

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

Date: November 15, 2005
Location: Raubinger 01
Time: 12:30 pm – 1:45 pm

Present: V. Baldassano, S. Betts, J. Carter, R. Cauthen, M. Catarina, B. Chesney, L. Cheo, J.C. Davis, I. DiMaio, L. Dye, D. Fengya, L. Gazzillo Diaz, C. Goldstein, E. Goldstein, G. Guerrieri, J. Heavey, M. Innis-Jimenez, P. Jackson, R. Kovaleski, I. LaBergere, S. Lawrence, E. Martinez, K. Martus, J. Matthew, V. McClean, A. Montare, I. Nack, J. Najarian, Z. Niu, J. Pinkston, S. Rienstra, T. Ramin, R. Rehberg, R. Schwartz, G. Shepherd, C. Simon, P. Swanson, S. Tardi, M. Turkish, D. VanBoerum, J. Wilkerson, C. Williams, R. Wolk, S. Wollock,

Items distributed to the Council and General Membership:

- 1) Proposed Agenda for Meeting
- 2) Minutes of the General and Executive/Local Council Meeting
- 3) Oppenheimer & Co., Inc. Financial Report
- 4) Draft Proposal for Negotiation of Evaluation of Adjunct Faculty
- 5) Resolution on the Education Summit of the Americas

1. Call to Order

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

2. Adoption of the Agenda

A motion to approve the agenda was made by Montare, and seconded by Najarian.
Approved unanimously.

3. Approval of the October 18, 2005 Minutes of the General Membership and Executive/Local Council Meeting

A motion to approve the October 18, 2005 minutes was made by Montare, and seconded by Wolk.

Approved unanimously.

4. Financial Report (Vince Baldassano)

Vince Baldassano addressed the members with a financial update. Tardi thanked Baldassano for coming and addressing the membership.

5. Treasurer's Report

Catarina stated that the Local successfully completed the financial review. In regard to the Local's payroll services, the Executive Board is looking into larger companies. The Council of New Jersey State College Locals Executives said that this current company could easily declare bankruptcy since it is a small company. Tardi stated that the Union wants to make sure that the members are protected. She also stated that the Local has not had any IRS fines since the payroll service was instituted. Shortly, the Budget and Audit Committee will be contacted for a meeting.

6. COPE Clarification

Tardi stated that the Executive Board needs to clarify what COPE is to the members. According to the Council of New Jersey State College Locals (CNJSCL), COPE cannot be used for political action. Simon stated that COPE funds are only used to donate money for candidates with their political campaigns. The CNJSCL Executives said that COPE funds are only used to support political candidates for their campaigns. Simon has called National AFT. She spoke with a representative briefly regarding our Local's issue regarding funding a bus to protest the war in Iraq. The representative stated that bus issue is not a COPE issue; therefore, cannot be funded with COPE money. Tardi stated that the Local can support political action, but the funding would have to come out of the members' dues. Tardi asked the department representatives to go back to their departments and ask if the members want to support the bus to protest the war, with the funding coming out of members' dues. A member asked if a citation in the law exists that would prohibit using the COPE funds for funding the bus. Tardi said no, but if the Local utilized COPE funds for the bus, and then was audited, the Local would have to pay back the money. The Executive Board discussed this issue and agreed that it does not want to potentially harm the Local financially. Tardi stated that we are still waiting for the National AFT's response. It seems that from what information that the Executive Board has received, the Local cannot take the money out of COPE. The Executive Board will get clarification and send an email stating the National AFT's response to the department representatives.

7. President's Report

a. Alternate Assignment Update

Tardi stated the Executive Board still does not have FSPA data from Steve Hahn. Hahn has asked OPRA for the information and still has not received it. The Administration agrees that the University needs an Alternate Assignment (AA) program, but the Administration has rejected the Local's AA concept proposal. The Administration wants to make minor modifications of ART. The Local wants the AA program to include research and administrative work that is done by faculty. Dye and Tardi are looking into devising another proposal. Tardi reiterated that if members have suggestions to come to the Union Office to share ideas. Hahn did state to Tardi that the Administration recognizes the need for an AA program.

b. Council of New Jersey State College Locals (CNJSCL) Update

Tardi stated that at the last CNJSCL meeting on November 4, the CNJSCL is revising its Constitution. One item that the CNJSCL wants to change is for only full paying members to be allowed to vote on the Contract and for a strike authorization. Currently agency fee payers can vote on the Contract and for a strike authorization. Tardi wants suggestions from the members on what position to take. A member asked what is the rationale for not having agency fee members to vote? Dye stated that it is important for agency fee payers to vote on these issues so the Locals can gain strength for a strike. Our Local's membership is about 85%. Dye believes that agency fee payers should continue to be allowed to vote on these issues. A member agrees with Dye not to exclude agency fee payers. If you exclude agency fee payers from voting for a strike authorization and a strike occurs, then these people may feel that they never were given chance to vote.

We need to continue to recruit more full paying members, and not use this issue (not allowing agency fee payers to vote) as a device to gain full paying members. A member said that a person who pays 85% of dues should not be disenfranchised. Tardi stated that part of the CNJSCL's logic is that some of the other locals do not have the members' support and the high membership as our Local does. The member asked if by not allowing agency fee payers to vote, would this be a good way to encourage them to be a full paying member of the Union? Tardi stated that there are pluses and minuses to both sides of the issue. A member stated that some locals do exclude agency fee payers from voting already. Currently, our Local exhibits good will towards all of its members and agency fee payers. A member expressed concern that with climate with the Administration as it is, why would we want to alienate agency fee payers over a small fee? If they are alienated, then perhaps they may side with the Administration. Dye stated that if agency fee payers are allowed to vote then they have some moral obligation to support the majority decision. Tardi noted that at the CNJSCL level, it looks like our Local will be holding the minority view.

