

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

Date: February 21, 2006
Location: Valley Road 1016-1017
Time: 12:30 pm – 1:45 pm

Present: S. Betts, J. Carter, R. Cauthen, C. Goldstein, E. Goldstein, I. DiMaio, L. Dye, D. Fengya, L. Gazzillo Diaz, G. Guerrieri, M. Innis-Jimenez, P. Jackson, V. Javata, R. Kearney, B. Kollia, I. LaBergere, S. Lawrence, K. Louie, J. Matthew, E. Matthews, A. Montare, C. Mulrine, M. Mwaura, I. Nack, B. Natrajan, A. Pachtman, F. Pavese, J. Peterman, R. Rehberg, J. Roberts, R. Schwartz, S. Selke, G. Shepherd, C. Simon, S. Tardi, M. Thompson, R. Verdicchio, C. Williams, R. Wolk, S. Wollock.

Items distributed to the Council and General Membership:

- 1) Proposed Agenda for Meeting
- 2) Minutes of the December 20, 2005 General and Executive/Local Council Meeting
- 3) Current and revised AFT Local 1796 Constitution
- 4) Adjunct faculty agency fee list of names and departments (in department representatives' packets only)

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 Simon. The motion was approved unanimously.

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

A motion to approve the minutes was made by Pachtman, and seconded by Montare. The motion was approved unanimously.

4. Action Items

a. Co-Negotiator Approval

Tardi said that the Executive Board recommends to the members to have co-negotiators for the remainder of the spring 2006 semester. Dye and Gazzillo Diaz would be the co-negotiators. There was a scheduling problem for Dye's class in her department, whereas she is unable to attend the weekly Board meetings in

their entirety. The Board did not want to lose Dye as a member of the Board; consequently, the Board came up with a resolution to this problem by having co-negotiators. A motion to accept the Board's recommendation and have Dye and Gazzillo Diaz as co-negotiators for the spring 2006 semester was made by Montare, and seconded by Selke. The motion was approved unanimously.

b. Webmaster Approval

Tardi said that Sherry Xu has offered to serve as Webmaster. A motion to elect Sherry Xu as Webmaster made by Montare, and seconded by Dye. The motion was approved unanimously.

c. Legacy Dinner

1. Ad

Tardi said that the Legacy Dinner is coming up in April. The dinner supports student scholarships. In the past, an advertisement in the dinner has promoted visibility for the Local. The Executive Board is recommending to the members to have a quarter page advertisement in the Legacy Dinner publication. Marion Turkish and Fr. Lou Scurti are important members of community who will be recognized at the dinner. Turkish was an important member of the Local. Wollock recommends that the Local publish a very prominent advertisement, which states the Local's name and states that the Local represents faculty supporting students. Attending this dinner is important because its purpose is to raise money to support scholarships. Tardi also recommended that the advertisement congratulate Turkish and Scurti and thank them for their dedication to the Local. Simon stated that the advertisement must state that the Local represents not only faculty but professional staff as well. Tardi stated that the quarter page advertisement will cost \$350. A motion to approve the expenditure for the quarter page advertisements was made by Wollock, and seconded by Montare. The motion was approved unanimously.

2. Ticket Purchase

Tardi stated that the Administration is giving a discount to any faculty member who purchases tickets to attend the Legacy Dinner. One ticket will cost \$200. It is important for the Local's President to attend the function to promote visibility for the Local. Tardi asked for approval to purchase one ticket for the Local President to attend the function. Wollock recommended that two tickets are purchased in order for Tardi's husband "who serves as 'secretary' and never complains" be able to attend with her. A motion to purchase two tickets for the Legacy Dinner to be attended by Tardi and her husband was made by Wollock, and seconded by Pavese. The motion was approved unanimously.

d. Memorial Scholarships

The Board recommends that scholarships be awarded on behalf of a deceased **member** as a way of paying respect to the member. Presently, if an Executive Board or another member passes, the Local sends the family a fruit basket, flowers, or a donation to an organization for which the family requests. Other

universities have other approaches, with policy in place for recognizing deceased members and others on campus. The Board recommends that when a member passes, it donates a certain amount of money to the scholarship fund. The fund will increase over time. The AFT Local 1796 student scholarships are given to students under the Local's parameters. Wollock stated that he likes this recommendation, but suggests that a note be sent to the family stating that the contribution to the scholarship fund will be made in the name of the deceased.

