

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

Date: September 20, 2005
Location: Raubinger Hall, Room 01
Time: 12:30 pm – 1:45 pm

Present: S. Betts, J. Carter, M. Catarina, A. Cheo, B. Chesney, S.H. Chung, J. C. Davis, I. DiMaio, L. Dye, M. Edelstein, D. Fengya, L. Gazzillo Diaz, C. Goldstein, E. Goldstein, P. Jackson, B. Kollia, I. LaBergere, S. Lawrence, K. Louie, V. McClean, E. Martinez, K. Martus, J. Matthew, E. Matthews, A. Montare, I. Nack, R. Pardi, F. Pavese, J. Peterman, J. Pinkston, L. Rivala, R. Schwartz, K. Schneider, S. Selke, C. Simon, P. Swanson, S. Tardi, M. Turkish, D. VanBoerum, C. Williams, R. Wolk, S. Wollock, J. K. Yun

Items distributed to the Council and General Membership:

- 1) Proposed Agenda for Meeting
- 2) Minutes of the May 5, 2005 General and Executive/Local Council Meeting
- 3) Council of New Jersey State College Locals Professional Staff Conference Flyer
- 4) AFT Local Council Department Representatives, Professional Staff, Librarians & Adjuncts Slate for 2005-2006 and State Council Delegates 2005-2006
- 5) Council of New Jersey State College Locals' COPE Questionnaire
- 6) American Federation of Labor Congress of Industrial Organizations (AFL-CIO) Labor Walk Flyer

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 Simon, and seconded by Martus. Agenda items modified: none.

Approved unanimously.

3. Approval of May 5, 2005 Minutes of the General Membership and Executive/Local Council Meeting

A motion to approve the minutes was made by Martus, and seconded by Montare.

Approved unanimously.

4. Action Items

- a. Source for Payroll Deduction Contributions for “Katrina” Victims:** Williams spoke about what the Local wants to do for contributions to hurricane Katrina victims and what the members can do personally to contribute through WPU payroll services. Williams brought the issue to the floor for the members to comment and to make suggestions. Tardi stated through the Local, deductions can only be given to one entity. Members previously suggested donating to the American Red Cross (ARC) and the American Federation of Teachers (AFT) National. Williams stated that the members should consider whether to donate to an “in house” organization such as AFT National to help our brothers and sisters or to an organization such as the ARC which will assist the entire gulf coast. Tardi stated that one of our members informed us that the ARC donates only to those in need during the initial phases of a disaster but then the assistance does not continue. Williams stated that if the Local supports a massive organization the Local cannot stipulate where the donations will go or how they will be used. Simon stated that she knows that unions in the past have followed up with long term assistance. Tardi stated that she spoke to Lou Szucs and he said the Local’s donations have to go to one funding source. A member asked if the Local can earmark a contribution to one entity, but personal donations be given as payroll deduction to the entity of the member’s choice? Williams stated that yes, the Local has to give to one organization, but personal contributions as payroll deductions can be given to organizations as a charitable campaign which will occur in October.

I. Nack made a motion that the Local should act in the labor movement by either donating to the AFT National or the AFL-CIO. M. Edelstein seconded. Motion approved unanimously.

- b. Violation of Settlement Agreement:** Tardi stated that the University is violating a settlement agreement. All terms and conditions of the original agreement were met by the member. However the University now wants to introduce new conditions and refuses to reinstate the member. Both The CNJSCL (Council) and AFT National are strongly supporting the member in this case. Tardi stated that this is a crucial Union issue. The University must be held accountable for its contractual agreements. ***C. Davis made a motion to support this member fully in this case, and C. Simon seconded. Discussion continued.***

A member asked how is this member doing financially now? Tardi stated that the member was not paid by the University in the past two years and has a family to support. Pay status was temporarily reinstated starting September 1, 2005. The University will pay the member for an additional 10 days if he/she agrees to the added conditions. A member asked if the Local is supporting the agreement or the member involved? Tardi stated that the Local is supporting both. A member asked if the Union has the money to support this case fully? Another member asked whether or not this case was caused by another misrepresentation by the Administration. A member stated that as a Union that the members have no choice

but to support this case. Another member asked if there is a way to have a personal anonymous fund to help this member get through the next few months?