Montare made a motion that we continue to have agency fee payers as voters for authorization for a strike and acceptance of the contract, and should the Council of New Jersey State College Locals not accept this motion, then to allow each Local to decide whether or not to grant agency fee payers voting privileges. Jim Wilkerson seconded the motion. Motion approved unanimously.

c. Educational Workshops Update

Postponed as per time constraints.

8. Grievance Officer's Report

a. Retention/Tenure

Williams stated that he and Tardi have met with members who contacted who were provided a decision from President Speert of his intention to recommend nonreappointment. Some members went to the Administration first before coming to the Union. Williams stressed for members to come to the Union Office first

before going to the Administration. Williams and Tardi are having meetings with these members and strategizing on the best way to present each candidate's case to the President. Williams noted that the President stated that he reviews folders "de novo". Williams and Tardi are finding that untenured faculty need additional mentoring regarding their retention folders, and clear-cut expectations of the department and Administration. The Executive Board is going to start facilitating one-on-one workshops to help members present themselves properly when putting together their retention folder.). Tardi stated that the Union can help protect members' rights. Approximately 7 faculty were provided notices from the President not to recommend retention. In actuality, the Executive Board is not certain how many people were not recommended to be retained by the President, because some members may not have come to the Union for assistance. Tardi stated that some Administrators are stating that faculty need to be a primary or sole author for published articles. The Faculty and Professional Staff Handbook does not state that faculty must have sole authorship for articles in the area of scholarship. Therefore, the Union is holding Administration to what is stated in the Faculty Handbook.

b. American Disabilities Act (ADA) Issues

Williams stated that a member needed a number of accommodations which the Union was able to facilitate. Come to the Union Office if any ADA problems exist, and the Union will attempt to move a remedy along faster. Tardi stated that Steve Hahn has been very cooperative in expediting the process by which members are provided accommodations. In some of these instances, accommodations were not met for awhile because the Local was not notified. Typically, once the Local is notified and gets involved then the issues are addressed by the Administration quickly. Come to the Union Office if you have any questions regarding the American Disabilities Act.

c. Occupational Health Issues

Nack stated that the Contract includes Article XXX Safe Conditions (Nack read the clause). Members must report the hazard to the Administration and the Union. Members are not required to work under hazardous conditions according to the Contract. A member stated that it took four years to get the Administration to remedy a heating problem in his/her office. The member contacted Tardi, who alerted the Administration. Consequently, the issue was resolved in one week. Tardi stated when members have a problem give the Union a call for assistance.

9. Negotiation Officer's Report

a. Promotions

Dye will be emailing the members information regarding changes to the promotion policy soon. A member asked when are candidates allowed to pick up their materials? Tardi stated that according to the Contract a candidate cannot pick up his/her materials until completion of the retention process (the decision of Board of Trustees' has been finalized). Tardi stated that each candidate should

have a copy of his/her portfolio. Tardi will ask Steve Hahn to email the candidates as to when they can pick up their materials

b. Adjunct Faculty Evaluations

Dye stated that the adjunct faculty evaluations are not a part of full-time faculty's traditional duties. There is a draft proposal regarding this issue in the handouts folder. If members have any suggestions or changes regarding this proposal then give them to Dye. Dye explained the draft proposal to the members. Dye solicited comments from the members. Tardi stated that the Union can possibly link this issue with Alternate Assignment. A member asked that the last line of the document be clarified. Dye will clarify the last line as "adjunct faculty" evaluations. Dye believes that the University should have Adjunct Director. Adjuncts are teaching one-half of the University's classes. A member asked if there should be an Adjunct Coordinator in each department? Tardi stated that some departments already have this position. A member said that he is in charge of the adjuncts within his department, but does not receive any compensation for this duty. Simon suggested that in the draft proposal the word "small" (in regard to bonus) should be removed. Simon asked if adjuncts will continue completing student evaluations? Dye stated yes. Tardi stated that the draft proposal is not in agreement form because the Executive Board wants suggestions from the members.

10. Announcements

None.

11. Old Business

a. Funding for a bus to the next anti-war rally

See above in **6. COPE clarification**

b. Resolution on Educational Summit of the Americas

Steve Shalom gave the information to the Union Office and the members were distributed the information via email yesterday. The funding would definitely not come out of COPE funding, but would come out of members' dues. Tardi suggested that the department representatives ask their colleagues about this resolution, since the information was only distributed yesterday. Some members said they would like to ask their department colleagues for a vote on this resolution. A member asked where the \$100 will go since the summit already took place? Tardi said it would provide support for members in the international local. A member asked if departments should vote on the resolution as a whole or as separate components. Tardi stated that members should vote on the entire resolution. **Montare made a motion to strike section #2 of the resolution. No second to the motion. The motion was defeated.** The department representatives will take this issue back to their department colleagues and vote on resolution.

12. New Business

None

13. Adjournment

A motion to adjourn made by Montare, and seconded by Martus. Approved unanimously.

The meeting adjourned at 1:44 pm.

Respectfully submitted,

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