

# Ban on Central Michigan University faculty strike extended

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31 August 2011

On August 26, a Michigan circuit judge extended an injunction against a walkout by faculty members at Central Michigan University (CMU) in Mt. Pleasant, Michigan.

The court order, signed by Isabella County Circuit Court Judge Paul Chamberlain, restrains the faculty members from conducting a work stoppage until at least 20 days after a fact finder issues a report. The order can be further extended at that time.

Approximately 600 tenured or tenure-track faculty at CMU walked out August 22, the first day of the new session. The administration obtained a temporary injunction against the action, claiming it was illegal under a Michigan state law banning strikes by public employees. The faculty union asserted that the work stoppage, the first in its history, was a legally-protected protest over unfair labor practices.

The university administration has offered a zero percent pay increase in 2011, which amounts to a pay cut given the rise in the cost of living, and reportedly is insisting that faculty members pay 10 to 15 percent of their health insurance costs. The state government cut all university funding by 15 percent earlier this year.

Less than fifty percent of the CMU teaching staff is tenured or tenure-tracked. The university's 439 fixed-term [temporary] faculty, who belong to a separate union, and 591 graduate assistants were told by the unions to cross picket lines Monday. CMU has some 25,000 students.

A court hearing was scheduled for 9am Friday morning, but instead Judge Chamberlain, at the request of one or both parties, presided over nearly three hours of closed-door talks. Students and faculty supporters meanwhile stood outside the Mt. Pleasant courthouse with signs expressing sympathy with the faculty's demands.

At 11:50am, the parties entered the courtroom and Faculty Association (FA) attorney William F. Young read out the court order, banning a further work stoppage for the indefinite future, which had been agreed to by both sides.

The order obliges the faculty to participate in fact-finding with the Michigan Employment Relations Commission. It also reinstates binding arbitration, a provision of the previous contract that expired June 30.

The faculty will be permitted to organize informational pickets and demonstrate on campus. The university will recommence the collection of union dues and previous grievance procedures. FA members will also be able to select an alternative prescription drug benefit.

The faculty union's claim of unfair labor practices will be set aside until after the fact-finder issues his report. Hearings are scheduled for September 7, 9 and 13. Each party will present arguments and fact-finder Barry Goldman will issue his report, probably in mid-to-late October.

The faculty union and the administration have held more than 20 meetings since April and been unable to reach an agreement. University president George E. Ross and his fellow officials have been adamant about imposing concessions on the faculty. Other Michigan state universities face contract talks next year.

Following the court session August 26, CMU Executive Vice President/Provost E. Gary Shapiro declared, "We are extremely pleased with [Friday's] court action, which places the priority on student learning and academic achievement."

Faculty Association president Laura Frey asserted that the court order was "an excellent win, and we have had our day in court." She told reporters, referring to the right to picket, "We have our constitutional rights

back ... we are moving forward with the fact-finding process.”

The *Detroit Free Press* took note of Frey’s comment about a “win” for CMU faculty, adding pointedly, “The deal does not give the union a new contract. The two sides remain far apart on several key issues, including pay and benefits.”

Needless to say, the Michigan state AFL-CIO did not utter a peep about this latest example of judicial strike-breaking. The Michigan Education Association merely praised the court for restoring “first amendment rights to CMU faculty,” while maintaining a discreet silence about the university’s attempt to impose major concessions.



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