

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

Date: October 17, 2006
Location: Valley Road
Time: 12:30 pm – 1:45 pm

Present: S. Tardi, I. DiMaio, M. Mwaura, E. Matthews, C. Williams, J. Pinkston, S. Selke, R. Wolk, J. Wilkerson, G. Pope, C. Goldstein, M. Peek, S.H. Chung, G. Guerrieri, J. Carter, J. Najarian, S. Wollock, A. Pachtman, P. Jackson, I. Nack, M. Innis-Jimenez, G. Shepherd, S. Betts, D. Fengya, J.C. Davis, J. Peterman, M. Thompson, A. Montare, S. Lawrence, C. Mulrine, J. Matthew, R. Schwartz, L. Orr, B. Bing, R. Martinez, C. Simon, L. Xu, M. Turkish, R. Kearney, S. Nassiripour, L. Weiland, E. Goldstein, T. Ramin, A. Cheo, H. Ramadan, A. Panayides, K. Martus, M. Giorgio

Items distributed to the Council and General Membership:

- 1) Agenda
- 2) Minutes -- September 19, 2006
- 3) Online Compensation Agreement
- 4) Overload Compensation Agreement for Winter Session 2007
- 5) Promotional Opportunities 2006-2007 Academic Year
- 6) Listing of Executive Board members, Department Representatives, Standing Committees, and State Delegates

1. Call to Order

Tardi called the meeting to order at 12:45 pm.

2. Adoption of the Agenda

A motion to approve the agenda was made by Martus, and seconded by Matthews. Approved unanimously.

3. Approval of the September 19, 2006 Minutes of the General Membership and Executive/Local Council Meeting

A motion to approve the minutes was made by Selke, and seconded by Pachtman. Approved unanimously.

4. Announcements

Educational Workshops

Chriss Williams will offer a workshop for first and second year retention and reappointment on Thursday, 10/19 in Hunziker 100.

Tardi noted that a Range Adjustment Workshop was recently held. Members were reminded that it is important to apply for these opportunities so the Union leadership can more effectively negotiate the number of positions that should be made available.

A member commented that the range adjustments seem like a mystery because the names of the recipients are never publicized. Tardi responded that it is public information and the Union will publicize the names of those receiving range adjustments and promotions. The member asked if the names of the committee members can also be publicized. Tardi responded that the names of the committee members are made public by the Senate.

Shari Selke and Ed Matthews will host a workshop for Professional Staff Performance Based Promotions in November.

AFT Email

Tardi said there has been confusion about the AFT email that is being sent from the HUNZ 100 address, and noted that email messages were being deleted without being opened. She recommended that meeting reminders and other public union information be sent from the email address "TARDI-AFT." Members agreed with the change of email address.

New Local Agreements

Tardi discussed two new agreements, both relating to online teaching. She said the administration was unknowingly violating the contract and not paying appropriately for online course development and the first time teaching of online courses. The first time a faculty member teaches online, he or she should be compensated one credit above normal course compensation; payment will be retroactive (see attached agreements).

The second agreement deals with the 2007 winter session. The administration had originally planned to pay at overload rate which is lower than the summer rate, but the Union leadership negotiated the higher rate. Tardi indicated to the administration that it would not be academically sound for faculty members with no online teaching experience to experiment with an online class during the short session. Based upon the agreement, appointments to teach in the Winter Session will be restricted to those who have previously taught on-line through the Blackboard utility, or to those having other comparable prior experience with on-line teaching.

A member questioned if the compensation policy applies when another faculty member has taught the same course. Tardi said that faculty members are only compensated three credits for course development if they develop the course themselves. A member asked if the new policy applies to adjuncts and Tardi said yes.

Tardi suggested that representatives bring this matter to the attention of their department members. Department representatives should provide Union leadership with the names of any faculty members who have taught online and did not receive appropriate compensation. This information should also include the semester and the year in which the online course was taught.

