Biz of Acq -- Ten Years After: How Positions with a Serials Emphasis have Changed a Decade after the World Wide Web

Rob Withers
Miami University, rwithers@lib.muohio.edu

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Cases of Note
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Napster provided the site for big-time infringement; Grokster et al don’t do this. It’s the users who provide file storage and index maintenance. With both the Gnutella and Kazaa networks, the software owners could keep exchanging files even with Grokster and Streamcast shut up shop entirely.

Okay, Then How About Vicarious Copyright Infringement?
And once again there are three elements: (1) direct infringement by a primary party; (2) direct financial benefit to Grokster; (3) right and ability to supervise the infringers. Napster I, 239 F.3d at 1022.

This theory grew out of agency law’s responsible superior. The idea is if you have the right to control someone’s bad behavior, you should be liable if you don’t.

Right and Ability to Supervise
There is a historic split here between the “dance hall operator” who can control what music is played and the “landlord” who has no control over what his tenants are doing behind closed doors. Fonovisa, Inc. v. Cherry Auction, Inc., 76 F.3d 261, 262-63 (9th Cir. 1996).

With Grokster and Streamcast, there is no registration or log-in procedure. There is no ability to block what the users are doing. They are landlords and not dance hall operators.

Turning a “Blind Eye” to Infringement
As a last gasp, the music companies argue that Grokster should not be permitted to turn a blind eye to all that theft going on out there. The Ninth Circuit said there was no separate “blind eye” theory of vicarious liability. And anyhow, what is Grokster supposed to do if it has no ability to supervise?

But Public Policy Oughta Do Something About This
The Ninth Circuit said we live in a “quicksilver technological environment” and courts are not capable of fixing the direction of innovation. AT&T v. City of Portland, 216 F.3d 871, 876 (9th Cir. 1999). Old markets will always be rolled by new technology — tape recorders, copiers, video recorders, PCs, karaoke machines and MP3 players.

The Supreme Court spoke clearly in Sony-Betamax that Congress was the body to adjust copyright law in response to changing technology. Indeed it says it right there in Art. I of the Constitution that Congress has the power to promote arts and science. “When, as here, the Constitution is permissive, the sign of how far Congress has chosen to go can come only from Congress.” 464 U.S. at 456 (quoting Deep South Packing Co. v. Laitram Corp., 406 U.S. 518, 530 (1972)).

And speaking of quicksilver, as we go to press, BitTorrent is in the news as the latest nightmare for Hollywood. With this jin-dandy bit of software, you can now copy a full length movie in two hours rather than the twelve required by Kazaa.
or qualifications of an incumbent candidate.

Relying on advertisements may surmount some of the difficulties associated with analyzing position descriptions. To be fair, this approach also presents challenges. The sample is necessarily small, and reflects whatever positions happen to be open at any one time. The major responsibilities and qualifications listed may or may not reflect accurately the day-to-day realities of the position. However, this approach does provide a limited pool from varied institutions, quantifiable criteria about duties and pre-requisites, and most importantly, an idea of how librarians envision and re-envision the role of serials specialists.

About This Study

This study will compare two sets of advertisements for serials positions that appeared in *College & Research Libraries News*, one from July 1993-June 1994, the period in which the World Wide Web first emerged, and one from a decade later, July 2003-June 2004. This study will include comparisons of the position duties, required qualifications, and desired qualifications listed in these advertisements.

As Copeland noted, numerous position titles with serials emphasis exist, such as serials cataloger, serials librarian, or administrator of a serials division within an acquisitions or cataloging department. The duties associated with these position titles are inconsistent. Position titles alone do not indicate if the position does or does not include duties such as cataloging, preservation/binding, or public services responsibilities. For purposes of this study, all position descriptions that include some combination of serials cataloging and processing responsibilities are included. With one exception, these positions include "Periodicals" or "Serials" in the position title.

Some positions with a serials emphasis include duties in other areas such as documents, collection development, reference, and instruction. Although those positions were included, this study examined only those duties related to processing and providing access to serials. The sample of advertisements was roughly equal, with 15 from 1993-94 and 13 from 2003-04. These quantities are only slightly higher than the yearly average for that period. From 1993-94 to 2003-04, the number of positions with serials emphasis advertised ranged from 5 per year to 19 per year, with an average of 10.44 per year. Re-advertised positions or extended deadlines for applications were excluded, with only the original posting being analyzed.

The enrollment of the institutions at which these positions were offered was likely to be larger in 2003-04 than in the preceding decade. In 1993-94, the average size of institutions advertising positions with a serials focus was 11,844, with more than 40% of those institutions having between 10,000 and 20,000 students and 25% having more than 20,000. In 2003-04, the average size of institutions was 8,744, with only 16.6% of positions advertised at institutions with between 10,000 and 20,000 students. In both periods, institutions with fewer than 5,000 students were represented, although the number declined from 25% in 1993-94 to 17% in 2003-04. Thus, the possibility exists that the sample may be skewed slightly based on the size of institutions.

