

LOCAL 1796
At
William Paterson University of New Jersey
General and Executive/Local Council Meeting

Date: March 22, 2005
Location: Raubinger Hall, Room 01
Time: 12:30 pm – 1:30 pm

Present: Stephen Betts (Marketing and Management), Bob Bing, Dee Catarina (Special Education and Counseling), Rodney Cauthen (Alumni Relations), Robert Chesney (Biology), Song H. Chung (Chemistry and Physics), Octavio de la Suarée (Languages and Cultures), Linda Gazzillo Diaz, Iris DiMaio, Bill Duffy (Library), Mark Eillis (Sociology), Charley Flint (Sociology), Amy Giovanetti (Exercise and Movement Science), Sue Godar (Marketing and Management), Claudia Goldstein (Art), Eleanor Goldstein (Mathematics), Marjorie Goldstein (Special Education and Counseling), Jane Hutchinson (Instruction and Research Technology), Phoebe Jackson (English), Kathleen Korgen (Sociology), Jean Levitan (Community Health), Kem Louie (Nursing), Grisel Maduro (Languages and Cultures), Charles Magistro, Katherine Makarec (Psychology), Esther Martinez (Languages and Cultures), Kevin Martus (Chemistry and Physics), M. Judy Matthew (Library), Ed Matthews, Daniel Meaders (History), Alberto Montare (Psychology), Madhuri Mukherjee (Languages and Cultures), Bob Murphy (Instruction and Research Technology), Irwin Nack (History), Virginia Overdorf (Exercise and Movement Science), Frank Pavese (Music), John Peterman (Philosophy), Janelle Pinkston (Professional Staff), Lori Ramos (Communication), Terri Reicher (Accounting and Law), Lou Rivela (Chemistry and Physics), Marty Rudnick, Arlene Scala (Women's Studies), Ken Schneider (Admissions), Ray Schwartz (Library), Shari Selke, Cindy Simon, Peter Stein (Sociology), David Stern (Environmental Science and Geography), Sue Tardi, Stacy Toriello (Financial Aid), Marion Turkish (Elementary and Early Childhood Education), Diana Van Boerum (Financial Aid), Kurt Wagner (Library), Miryam Wahrman (Biology), Gabe Wang (Sociology), David Weisberg (Music), James Wilkerson (Accounting and Law), Chriss Williams (Communication), Robert Wolk, Stan Wollock (Elementary and Early Childhood Education), Lianzan Xu (Accounting and Law), Sherry Xu (Information Systems), Wei Xu (Accounting and Law), Melda Yildiz (Secondary and Middle School Education), Joo Kwang Yun (Accounting and Law)

Items distributed to the Council and General Membership:

- 1) Agenda for Meeting of March 22, 2005
- 2) Minutes of February 15, 2005 General and Executive/Local Council Meeting
- 3) AFT Local Council Department Representatives, Professional Staff, Librarians and Adjuncts Slate for 2005-2006
- 4) Stipend Proposal (Spring 2004)

5) Petition to Save Social Security (AFL-CIO)

1. Call to Order

The meeting was called to order at 12:40 pm.

Nack was designated Parliamentarian for the meeting.

Tardi announced there is a petition circulating that was originally produced by the Student Government Association of Ramapo College. WPUNJ's Student Government Association is considering supporting this petition. It urges the state to provide additional funding for higher education; it represents a wish list. Tardi noted that the current fiscal situation of the state may not be ideal in all areas recommended by the student petition. She recommended that the members support capital funding that would be applied to the improvement and addition of classrooms and laboratories and have a direct positive impact on students. Tardi stated that with all such political matters it is up to the membership to determine whether the Union should take a position.

2. Adopt Agenda

Motion to adopt the agenda moved by Martinez, seconded by Catarina. Motion passed unanimously.

3. Approval of February 15, 2005 Minutes

Motion to adopt the February 15 meeting minutes moved by Duffy, seconded by M. Goldstein. Motion passed unanimously.

4. Promotion Process

Tardi thanked Jackson for contacting the Union and raising an issue about the recent promotional process. Tardi reminded the members that she had not been at liberty to go into detail about the issues at the last meeting because the promotion process was still under way. She called on Gazzillo Diaz to provide a report. Gazzillo Diaz started by explaining that she is not running for re-election as Negotiations Vice President because of other responsibilities pertaining to her role as a program director in her department; she expects these will be quite demanding in the coming year. Gazzillo Diaz explained that her role as an observer on the Promotions Committee was to ensure a fair and equitable process. With regard to some of the issues, the observer is there to assist with policy and process questions. She noted that the Chair of the Committee called upon her to do just this, and she also sought assistance and consulted with the Administration to facilitate the resolution of questions and policy/process issues. This year there were many questions pertaining to the Committee and the promotions process; Gazzillo Diaz called upon the Administration to meet with the Committee to clarify certain questions on two occasions. The President was ultimately notified about these pending questions. In response, the President contacted the Provost as his designee to "resolve the issues." The Provost called upon Tardi to be present at a subsequent Promotions Committee meeting, which also included the Provost, and the Provost explained University policy at this meeting. At that meeting Gazzillo Diaz called for a Union-Administration caucus and settled upon two agreements that would adapt the process to what was stated in the University's Policy Handbook to coincide with the criteria the Promotion Committee had already used in

