

**CLEVELAND STATE UNIVERSITY CHAPTER
OF THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS**

For Immediate Release October 31, 2013

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RE: Ohio State Employment Relations Board (“SERB”) Case Number 2013-ULP-08-0258

Cleveland—On October 30, 2013 Cleveland State University (“CSU”) voluntarily released its position statement in the above referenced matter to Cleveland.com in response to a public records request. The CSU-AAUP does not believe CSU’s position statement is a public record at this time. Out of respect for the confidentiality of both parties and a desire to settle differences without a public airing of grievances, the CSU-AAUP previously elected not to comment on the pending case. CSU’s voluntary release of its position statement necessitates a reply, however, and the CSU-AAUP offers this statement in response.

In early June, 2013, organizers of the recently-formed CM Law School faculty union contacted the CSU administration regarding harassment and retaliation they had experienced from Dean Craig Boise in the wake of their successful union election. The organizers and the CSU-AAUP contacted the CSU administration to seek a collegial, internal resolution to this situation, but did not receive any substantive reply to these serious concerns. The CSU-AAUP had no other recourse but to seek a legal remedy: an unfair labor practice (“ULP”) charge against CM Law and Dean Craig M. Boise filed with SERB. After receiving the ULP charge, SERB proposed mediation, which the CSU-AAUP accepted, but the CSU administration declined.

Dean Boise’s actions during and after the union campaign and election show a clear pattern of harassment and retaliation.

- At a CM Law faculty meeting Dean Boise declared the union organization efforts a “subversive underground campaign.” In that public meeting and in private conferences he shamed and condemned union organizers for their activities, which are protected as a right under Ohio law.
- Dean Boise manipulated his own merit raise system awarding either no raise or a \$666 raise—a small fraction of the raise vocal union opponents received. With few exceptions, most other faculty received raises of \$5,000 or \$3,000, dwarfing the raises awarded to union organizers.
- The union organizers are excellent scholars and teachers. Among them are the faculty member who received the highest student teaching evaluations in the entire school and multiple winners of the University Distinguished Service Award, awarded by the University President.
- Documents provided to SERB show Dean Boise arrived at the \$666 figure in an evident attempt to stigmatize union organizers. In the final stage of

devising faculty raises, after a series of other manipulations, the Dean arrived at a pool of \$6384 to be distributed among ten (10) faculty. That would have produced a \$638 raise, an amount that—while unjustifiably low—was not self-evidently degrading. Dean Boise’s last step, therefore, was to subtract exactly \$276 from a non-organizer’s raise. That arbitrary amount—\$276—was precisely what Dean Boise needed to award union organizers a raise of \$666.

Organizing in the workplace is a protected activity under Ohio law. Currently, SERB is investigating this matter to determine whether probable cause exists to find that CM Law and Dean Boise have committed a ULP pursuant to Ohio Revised Code Chapter 4117. This matter is the first ULP charge the CSU-AAUP has ever filed against CSU. The CSU-AAUP regrets the necessity of taking such action, as we have always sought to solve problems collegially and internally, but the CSU-AAUP cannot stand by and permit faculty to be intimidated and harassed for taking action which is their legal right. The CSU-AAUP will pursue this process with rigor and vigor, and looks forward to SERB’s decision.

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In June, 2013 the Ohio State Employment Relations Board certified Cleveland State University Chapter of the American Association of University Professors as the exclusive representative of the law faculty at Cleveland State University’s Cleveland Marshall College of Law. SERB Case No. 2012-REP-11-0130. CM Law’s faculty are the first law school faculty to organize within the state of Ohio since the establishment of Ohio Revised Code Chapter 4117. CSU and the law faculty bargaining unit are not currently parties to a collective bargaining agreement.