A member inquired about the timeframe covered by the new online agreement. Tardi said that in cases prior to the current contract, the union will negotiate with the administration to encourage them to do the right thing.

5. Promotional Opportunities Report

At the Promotional Opportunities meeting with the administration, Tardi noted that members are engaged in more work than ever and not enough promotional opportunities were being offered. Tardi referred to the “Promotional Opportunities” document which includes the rationale, history, and current recommendations regarding promotional opportunities. Strong arguments presented by the Union leadership resulted in an increased number of promotional opportunities for the 2006-07 academic year.

6. Approval of 2006-07 AFT Executive Board members, Department Representatives, Standing Committees, and State Delegates

Tardi referred to the list of 2006-07 AFT Executive Board, Department Representatives, Standing Committees, and State Delegates and asked if the membership preferred to approve each separately or as a packet. Wollock made a motion to approve as a packet. Montare seconded.

Discussion: Tardi said members are welcome and encouraged to serve on various committees. Selke noted that Pinkston should be added as Webmaster on the Executive Board list. Simon said there should be two adjunct representatives and she volunteered to serve as the second adjunct representative along with Frank Pavese.

Tardi commented that Simon has done a wonderful job as the COPE Coordinator, but she chose not to be the Coordinator again this year. Tardi said that members have a choice of deducting COPE from their salary or sending a one time check, and that our local needs to become more involved with COPE. Frank Pavese is taking over the role of COPE Coordinator. Muroki Mwaura noted that his name should be added to the Budget and Audit Committee.

Following the discussion, the motion to approve the 2006-07 list of AFT Executive Board members, Department Representatives, Standing Committees, and State Delegates was approved unanimously.

7. Master Contract Negotiations Update

Tardi said we have four official negotiators for the upcoming contract negotiations: Sue Tardi, Chriss Williams, Linda Gazzillo Diaz, and Shari Selke. Al Montare will serve as an alternate. Three other members of Local 1796 serve on the State Council Executive Board: Muroki Mwaura, Judy Matthew, and Iris DiMaio. Tardi said Bob Wolk would have been chosen as a member of the negotiating team, but the College Council is only permitting four negotiators from each local. Tardi said Linda Gazzillo Diaz met with a small group of

Professional Staff members and Bob Wolk met with the librarians to try and determine the key issues for each group.

A member asked if the Union will have a labor attorney present at the table, since the State has a labor attorney representing their interests. Tardi said she does not want to talk publicly about all the negotiation details because the element of surprise is a part of the strategy.

A member stated that Human Resources will have an attorney at the table and it will be faculty members against lawyers. Tardi said that we have our own legal counsel plus the State Council has a legal representative who, in her opinion, has been too conservative.

A member asked if our local can consider a motion stating that we want to spend the money to have legal representation on our team. Tardi said this issue has been voiced by members of other locals. The way the current process operates is that negotiators pass notes to the State Council President who is the chief negotiator. He decides whether he wants to address the issues in the notes. Tardi said this year we are looking to identify key topics and areas of concern, and identify individuals around the table who can serve on sub-groups and counsel and assist the president with strategizing.

Tardi commented that there is a lot of respect for Local 1796 around the negotiating table. She said that other locals know what we do and they are listening to our recommendations. We are making every attempt possible to make sure that what occurred in the last set of negotiations does not occur again. Negotiations start on November 3 with a "Meet and Greet." Tardi expressed concern about the State wanting to rush the negotiating process.

A member commented that the State listing the Professional Staff as NL employees seems unbelievable, but they have maintained that for decades and the Union has fought it for decades. A summer agreement was negotiated in the 1980's for Librarians and Professional Staff to reduce the number of work days from five to four, meaning that they had to work more hours each day to make up the difference. The 35 hour work week remains a signed agreement. The member said the administration knows this has been agreed upon at this University and for the State, but they continue to insist upon labeling Professional Staff as NL. He said this is a complete outrage and complete hypocrisy, and he recommends that the negotiating team be aware of this fact and make use of it in the negotiations process.