deliberating their recommendations for Full Professor. At the conclusion of these agreements the promotion process reached a satisfactory conclusion. Jackson asked whether in the long term there is a way to have a Union representative look over files. Gazzillo Diaz clarified that the Union observer does not have a right of access to files. Jackson nevertheless urged that new clarifications of policy be put into place to assist all of the members. Tardi explained that when problems arose the Union immediately put in a demand to negotiate promotion procedure to ensure improvements are adopted for the future.

Bing objected to Tardi's characterization of the Promotion Committee's problems as a casting of aspersions on colleagues, noting he served as Chair of the Committee this year. Tardi read to the members a communication sent to Bing by a faculty applicant for promotion during the process expressing frustration with conflicting follow-up communications in her case (e.g., from the Chair of the Promotion Committee, the secretary, department chair, etc.). Tardi stated the job of the Union President and Observer is to protect equity for all members. She indicated it was her intention to preserve the Promotions Committee, as the possibility of disbanding it was mentioned by the Administration, and Tardi said she did not want to endanger the promotions the Union had fought to achieve.

Ramos suggested that another thing that would be helpful in the future are post-review communications that go into more detail with respect to the reasons why or why not a person was granted a promotion. Tardi reported it has been the practice here not to go into details about the comparative reasons as to why or why not a person is given a promotion as the Union is ever cautious not to support practices that set members against each other, but she agreed it would be helpful if there was more constructive feedback. She further stated that it is appropriate for a candidate who does not receive promotion to contact the Chair of the Committee and/or individual committee members for personal advice (mentoring) regarding his/her folder, but comparative analyses in relation to other candidates is inappropriate.

Nack commented that in regard to University policies and process in general, it is extremely important for us as employees to read and carefully study any policy that applies to us at any given time. This is a matter of personal responsibility. Faculty must ensure that they and their department committees are in conformity with the policy. If a faculty member believes there is a deviation or violation of the policy, it is that person's right to report this to the President but it must do so within 14 days. Nack explained that prior to the formation of the Union, administration policies were extremely arbitrary in nature. A key role of the Union is to ensure against such arbitrary actions. For members to be ill-informed of current policies in effect would be against our interest. If the Administration is given leeway to modify its own policies in an arbitrary fashion this would introduce the likelihood that such modifications would occur again. Reflecting on his experience as observer on a University committee, Nack stated that Committee members may vote for different reasons, and it would be difficult to provide a unified explanation for committee decisions in many cases.

Bing questioned the relevance of Tardi's sharing the email communication to him with the membership. He explained how he personally followed up on this case with the member, sharing the file and his explanation of the decision.

Tardi explained the relevance of reading the email, suggesting that there may need to be a double-check or some other method of ensuring against errors in the preparation and handling of promotion files once they are received by the Committees. The applicant had questioned whether the unsettled state of the promotion file during this time had any impact on the Committee's deliberations or decisions. Bing stated that he issued these communications to assist the applicant rather than provoke confusion or problems. He defended his position in helping the applicant with her folder. He also indicated that the decision letter from the Committee to members is a standard one that has been issued for many years. He would be interested in suggestions to the Committee that would result in improvements.

Gazzillo Diaz cautioned the membership about Administration access to University email and stated that WPUNJ email messages should not be regarded as confidential or secure.

Birge identified herself as the promotion applicant who sent the email to Bing. She credited Bing for his courtesy and helpfulness in addressing her concerns and sharing information with her at the end of the process. She expressed concern, however, regarding the conflicting messages she was sent and the general promotional process.

Levitan suggested that we should move beyond the specific details of individual cases in discussing these issues, but also noted the advisability of a checklist for the committee that might be helpful in supporting some uniformity of criteria for decisions. Tardi explained that prior to the most recent promotion process, she requested that the promotion checklist be sent to all promotion candidates. The Administration refused. Gazzillo Diaz reported that there was a non-negotiated checklist the Administration had been making available on the campus network, but it now removed this document from circulation.

