

# ESPs: Job Protection Issues

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The countless financial challenges currently facing our colleges and universities place the job security of Education Support Professionals (ESPs) at high risk. ESPs face furloughs, hiring and wage freezes, increased workloads, and reductions in labor force with little or no position replacement. Substantial increases in the price of goods and services, health care costs, and even parking fees increase ESP's economic insecurity. Nearly one in two workers (44 percent) are "very concerned" about their job security, notes a recent report.<sup>1</sup> Nearly two-thirds of respondents (63 percent) think it is difficult to find a good job and 40 percent are concerned about the unemployment rate. Women, African Americans, and low-income and unmarried workers, the report adds, are more likely to be concerned about the unemployment rate and job security. So are workers who have been laid off in the past.

Job security, concludes another recent survey, is harder to maintain in this world of at-will employment, outsourcing, and economic

upheaval. Only seven job categories, the report adds, offer relative stability: registered nursing, air traffic controller, lobbyist, public-school teacher, government accountant, college professor, and federal judge.<sup>2</sup> None of these positions fall within ESP classifications.

This article updates the workforce composition of higher education ESPs, including statistics on gender, race, and ethnicity. It then examines job protection provisions in ESP contracts, including security, layoffs, and furloughs.

## **A STATUS UPDATE**

The ESP workforce includes five categories.<sup>3</sup> Support/service employees are responsible for academic and institutional support and for student services. Technical/paraprofessional employees possess specialized knowledge or skills acquired through experience, apprenticeship, on-the-job training, or academic work in occupationally specific programs that result in a two-year degree or other certificate or diploma.

Clerical/secretarial professionals perform office-based activities. The service/maintenance category includes workers who maintain, fix, and update mechanical and technical devices. Skilled crafts workers have a trade, craft, or occupation requiring special proficiency.

What is the status of the ESP workforce? What are the dominant demographic trends? A government survey provides the latest employment status statistics, though the data lag two years behind the current year. The number of ESPs working in U.S. postsecondary institutions in fall 2007 totaled 1,601,274 (Figure 1). By group, the ESP distribution included: support/service (684,457 or 42 percent), clerical/secretarial (430,862 or 27 percent), service/maintenance (232,462 or 15 percent), technical/paraprofessional (191,033 or 12 percent), and skilled crafts (62,460 or four percent).

Figure 2 shows the occupational distribution of the 1,116,377 ESPs working in public institutions in fall 2007. The employee breakdown by group: support/service (476,835 or 43 percent),

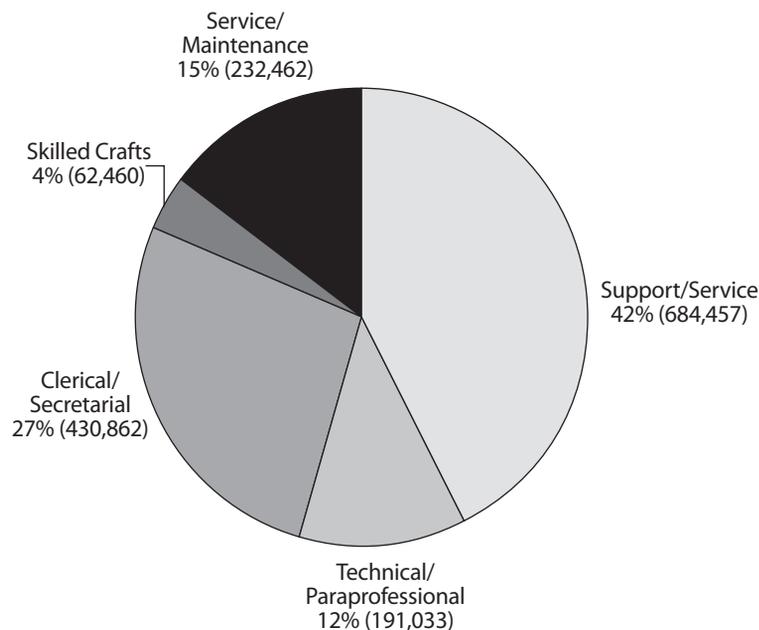
clerical/secretarial (290,940 or 26 percent), service/maintenance (157,291 or 14 percent), technical/paraprofessional (144,010 or 13 percent), and skilled crafts (47,301 or four percent).

Fewer ESPs worked in private institutions (484,897, Figure 3). But occupational categories for private institutions showed the same rank order as the public sector: support/service (207,622 or 42 percent), clerical/secretarial (139,922 or 29 percent), service/maintenance (75,171 or 16 percent), technical/paraprofessional (47,023 or 10 percent), and skilled crafts (15,159 or three percent).