Position Duties

Several duties that appeared in advertisements from 1993-94 fail to appear at all in the 2003-04 sample. In some cases, this appears to reflect the decreased emphasis on print subscriptions, with neither binding duties (mentioned in 40% of 1993-94 advertisements) nor work with microforms (mentioned in 9.1% of 1993-94 advertisements) being included in positions advertised in 2003-04. Predictably, serials conversion (27% of 1993-94 advertisements) does not show up in 2003-04 advertisements as conversion projects have been completed in many or most libraries. Systems responsibilities (13.3% of 1993-94 advertisements) likewise disappear, presumably because specialized positions have emerged to deal with such responsibilities.

Slight declines appear for fiscal control/invoicing (from 47% in 1993-94 to 39% in 2003-04), and liaison with collection development (from 27% in 1993-94 to 18% in 2003-04). Check-in duties continue to be present (26.7% in 1993-94 and 27.3% in 2003-04).

Processing (from 6% in 1993-94 to 27% in 2003-04) appears much more frequently. The use of more general and overarching terms such as "oversee processing of periodicals" may explain the decline of some sub-sets of this process, such as invoicing/billing. With the transition to integrated library systems now largely complete, phrases such as "quality control of database" appear more frequently, up from 6% in 1993-94 to 27% in 2003-04.

Many position duties appearing for the first time in advertisements from the 2003-04 sample indicate the impact that the presence of e-journals has had on these positions. These include:

- promoting the use of e-journals or e-resources (9%)
- selection of public domain Web resources (9%)
- working with other departments to evaluate electronic products (9%)
- managing e-journals (18%)
- improving/facilitating access to e-journals (27%)
- determining the future of the print and online balance of the collections in consultation with the faculty (18%)
- licensing access to e-journals (27.3%).

Other duties which appear only in the 2003-04 sample include strengthening relations with vendors (9.1%), budget management (27%) and statistical management reports (36%).

Desired/Required Qualifications

Qualifications listed in advertisements follow many of the trends noted above with position duties. Those qualifications related to physical processing in 1993-94 advertisements fail to appear a decade later, including experience with microform and bindery systems (7.1% each). In addition, some skills appear less frequently, including familiarity with MARC (required or desired in 64% of 1993-94 positions, but only 15% of 2003-04 positions). Experience with systems (dropping from 29% to 9%), and experience with cataloging standards (required or desired in 64% of 1993-94 positions, but only 15% of 2003-04 positions). These decreases do not necessarily indicate that these skills are not needed; merely that they are assumed in applicants, or are more likely to be present than some newer technical skills that are specified.

The completion of conversion projects likely accounts for the disappearance of automation experience (required for 21% and desired for 22% of positions in 1993-94), knowledge of ANSI (required for 7% and desired for 21% in 1993-94), and experience with serials bibliographic control (desired for 14% in 1993-94).
positions in the 2003-04 sample tend not to mention phrases such as “contract negotiation”, they do often request some form of licensing experience (see below). “Licensing” may simply be the twenty-first century equivalent of “contract negotiation.”

In addition, need for good interpersonal skills is a constant. Oral/written communication skills are desired or required for 57% of 1993-94 positions and 46% of 2003-04 positions, and public service experience is desired or required for 21% of 1993-94 positions and 23% of 2003-04 positions. Supervisory experience increases (desired or required for 14% of 1993-94 positions and 31% of 2003-04 positions). This increase may reflect a trend toward assigning tasks to paraprofessionals that were once restricted to librarians, and relying on librarians to oversee some aspects of processing rather than performing all tasks of it. “Collegiality” is specifically mentioned in 16% of 2003-04 advertisements and “analytical skills” appears in 8%. Foreign language experience, mentioned in 9% of the 1993-94 sample, holds steady at 8% in 2003-04.

Other constants are the ALA-accredited MLS, required for all positions, and cataloging experience (7% in 1993-94, 8% in 2003-04). Advertisements for some professional positions with a technical emphasis have ceased to require an ALA-MLS; however, despite the increasing frequency with which some technical skills are required or desired (see below), this trend appears not to have affected serials positions.

Several new items appear as desired/required qualifications in the 2003-04 sample. The ubiquity of e-journals is responsible for the appearance of many of these, including knowledge/familiarity with managing e-resources (23%), managing e-journal holdings (8%), e-journal licensing (16%) and emerging technologies/standards (16%). In addition, experience with Web development, EDI and electronic ordering, SFX and Open URL each appear in 8% of positions. These findings mirror those of a recent study of cataloging positions, which noted that experience with emerging metadata and tools (38%) and Website development (4%) were required.

Experience with a specific integrated library system appears in 36% of 2003-04 advertisements. The emergence of this qualification likely explains the slight decline in experience with any ILS (down from 21% in 1993-94 to 13% in 2003-04). As increasing numbers of people have had the opportunity to gain experience with individual systems, it is now possible to screen successfully based on experience with the ILS currently in use. Experience with productivity software and/or spreadsheets appears in 23% of advertisements. This rate is consistent with Khurshid’s 2003 study, which noted that 29.13% of cataloging skills have this requirement. Other items present in the 2003-04 advertisements include experience with scholarly communication trends (8%), budget experience (8%), and experience with consortia (8%).