Tardi clarified the difference between a member and an agency fee payer. An agency fee payer contributes only 85% of the total membership dues; therefore, an agency fee payer is not a "member" of the Union. A member of the Union pays 100% of the dues. Tardi said that the Council of New Jersey State College Locals (CNJSCL) meeting, our Local delegates attempted to include agency fee payers as voters in Master Agreement and strike authorizations, as is currently. Regarding the scholarship, Tardi clarified that it is her opinion that this scholarship contribution should be in the name of members only.

A member stated that some members are retired. Would we include those members who are retired, and retired as members? Tardi stated that the members can determine this, but Tardi's concern is that the contributions are made fairly across the board. A member suggested that donations are given to the scholarship fund for retired members also. A motion to donate money to the AFT Local 1796 scholarship fund on behalf of deceased current and active retired members was made by J. Matthew, Dye seconded. Discussion continued. A member asked if the donations could be opened for agency fee payers. Tardi said that Council and most unions do not take our Local's position regarding agency fee payers in regard to contract and strike authorization vote. One perk of being a member is the ability to vote on these issues. If a person is an agency fee payer, he/she will not be able to vote on these issues. Discussion ended. The motion was passed unanimously.

Tardi noted the poor response regarding applications for scholarships. She stated that Dye explored the possibility that in the future Institutional Advancement would handle publicizing the AFT scholarships. Then a member asked if the Local would still maintain control of the AFT scholarship parameters. Tardi said yes, the Local would still maintain control of the parameters.

5. President's Report

a. Presentation of Local's Constitution with Recommended Revisions (1st Reading)

Tardi said this is first reading of the revised Constitution. If anyone has comments then at the next meeting we will discuss the revised Constitution section by section. Tardi requested to bring forth any modifications at that time. The current and revised Constitution will be emailed to everyone in the bargaining unit. Tardi asked the members to review the section regarding the officers' term of service. All other NJ locals have a term of service for a two year period. Our Local's

officers currently have a one year term of service. Also review the recommendation for election processes. As per the revisions, the Election Committee would have the option to determine whether the voting for officers' positions would be electronically or by mail ballot. A member asked what the changes between the two documents are. Gazzillo Diaz explained that there were many revisions, and when the changes were tracked with Microsoft Word, it was very difficult to read and determine the revisions due to the way the program tracks the changes. Consequently, the changes were not tracked, and the members must compare both documents side by side. Tardi thanked the Executive Board for working on the Constitution and Gazzillo Diaz for being instrumental in revising the document.

b. Alternate Assignment

Tardi met with Hahn regarding Alternate Assignment (AA). Tardi stated that the Administration must find funds to support an AA program. Tardi said that the Union is working on two proposals; one proposal for research and another for administrative release time. The Administration wants to revert back to the previous ART program. Hahn wants to offer the possibility of 6 credits of ART to each faculty member who is awarded ART, but give out fewer awards. Tardi said that is not acceptable. The Union believes there is a problem when a faculty member is awarded ART and publishes, but then the faculty member does not get ART again for his/her future research. Tardi told Hahn that the University has to find money to put into the research pool. The Union is conducting further research for another proposal that will include more detailed data and another rationale.

A member gave a historical aspect regarding release time. The member stated that some of us are not great researchers, but are great teachers. In the past, we used to get extra credit for teaching graduate courses, etc. The member would like the Union to reinstate faculty receiving extra compensation for teaching graduate level courses as part of the release time proposal. A member asked about the business school money, and the source of that money. The Union conducted a full investigation of the College of Business resources. Tardi said that we do not want to pit member against member, but that the release time process should be a transparent one. Tardi said that the College of Business attracts a bigger pool of money from alumni, etc. to be utilized in the college. Two-thirds of administrative release time is given to senior faculty. The Union is trying to come up with a program for ART and support for individuals within the retention process. Tardi suggested to have each untenured faculty member receive three credits of release time every year until they are tenured. The first year the release time would be for research, then in the future the release time would be for the untenured faculty to work on weak areas (i.e. teaching, scholarship, or service) in order to strengthen their retention folder.

