

# Education Support Professionals: Employment Status and Financial Exigency

By Vicki J. Rosser

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Educational support professionals (ESPs) are the most undervalued employees in higher education. Their long work hours and institutional memory contribute to the efficient and effective functioning of their units. But many ESP positions are under siege as major shortfalls challenge higher education budgets. The term “financial exigency” echoes among board members, administrators, faculty members, and ESPs. Senior employees say they have never witnessed such severe cuts. Relief, they add, is not coming soon.

ESPs feel the brunt of cuts and consolidations. Each day, they are asked to do much more with much less. They are continually pressured to perform at peak efficiency with little or no help. They are usually the first to be let go, whether by layoffs, furloughs, department consolidations and mergers, involuntary job reassignments, or early retirements.

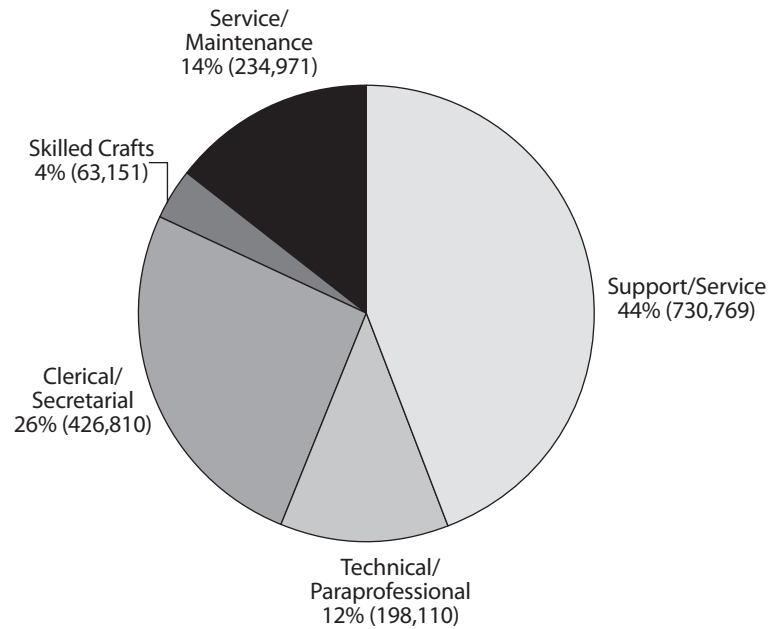
Previous *Almanac* articles examined contract language regarding ESP job security, layoffs, and furloughs.<sup>1</sup> Employers continue to use

layoff and furlough provisions, but the Great Recession has added “financial exigency” to the list of justifications for reducing the labor force and eliminating positions.

This article updates data on the ESP workforce composition, including the latest available statistics on gender, race, ethnicity, and position classification. It then examines ESP contract language addressing employee rights when colleges and universities invoke financial exigency.

## A STATUS UPDATE

The ESP workforce includes five categories: 1) clerical/secretarial, 2) service/maintenance, 3) support/service, 4) skilled crafts, and 5) technical/paraprofessional.<sup>2</sup> The latest available data from the National Center for Educational Statistics shows that 1,653,811 ESPs worked in U.S. postsecondary institutions in fall 2009 (Figure 1). The breakdown by category: support/service (730,769 or 44 percent), clerical/secretarial (426,810 or 26 percent), service/maintenance (234,971 or 14 percent), technical/

**Figure 1. Percent of Education Support Professionals by Occupation, Fall 2009**

Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2009.

paraprofessional (198,110 or 12 percent), and skilled crafts (63,151 or four percent).

In fall 2009 1,149,168 ESPs worked in public institutions (Figure 2). The percentage distribution by category is almost identical to the overall breakdown: support/service (505,500 or 44 percent), clerical/secretarial (287,050 or 25 percent), service/maintenance (158,778 or 14 percent), technical/paraprofessional (149,697 or 13 percent), and skilled crafts (48,143 or four percent).

