out in battles at the negotiation table over the content of article 7, Budget Reduction; Layoff and Recall. The AAUP took the position that retrenchment should not be a response to crisis but a process of long- and short-term planning and assessment. Moreover, retrenchment decisions had to involve significant faculty participation, for reducing the instructional budget meant cutting into academic programs.<sup>109</sup> The administration took the exactly opposite view, bluntly arguing that retrenchment was a "management prerogative." Consequently, the administration submitted a proposal for article 7 that allowed for no faculty participation and reserved to the Board of Control the power to define a "bona-fide financial exigency." Such a declaration would be akin to a business declaring bankruptcy, and presumably would be a rare event. Only the president would then determine the type and implementation of budget reductions.<sup>110</sup>

The administration's proposal infuriated the AAUP. McClellan called it a "disaster," and the executive committee declared it

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<sup>105</sup> *AAUP Newsletter*, October 30, November 5, 1975, Series 9000-01, 3/10, 20-03-03, CAS Records. The Board of Control resolved on this course following the governor's decision to slash \$880,000 from Northern's appropriation.

<sup>106</sup> *AAUP Newsletter*, November 5, 1975, Series 9000-01, 3/10, 20-03-03, CAS Records.

<sup>107</sup> *Northwind*, December 11, 1975.

<sup>108</sup> *AAUP Newsletter*, November 5, 1975.

<sup>109</sup> *AAUP Newsletter*, November 19, 1975, Series 9000-01, 3/10, 20-03-03, CAS Records.

<sup>110</sup> *AAUP Newsletter*, December 9, 1975, Series 9000-01, 3/10, 20-03-03, CAS Records.

unacceptable because it struck “at the heart of what we believe to be the substance of the university—faculty control over curriculum.” The bargaining council passed a resolution requesting that the administration reconsider its position and not exclude the faculty from primary financial planning and policy decisions affecting curriculum.<sup>111</sup>

Eventually, the administration bent under the pressure and significantly modified its position, agreeing to integrate the faculty into the planning and decision-making process of retrenchment primarily through the EPC. As in article 3, which concerned the curriculum, in article 7 the EPC emerged as the focal point of faculty participation. In the event that the Board of Control should declare a financial exigency, the contract provided that the EPC would study the financial condition of the instructional program and make recommendations to the president concerning reductions and layoffs. Once again drawing on language from the “Statement on Government of Colleges and Universities,” the contract specified that, absent any serious and compelling reasons, the president would accept the EPC’s recommendations.<sup>112</sup> The remaining stumbling block was the administration’s insistence that the process defined in article 7 not trigger the grievance procedure, which McClellan only agreed to once the administration accepted binding arbitration in article 4 (article 4 described the grievance procedure).<sup>113</sup> In the end, both sides crafted a retrenchment procedure so daunting that the administration has activated it only once since 1976.

The AAUP and the administration continued at the negotiating table well into the spring of 1976. By this time, Saari had replaced McClellan as the union’s chief negotiator. For the most part Saari continued on McClellan’s path, as the two sides bargained about compensation, credit-hour production, and summer school. Negotiations reached an impasse at the end of April 1976 when the administration refused to accept a compromise compensation offer from the AAUP. The union reacted by calling for a state mediator and fact finder, and the bargaining council formed a strike committee that began to plan for fall job actions, including a possible strike.<sup>114</sup> In response, Tobin threatened to withdraw his promise to make

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<sup>111</sup> *AAUP Newsletter*, December 9, 1975; McClellan, interview.

<sup>112</sup> American Association of University Professors, *Agreement*, 31-35.

<sup>113</sup> AAUP Negotiation Team Meeting Minutes, January 22, 1976, Series 138, 1/9, 14-01-11, Aho Papers.

<sup>114</sup> AAUP Press Release, April 26, 1976, Series 138, 1/9, 14-01-11, Aho Papers.

compensation increases retroactive to July 1975 unless the AAUP and administration reached agreement by May 16.<sup>115</sup>

History abounds with stories of how agreements between two individuals in a quiet room brought an end to protracted struggles, and so ends the story of the NMU-AAUP's birth. At the end of April 1976 the negotiating team authorized Jim Greene to approach President Jamrich with the goal of breaking the impasse. Greene wrote a letter to Jamrich outlining the job actions the AAUP would take if Tobin carried out his threat. He also asked Jamrich whether the administration's position really represented Jamrich's conception of what was best for the university. Greene took the letter to Jamrich at Kaye House, and Jamrich invited him in for a chat. Greene declined the offer and asked that Jamrich read the letter and then contact him. Later that evening, Jamrich called Greene and invited him to Kaye House for a discussion of the situation. He asked Greene what had to be done to reach an agreement. Well into the evening of Sunday, May 2, the two men talked about the key elements needed for a settlement. Greene left with the understanding that Jamrich would intervene with the administration's negotiating team.<sup>116</sup> On the following day, Saari was able to report to the bargaining council that an agreement had been reached and that he advised acceptance. The council immediately voted to recommend the agreement to the membership.<sup>117</sup>

NMU's faculty approved the AAUP's first negotiated contract, concluding a story that had begun in 1967 when President Edgar Harden fired Robert McClellan. The union's remarkable achievement also finished the debate over the meaning of "shared governance" and formalized the faculty's role as partners, not just advisors, with the administration in planning the future direction of Northern Michigan University. Moreover, as part of the national movement toward unionization and collective bargaining in higher education, these events furthered the transformation of the American Association of University Professors from a professional association to an ardent champion of the professoriate using an employee-management model previously rejected by the organization's founders.

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<sup>115</sup> AAUP Negotiation Team to the Faculty, April 30, 1976, Series 138, 1/9, 14-01-11, Aho Papers.

<sup>116</sup> Greene, interview.

<sup>117</sup> AAUP Bargaining Council Meeting Minutes, May 3, 1976, Series 138, 1/9, 14-01-11, Aho Papers.

Like its counterparts at other universities, Northern Michigan's administration responded to the faculty's challenge with an intransigent and autocratic style that did little to allay faculty concerns. Despite President Jamrich's strident public pronouncements, the professors failed to see words turn to action and rejected the administration's efforts as window dressing. The administration failed to grasp the faculty's sincere desire to have a real say regarding the future direction of the university. Jamrich, Glenn, and the Board of Control found themselves on the wrong side of a historical moment, and they obstinately resisted the end of their traditional prerogatives.

Members of Northern Michigan University's faculty were also slow to accept change and approached collective bargaining reluctantly, but in the end they embraced the process with an enthusiasm that brought victory at the negotiating table. The contract realized McClellan's goal of a powerful senate with control over the curriculum and academic programs. It also provided for a retrenchment policy that remains in place, unchanged, to this day. Just as important, the establishment of the union and its success at collective bargaining unified the faculty and empowered the professoriate to engage the administration from a position of strength. The courage and determination of the AAUP's early leaders and the faculty's commitment to collective bargaining have contributed to the development of Northern Michigan University as a strong institution of higher learning.

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