A member said that it seems that a process to find equitable ways of assigning work is necessary. The member continued to state that there should be an allocation for more credits to faculty who teach graduate courses. Tardi asked Dye to address this issue. Dye said that we used to have more credits for faculty

teaching graduate courses. Tardi question how long ago this occurred. A member said that this occurred about 20 years ago. Tardi questioned whether this issue can be locally negotiated. Dye said that the contract has not spoken to this issue and if the contract is silent then we can negotiate the issue locally. A member said that faculty used to receive four credits for teaching a three credit graduate course, but the Council gave this up in a past contract. Tardi said that it seems that the sentiment is to try to get more credits for faculty who teach graduate courses.

A member said that there is an issue with the amount of credits given to faculty who teach senior capstone courses. The faculty meet with the students and get one-third of a credit. Students are required to take the capstone courses to graduate. Tardi said that 120 hours constitutes a three credit course. If the department draws up a proposal stating how much time the faculty is spending with the students, then the Union can fight for more credits for the class. The proposal must have a strong foundation and rationale. Once the proposal is drawn up, it must be given to the Union.

A member asked a question regarding eroding course caps. Tardi said that course caps are managerial prerogative. A member said that the Administration has to compensate somewhat if the caps are too large. This issue has been addressed to some degree in a previous grievance. Tardi said that if you find that the caps are excessive, then come to the Union and we will address the issue with the Administration. A member said that class size is managerial prerogative. Tardi said we address the issue. This course cap issue should be addressed by the Senate, and then be brought to the Union to negotiate compensation. Tardi asked all department representatives to request a list from their department chairs of the caps for all classes and the actual enrollments for all classes, which should be forwarded to the Union.

A member said that a colleague at CUNY teaches a class with 70 students and since the cap is 35, the faculty member receives double the amount of credits. A member suggested that we must seek information for actual enrollments versus caps in classes to have evidence and a basis to try to negotiate greater compensation. We are entitled to information that is necessary for negotiation. Tardi said that it would be helpful if the department representatives forward this information to us so we can come to conclusions as to where to go from here. Tardi stated that if the University approaches individual faculty to teach courses with a class size larger than the cap, then the Union should be contacted. If the Union is informed as to what is going on in the departments, we will talk to you first and explain the issues, and then you can bring back information regarding the issue to the department. Departments are requested to contact the Union rather than “negotiating” independently. Such “negotiations” are counterproductive to what the Union is trying to accomplish for all members.

A member asked if various program director positions will be a part of AA? Tardi said that Deans are devising director roles which are enormous. We need to

look at the definition of the role and how much work is involved. Then we can negotiate the release time rather than have the Administration impose it. Tardi said that there is high accountability established by the Administration. The Administration wants us to define what we are doing, including full job descriptions. Tardi said that we need your help as department representatives. We want you to be paid for work you do. It was noted that these issues (graduate course and senior capstone course compensation) are not a part of AA, and should not be negotiated as a part of the AA program.

c. Faculty Compensation

1. Banner

Tardi said that the Administration is changing advisement. The Master Schedule will be eliminated in print, and it will be on the web. Advisement will take more time. The Administration did not take into account the needs of users when they purchased BANNER. The manual utilized to teach employees BANNER is not user friendly. In a discussion with Hahn, Tardi noted that while advisement is voluntary if BANNER is a necessary component for those who volunteer to engage in advisement, then BANNER training should be mandated and compensated. According to Hahn, BANNER training is not required. A training manual will be provided. Tardi asked Hahn to send an email to all faculty advisors, that BANNER training is not a requirement and there will be no compensation for the training. According to the Administration, advisors can train themselves by utilizing the training manual. Tardi expressed a concern that the more we make exceptions and volunteer to do work then the more the Administration feels that it does not have to compensate us.

2. IRB “Certification”

Tardi said that the IRB Committee came before the Senate with a presentation in regard to training for faculty dealing with human subject research. The Senate decided not to engage in the IRB training until compensation is discussed. Hahn said that he is not sure that the training is necessary. The Union intervened and the issue was removed from the Senate agenda until compensation is addressed. The Union’s position is that compensation should be awarded based upon the three hour estimate for completion of the IRB certification. A member said federal guidelines state that training is mandatory. A member said that even the University President has to go through training in order for the University to get federal grants. Tardi said then the Administration must compensate faculty for the training. A member said that training is done once, and some people can get through the training in one-half an hour. Tardi said that completion of the training was estimated by the Administration to take three hours and it was that figure upon which compensation should be based.