The member's class two felony charges were dismissed. The Administration is putting letters of reprimands in members' folders. A letter of reprimand attached to progressive discipline could lead to detenuing.

A member stated that not only should we vote to support this member as an individual, but the members should think of a mechanism to give a counter message as a group that the Administration cannot attack each member one at a time. Tardi stated that the Union has been reasonable and taken a strong stand on protecting members' rights to due process. A member asked if the members can give personal contributions for this member? Williams stated that an ongoing fund, other than for legal fees, for Union members can be created. A member asked if this support would be for one time or for the future. A member stated that money could be collected and distributed, with the Union in charge of the process, but then the members could vote to determine how the financial support is utilized. Tardi stated that this is the Local's intent. For this situation, if the member's pay is discontinued (the member is currently being paid) then the Local could get him assistance. Simon stated that the members should vote on this one person, then the issue of future financial support for members can be discussed by the Executive Board and brought back to the members. *Williams called the question. Motion passed unanimously.*

- c. **Department Representatives:** Tardi stated that some departments do not have representatives. The Local is in need of adjunct representatives. She requested for the members to please ask the department members if any adjuncts are interested in being representatives.
- d. **Standing Committee Representatives and Chairpersons:** Tardi stated that some of these positions are filled. Some committees have not functioned for years. Now the Local has a legal committee to deal with the increasing number of legal issues the Local has and to make recommendations so the Union's next contract will be able to protect its members better. Bob Bing asked to be on Budget and Audit Committee, and he was added to this committee.
- e. **State Council Representatives and Alternates:** Tardi stated that last semester the members passed a resolution to wait until the Local's (2005-2006) President was elected before recommending these representatives and alternates. The Local has 14 delegates and alternates. Twelve of the Local's delegates showed up at our last meeting. *A motion was made by C. Simon to approve the list of State Council Representatives and Alternates, A. Montare seconded. Motion approved unanimously.*
- f. **Use of COPE Funds:** Tardi stated that a union member has asked the Local for

financial assistance for a bus to go to Washington DC to protest the war. The member has requested that the local contribute to, or totally fund, a bus for the next rally to protest the war. If approved, the funding source will be COPE (political action fund), **not** member dues. Tardi asked the members to go back to the departments and ask the members if they want to fund this bus. The members will vote on this issue at the next General and Executive/Local Council meeting. The bus costs \$1,300.

Simon spoke about the COPE handout and what COPE funds are used for. The funding is already acquired from members who sign COPE cards, although the Local votes on supporting the candidates running for office.

Dye stated that Nelly Poe is running for office again. She has been to campus and supported Union activities. ***L. Dye moved to endorse Nellie Poe and give \$250 for her campaign. I. DiMaio seconded.***

A member stated that Women's Studies sponsoring a bus on Saturday to protest the war. The bus will be paid for by the ticket price, which is \$28 per person. Seats are still available if anyone is interested in attending. The bus leaves at 5 am. If any member is interested, email A. Scala. Members can also sponsor a student to attend.

Tardi also stated that I. Nack is running on the Green Party Line as freeholder. The Local has endorsed I. Nack in the past. ***M. Edelstein moved that the Local endorse I. Nack, A. Montare seconded. Motion approved unanimously.***

5. **Alternate Assignment Update:** Tardi met with Speert in the summer. Speert said that someone told him that the Union is supporting a 3 credit reduction in workload. Tardi informed him that the Union never asked for a 3 credit reduction in workload, but the Union asked for an Alternate Assignment Program (AAP). By the current contract, any reduction in workload is illegal; a reduction in teaching replaced by an alternate assignment is perfectly legal. Tardi told Speert that AAP is a priority issue, and the Union will be persistent in fighting to achieve this goal for the faculty. Speert and Tardi had another discussion in summer. He made a commitment that in order to negotiate an AAP, the Union does not have to wait until a new Provost is hired, but designated Steve Hahn as the administrative point person who must address this issue.

