

UW profs awarded back pay

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University of Washington faculty members won a key victory Tuesday in a class-action suit involving as much as \$16 million in back pay.

In a partial summary judgment, King County Superior Court Judge Mary Yu found that the UW breached its duty in not awarding most of its 3,000-plus faculty an annual merit increase in the 2002-03 academic year.

Still to be decided by the courts is exactly who qualifies for the back pay and how that pay will be calculated. Faculty attorneys say they conservatively put the UW's obligations at \$12 million to \$16 million — a figure that compounds each year.

The judge found that the university promised the 2 percent increase to meritorious faculty in a policy outlined in the faculty handbook.

The judge rejected the UW's argument that it has discretion to give the raise based on funding from the state Legislature. The UW based its argument on a clause in the handbook which says there can be a "re-evaluation" of salaries in the event of decreased state support. The university, which faced tough budget decisions for the 2002-03 year, has paid the faculty salary increase in years prior and since.

"The terms of the Handbook were extensively negotiated between the University Administration and the Faculty Senate," Yu wrote. "It does not say that the faculty salary policy will be rescinded, cancelled or repealed and this court cannot transpose such a meaning to the word 're-evaluation.' "

The class-action suit was started by Duane Storti, an associate professor of mechanical engineering. He said the extra money would be a small step toward addressing inadequate faculty salaries.

“But it’s a big deal in the sense that if the administration doesn’t have to live up to the commitments it’s made to us, we are in a very bad situation,” he said.

Storti’s attorney Stephen Strong said the university acted arrogantly.

“The UW thinks it’s got the power to do anything it wants and doesn’t feel bound by its own promises,” he said.

UW attorney Michael Madden said Tuesday he hadn’t yet had a chance to discuss the ruling with his client and had no further comment.

While declining to discuss specifics of the case, UW spokesman Norm Arkans said he agrees that faculty are underpaid compared with their peers. He said the university gets by with about \$3,000 less per student — from state funding and tuition — than similar institutions.

“We know it’s a problem,” he said. “But we’ve never backed away from our support for faculty salaries.”

Arkans pointed to two recent state studies that show UW faculty are paid 6 to 11 percent less than faculty at similar public institutions outside Washington.

Strong said one big problem is that long-serving professors are not adequately rewarded with annual pay increases while new professors are lured to campus with huge salary packages.

Arkans agreed there is a “compression problem” with long-serving faculty, but he said that is starting to be addressed with salary increases in the latest two-year budget.