

e-Bulletin20081114

President Hart: Why not Fair Share?

A priority proposal of TAUP in the current contract negotiations is Fair Share. Temple management has said no. Does management have a valid reason for denying it? The US Supreme Court (in *Abod v. Detroit Board of Education*, 1977) has ruled in favor of Fair Share. (See Issue 257, November 2008, of the TAUP *Bulletin* at www.taup.org).

"Fair Share," a legal term of art, explains the concept quite well. Since the TAUP has exclusive bargaining rights for all bargaining unit members, Pennsylvania law requires it to represent in exactly the same manner union members and non-union members. All bargaining unit members share in the union's representation and gains. Shouldn't everyone then pay their "fair share?"

Fair Share demonstrates management's respect for TAUP's work of representing the collective bargaining unit. Denying it shows that the administration does not want to treat the union as a partner in the fulfilling of Temple's mission. Experience at other institutions proves that Fair Share works. The faculty at all the unionized colleges and universities in and around Philadelphia have Fair Share.* Additionally, while President Ann Weaver Hart served as president, the faculty in the University of New Hampshire attained Fair Share. Temple's previous president came from Wayne State University, where the union also has Fair Share.

So, President Hart, why are you so resistant to Fair Share? It costs the University nothing. The US Supreme Court and other courts have rejected Temple management's arguments. There are only two reasons why any management denies Fair Share: to weaken or break a union.

In your State of the Campus Address to the Temple Student Government, you said that Temple University is committed to strong unions. President Hart, accepting Fair Share would show that Temple acts as you said.

* These include the 14 universities in the Pennsylvania State System of Higher Education (including West Chester, Cheyney and Kutztown), the nine universities/colleges in the New Jersey State College System (including nearby Rowan University, The College of New Jersey, and Stockton College), Rutgers University, Community College of Philadelphia, Bucks County Community College and Montgomery County Community College.