Tardi reiterated the content of the Provost's proposal to the members, and reminded them that the Union and faculty rejected it. The AAP that the Union is recommending is similar to the Montclair State University AAP, which includes research and administrative duties. The AAP concept proposal was created under premise that faculty are entitled to 3 credits of release time for an alternate assignment. Various rumors have surfaced. The first rumor is that the Union is trying to limit faculty overload. This is not factual. The Union is not trying to interfere with faculty overload. When contract negotiations took place the previous time, the State Unions asked for a 3 credit reduction in workload, but the Unions agreed that they could only ask for this reduction if faculty

overload was limited. The 3 credit reduction in workload was rejected by the State (it did not even make the bargaining table). Our current contract and the AAP proposal do **not** limit overload at all.

For the AAP, the administrative duties will be identified by the administration. A member asked what will happen with the faculty that has ART and administrative release time? Gazzillo Diaz stated that faculty can have 3 credits of release time for research within load and additional administrative release time for overload. Tardi explained how Hahn wanted to revert to the old system of ART, with up to 6 credits of ART being awarded to each faculty member. However, less people would then be awarded ART (release time for research).

A member spoke to Speert on University Day and also emailed him. The member spoke with Speert about having 6 credits of release time for research as was done in the past. The member said to Speert that the University should stay with the ART program because the member's first reaction is that no accountability is included in the Union's proposal. The member said that he/she did not propose to Speert to create a program awarding 6 credits of research release time and get rid of 3 credits of research release time. The member stated that if the University stays with ART it is a workable system. The member does not agree that faculty should have to choose between release time for research or administrative duties. Tardi clarified that the Union's AAP provides faculty flexibility and opportunities for both research and administrative release time. The member stated that the people at this institution who are most poorly served are the senior scholars. In the Montclair program, the deans are involved and there is accountability in end. The member stated that he/she has no problem with idea of having release time for administrative tasks, but does not want to eliminate ART. Another member disagreed with this member's statements in that there are productive members who publish books in his/her department and they do not get ART.

Tardi stated that in order for our Local to move forward on this issue, it is important for our faculty to speak with one voice. The AAP is a concept proposal with implementation details to be further delineated and negotiated between the Union and the Administration. Tardi noted that since other sister universities already have an approved AAP, they will less likely to consider this a priority issue for the next contract. Our Local needs to increase the pressure and demands for an alternate assignment program. A member stated that as a productive senior faculty member, he/she has issues with ART in regard to the mechanism of giving out ART and that the ART committee is picked by administration. He/she continued to state that the word "entitlement" is key and that 3 credits a semester for release time is an entitlement.

Tardi clarified that accountability is in proposal. If the faculty member does not complete the project/assignment agreed to then the faculty member can be turned down for 3 credits of release time in the future. A member stated that the proposal has limited accountability included. Another member stated that this is an important issue, if the Local is to function effectively as a Union and there are differences among the members, then the members need to work on this issue here and not go to administration

individually. If the Local is to be an effective Union then Union is one voice, and there is no other voice. This applies to this issue and all other issues. All members will not be in agreement with each other but that is okay, and the members can work it out. Tardi stated that the Union is open for suggestions. The Executive Board has asked the members for recommendations, but the Board has not received any.

A member stated that he/she works with MSU faculty on research and their AAP is accountable and fair. Colleagues at Montclair submit a research proposal and their project is assessed at end of the period. If the project is not completed or satisfactory, then the faculty member is not entitled to release time again until he/she shows that they are productive. Having a committee that can understand the research project proposal is important.

A member stated that he/she does not agree with the way that the ART committee is chosen, and agrees that the committee members may not understand the submitted proposals. He/she suggested that the proposals should first be evaluated in the department. The first step is to change the system to evaluate research proposals in the department. Tardi stated that the Local does not want to pit member against member when it comes to evaluation of research/assignment proposals. Tardi suggested to this member that they get together to discuss these issues.

Tardi stated that last semester she and Gazzillo Diaz met with the Chairs' Council which rejected provost's proposal. This semester the Union Executive Board met with Executive Board of Senate and it seemed like most of the members supported the proposal. This AAP issue does not only deal with terms and conditions of employment, but also academic issues.

6. Educational Workshops

Tardi stated that the Executive Board will send out an email with the dates of upcoming workshops.

7. Announcements

None

8. Old Business

None

9. New Business

None

Adjournment

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

The meeting adjourned at 1:53 pm.

Respectfully submitted,

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