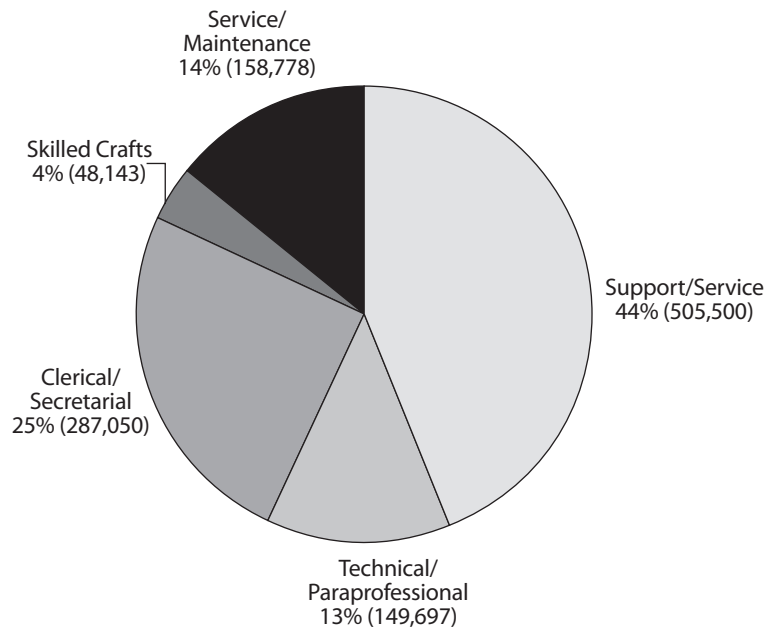
Fewer ESPs worked in private institutions (504,643, Figure 3), but the occupational categories follow the same rank order and percentage distribution: support/services (225,269 or 45 percent), clerical/secretarial (139,760 or 28 percent), service/maintenance (76,193 or 15 percent), technical/paraprofessional (48,413 or 10 percent), and skilled crafts (15,008 or three percent).

## EMPLOYMENT TRENDS

Figure 4 shows 16-year ESP employment trends by occupational category (1993–2009). Three categories showed hiring increases: support/service (71.8 percent), technical/paraprofessional (7.7 percent), and service/maintenance (2.5 percent). The skilled crafts and clerical/secretarial categories showed respective decreases of 1.4 and 2.6 percent. The continued downturn in these two categories since 2003 resulted from outsourcing in skilled craft areas, hiring part-time or temporary employees, state mandated cost reductions, and merging and consolidating departments.

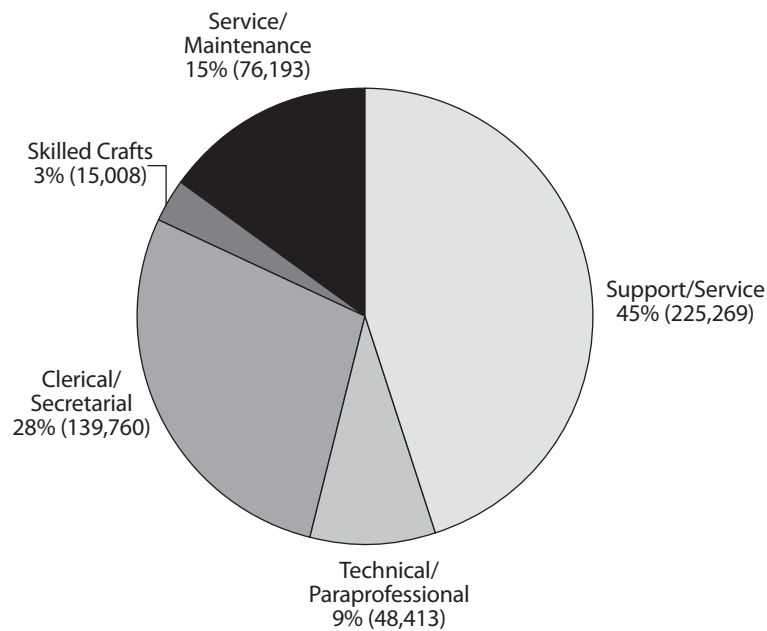
However, the 16-year trend only shows part of the story. Between 2008 and 2009, the “Great Recession” began to affect hiring in all classifications: clerical/secretarial (–6.1 percent or 27,655 positions lost), technical/paraprofessional (–3.4 percent or 6,965 positions), support/service

