

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

**Date:** October 18, 2005  
**Location:** Valley Road, Room 1016-1017  
**Time:** 12:30 pm – 1:45 pm

**Present:** M.P. Baumgartner, R. Bing, J. Carter, R. Cauthen, M. Catarina, B. Chesney, I. DiMaio, L. Dye, L. Gazzillo Diaz, C. Goldstein, M. Goldstein, R. Grier, P. Jackson, R. Kearney, C. Kelly, I. LaBergere, K. Louie, E. Martinez, K. Martus, E. Matthews, A. Montare, I. Nack, J. Najarian, Z. Niu, A. Pachtman, J. Parras, F. Pavese, A. Pauayides, J. Pinkston, R. Rehberg, A. Scala, S. Selke, G. Shepherd, C. Simon, P. Swanson, S. Tardi, M. Turkish, D. VanBoerum, C. Williams, S. Wollock, M. Yildiz

**Items distributed to the Council and General Membership:**

- 1) Proposed Agenda for Meeting
- 2) September 20, 2005 Minutes of the General and Executive/Local Council Meeting
- 3) “COPE: What Is It, and Why Should I Participate?” handout
- 4) “Union Rationale for 2005-2006 Faculty and Staff Promotional Opportunities” handout
- 5) “Educational Summit of the Americas” handout

**1. Call to Order**

The meeting was called to order at 12:37 pm.

**2. Adoption of the Agenda**

A motion to approve the agenda was made by M. Goldstein, and seconded by K. Martus. Agenda item added: **Resolution on Education Summit of the Americas**. Approved unanimously.

**3. Approval of September 20, 2005 Minutes of the General Membership and Executive/Local Council Meeting**

A motion to approve the minutes was made by K. Martus, and seconded by A. Pakman. Approved unanimously.

**4. Action Items**

**a. COPE funding for bus to next anti-war rally**

*I. Nack made a motion and R. Kearney seconded to fund half of the cost of a bus to the next anti-war rally in the amount of \$650.00.* Discussion ensued among members regarding support and nonsupport for the war. Tardi stated that S. Betts, the representative from the Marketing and Management Department, said that his

department believes that COPE funds should be used for educational issues. Tardi asked if under previous leadership proxy votes were allowed. Nack stated that proxy votes were never accepted. A member stated that not taking any position on the issue is not good. Martus stated that in the Chemistry and Physics Department, two members voted to approve the funding, two members voted against the funding, and the remaining votes were abstentions. Martus stated that he will have to abstain since this is the will of his department. A member said that the Women's Studies department supports activism. Simon asked how much money is in the COPE fund? Tardi said that approximately \$2,000 is in the COPE fund. ***Motion: 14 in favor, 2 opposed, and 5 abstentions. Motion passes.***

**b. COPE Committee**

Simon stated that in the members' folders there is a flyer with common COPE questions. COPE money has to be separate from Union dues. If members want to use money for political purposes, then the money will not come from members' dues. Members can write a check for a COPE donation or have a specific amount taken out of members' paychecks. COPE will not support issues or political candidates that Union Membership does not support. Tardi stated that she took vote from the Executive Board in regard to the eligibility of members to participate on the COPE Committee. The recommendation of the Executive Board is that only members who contribute to COPE can be a member of the COPE Committee. Tardi asked for feedback from the members on this issue. Tardi stated that the Local has improved drastically in regard to an increase in COPE contributions. Tardi asked the members for any comments. No comments or feedback was given by the members. Consequently, Tardi stated that the COPE Committee will be devised by COPE contributing members only. Simon asked the members for their assistance in getting members to contribute to COPE.

**c. Resolution on Education Summit of the Americas**

Tardi handed out and read a resolution by S. Shalom. The College of New Jersey forwarded this resolution to Shalom who presented it to the Local. ***Simon made a motion to accept this resolution and Scala seconded the motion.*** Discussion ensued among the members. A member asked if anyone from the Council is going to attend this conference. Tardi said that as far as she knows no one from the Council is going to attend this conference. Questions ensued. As a result, Tardi asked if the representatives would like to take this issue back to the departments. A member said that it is not necessary to go back to the departments on this issue. The member does not think this issue is controversial. A member asked who is sponsoring the conference? Tardi said that she was not certain. A member said that the membership needs more information regarding this organization. Another member stated that Shalom stated that this is a conference related to education. If the Local receives an endorsement from a highly respected faculty member then the Local should respect the endorsement. Tardi viewed the endorsement in the same manner as this member. Dye stated that this is an area for which Shalom should be an expert. A member asked if we can find out more information regarding this conference and organization before the Local takes action. Tardi said that Shalom did not have a problem postponing

approval of this resolution. Tardi stated that she would sooner have the members vote at a subsequent meeting then vote down the motion without having all of the facts. Nack called the question. There was an objection to calling the question. Discussion continued. A member stated that the Local needed to be careful with its endorsements. Simon suggested waiting until next month to vote on the resolution because there have been enough concerns raised regarding this issue. A member from Political Science stated that it seems the issue is spelled out on the page (the “Educational Summit of the Americas” handout). Nack called the question. Calling the question: 10 in favor, 8 opposed, and 3 abstentions. The question is called. ***Montare made a motion to postpone voting on this resolution until the next meeting, with clarification sent to the delegates regarding this issue. Martus seconded the motion.*** Discussion ensued. Tardi asked the members to be on the look out for an email regarding clarification and information regarding this issue. A member asked does endorsement of this organization constitute political action? Tardi stated that she would attempt to clarify the issues presented by the next meeting. ***All approved.***

## **5. Promotional Opportunities:**

### **a. Report**

Tardi stated that a negotiating team made up of Executive Board members (Catarina, Dye, Gazzillo Diaz, Matthews, Selke, and Tardi) met with Steve Hahn and Bob Seal to discuss promotional opportunities. What the Administration offers is always lower than what members deserve. The Executive Board goes into these meetings with a strategy and rationale. Dye stated that the team noted to the Administration that it offered the members 20% fewer promotions this year than last year. The Administration ended up providing one more promotion this year than last year. The team tries to change its strategy each year. The Administration typically looks at the number of candidates eligible versus the number of candidates who applied. At some ranks, the number of members applying are very low. Tardi said that the Local does not want to strictly discuss promotions on the basis of the number of members applying (see handout “Union Rationale for 2005-2006 Faculty and Staff Promotional Opportunities”). The team presented arguments to the Administration.

