

**SAN JOSÉ STATE UNIVERSITY  
ONE WASHINGTON SQUARE  
SAN JOSÉ, CA 95192**

**SS-S16-3, Sense of the Senate Resolution, Calling for the California State University and the California Faculty Association to Implement the Recommendations of the Neutral Fact-Finder's Report and Avert a Strike**

**Legislative History:** At its meeting of April 4, 2016, the Academic Senate approved the following Sense of the Senate Resolution presented by Senator Peter from the floor of the Senate.

**Sense of the Senate Resolution  
Calling for the California State University and the California Faculty Association to Implement the Recommendations of the Neutral Fact-Finder's Report and Avert a Strike**

Resolved: That it would be in the best interests of all the citizens of the California State University Community—and especially our students—if the impending faculty strike was averted by the immediate implementation of the recommendations of the neutral fact-finder's report, which recommends a 5% general salary increase (GSI) and a 2.65% service salary increase (SSI); be it further

Resolved: That the Governor and Legislature of the State of California should enhance the funding of the CSU so as to provide for appropriate and competitive compensation for its employees, and should require that the CSU close the “salary gap” between our faculty and the faculty of comparable institutions; be it further

Resolved: That copies of this resolution be distributed to the California State University Board of Trustees, Chancellor White, all CSU Senate Chairs, the California Faculty Association, the Chair of the Academic Senate of the CSU, SJSU Faculty, Governor Brown, and our representatives in the state legislature.

*Rationale:*

*Academic Senates and Collective Bargaining operate in different spheres assigned to them by the Higher Education Employer-Employee Relations Act (HEERA.) HEERA is clear that Senates do not engage in collective bargaining, but it is equally clear that Senates are the consultative bodies “on the academic implications of system wide fiscal decisions.” Given that both a strike and continued inadequate compensation would have serious academic implications, we feel it incumbent as a consultative body to urge that both of those alternatives be avoided.*

*Collective bargaining law has crafted a careful process of fact finding designed to allow reasonable parties to settle their differences prior to a harmful work-stoppage. We endorse this process and believe that it has worked. A neutral fact-finder, appointed with the consent of both parties, has reviewed the facts and issued a reasonable settlement. We believe it is unreasonable for either party to reject the outcome of a fair process that could avoid the harm of a work stoppage. We encourage the CSU and CFA to work together to identify internal resources to fund the 5% GSI and 2.65% SSI, and to coordinate efforts aimed at securing additional funding from the Governor and Legislature.*

*All parties have publically expressed agreement that faculty in the CSU deserve the modest raise that is requested. The dispute seems to center on whether the CSU has the resources to pay what everyone agrees it ought to pay. We emphatically believe that the CSU has been systematically underfunded to accomplish its important mission for the people and State of California. The Governor and Legislature should augment the budget of the CSU so that the health of the California State University can be restored to prior levels.*

*The AAUP Principles on Academic Freedom and Tenure support that the academy offer Faculty a sufficient degree of economic security to make the profession attractive to talented individuals. Unfortunately, the problem of deficient wages falls particularly hard on San José State University, where the high cost of living in our area makes it even more difficult to hire and retain top faculty from other parts of the nation. Poor compensation harms the academic mission of our university in many ways: making it increasingly difficult to attract, retain, and develop excellent faculty, and driving many faculty to long commutes. This erodes the university's ability to provide excellent teachers and advisors who are available to contribute to student learning, and it also diminishes faculty morale.*

*Nor is this current dispute an isolated or temporary problem. A pattern of miserly salary actions over the last decade convinces us that the CSU has not sufficiently prioritized faculty compensation. There has not been a significant proposed general salary increase for CSU Faculty since 2007, most of a promised 11% salary increase for CSU Faculty was canceled, and a 9.3% furlough pay cut was instituted in 2009. In 2015 the CSU received an increase of \$216 million from the state in addition to its regular \$5 billion operating budget—an augmentation that faculty publicly supported. This augmentation would have been more than enough to fund a 5% GSI and a 2.65% SSI, had the funds been prioritized for faculty salaries.*

*We are encouraged that 30 members of the state legislature also have sent letters to CSU Chancellor White calling on him to come to a timely agreement that adequately compensates the CSU Faculty.*

*Co-Sponsors: Peter, Frazier, Kaufman, Mathur, Kimbarow, Sabalius, Lee, Heiden, Sullivan-Green, Buzanski, Campsey, Khan, Schultz-Krohn, Riley, Grosvenor, Bacich, Laker*

*Financial Impact: Expression of an opinion, which is the object of a sense-of-the-senate resolution, is not costly.*

*Workload Impact: Resolution will need to be distributed by staff.*