d. Adjunct Faculty Membership

Tardi said that we are asking the Department Representatives to recruit adjunct faculty to become members. Our Local currently has below 50% of adjunct faculty membership. We were above 50% for adjunct faculty membership last year. Tardi requested that each Department Representative reach out to the adjunct faculty. Each Department Representative was provided a list of the adjunct faculty who are not members in their folder. Please give one copy of the adjunct faculty list to your Chairperson. A member asked for a copy of the letter that was sent to adjunct faculty by the Union to utilize for recruitment also. Tardi said that letter is not an effective method for membership recruitment, and the direct personal contact is needed. Simon said adjunct faculty member dues are 2% of their gross pay. It is about \$2.00 extra per credit to be a member versus an agency fee payer. A member asked if it would be a problem approaching the adjunct faculty. Tardi said that it would not be a problem to approach the adjunct faculty. It would be better not to phone them at home. As department representatives, you can ask your secretaries for the adjunct faculty contact information in regard to where their classes are located. Simon said that some adjunct faculty believe they are members, but some are confused between being a member and an agency fee payer. Simon suggested that Department Representatives explain the difference to the adjunct faculty. Tardi said that the Union will get the membership cards to the department representatives. E. Goldstein will assist in calling the department representatives and getting the membership cards to the department representatives. Gazzillo Diaz mentioned that we should recruit both full-time and adjunct faculty to become members, because it is very likely that agency fee payers will not be allowed to vote for the next contract.

6. VP for Grievances Report (NJ Superior Court Case—Adjunct Faculty Unemployment)

Williams stated that an adjunct faculty member applied for unemployment, since he was not teaching at the University in the summer. There is a statute saying that employees of educational institutions cannot receive unemployment pay for the summer when they have "reasonable assurances" of employment in the forthcoming semester. Williams argued that an adjunct faculty member does not have reasonable assurances. The case has gone to superior court. As Williams was preparing this case, another adjunct faculty member stated that he/she has been paid unemployment for the past five summers, but was recently turned down. Hopefully we will get some clear guidance from the courts as to whether an adjunct faculty member can be given unemployment.

7. VP for Negotiations Report

a. Promotion Policy

Dye stated that the promotion policy has been revised and the negotiation team met with the Administration to negotiate the revisions. The Administration wants some more time to look at the language, but it does not seem that the Administration has a problem with the revisions. Tardi noted that the Administration said that the President does not want a two day response time to give the candidates notification of their promotion, and does not want to send a

letter to those candidates who are not recommended. A member asked if we can change the promotion process, where a faculty member is tenured and then promoted within the next two years. Tardi said that we have tried to negotiate a policy providing a faculty member tenure and automatic promotion.

Unfortunately, the total number of promotions needed would exceed the total number of promotions granted at all of the ranks. This is, however, the Union's ultimate goal. The Administration is agreeing to revise small promotion issues. Tardi said we have brought up all issues to the Administration. We can begin to talk to other colleges on this issue. Tardi noted that at one sister institution, whoever is deemed eligible for promotion is put forward to the Administration and is accepted. Gazzillo Diaz stressed that faculty must verbalize their concerns regarding the inadequacy of the number of promotions granted to the President. This will assist the negotiating team in gaining more promotions in the future.

b. Adjunct Faculty Evaluations

Dye said that she received 12 email responses and 1 alternative suggestion from adjunct faculty. She is currently working on the proposal.

8. Announcements

None

9. Old Business

None.

10. New Business

Tardi stated that two members the University has passed--Lois Wolf and Amy Job. Tardi asked for a moment of silence for these members. Both Wolf and Job contributed enormously to the University in many ways.

A member gave Gazzillo Diaz the English Department's Meeting Minutes from December 6, 2005 regarding a Union Vote. The minutes read "There has been a history of the Union using money to support political activity, and some objections have been raised to this, so Phoebe [Jackson] was asked to have the department vote on approving the Union to fund two particular activities. Jim Hauser moved to change the vote to a general endorsement or rejection of allowing the Union to spend money on such activities. The move was seconded by Chris Weaver. The department voted to endorse this policy (18 yes; 2 no)."

11. Adjournment

A motion to adjourn made by Williams, and seconded by Montare. The motion was approved unanimously.

The meeting adjourned at 2:05 pm.

Respectfully submitted,

Linda Gazzillo Diaz, Ed.D., ATC
Recording Secretary