### ESP EMPLOYMENT TRENDS

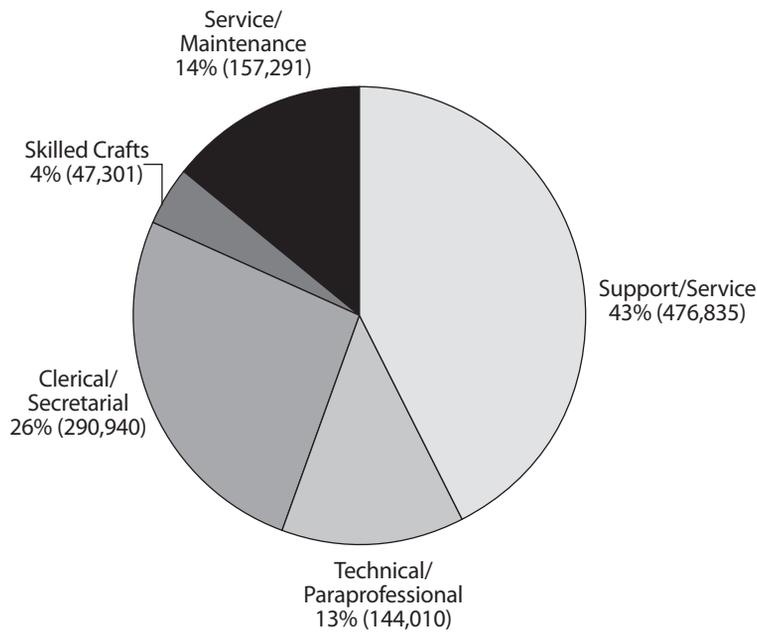
Figure 4 shows the 14-year ESP employment trend by occupational category. Three categories showed significant hiring increases since 1993: support/service (60.9 percent), technical/paraprofessional (3.8 percent), and service/maintenance (1.4 percent). The skilled crafts and clerical/secretarial categories showed decreases (2.5 percent and 1.6 percent, respectively). The

**Figure 1. Percentage Distribution of ESPs by Occupation, All Institutions, Fall 2007**



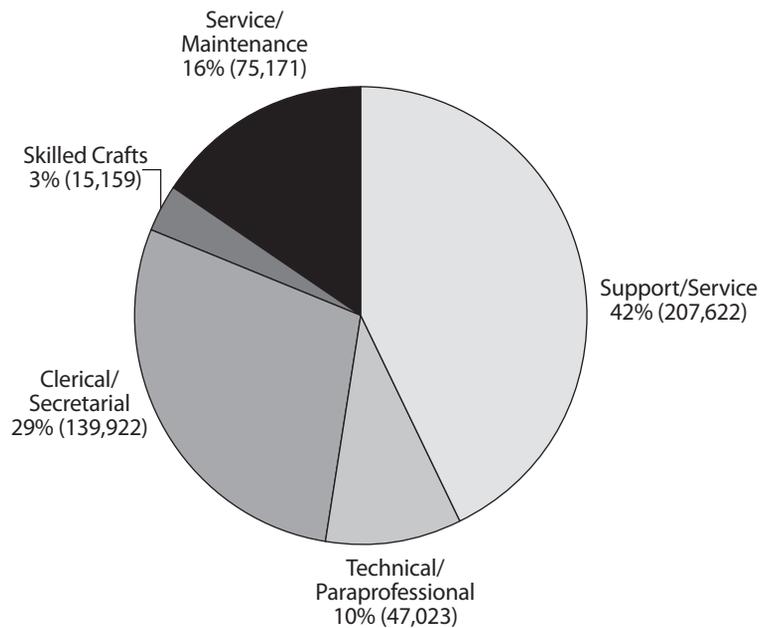
Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007.