Position Titles
Changes in duties are reflected in position titles. The most frequently occurring type of title in 1993-94, “Serials Librarian or “Periodicals Librarian,” occurred in 38% of advertisements. By 2003-04, the most frequently used title, occurring in 46% of advertisements, was some permutation of “Serials/Electronic Resources Librarian.” Variants include “Serials/E-Resources Librarian,” “Serials/Electronic Resources Librarian,” “Serials/Web Resources Librarian,” “Serials/Electronic Resources Librarian,” “Serials/Library Cataloger,” and “Electronic Resources Librarian.”

One position, Business/Electronic Access Librarian, entitled experience with supervising staff, working with an integrated library system, and providing access to electronic resources. Use of other titles declined slightly, including Serials Catalog Librarian (13% in 1993-94, 8% in 2003-04), and Serials Department Head (19% in 1993-94, 8% in 2003-04). Combinations of serials with other functions (Access Services, Documents, present in 13% of 1993-94 ads, disappear completely in 2003-04. The decline in Department Head positions may be explained by consolidation of technical services departments. Positions described as “Unit Head” increase from 13% in 1993-94 to 18% in 2003-04.

Conclusion
Position descriptions for librarian positions with a serials emphasis reflect changes created by the proliferation of electronic journals over the past decade. While some duties and desired qualifications have remained roughly constant, many others reflect the transition from providing access to serials in a physical environment to providing access in an electronic one. Although not all position titles have changed, a significant number of titles have.

The most interesting changes are not necessarily the most wide-ranging ones. Although many new desired or required qualifications have emerged, there is not yet a clear consensus among advertisements on necessary technical skills. The current variety of skills listed in advertisements reflects attempts by libraries to figure out how serials work is changing and will change in the near future. It will be interesting to see over the coming years which of these desired/required qualifications become dominant. Likewise, a series of position titles has emerged, analogous to what Khurshid describes as “emerging position titles” in his review of cataloger positions. Most are related, but the specific wording varies. It will be interesting to see if these titles become standardized in coming years, or if working with electronic resources becomes so ingrained in serials processing that use of words like “electronic resources”
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or “e-resources” becomes superfluous. Alternatively, as electronic equivalents of books, journals, and other collections proliferate and require subscriptions rather than one-time payments, will serials librarianship become distinguished not by work with journals and magazines, but with electronic resources? These resources require review and ongoing payments, link checking, and adding new contents, whether they are new journal issues, new book chapters, new editions, or new collections of resources added to a database.

Additional research would prove illuminating. One possibility for study would be to measure the magnitude of changes wrought by the proliferation of Web-based resources, either by looking at older advertisements to measure the rate of change over time, or by examining the impact these changes have had on several areas of librarianship, comparing the pace and extent to which they have changed. Another possibility would be to see how serials librarians and library administrators perceive changes in serials positions, how they want to change them, or would change them in the event of a vacancy.

Endnotes
4. Non-serails duties appeared with diminishing frequency: liaison duties with faculty dropped from 20% in 1993-94 to 19% in 2003-04, and government documents responsibilities completely disappeared 2003-04. These changes could reflect a decrease in adding outside responsibilities to serials positions, or they may be typical only of the advertisements analyzed. Positions advertised in 2003-04 tended to be at larger institutions, which may have more specialized positions than the institutions represented in the 1993-94 sample.

Back Talk
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many went bust. Some libraries then banded together to take over the community development process themselves. All of these experiments ended in failure. Will the current attempts at community development succeed this time?

Similarly, open access is supposed to mean free or nearly free access to research by going around greedy publishers — yet the indications are that instead of giving the money to libraries, with which to purchase commercial publications, the money will be given to researchers to go to supposedly friendly publishers. Again the enormity of the cultural change that comes with the open access model is mind boggling. With hundreds upon hundreds of thousands of articles published annually, should we really contemplate pushing for this revolution in how information is shared?

Finally, what is the value of a near empty open archive? At my university a call is issued annually for the faculty to report what they have published. This year the number of articles reported in the first round was down, not because less has been published, but because the rewards for reporting their research to this general effort were not obvious. The value of sharing this information with colleagues, department chairs, or even one’s dean was clear but inputting the information to common list doesn’t seem to be valued.

One of my staff members asked why we couldn’t make such submissions mandatory. I have toyed around with the idea of being open about my thoughts concerning how to achieve compliance, similar to those used by Donald Rumsfeld when enforcing democracy and freedom of choice in Iraq, but decided against doing so in this public forum. If it is difficult to get the faculty to provide a bibliography of their year’s work, how much more difficult is it to get them to upload their articles into an open archive. How can they be forced continued on page 62