**Figure 2. Percentage Distribution of ESP Staff by Occupation, Public Institutions, Fall 2009**

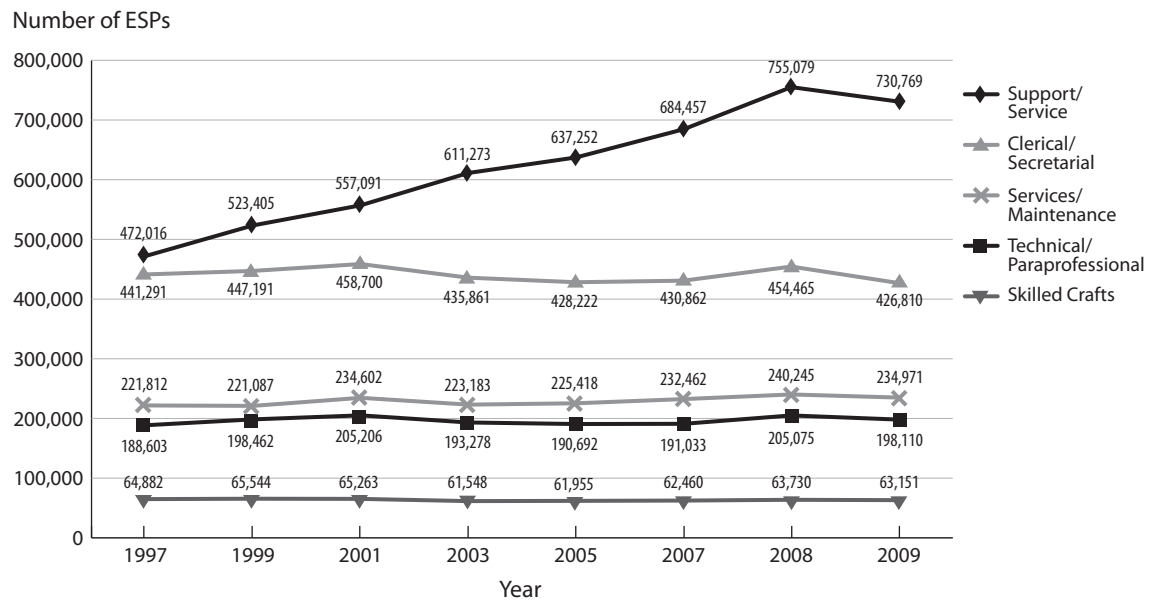


Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2009.

**Figure 3. Percentage Distribution of ESP Staff by Occupation, Private Institutions, Fall 2009**



Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2009.

**Figure 4. ESP Staff by Year, Fall 1993 through Fall 2009**

Sources: U.S. Department of Education, 2003, 2005a, 2005b, 2007, 2009; Johnsrud and Banaria, 2005.

(-3.2 percent or 24,310 positions), service/maintenance (-2.2 percent or 5,274 positions), and skilled crafts (-0.9 percent or 579 positions). In total 64,783 (-3.8 percent) positions were lost.<sup>3</sup>

The number of part-time ESPs increased by 4.0 percent (10,837 positions) between 2007 and 2008: support/service 2.8 percent, technical/paraprofessional 5.8 percent, clerical/secretarial 3.5 percent, skilled crafts 5.5 percent, and service/maintenance 6.3 percent. But hiring of part-time ESPs substantially decreased by 2.5 percent from 2008 to 2009. One classification showed a slight increase: support/service (0.4 percent). All other categories showed decreases: technical/paraprofessional (-1.4 percent), clerical/secretarial (-4.9 percent), skilled crafts (-6.1 percent), and service/maintenance (-4.4 percent) (Figure 5). The two-year gain in part-time hiring came to only 3,903 positions or 1.5 percent. The net loss in hiring for full- and part-time ESPs was 60,880 positions or -2.3 percent.