**Figure 2. Percentage Distribution of ESPs by Occupation, Public Institutions, Fall 2007**

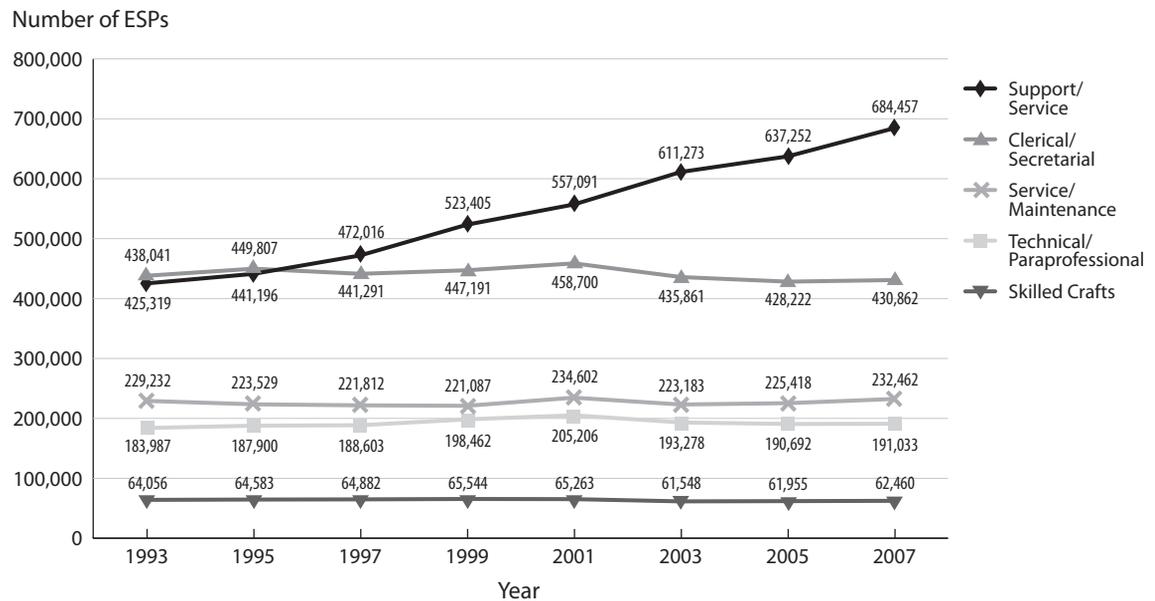


Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007.

**Figure 3. Percentage Distribution of ESPs by Occupation, Private Institutions, Fall 2007**



Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007.

**Figure 4. Number of ESPs by Year, Fall 1993 to Fall 2007**

Sources: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007 Data File; U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2005 Data File; U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2003, and *Salaries of Full-Time Instructional Faculty, 2003-04*, E.D. Tab, May 2005; Johnsrud, L. and J. Banaria, "Higher Education Support Professionals: Trends in Demographics and Worklife Perceptions." *The NEA 2005 Almanac of Higher Education*. National Education Association, 2005, 85-102.

downturn in these two categories may reflect increased outsourcing in highly skilled areas, state cost containment measures, and the shift to hiring part-time instead of full-time employees.

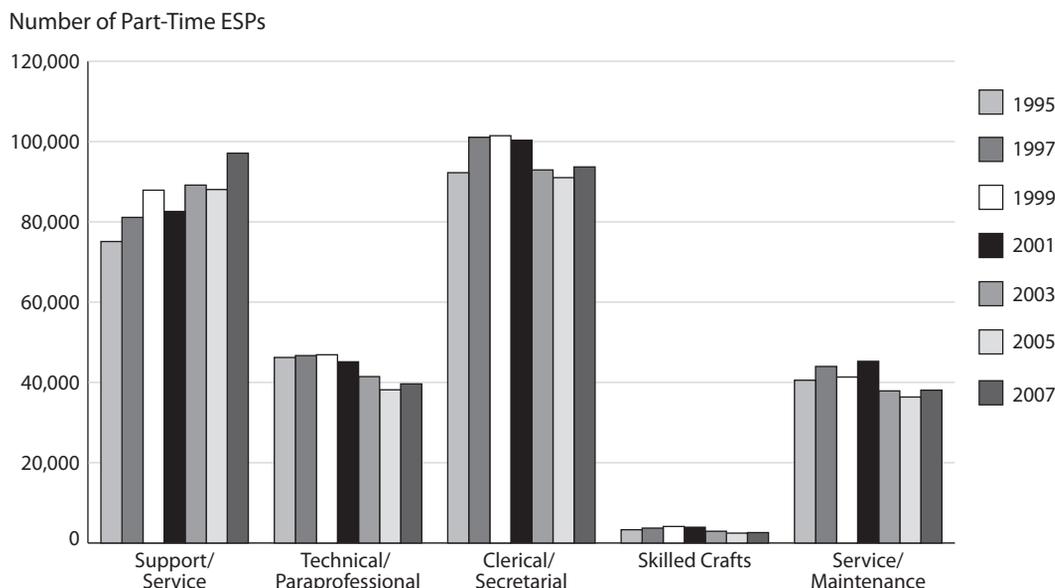
Part-time employee hiring had decreased in three consecutive ESP surveys (2001, 2003, 2005). But the number of part-time ESPs increased by 5.9 percent between 2005 and 2007, support/service by 10.3 percent, technical/paraprofessional by 3.9 percent, clerical/secretarial by 2.9 percent, skilled crafts by 5.4 percent, and service/maintenance by 4.7 percent (Figure 5). These percentage increases exceed the growth in full-time ESP employment (Table 1): support/service by 7.4 percent, technical/paraprofessional by 0.2 percent, clerical/secretarial by 0.6 percent, skilled crafts by 0.8 percent, and service/maintenance by 3.1 percent. The current employment situation dictates cautious use of these percentages.

The ESP occupational breakdown remains largely gender specific (Figure 6). Males outnumber females in: service/maintenance (men, 62.6 percent; women, 37.4 percent) and skilled crafts (men, 93.8 percent; women, 6.2 percent). Women are employed in greater proportions in: clerical/secretarial (women, 85.6 percent; men, 14.4 percent), technical/paraprofessional (women, 59.0 percent; men, 40.1 percent), and support/service (women, 60.2 percent; men, 39.8 percent). Table 1 presents changes in ESP staffing by gender and employment category.