Tardi asked the members whether it would be important and helpful for the Promotions (and other University) Committee members to have staggered, overlapping terms to help with continuity and consistency in process, resulting in a larger share of experienced members on Committees in any given year.

Ramos agreed with this idea. She said there are two issues: one is procedural, and the other is an answer to the question: what are the criteria used to make promotion decisions and is there a possibility of some kind of helpful feedback? Nack stated that with regard to the criteria used for making promotion decisions, these are stated in the University's official policy. He repeated that all interested parties are bound by these, and no one is at liberty to depart from them without risking violation. Ramos concurred with this point, but still raised the issue of obtaining constructive feedback.

Matthew commented that she has served on several UFRAC Committees and shares the Ramos' concerns but would be reluctant to put feedback in writing because of the specific competitive circumstances under which promotion decisions, unlike retention/tenure decisions, are reached. Tardi provided examples of how such informal feedback might be obtained before, during and after the process. She agreed that such information can't go into the letter from the Committee Chair.

Overdorf agreed that staggered terms on Committees would aid in continuity and consistency. She noted that several years ago following a term of Committee service she and some other colleagues did submit recommendations to the Administration, but as far as she knows there has been no response to these. Tardi requested that Overdorf forward a copy of the recommendations if they were still available.

Tardi noted the real problem is that the number of promotional opportunities needs to be increased rather than focusing on other issues that merely divide and conquer. Acknowledging that there is subjectivity in the promotion review process, Tardi explained that while she believes all members of the Committee have integrity it is the responsibility of the faculty at all times to ensure that persons of strength and integrity be identified and encouraged to serve on University committees.

Wollock commented on his six terms on the Promotions Committee and indicated that it is a highly painful process, with a lot of unknowns involved, including the fate of the files after the Committee's recommendations are made. He noted that what tends to be important in the final analysis is numbers: those individuals with the most stellar and productive records of scholarship tend to be awarded promotions. He noted that many qualified applicants do not receive promotions on the first try, and many others do not receive it despite years of trying. He stated that it would be highly inadvisable to incorporate the type of feedback into letter as has been suggested because of the further confusion, complications and mixed messages it might generate among applicants for promotion. The Promotions Committee is in no position to suggest to applicants who are denied promotion that any specific course of action will greatly enhance their chances on a subsequent attempt.

Tardi closed the discussion in the interest of moving the agenda with a recommendation that members go back to their departments to put some of the questions before their colleagues regarding staggered terms and other suggestions for improving the promotions process.

Stein made a motion to move the agenda.

5. Budget

Tardi reported that the budget is in preparation and will be sent to the Budget Committee for its review. Tardi emphasized that she is in favor of full disclosure of the budget, favors accountability for Executive Board stipends, and believes the membership should give feedback to the Board and Committee on budgetary matters.

Stein asked whether the budget has been distributed at this meeting. Tardi replied that it has not because the Treasurer was late in presenting the proposed budget.

Rudnick indicated the budget was submitted to the Executive Board last week, the same time as last year. Tardi noted that it was submitted late last year. Tardi made a motion to move the agenda.

Wahrman asked whether budget information for FY04 could be provided (for the purpose of making comparisons). Tardi indicated this would be provided on request (as long as it is not sent through University email).

6. Elections

Tardi introduced Turkish to read the Nominating Committee report. The report was distributed in paper to the membership and Turkish read the report, as follows:

“At the Executive Board Meeting on March 15, 2005, there was a split vote on nominations for Union Offices for 2005-2006. 4 members voted for Slate A; 5 persons holding 3 votes stated that they would present an alternate slate – Slate B. 1 person abstained.

Slate A

<u>Position</u>	<u>Candidate</u>	<u>Department</u>	<u>College</u>
President	Robert Bing	Accounting and Law	Business
V.P. for Negotiations	Linda Dye	Exercise and Movement Science	Science & Health
V.P. for Grievances	Charles Magistro	Art	Arts & Communication
Recording Secretary	Richard Kearney	Library	
Librarian Faculty Officer/Communication Director	Robert Wolk	Library	
Treasurer	Martin Rudnick	Accounting and Law	Business
Professional Staff Co-Officers	Edward Matthews	Univ. Performing Arts	Arts & Communication
	Shari Selke	Univ. Performing Arts	Arts & Communication
Adjunct Faculty Officer	Cindy Simon	Political Science	Humanities & Social Sciences