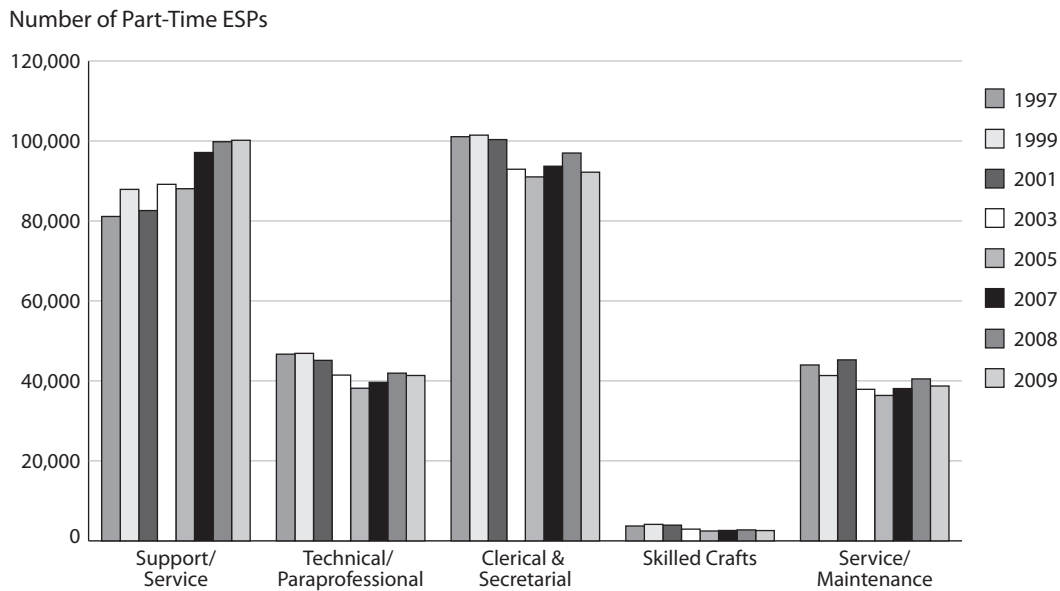
In 2009, males continued to outnumber females in two categories: service/maintenance (men, 62.9 percent; women, 37.1 percent) and skilled crafts (men, 93.4 percent; women, 6.6 percent). Women are employed in greater proportions in the other three categories: clerical/secretarial (women, 85.5 percent; men, 14.5 percent), technical/paraprofessional (women, 58.9 percent; men, 41.1 percent), and support service (women, 60.3 percent; men, 39.7 percent) (Figure 6).

Table 1 presents changes in ESP staffing by gender and employment category (gender and employment categories for 2008 were not available).

### NEW HIRES: THE BAD NEWS

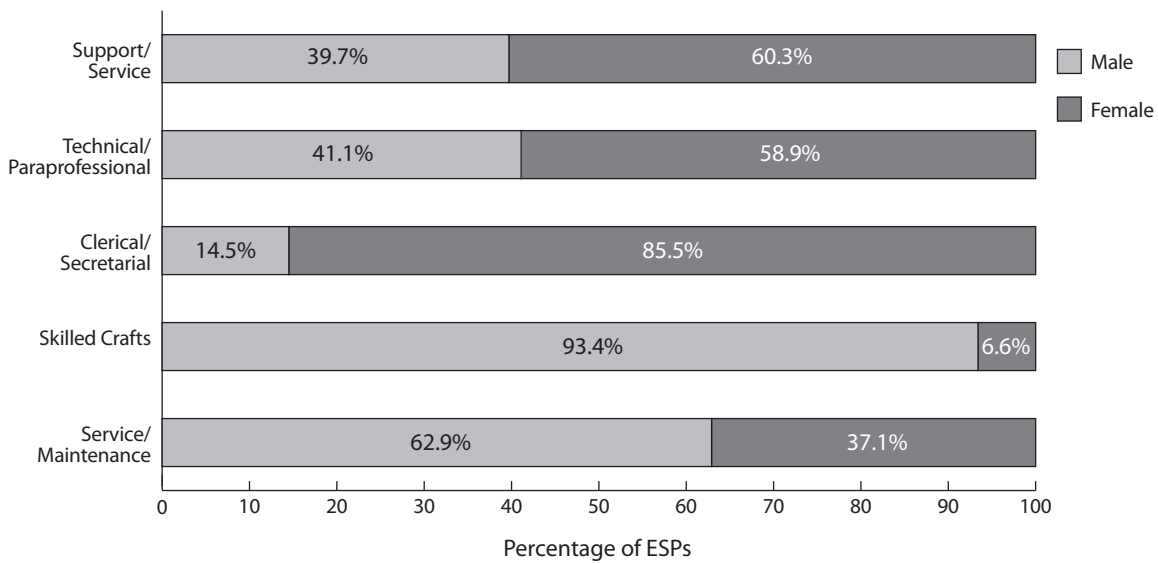
All ESP classifications showed decreases in new hires. The number of new hires between July 1 and October 31, 2007 was 83,098: 40,672 in support/services (48.9 percent), 20,082 in clerical/secretarial (24.2 percent), 10,767 in service/