### NEW ESP HIRES

Degree-granting institutions hired 83,098 new ESPs for full-time permanent employment between July 1 and October 31, 2007 (Table 2). These hires included 40,672 ESPs in support/service (48.9 percent), 20,082 in clerical/secretarial (24.2 percent), 10,767 in service/

**Figure 5. Change in Number of Part-Time ESPs, 1995 to 2007**



Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007 Data File; U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2003, and *Salaries of Full-Time Instructional Faculty, 2003-04*, E.D. Tab, May 2005; L. Johnsrud and J. Banaria, "Higher Education Support Professionals: Trends in Demographics and Worklife Perceptions." *The NEA 2005 Almanac of Higher Education*. National Education Association, 2005, 85-102.

maintenance (13.0 percent), 9,884 in technical/paraprofessional (11.9 percent), and 1,693 in skilled crafts (2.0 percent). The number of new hires for the same three-month period in 2005 was 79,708: 37,956 in support/service (47.6 percent), 19,299 in clerical/secretarial (24.2 percent), 10,410 in service/maintenance (13.5 percent), 10,212 in technical/paraprofessional (12.7 percent), and 1,831 in skilled crafts (2.0 percent). Only the technical/paraprofessional and skilled crafts categories showed decreases in new hires.

Table 2 also displays the new hires in 2007 by race/ethnicity and employment category. The total number of new hires increased between 2005 and 2007. White ESPs continue to be the largest racial/ethnic group (52,270, range of 51.8 to 71.8 percent) within all five occupational categories. Then follow Blacks (11,671, range of 9.8 to 26.1 percent), Hispanics (6,774; range of 5.4 to 13.9 percent), Asian Pacific Islanders (5,126,

range of 1.8 to 8.1 percent), Native Americans (592, range of 0.6 to 1.7 percent), and non-resident aliens (2,786, range of 0.3 to 5.8 percent). The 3,876 "unknowns" (range of 3.7 to 5.4 percent) did not indicate their race or ethnicity. Only two groups showed decreases: Native Americans (from 685 to 592) and non-resident aliens (from 2,849 to 2,786).

ESP positions, have outpaced the growth in student enrollments and in faculty membership, argue critics.<sup>4</sup> College officials, these critics state, added support and managerial personnel to cope with growing federal and state regulations, increasing student expectations for services, and burgeoning new technologies. But fiscal austerity may have already resulted in decreased faculty and ESP employment. Three years of trend data suggests relatively flat employment in skilled crafts, and incremental declines in the clerical/secretarial, technical/paraprofessional, and service/maintenance categories.

**Table 1. Percent Change in Number of ESPs by Gender and Occupation, 1993 to 2007**

Occupation	1993	1995	1997	1999	2001	2003	2005	2007	Change: 1993– 2007	Change: 2005– 2007
<b>Service/Maintenance</b>	229,232	223,529	221,812	221,087	234,602	223,183	225,418	232,462	1.4%	3.1%
Female	88,168	86,183	84,791	85,087	90,406	83,795	83,957	86,926	-1.4	3.5
Male	141,064	137,346	137,021	136,000	144,196	139,388	141,461	145,536	3.2	2.9
<b>Skilled Crafts</b>	64,065	64,583	64,882	65,544	65,263	61,548	61,955	62,460	-2.5	0.8
Female	4,164	4,089	4,498	4,535	4,743	4,259	3,948	3,871	-7.0	-2.0
Male	59,901	60,494	60,384	61,009	60,520	57,289	58,007	58,589	-2.2	1.0
<b>Clerical/Secretarial</b>	438,041	441,196	441,291	447,191	458,700	435,861	428,222	430,862	-1.6	0.6
Female	387,143	386,490	382,137	385,742	396,577	376,560	368,192	369,002	-4.7	0.2
Male	50,898	54,706	59,154	61,449	62,123	59,301	60,030	61,860	21.5	3.0
<b>Technical/ Paraprofessional</b>	183,987	187,900	188,603	198,492	205,206	193,278	190,692	191,033	3.8	0.2
Female	110,746	111,904	112,721	118,020	121,159	114,758	112,325	112,674	1.7	0.3
Male	73,241	75,996	75,882	80,472	84,047	78,520	78,367	78,359	7.0	0.0
<b>Support/Service</b>	425,319	449,807	472,016	523,405	557,091	611,273	637,252	684,457	60.9	7.4
Female	258,641	272,655	284,370	315,482	338,730	365,870	381,491	411,827	59.2	8.0
Male	166,678	177,152	187,646	207,923	218,361	245,403	255,761	272,630	63.6	6.6

Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007; U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2005 Early Release Data File; U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2003, and *Salaries of Full-Time Instructional Faculty, 2003–04*, E.D. Tab, May 2005; Johnsrud, L and J. Banaria, "Higher Education Support Professionals: Trends in Demographics and Worklife Perceptions," *The NEA 2005 Almanac of Higher Education*. National Education Association, 2005, 85-102.