Slate B

<u>Position</u>	<u>Candidate</u>	<u>Department</u>	<u>College</u>
President	Susanna Tardi	Sociology	Humanities & Social Sciences
V.P. for Negotiations	Linda Dye	Exercise and Movement Science	Science & Health
V.P. for Grievances	Chriss Williams	Communication	Arts & Communication
Recording Secretary	Linda Gazzillo Diaz	Exercise and Movement Science	Science & Health
Librarian Faculty			
Officer/Communication			
Director	Robert Wolk	Library	
Treasurer	Dee (Mathilda) Catarina	Special Education and Counseling	Education
Professional Staff			
Co-Officers			
	Edward Matthews	Univ. Performing Arts	Arts & Communication
	Shari Selke	Univ. Performing Arts	Arts & Communication
Adjunct Faculty			
Officer	Cindy Simon	Political Science	Humanities & Social Science

Respectfully submitted by:

Iris DiMaio, Assistant Professional Staff Officer
Linda Gazzillo Diaz, Vice President of Negotiations
Edward Matthews, Professional Staff Co-Officer
Shari Selke, Professional Staff Co-Officer
Susanna Tardi, President”

Bing objected that Slate B was not presented to the Nominating Committee, and that it was the unanimous decision of the Executive Board to nominate all but the position of President.

Gazzillo Diaz stated that there was a unanimous vote on the members of Slate A (save for President and Vice President of Negotiations) at the Executive Board meeting of March 8, and that at the meeting of March 15 the position of President was voted on. Gazzillo Diaz noted that at the March 15 meeting, those supporting an alternate Slate (Slate B) stated that an alternate slate would be provided.

Bing stated that no additional slate was presented to the nominating committee on March 8 or March 15; he indicated there is a process for presenting additional candidates to the membership. Tardi requested that Bing inform the members of all that occurred at the March 8 meeting. Gazzillo Diaz stated that according to the Constitution nominees have to be presented prior to April 10. Bing said that written petitions must be submitted. Tardi stated that the petitions have been prepared and are now available.

Montare moved to nominate Slate B. Bing objected that this motion is out of order.

Nack stated that if what Turkish reported is correct, then there was no majority vote but only a split vote. Bing stated that there was a split vote only for President and that members of the Executive Committee voted unanimously for the other members of the Executive Board. Tardi stated Bing's position is not accurate.

Nack said if the nominations for Slate A have been made, then they are already in effect; but the Constitution provides for additional nominations from the floor. Montare asked whether the two slates are currently in nomination.

Nack agreed this is the case and that others may run a slate if they follow the process by getting a petition signed by an adequate number of members and submitting it. Gazzillo Diaz clarified that members do not actually vote for slates but rather for individuals running for the specific offices.

Nack said if Turkish's report is accurate and if there was a vote of 4 to 3 with 1 abstention, then there is no majority vote and no minority report.

Levitan noted that the time of the meeting is running short and asked – in her capacity as a member of the Elections Committee - whether members would prefer a paper or electronic ballot. Tardi replied she consulted with AFT national and State Council. In their elections they use a mailed paper ballot in a double-sealed envelope. She noted that this was the process used for our State (Master) Contract ratification. Other members agreed to serve on the Elections Committee.

Tardi recommended that at the next meeting those running in contested slots should be given an opportunity to make statements of their positions. She detailed suggested times (10 minutes for president, 5 for vice presidents, 2 for other positions). Tardi also suggested an open forum for a Presidential debate with a moderator, suggesting that someone serving on the Elections Committee might have this role. Bing agreed to this and asked for a date. This will be decided at a later time – Tardi suggested a common hour time not conflicting with other meetings.

Tardi asked for a motion on her proposals for candidate statements and a debate.

Montare moved the motion, seconded by Pondl. Approved unanimously.

7. President's Report

a. Accomplishments

Tardi reviewed some of the Union's accomplishments, announcing that faculty will be able to participate in departmental voting during sabbatical leaves. While on sabbatical, on a voluntary basis, faculty would also be able to participate in Union and Department activities that necessitated their expertise. The Provost has agreed to this, and Tardi noted that after a year and a half of negotiations, arbitration and her finding a loophole in the arbitrator's findings, this issue has been resolved to the benefit of the faculty. Tardi thanked Catarina, Flynt, and Hsu for their contributions to this accomplishment. The Provost has requested a process/policy document draft on how this would be implemented (for enactment into official policy by the Administration).

Tardi announced there is also a new donated sick leave program agreed upon by the Union and the Administration over Spring Break. There will now be pro-rated sick leave (with a closing date) for all who offer to donate sick time. This provides equity in the process. She thanked Shalom for his role in facilitating this program.

Tardi also announced she is exploring the possibility of a sick leave bank. This has to be approved by the state.

8. Adjournment

Motion to adjourn moved by Martinez, seconded by Simon. Approved unanimously.

The meeting adjourned 2:00 pm.

Respectfully submitted,

Richard Kearney,
Recording Secretary
[Final Edit: April 7, 2005]