**Figure 5. Change in Number of Part-Time ESPs, 1997 to 2009**



Sources: U.S. Department of Education, 2003, 2005a, 2005b, 2007, 2009; Johnsrud and Banaria, 2005.

**Figure 6. Percentage of ESP Staff by Gender and Occupation: Fall 2009**



Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2009 Early Release Data File.

**Table 1. Percent Change in ESP Staff by Gender and Occupation, 1993 to 2009**

Occupation	1993	1995	1997	1999	2001	2003	2005	2007	2008	2009	Change: 1993 to 2009	Change: 2008 to 2009
<b>Service/ Maintenance</b>	229,232	223,529	221,812	221,087	234,602	223,183	225,418	232,462	240,245	234,971	2.5%	-2.2%
Female	88,168	86,183	84,791	85,087	90,406	83,795	83,957	86,926	N/A	87,076	-1.2	N/A
Male	141,064	137,346	137,021	136,000	144,196	139,388	141,461	145,536	N/A	147,895	4.8	N/A
<b>Skilled Crafts</b>	64,065	64,583	64,882	65,544	65,263	61,548	61,955	62,460	63,730	63,151	-1.4	-0.9
Female	4,164	4,089	4,498	4,535	4,743	4,259	3,948	3,871	N/A	4,169	0.1	N/A
Male	59,901	60,494	60,384	61,009	60,520	57,289	58,007	58,589	N/A	58,982	-1.5	N/A
<b>Clerical/ Secretarial</b>	438,041	441,196	441,291	447,191	458,700	435,861	428,222	430,862	454,465	426,810	-2.6	-6.1
Female	387,143	386,490	382,137	385,742	396,577	376,560	368,192	369,002	N/A	364,803	-5.8	N/A
Male	50,898	54,706	59,154	61,449	62,123	59,301	60,030	61,860	N/A	62,007	21.8	N/A
<b>Technical/ Paraprofessional</b>	183,987	187,900	188,603	198,492	205,206	193,278	190,692	191,033	205,075	198,110	7.7	-3.4
Female	110,746	111,904	112,721	118,020	121,159	114,758	112,325	112,674	N/A	116,598	5.3	N/A
Male	73,241	75,996	75,882	80,472	84,047	78,520	78,367	78,359	N/A	81,512	11.3	N/A
<b>Support/ Service</b>	425,319	449,807	472,016	523,405	557,091	611,273	637,252	684,457	755,079	730,769	71.8	-3.2
Female	258,641	272,655	284,370	315,482	338,730	365,870	381,491	411,827	N/A	441,019	70.5	N/A
Male	166,678	177,152	187,646	207,923	218,361	245,403	255,761	272,630	N/A	289,750	73.8	N/A

Sources: U.S. Department of Education, 2003, 2005a, 2005b, 2007, 2009; Johnsrud and Banaria, 2005.

maintenance (13.0 percent), 9,884 in technical/paraprofessional (11.9 percent), and 1,693 in skilled crafts (2.0 percent).

In contrast, degree-granting institutions hired only 57,666 new ESPs for full-time permanent employment between July 1 and October 31, 2009 (Table 2). These hires included 31,086 ESPs in support/services (53.9 percent), 11,181 in clerical/secretarial (19.4 percent), 6,705 in service/maintenance (11.6 percent), 7,636 in technical/paraprofessional (13.3 percent), and 1,058 in skilled crafts (1.8 percent).