The loss of ESP jobs due to retirement has serious implications, particularly for maintenance workers. These workers "make the lights come on, the toilets flush, and the air conditioning work."<sup>5</sup> The current recession has resulted in the loss of men and women with valued institutional knowledge.

### **JOB PROTECTION CONTRACT RIGHTS**

What job protection rights are available to ESPs? NEA's Higher Education Contract Analysis System (HECAS) identified relevant collective bargaining agreements.<sup>6</sup> The contracts covered full- and part-time ESPs in two- and four-year public and private institutions in all unions—including AFSCME, AFT, NEA, SEIU, and independents.

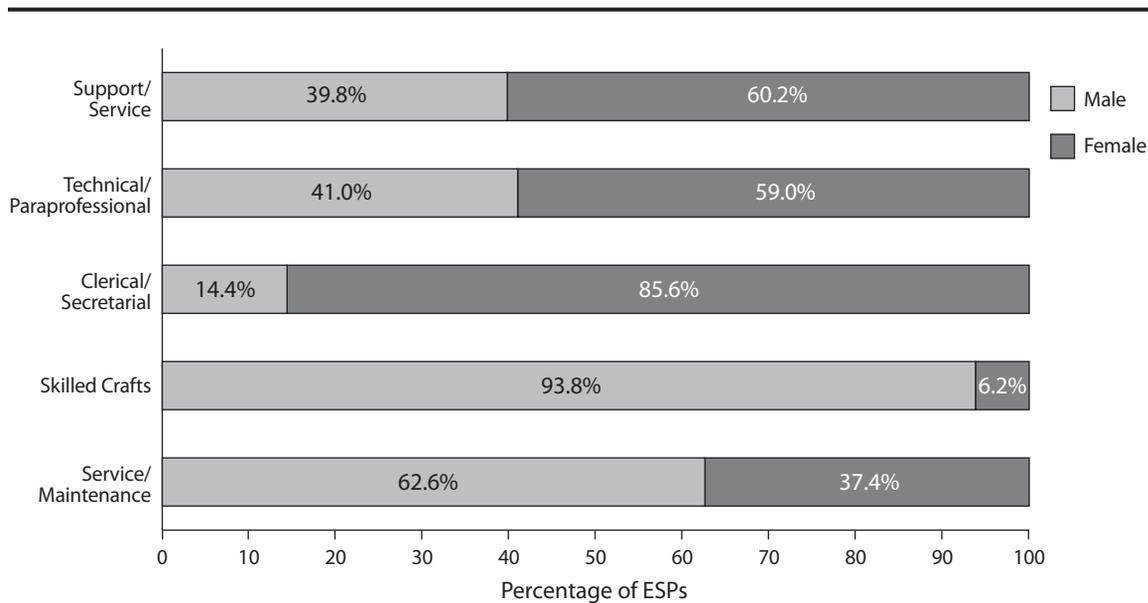
Three terms related to job protection emerged from the search: job security, employee layoffs,

and job furloughs. The number of contracts containing each search term varied considerably. "Job security" generated 58 contracts, 28 from two-year institutions and 30 from four-year institutions. "Layoffs" appeared in 433 contracts, including 283 from community colleges and 150 from four-year institutions. "Furloughs" appeared in 17 contracts—13 from community colleges and four from four-year colleges. All but eight contracts covered public institutions. Let's examine ESP contract language covering each term.

### **Staff Job Security**

Many job security provisions address discipline, discharge, and just cause. The Jefferson Community College, Ohio contract states, "No employee shall be disciplined, demoted, suspended or discharged without 'just cause' and

**Figure 6. Percentage of ESPs by Gender and Occupation: Fall 2007**



Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007.

compliance with applicable provisions of the agreement.” These provisions entail structures and processes such as formal progressive discipline, due process, notice of allegations, conferences, notification of disposition and suspension or discharge, privacy of proceedings, and professionalism of management.

Most contracts do not prohibit sub-contracting, contracting outside work, or outsourcing. The Wright State University contract includes language on outsourcing typical of contracts with job security clauses. The university, the contract states, “will make a reasonable effort to avoid contracting out work that adversely affects employee job security and that...will utilize training programs, whenever practicable, to maintain employment opportunities for its employees consistent with the needs of the University.”

The Southern Illinois University contract includes “meet and discuss” language when the university contemplates outsourcing:

Upon formal consideration to contract services performed by bargaining unit employees and which would affect the job security

or classification status of such employees, it shall; (a) provide reasonable advance notice, in writing, to the Association; and (b) meet with the Association prior to entering into outside contractual agreements to discuss and explain the intended actions and bargain over the decision and impact.

