

February, 2021

Let's work together against workload creep

Jamie Dangler, UUP Vice President for Academics

Tom Tucker, UUP Vice President for Professionals

The specific duties and responsibilities that constitute the workload of UUP members vary considerably. For professionals, those duties and responsibilities are specified in performance programs. For academics, those duties and responsibilities are outlined in appointment letters and grounded in department/unit/program norms.

As we attempt to confront administrative changes that can increase the workload of academics and professionals, the SUNY Board of Trustees' definition of *Professional Obligation* is our reference point. The campus administration can be confronted by UUP if the specific content of a member, department or unit's full professional obligation is exceeded.

Here's how it works.

According to the SUNY Board of Trustees Policies, "The professional obligation of an employee consistent with the employee's academic rank or professional title, shall include teaching, research, University service and other duties and responsibilities required of the employee during the term of the employee's professional obligation" (Article XI, Title H, Sec. 2).

The specific content of the employee's professional obligation is set at the time of hire. It can be changed by management at any time. But if there is an increase in one area of the professional obligation, there must be a concomitant and equivalent decrease in another area. The bottom line is that the full professional obligation should not be exceeded. Here are steps we can take to combat workload creep:

1. Extra work and volunteer work should not become part of regular workload

At times, management will request that individuals take on extra work that exceeds their full professional obligation. Such additional work is considered voluntary because it is beyond the employee's full professional obligation. It should be clearly identified as either **extra service** (with the appropriate approved paperwork completed prior to the commencement of the assignment) or as **voluntary**. If the work is voluntary, it's crucial to document in writing that the assignment is being done on a voluntary basis, so it does not become part of the employee's base load. Documentation can take the form of emails; letters to and from department chairs, deans, or supervisors. (Worked noted in annual reports or performance programs should be for documenting the extent of the employee's full obligation. Voluntary work paid separate and apart from the obligation is documented through the Extra Service Agreement – Form UP-8) It should be noted that you do not consider the additional work to be part of your professional obligation once the task has been completed in the agreed upon time. The parameters of time and effort needed to complete the assignment should be discussed and agreed on prior to its commencement. This should be done in a consultative, collegial, and collaborative interaction with a supervisor, chair, dean, or other appropriate administrator.

Working together as colleagues is the best protection against the continued expansion of what becomes expected as part of the professional obligation of a department, unit, or member. It's important to have department-level/unit-level discussions about workload issues

to try and get everyone on the same page. If some employees are willing to take on more work without appropriate compensation or reduction of other duties, the expansion becomes the new norm and it is more difficult to effectively challenge work overloads.

2. Document your workload and workload increases

It's very important to keep a log of work done in areas of your professional obligation that are subject to workload creep. For example, are you and your colleagues being asked to do more in specific arenas of your department/unit's work? Are there new projects or tasks that "must be done" without a corresponding increase in staff or resources? Use written correspondence to document the additional assigned work and note workload increases in your annual report, identifying the extra work in relation to your workload in previous years. Professionals should have the additional work documented in their performance programs. If the supervisor will not include it in the performance program, the employee should write a response to the performance program that includes the additional work. This is especially important if the additional work can be the basis for requesting a contractual salary increase or promotion under Appendix A-28 of the New York State-UUP contract.

3. Ask your UUP chapter officers for assistance

If a member comes to their UUP leaders with a workload problem, the first course of action is to review the specific content of that person's professional obligation. If there has been an increase, chapter officers, in consultation with their UUP assigned labor relations specialist, will advise and support the member according to the specific circumstances. This could involve seeking adjustments in a professional's performance program, working with an academic to address a workload increase at the department level or above, or exploring possibilities for extra service compensation. The chapter also can help with responses to professionals' performance programs and other documentation issues for academics and professionals. If UUP officers are contacted by a group of members because of a workload issue that affects the entire group, e.g., an academic department or professional unit, a group meeting can be held to explore the problem and decide the appropriate course of action.

When increases in workload at the individual or department/unit level are not successfully resolved through informal efforts to adjust the components of the professional obligation, UUP may consider filing an Improper Practice with New York State's Public Employment Relations Board (PERB)—but only after UUP's careful assessment of the facts of any individual or group-level case and exhaustion of all possible efforts to resolve the problem informally. There is a four-month statute of limitations on filing a PERB charge, so workload problems should be brought to the chapter for review as soon as possible.

4. Hold a chapter workload workshop to explore problems and consider solutions

If there are pervasive workload issues at a chapter, the labor relations specialist assigned to the UUP chapter can conduct a workload workshop to review the basics and provide members with the tools they need to address their individual circumstances and work with the chapter to develop strategies to confront collective workload problems.

5. Reject the "guilt trip defense" of workload creep

While our commitment to our students, patients, colleagues, professional standards, and the quality of our work engenders a spirit of help and cooperation, we should be mindful that “helping out” should not lead to permanent increases in our workload, and uncompensated work that will jeopardize our health, professional well-being, and the quality of our service to our students and our campuses.

Bottom Line

If a UUP professional’s workload is increased, there must be an accompanying and roughly equivalent adjustment of the performance program to specify how new duties will be offset by a decrease in existing duties, or extra service pay, or compensatory time (for overtime exempt employees) for the additional work.

If a UUP academic’s workload is increased by adding new required duties, there must be changes in the other areas of the professional obligation. For example, if course load is increased, there must be a substantive decrease in another area. If class sizes increase substantially or if new administrative duties are required of an academic department, it’s possible for UUP to engage in “impact bargaining” with the campus administration to seek adjustments or additional compensation.

Workload creep is often experienced individually but is part of a collective problem. Working collectively, with the assistance of your UUP chapter, is key to addressing workload issues.