New full-time hires by degree-granting institutions thus decreased 31 percent (25,432) from 2007 to 2009. Clerical/secretarial positions showed the largest decrease (8,901 or 44.3 percent), followed by service/maintenance (4,062 or 37.7 percent), skilled crafts (635 or 37.5 percent), support services (9,586 or 23.5 percent), and technical/paraprofessionals (2,248 or 22.7 percent).

Table 2 also displays the new hires in 2009 by race/ethnicity and employment category. White ESPs are still the largest racial/ethnic group among the five occupational categories (36,462, range from 56.6 to 73.1 percent). Then follow Blacks (6,687, range from 8.7 to 21.8 percent), Hispanics (4,476, range from 5.4 to 11.9 percent), Asian and Pacific Islanders (3,589, range from 2.1 to 7.8 percent), Native Americans (406, range from 0.6 to 1.2 percent), two or more races, a new category (120, range from 0.2 to 0.3), non-resident aliens (2,556, range from 0.6 to 7.1 percent), and "unknowns" (3,370, range from 5.1 to 7.3 percent).

All racial and ethnic categories showed substantial decreases in the number of new full-time employees between 2007 and 2009. Black ESPs showed the largest decrease (-43.0 percent), followed by Hispanics (-33.9 percent), Asian and Pacific Islanders (-29.9 percent),

**Table 2. New Hires by Race/Ethnicity and Employment Category: Fall 2007 and Fall 2009**

	Non-Resident Alien	Black, Non-Hispanic	American Indian, Alaskan Native	Asian, Pacific Islander	Hispanic	White, Non-Hispanic	Unknown	Two or More Races <sup>1</sup>	Total
<b>Fall 2007</b>									
	<b>Number</b>								
Support/Service	2,355	4,313	227	3,163	2,209	26,430	1,975	—	40,672
Technical/Paraprofessionals	208	1,274	84	797	831	6,161	529	—	9,884
Clerical/Secretarial	121	3,113	149	842	2,069	12,888	900	—	20,082
Skilled Crafts	5	166	29	31	172	1,215	75	—	1,693
Service/Maintenance	97	2,805	103	296	1,493	5,576	397	—	10,767
<b>Totals</b>	<b>2,786</b>	<b>11,671</b>	<b>592</b>	<b>5,126</b>	<b>6,774</b>	<b>52,270</b>	<b>3,876</b>	<b>—</b>	<b>83,098</b>
	<b>Percentage</b>								
Support/Service	5.8%	10.6%	0.6%	7.8%	5.4%	65.0%	4.9%	—	100.0%
Technical/Paraprofessionals	2.1	12.9	0.8	8.1	8.4	62.3	5.4	—	100.0
Clerical/Secretarial	0.6	15.5	0.7	4.2	10.3	64.2	4.5	—	100.0
Skilled Crafts	0.3	9.8	1.7	1.8	10.2	71.8	4.4	—	100.0
Service/Maintenance	0.9	26.1	1.0	2.7	13.9	51.8	3.7	—	100.0
<b>Fall 2009</b>									
	<b>Number</b>								
Support/Service	2,198	2,952	175	2,432	1,689	19,753	1,835	52	31,086
Technical/Paraprofessionals	207	818	70	536	713	4,712	560	20	7,636
Clerical/Secretarial	72	1,363	80	448	1,187	7,428	569	34	11,181
Skilled Crafts	7	92	13	22	92	773	57	2	1,058
Service, Maintenance	72	1,462	68	151	795	3,796	349	12	6,705
<b>Totals</b>	<b>2,556</b>	<b>6,687</b>	<b>406</b>	<b>3,589</b>	<b>4,476</b>	<b>36,462</b>	<b>3,370</b>	<b>120</b>	<b>57,666</b>
	<b>Percentage</b>								
Support/Service	7.1%	9.5%	0.6%	7.8%	5.4%	63.5%	5.9%	0.2%	100.0%
Technical/Paraprofessionals	2.7	10.7	0.9	7.0	9.3	61.7	7.3	0.3	100.0
Clerical/Secretarial	0.6	12.2	0.7	4.0	10.6	66.4	5.1	0.3	100.0
Skilled Crafts	0.7	8.7	1.2	2.1	8.7	73.1	5.4	0.2	100.0
Service/Maintenance	1.1	21.8	1.0	2.3	11.9	56.6	5.2	0.2	100.0

Source: U.S. Department of Education, 2007, 2009.