The University of Rhode Island contract calls for an “acceptable plan” that protects adversely affected employees:

The state agrees that upon considering sub-contracting of any work presently performed by an employee which would have an adverse effect upon job security, wage rate, or classification status of any employee in the bargaining unit, it shall: 1) Notify the union’s Executive Director in writing of its intention six (6) months in advance of the sub-contracting and; 2) to meet with the Union prior to receiving bids or letting contracts for the purpose of discussing the problem during which discussions the union will be granted reasonable requested

**Table 2. New ESP Hires by Race/Ethnicity and Employment Category: Fall 2005 and Fall 2007**

	Non-resident alien	Black, non-Hispanic	American Indian, Alaskan Native	Asian, Pacific Islander	Hispanic	White, non-Hispanic	Unknown	Total
<b>Fall 2005</b>								
	<b>Number</b>							
Clerical/secretarial	141	2,849	151	949	1,887	12,616	706	19,299
Service/maintenance	144	2,412	141	335	1,136	5,855	387	10,410
Support/service	2,299	3,710	274	2,760	1,982	25,459	1,472	37,956
Skilled crafts	8	199	18	51	150	1,343	62	1,831
Technical/paraprofessional	257	1,203	101	801	804	6,480	566	10,212
<b>Total</b>	<b>2,849</b>	<b>10,373</b>	<b>685</b>	<b>4,896</b>	<b>5,959</b>	<b>51,753</b>	<b>3,193</b>	<b>79,708</b>
	<b>Percentage</b>							
Clerical/secretarial	0.7%	14.8%	0.8%	4.9%	9.8%	65.4%	3.7%	100.0%
Service/maintenance	1.4	23.2	1.4	3.2	10.9	56.2	3.7	100.0
Skilled crafts	0.4	10.9	1.0	2.8	8.2	73.3	3.4	100.0
Support/service	6.1	9.8	0.7	7.3	5.2	67.1	3.9	100.0
Technical/paraprofessional	2.5	11.8	1.0	7.8	7.9	63.5	5.5	100.0
<b>Fall 2007</b>								
	<b>Number</b>							
Clerical/secretarial	121	3,113	149	842	2,069	12,888	900	20,082
Service/maintenance	97	2,805	103	296	1,493	5,576	397	10,767
Skilled crafts	5	166	29	31	172	1,215	75	1,693
Support/service	2,355	4,313	227	3,163	2,209	26,430	1,975	40,672
Technical/paraprofessional	208	1,274	84	797	831	6,161	529	9,884
<b>Total</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>83,098</b>
	<b>Percentage</b>							
Clerical/secretarial	0.6%	15.5%	0.7%	4.2%	10.3%	64.2%	4.5%	100.0%
Service/maintenance	0.9	26.1	1.0	2.7	13.9	51.8	3.7	100.0
Skilled crafts	0.3	9.8	1.7	1.8	10.2	71.8	4.4	100.0
Support/service	5.8	10.6	0.6	7.8	5.4	65.0	4.9	100.0
Technical/paraprofessional	2.1	12.9	0.8	8.1	8.4	62.3	5.4	100.0

Source: U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2005 Early Release Datafile; U.S. Department of Education, *Staff in Postsecondary Institutions*, Fall 2007 Datafile.

opportunities to meet with the Director of Administration or other appropriate state officials to discuss a desirability of sub-contracting and to develop and establish a mutually acceptable plan for protecting adversely affected employees.”

Job security also covers reductions in force. The Genesee Community College (New York) contract includes a six-point process for protecting ESP job security. The preamble begins, “Where, because of economy, consolidation, or abolition of functions, curtailment of activities, or otherwise, the Employer finds it necessary to abolish positions, such abolition shall be made in accordance with the provisions hereinafter set forth.” Key provisions include informing the union prior to notifying affected employees, providing a 30 day notice prior to termination, and the right to transfer to another position with the employee’s title. The Essex County College, New Jersey contract calls for a 60-day notice, “If a reduction in force is necessary due to budgetary constraints, the Association and the member shall be given reasonable notice of at least sixty (60) days.”

Several contracts protect the job security rights of ESPs who use employee assistance programs. The Montana University System contract stipulates, “Employees who seek assistance will not have their job security or promotional opportunity jeopardized by the request for assistance.” But, the contract adds, “If the employee’s work performance has not improved, and/or the employee fails to seek assistance, the employer may take progressive disciplinary action up to and including discharge.”

The Grand Valley State University contract states, “Involvement in the FSAP will not jeopardize job security and/or promotional opportunities. All problems and records handled through this program will be treated in a strictly confidential manner.”

Technological unemployment is a growing job security issue for ESPs. The Los Angeles Community College District contract states:

No employee shall be laid off or demoted as a consequence of the introduction of computer/microelectronic technology (hardware or software); employees shall be required to participate in training on such technology as directed by the District to obtain or maintain an acceptable level of proficiency in the new technology. To the extent possible, affected employees shall be involved in the selection and implementation of technological changes.