Tardi noted the Professional Staff are saying that their roles are expanding outside their job definitions, and sometimes out of job title.

A member stated that we have had a problem negotiating against the State for many years, and suggested that we hire a law attorney because faculty members are not equipped to handle the issues. The member asked how much it would cost to hire an attorney to serve as one of our negotiation representatives. Tardi said an attorney would not be hired to be one of our four representatives because the State Council will hire an attorney to represent everyone around the table.

A member shared a personal anecdote relaying that he was secretly investigated because of a student's accusations. Tardi agreed saying that according to state law, it is not the administration's responsibility to tell someone they are being investigated.

However, Union leadership has attempted on numerous occasions to develop University policy specifying a fair investigatory process. This process would involve the administration contacting the member as soon as an accusation is made. The administration has rejected the Union's recommendation.

A member suggested that the Council should try to get legislators to introduce a bill to outlaw the practice of allowing anonymous complaints and secret investigations because it is a denial of due process. The University is a state agency and they must give due process. The member suggested that if a person is being investigated, he or she should bring a suit against the University claiming denial of due process. Tardi said she has contacted both the State Council's attorney and our own attorney about this matter, and the University has the right to secretly investigate someone.

Another member noted familiarity with the dynamics of state-wide negotiations and does not see the necessity of having a labor attorney in the room. He said the problems are with the locals themselves. Some locals do not participate for three quarters of the negotiations and then come in at the last minute and won't agree with other locals on the main issues.

A member commented that in the last few contracts the State has continued negotiating into the next year of the new contract. In the past the unions agreed that the raises will start in the second year, therefore raises were lost in the first year. Even though the raises are built in for the last year, the members still lose.

Tardi said she believes the State may want to settle by the end of this year due to pressure by the legislature and the governor. She said she does not think we should be rushed before we are thoroughly prepared.

8. Old Business

Letters to the President cc'd to the Board of Trustees

Tardi wrote two letters to President Speert, one addressed Banner implementation and also requested an evaluation of all administrative positions. In the letter, Tardi noted that the purpose of this review was not to merely identify and eliminate "non-essential" positions (which was the method the president chose to use to reduce the number of administrators), but to evaluate performance in each role, making sure that administrative roles are being effectively and efficiently performed. The second letter expressed concern for safety on our campus, particularly regarding Valley Road.

Tardi noted that both letters seemed to have triggered a negative response from the President. The President claims that all administrators are accountable and working effectively and efficiently, reminded Tardi that Banner testing and implementation involved members of our

bargaining unit, and noted that cuts in programs would not have been necessary had Tardi supported the spring furlough. He further emphasized that the furlough would not have significantly affected anyone. Tardi disagrees with the position of the President and will respond.

Regarding campus safety, the President claims that the campus is safe. At the previous general meeting a member had asked Tardi to check and see if the lack of physical security at Valley Road was grievable. According to Council, unless it can be proven to be an unsafe condition, no grievance can be made. Tardi said therefore there is nothing to grieve regarding the lack of security at Valley Road.

9. New Business

Literacy and Learning Questionnaire

Tardi advised the membership not to complete the Literacy and Learning Questionnaire until further notice. Tardi said that while the Union leadership is totally in favor of accountability and appropriate assessment, there is concern about the objective of the questionnaire and the anonymity of the responses. Tardi noted that since there is an online log-in, the questionnaire is not anonymous. Also, Tardi is fearful that the assessment will be used as an individual assessment rather than program assessment. She said the line is blurring between assessment and evaluation, and it could open the door for Middle States to eventually point back to the faculty.

10. Adjournment

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

The meeting adjourned at 1:50 pm.

Respectfully submitted,

Jan Pinkston,
Recording Secretary