<sup>1</sup> Category added to race/ethnicity options beginning in Fall 2008

Native Americans (–31.0 percent), Whites (–30.2 percent), and non-resident aliens (–8.0 percent).

The substantial reductions in new full-time hires may affect long-term position maintenance. Position vacancies increase two-fold when colleges freeze open or vacant positions and fail to replace positions vacated when long service ESPs accept early retirement incentives.

### **FINANCIAL EXIGENCY**

The Great Recession prompted many colleges to consider invoking “financial exigency” to terminate employees. Most higher education institutions eventually experience financial hardships such as shrinking enrollments, prolonged economic recession, persistent inflation, and diminishing tax revenues, legislative appropriations, and donations.<sup>4</sup> At the least, such difficulties can lead to resource reallocation; at worst they can threaten the institution’s existence. In more serious cases, colleges may declare financial exigency, terminate faculty and staff appointments, and reduce or eliminate academic programs and departments.<sup>5</sup>

Financial exigency is usually defined as “an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means” than termination of appointments.<sup>6</sup> Most definitions refer primarily to the faculty, because of their tenure status, but the declaration affects and applies to all employees. Institutional or system by-laws and collective bargaining agreements must specify the process for implementing exigency or retrenchment procedures. Whatever the reasons for declaration, separating individuals from institutions is painful and should be avoided.<sup>7</sup>

### **FINANCIAL EXIGENCY CONTRACT PROVISIONS**

NEA’s Higher Education Contract Analysis System (HECAS) includes collective bargaining contracts covering full- and part-time ESPs in two- and four-year public and private

institutions in all unions—including NEA, AFT, AFSCME, SEIU, and independents.<sup>8</sup> A search for the term “financial exigency” generated 39 contracts: 20 from two-year colleges and 19 from four-year institutions—mostly from public institutions.

ESP contracts use and apply the term “financial exigency” less often than other terms affecting job security, including job reassignments (328 contracts), termination (644 contracts), reduction in force or staff reductions (172 contracts), bumping rights (160 contracts), and layoffs (433 contracts). Only the term “furlough” is used less frequently (17 contracts). The following examples come from both four-year and two-year institutions.

Many contracts list “financial exigency” as a reason for employee retrenchment. But the definition of financial exigency varies among contracts, and employees may be laid off or dismissed for other reasons. The “Budget-Exigency” provision of the Lane Community College (Oregon) contract states:

The College may declare a budget exigency during the term of the agreement in a fiscal year where the following budget circumstances are documented: when a reduction from one fiscal year to the next of 5% or more in the level of State fund support plus local tax revenue for the College General fund; and a health insurance rate renewal (medical, dental, and vision) increase in excess of 20% (Article 4).

As for process, the “actual declaration of a budget exigency shall also require a majority vote of the College Board of Education, and the College shall provide the Federation with a minimum of fourteen (14) days written notice following the Board’s declaration; the College and the Federation shall then negotiate for 90 days.”

The Southeastern Community College (Iowa) contract also limits the conditions under which the college may make a financial exigency declaration leading to employee



layoffs: “Employees may only be laid off during the term of their employment contract when a financial exigency exists because budgeted revenues are not met by circumstances outside the Board’s control.” Many contracts with financial exigency provisions require notice: “Employees to be laid off during the term of this agreement shall be provided a thirty day notice which shall include the financial exigency reason, and a copy of the notice shall be delivered to the Association President.” Presumably, this notice allows the union time to file grievances.