### **Staff Layoffs**

Employee rights also include layoff protections. Some contracts delineate specific due process rights; others protect seniority, position elimination, and job bumping. Some contracts accord job security rights by seniority, defined as “an employee’s total length of service with the college, beginning with his/her initial date of employment” (Essex County College; Flathead Valley Community College, Montana).

The Moraine Park Technical College, Wisconsin contract defines seniority as “the length of time in hours based on continuous uninterrupted employment of the individual in the District beginning at the last date of hire or transfer to a support staff position, but excluding any temporary periods of employment.” “Seniority,” the contract adds, “shall apply for position eliminations/bumping/layoff and recall with equal qualifications for job posting as set forth, and employees on paid leave shall continue to accrue seniority hours and shall not be considered as being interrupted.”

At Bellevue College (formerly Bellevue Community College), Washington “lack of funds or of work, or good faith reorganization for efficiency purposes may result in the layoff of regular classified employees.”

When it is known that layoffs will occur, the Vice President of Human Resources will provide twenty (20) calendar days’ written notification to each employee subject to layoff. Such notification will include the

following, in addition to personal explanation by the Vice President of Human Resources or her/his designee: a) a copy of Bellevue Community College's layoff procedure; b) available options in lieu of layoff, and the specific salary implications of each option; c) specific layoff lists upon which each employee may be placed, duration of such lists, and returning employee provisions; d) information regarding state-wide layoff lists; and e) right to appeal layoffs. The laid off employee shall receive twenty-five (25) days written notification of the layoff and any employment options, including any bumping option by classification and department. The employee shall also be informed of rights to apply for unemployment compensation at the time of written notification. At the employee's request, a representative of the CEABCC may be present at any meeting in which pending layoff is discussed.

Contracts at four-year institutions offer similar layoff protection rights. The contract for Oregon State University graduate employees defines a layoff as "a separation from University employment during the period of an employee's appointment due to a reduction in force or a reduction in a department and shall not reflect discredit on the employee." The contract bases the order of layoffs on "reasonable criteria:"

Layoffs shall be implemented by providing employees with as much written notice of separation as possible, but no less than fifteen (15) days before the effective date, stating the reasons for layoff.

If the layoff occurs after the first day of compensable employment in any employment period, an affected employee shall continue to be exempt from payment of tuition for the remainder of his/her appointment, not to exceed the end of the current academic year.

The Youngstown State University, Ohio contract states:

All layoff and recall procedures utilized by the university will be in accordance with the Ohio Code and with the Rules and Regulations of the Department of Administrative Services, except as provided in this article and as stated:

a) Notification of Layoff or Displacement. Each bargaining unit member to be laid off or displaced shall be given [60 days] advance written notice by the University.

b) Retention Points. Retention points for performance evaluations shall not be assigned in the layoff procedure. In the event that the University determines that actions will be taken which will result in a layoff/displacement of classified staff in the bargaining unit, the parties agree to meet to discuss the process and procedures which will be utilized, prior to their implementation. Any intermittent employee, who accumulates five hundred sixty (560) hours or more in active pay status during any fiscal year with the University, shall be considered to be a member of the bargaining unit. Any bargaining unit member who is displaced through layoff to an intermittent position will maintain bargaining unit status.

### **Staff Furloughs**

What are the job protection rights of furloughed staff members? Many contracts provide terms for seniority layoffs, reduction in force, health premium coverage, and leave accruals. The contract for the San Diego Community College District, notes, "Seniority shall be broken when an employee is laid off (furloughed) for a period longer than thirty-nine (39) consecutive months. The district may make reasonable efforts to utilize furloughed employees for substitute work if these workers indicate an interest in such work."

The Los Angeles Community College District defines furlough “as a temporary layoff for a specified period with a definite return date. A layoff is a separation from regular service for lack of work or lack of funds, or because of a reduction in force.” Furloughed and laid-off employees remain eligible to receive benefits under the university’s health care program. Furloughed workers receive the district’s contribution towards the premium costs of the plans during their furlough. Laid-off employees are entitled to the district’s contribution towards the premium costs of their plans for a specified number of months, depending on length of service.

Butler County Community College, Pennsylvania, provides for “concurrent consideration for employees on layoff and present bargaining unit members for vacant positions:”

When the college considers a present bargaining unit member and a furloughed member to be qualified, the position goes to the member with more seniority. The furloughed employee will ultimately be assigned to a resultant vacancy in the event that the furloughed employee is qualified. This procedure will not exceed two rounds of bidding. Identical provisions cover employees on layoff.