A member asked why the Local lost two promotional opportunities at the Associate Professor level. Tardi stated once tenured there is a relatively short period of time to move from the rank of Assistant to Associate Professor (1-2 years). However, the numbers from Associate to Full Professor are ballooning. The Administration has been reluctant to address this. A member said that there will be at least 18 candidates at the Assistant level going up again for Associate Professor who did not get promoted last year. Tardi said that the Local needs more promotions in general and the Administration will not boost morale among the faculty and staff with a low number of promotional opportunities. Tardi encouraged the members to speak out to the Administration, and let the Administration know that the number of promotional opportunities is inadequate. The more this issue is addressed by members, the more it will have an impact on the Administration. A member stated that looking at these figures the Union negotiation team did a great job. Tardi thanked the negotiating

team. A member asked if the eligibility report included the line analysis. Tardi stated that Dye suggested that the Local should not provide a report to the Administration with the numbers because in the past the Administration utilized the Local's report and simply presented it to the Board of Trustees. The Local will provide the numbers to the members if members want this information. Dye stated that the Local has 41 promotional opportunities for the unit which is a lot. Dye further noted that four years ago the Local did not have range changes. In the range change opportunities, Full Professors are favored. Some of our sister institutions do not have range adjustments. Tardi recommended to the members that they apply for these opportunities and to not give up. A member asked about University hiring practices and asked about new hires and if the Local can look at these hires? Dye stated that the Executive Board goes through a line analysis to determine the numbers of members at each level. The eligibility pool is not the same as the application pool. The Local bases its recommendations to the Administration on eligibility pool.

#### **b. Checklists**

Tardi stated that in each member's packet are range adjustment and promotion checklists. Dye said that approximately 40 people attended the Promotion and Range Adjustment Workshop. The Union leadership received positive comments and feedback from the members, while the presenters (Tardi and Dye) explained the promotional policy and procedures. A member noted mistakes on the promotion checklist. Tardi noted these mistakes previously and made the corrections with the Administration, but the Administration still has the wrong form on website. Tardi will inform the Administration again. Members asked a number of questions regarding peer and student evaluations. The promotion Q & A distributed by the Administration addressed those questions.

#### **c. Q & A Sheet**

Tardi stated that the Union developed this Q & A sent out to the members by the Administration via email.

### **6. Negotiations Update**

No report.

### **7. Grievance Update**

Williams stated that there is policy regarding "fitness for duty" if drugs and/or alcohol are involved exists in the Faculty and Staff Handbook. A number of members have been sent for fitness for duty testing without drugs or alcohol being involved. Williams found out from Council and Union attorneys that the members can be submitted to fitness for duty test when drugs or alcohol are not involved. The test is a full day examination. A member can be sent by the President of the University for this testing if a member's behavior is "abhorrent". Williams contacted Council and asked if this is occurring at other campuses, and Council stated it is not. Sending members for fitness for duty testing seemed to be something new for our Administration. Union leadership asked to meet with the President regarding this issue. The Administration believes that this is an anomaly that within this short amount of time 3 members needed to be sent for "fitness

for duty” tests. The University has no policy on sending members for fitness for duty testing when drugs or alcohol are not involved. The Union wants to establish policy for fitness for duty testing. The Administration believes that it is within its managerial prerogative to send members for “fitness for duty” testing to maintain safety on the campus. The Union agrees that it does not want to have members’ safety on campus compromised, but there is no process for circumstances under which “fitness for duty” testing takes place. A member suggested that the website be used to provide information regarding where to go for help for drug or alcohol and other problems. Williams stated that the way the test has been used recently by the Administration is in regard to a member’s threatening behavior, which included some sort of physical violence (throwing something, etc.). Tardi stated that if Union leadership is made aware of someone who is threatening then we are obligated to tell the Administration. This situation did occur in the past. If something was to happen then the Union leadership would be ethically and legally responsible. *A motion to move agenda was made by Martus, and seconded by M. Goldstein. All in favor.*

#### **8. Announcement**

Tardi stated that a member whose settlement agreement was violated has been reinstated.. Tardi thanked the Local membership, Council, and AFT National who were instrumental in supporting this member.

Williams stated that if a member is involved in a potentially detrimental issue regarding his/her employment and/or position which involves a supervisor or dean, then come to the Union.

Dye announced that the 1<sup>st</sup> and 2<sup>nd</sup> year retention workshop will be held on Thursday, October 20, 2005.

#### **9. Old Business**

None.

#### **10. New Business**

Tardi thanked R. Grier for advocating for retirees to retain their health/pension benefits. R. Grier thanked B. Bing for giving him the idea to form a Retiree Chapter, and S. Tardi for her hard work in formation of the chapter. A member asked about discussing possibility of having lecturer positions. Another member asked about having clinical professors. These issues will be addressed at future meetings.

#### **Adjournment**

*A motion to adjourn was made by Montare, and seconded by M. Goldstein. Approved unanimously.*

The meeting adjourned at 1:45 pm.

Respectfully submitted,  
Linda Gazzillo Diaz, Ed.D., ATC  
Recording Secretary  
[Edited:]