The Flathead Valley Community College (Montana) contract gives the institution broader discretion in determining layoffs: “The Employer may lay off Employees because of reduction of force due to lack of funds, work, or for other compelling reasons.” The contract does not specify a minimum notice period, “In cases where the College can show financial exigency, the College will provide as much notice as possible. Any unscheduled layoff shall have prior approval of the Human Resources Director or her/his designee and the President or his/her designee.”

The Jackson Community College (Michigan) contract defines layoff as “a reduction in the work force beyond normal attrition due to financial exigency, a change in job methods, technology, or organization of the College.”

The Lake Superior State University (Michigan) contract also specifies seniority as determining factor governing the order of layoff in the event of a financial exigency (Section 16):

When employees are to be indefinitely laid off, due to lack of work or financial exigencies, the following procedure will apply: employees with the least district seniority in their district shall be removed first, provided that those remaining at work have the ability to do the work which is available, and provided that during such layoff, temporary, part-time and probationary employees in the district shall be removed prior to any involuntary layoff of regular employees.

Some contracts permit a board to reopen bargaining by declaring financial exigency. The Cuyahoga Community College (Ohio) contract states, “The College shall have the right to reopen the contract on all economic subject matters based on the Board of Trustees’ good faith determination of the existence of a ‘crisis’ financial exigency.” “Good faith” is subject to review: “Such good faith determination of crisis financial exigency will be subject to an expedited review through the grievance arbitration procedure” (Article 21).

The contract defines “crisis financial exigency” as “that current and projected revenues are so limited that the College can no longer continue to fulfill current and future financial obligations under the contract without disrupting the administration and program integrity of the College.” The agreement also suspends a “no strike, no lockout” clause during the crisis financial exigency.

The Southern Illinois University-Carbondale ESP contract also lists financial exigency as a reason for a reduction in force: The “reduction in force shall mean the reduction or elimination of a bargaining unit member’s position for reason of financial exigency, program reduction, program discontinuance, reorganization, or loss or reduction of funding.” One key provision: the “displacement or relocation of a bargaining unit position to another employing unit without substantial change in duties shall not be considered a reduction in force and the incumbent shall be permitted to move with the position.” Further, an “involuntary displacement of a member’s position to another employing unit or the involuntary transfer of a member to another position shall not work to place such member at greater risk in the event of a reduction in force for a period of one (1) calendar year following such involuntary displacement or transfer.”

The contract for the Montana University System invokes management’s right to maintain operational efficiency, but limits its ability to contract out ESP work:

The employer shall make every reasonable effort to retain the employees covered by this agreement and will not make arrangements to contract with any outside firm for any of the services ordinarily rendered by said employees which would jeopardize their continued employment without disclosure to the bargaining agent sufficiently in advance to accommodate discussion between the parties of the contemplated action.

The employer must justify entering into an external contract; financial exigency may provide a justification:

The employer shall not enter into any such contract for services unless it can be proven that said contract would result in increased efficiency of operations by way of obtaining the same services at less cost or additional services for the same cost, or unless it can be proven that such action is necessitated by financial exigency.

## CONCLUSION

The clerical/secretarial ESP classification showed a substantial reduction in workforce size. These highly skilled professionals bear the brunt of staff cutbacks, mergers, and consolidations. Drastic reductions in hiring new support professionals accompanied these cutbacks. The inability to fill existing and new vacancies will demoralize the remaining loyal, hard-working professionals who are asked to do much more with much less.

The contract language addressing financial exigency is limited. But many other provisions, such as layoffs, furloughs, job reassignments, and staff reductions, may affect ESP job security. Strong contract language complements a “good faith” relationship between staff representation and senior management. The goal: to support the quality of ESP worklives and to enhance the quality of services provided to students and to the academic community by these loyal professionals.

## NOTES

- <sup>1</sup> Rosser, 2009, 2010.
- <sup>2</sup> U.S. Department of Education, 2010.
- <sup>3</sup> U.S. Department of Education, 2008.
- <sup>4</sup> Fellman, 1984.
- <sup>5</sup> American Association of University Professors, 2004.
- <sup>6</sup> Fellman, 1984.
- <sup>7</sup> Meisinger, 1994.
- <sup>8</sup> National Education Association, 2010.

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