The University of Rhode Island contract defines furlough as “the break in service between periods of employment for a not less than 20 pay period employee:”

The furloughed employee will retain the sick leave, personal leave, and annual leave balances he/she had at the commencement of the furlough consistent with other provisions of the Agreement. Furloughed employees shall not earn any leave accruals during the furlough period. The furloughed employee will return to work with the same vacation schedule he/she had at the end of the prior employment period. An employee

shall return to the same position held prior to the furlough. The salary consideration date shall remain the same as when the employee was furloughed. That is, an employee shall receive wage increments as if there were no break in service, except for probationary employment. If the employee was serving a probationary period at the time he/she was furloughed, the probation will pick up where it left off at the time the furloughed commenced.

Laid off or furloughed employees must have job protection rights that reflect transparent and fair due process procedures before, during, and after the layoffs or furloughs. Precise contract language helps maximize ESP job security in tough fiscal times. Tracking the number and type of grievances filed during fiscally challenging times allows unions to assess the strength of job security provisions.

## CONCLUSION

This essay updated the status of ESPs across the United States and examined contract language pertaining to ESP job protection rights, including job security, layoffs, and furloughs. The 2007 employment numbers showed promise for ESPs, but the report may provide little encouragement under current economic conditions.

Last year’s *Almanac* reported on interviews of ESP union representatives. The most important issues facing their membership, according to the consensus, were job protection, salary, and health benefits.<sup>7</sup> These representatives aggressively bargained for job security and protection contract language and rights, including seniority and service, discipline and discharge, sub-contracting or outsourcing, reductions in force, and technology. They also bargained for favorable provisions on layoffs and furloughs—including seniority, recall procedures, bumping, and position elimination, and benefits. The growing employment of part-time and contingent labor concerned leaders. So did outsourcing, job assignment protection, and the use of

graduate students or external agencies to fill open positions.

State jobs were once relatively immune from layoffs and furloughs, but ESP experience in colleges and universities suggests a different reality. ESP positions are often the first targeted area in fiscally tough times; these colleagues therefore face abrupt layoff notices and furloughs. Using key words in contracts—such as “shall” versus “may”—is critically important to protecting members’ jobs. Staff members *must* have the right to be consulted when their jobs are at risk. Proper due process procedures *must* be in place to protect their employment rights. Adopting transparent, fair, and equitable layoff and furlough processes benefits the employee and the employer.

## NOTES

- <sup>1</sup> Dixon, et al., 2004.
- <sup>2</sup> Wolgemuth, 2009.
- <sup>3</sup> The Integrated Postsecondary Education Data System (IPEDS) and the Center for College Affordability and Productivity use similar classifications. See U.S. Department of Education, 2007, and Bennett, 2009.
- <sup>4</sup> Brainard, Fain, and Masterson, 2009.
- <sup>5</sup> Carlson, 2009.
- <sup>6</sup> National Education Association, 2009.
- <sup>7</sup> Rosser, 2009.

## REFERENCES

- Bennett, D. *Trends in the Higher Education Labor Force: Identifying Changes in Worker Composition and Productivity*. Washington, D.C.: Center for College Affordability and Productivity, 2009.
- Brainard, J., P. Fain, and K. Masterson. “Support-staff Jobs Double in 20 Years, Outpacing Enrollment.” *The Chronicle of Higher Education*, 55 (33) (April 24, 2009).
- Carlson, S. “The Graying of the Campus-Facilities Work Force: Who’ll Keep the Lights On?” *The Chronicle of Higher Education*, 55 (47) (July, 27, 2009).
- Dixon, K.A., N. Ridley, and C.E. Van Horn. “At a Crossroads: American Workers Assess Jobs and Economic Security Amid the Race for President,” *Work Trends* 7 (3) (October, 2004), 1-4. [http://www.heldrich.rutgers.edu/uploadedFiles/Publications/Work\\_Trends\\_15\\_10.26.pdf](http://www.heldrich.rutgers.edu/uploadedFiles/Publications/Work_Trends_15_10.26.pdf).
- Johnsrud, L. and J. Banaria. “Higher Education Support Professionals: Trends in Demographics and Worklife Perceptions.” *The NEA 2005 Almanac of Higher Education*. Washington, D.C.: National Education Association, 2005, 85-102.
- National Education Association. *Higher Education Contract Analysis System (HECAS) Collective Bargaining Issues*. Washington, D.C.: NEA, 2009.
- Rosser, V.J. “Support Professionals: The Key Issues Survey.” *The NEA 2009 Almanac of Higher Education*, Washington, D.C.: National Education Association, 2009, 93-97.
- U.S. Department of Education, National Center for Education Statistics. *Staff in Postsecondary Institutions: Fall 2007 Staff Report*. Washington, D.C.: U.S. Department of Education, May 2007.
- Wolgemuth, L. “7 Jobs for Job Security in a Recession.” *U.S. News & World Report* January 7, 2009. <http://www.usnews.com/money/careers/articles/2009/01/07/7-jobs-for-job-security-in-a-recession.html>.