Dear University Senate Executive Committee:

We write to you to bring to your attention on an ongoing problem. Since January 2020, Rutgers Biomedical and Health Science (RBHS) has hired over 45 full-time, full-titled[[1]](#footnote-1) faculty members in conjunction with Robert Wood Johnson Barnabas Health (RWJBH) in a very unusual manner that is both inappropriate and jeopardizes the rights of all Rutgers faculty.[[2]](#footnote-2) On paper, these 45 faculty members look as if they are part-time faculty members working only a few hours a week for Rutgers.[[3]](#footnote-3) However, in reality their work life is identical to that of their full-time Rutgers colleagues. Their hours, work location, patients, residents, students, billing, and supervision are all identical with Rutgers full-time faculty. How can this be?

RWJBH sends a separate paycheck directly to these faculty members that composes most of their salary. Since it does not go through Rutgers, it does not appear as Rutgers salary. In addition, they get a much smaller paycheck from Rutgers with an appointment letter that describes them as “part-time” and makes their appointment contingent on maintaining their RWJBH employment. In short, Rutgers is using the RWJBH payroll to create a fiction that these are not full-time Rutgers but instead only part-time teachers, undermining the integrity of the faculty as a whole.

This hiring practice has a number of salient implications. First, given that on paper these faculty members appear to be working only a few hours a week for Rutgers, they are deprived of most benefits and protections afforded to RBHS faculty. These could range from any number of things from tuition remission and health insurance plans. Recently, 130 of the lowest paid Robert Wood Johnson Medical School faculty received substantial pay increases. For the first time, the union contract set minimum faculty pay consistent with national standards. Since the 45 RWJBH hires have been carved out of the union contract and almost all Rutgers employment benefits altogether, none would have received this pay adjustment even if their pay qualified. Moreover, it is quite worrisome that Rutgers considers these faculty to be “at-will,” and as such they can be fired at any time.[[4]](#footnote-4) This poses a grave threat to academic freedom. If faculty live in constant fear of losing their jobs, it makes them less likely to speak to you and be full participants in the University. In this same vein, as barely part-time employees on paper, they are ineligible to participate in features of university life, such as voting vote for faculty council and University Senate.

This group of faculty is particularly vulnerable in that many are hired directly out of own residency programs and feel lucky to have such an opportunity so early in their career. They are told during the hiring process, “there will be no difference between you and 100% Rutgers faculty hires.” Yet, after they start their positions, they realize it is not quite that simple. As one faculty member informed us, she was not invited to a meeting with Rutgers colleagues about receiving the COVID-19 vaccine at University Hospital-Newark because “they thought I was Barnabas and thus not eligible to receive the vaccine for UH/Rutgers employees.”

Furthermore, their long-term career pathways remain unclear. These faculty are hired exclusively on what the *RBHS Appointment and Promotions Guidelines* call the Professional-Practice track. This means faculty are evaluated more for their clinical productivity rather than their scholarly productivity when determining promotion to the next rank. However, often times, faculty opt to change tracks from Professional-Practice to Clinical Scholar, or vise versa. Here, though since the University has determined that only Professional-Practice faculty will be hired as RWJBH, changing tracks now means having to change employers as well. This has the potential to add confusion and to inhibit academic aspirations.

Another particular area of concern is pay equity. This past July 1, 2021, RBHS faculty can apply for an equity pay increase through a process that mirrors the one already used by AAUP-AFT faculty. In order to be successful in this process, a faculty member applying for an equity pay increase must be able to show that there are similarly situated faculty members who are paid more with no rational basis for that discrepancy. However, if a whole class of faculty members now have salaries shielded from public view, there is no way for a faculty member seeking equity to avail themselves of this necessary information. This is opposite of President Holloway’s goal of a university with “reasonable transparency.”

We know that the University Senate has in the past attempted to address issues surrounding the Rutgers/RWJBH alignment. Back in November 2018, your resolution stated you support “the full participation of shared governance in the ongoing implementation of the newly formed affiliation among Rutgers, The State University of New Jersey, Rutgers Health Group, Inc., and RWJ Barnabas Health,” However, this new unusual hiring practice was done without the consultation of our current faculty or the University Senate.

Just as RBHS Chancellor Strom proclaimed in his March 2019 response, he will likely refuse to speak you. In June 2019, you responded to him that “The Executive Committee has reviewed, and subsequently discussed your reply and understand the position you are in regarding the unfair labor practice charge filed by the AAUP-BHSNJ. We respectfully request that, when this matter is settled, you respond more fully to the extent you are able.” It, though, may take years for this matter to settle. Whatever the union and university choose to do or not do with respect to that matter, should not foreclose the University Senate from taking immediate action to protect the faculty.

In the meantime, this abusive hiring practice has a number of other serious implications. It goes to the heart of what it means to be a Rutgers faculty member. If the university can use an outside corporate payroll to mask full-time employment, there is no stopping what it might do in the future. Will our full-title business school faculty be simultaneously full-time Morgan Stanley employees? Will our freshman students receive chemistry classes from full-time Instructors who are also full-time DuPont scientists? And in these scenarios, *none* of these faculty appointments would be recorded on paper as full-time employment for Rutgers. And what about the students and people whom we serve? Shouldn’t New Jersey citizens have the right to know how their premier public university pays its faculty?

We call upon you to pass another resolution and send it directly to the President Holloway. We need an immediate pause to this hiring practice, protections to ensure that all faculty are treated equally with access to the same pay, job security, and related benefits; full-transparency in how faculty are hired and paid; and that there is true faculty/staff input into future hiring practices.

Sincerely,

Jeffrey P. Levine, MD, MPH

Professor and Director of Reproductive & Gender Health Programs

Sue Paparella-Pitzel, PT, MS, DPT

Associate Professor

Doctoral Program in Physical Therapy

School of Health Professions

Ellen Zambo Anderson, PT, PhD, GCS

Associate Professor

Dept. of Rehabilitation & Movement Sciences

Fred Kobylarz, MD, MPH

Catherine Monteleone

Professor Dept of Medicine, Division of Allergy, Immunology and Infectious Diseases

Roger Johansen

Professor Emeritus

Emanuel Goldman, PhD

Professor of Microbiology, Biochemistry & Molecular Genetics

Frederick Lepore

Professor RWJ-Neurology

John Bogden

Professor NJMS-Microbiology

Claire O’Connell

Associate Professor, SHP, PA Program

Joshua Bucher

Associate Professor, Department of Emergency Medicine

Michael Matise

Associate Professor

1. “Full-title” means titles such as Instructor, Assistant Professor, Associate Professor, Professor. “Modified titles” are Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor. Modified titles have often been used for adjunct faculty and part-time faculty below .5 FTE. [↑](#footnote-ref-1)
2. These faculty have been hired mostly at Robert Wood Johnson Medical School in Anesthesiology, Family Medicine, Medicine, Pathology, Pediatrics, OB/GYN, and Surgery. These are all faculty on the “Professional-Practice Track” for the purposes of promotion. Since October 2020, there have been *no* RWJMS faculty hired on the Professional-Practice Track as 100% FTE at Rutgers. [↑](#footnote-ref-2)
3. While at first Rutgers was providing them with 10% appointments, this year it ceased doing that and now claims they work only a few hours a week. [↑](#footnote-ref-3)
4. The RWJBH employment contracts also state the faculty member can be terminated with as little as a three-month notice for any reason or no reason at all. [↑](#footnote-ref-4)