

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

Date: September 15, 2009

Location: UC 171

Time: 12:30 pm – 1:45 pm

Present: S. Tardi, C. Williams, G. Guerrieri, J. Pinkston, E. Matthews, S. Selke, F. Pavese, R. Wolk, G. Pope, M. Williams, K. Martin, G. Gerardi, K. Martus, K. Smith, D. Joslin, J. Najarian, S. Wollock, R. Soto, L. Gazzillo Diaz, D. Koistinen, E. Martinez, S. Betts, D. Fengya, T. Newman, K. Louie, J. Peterman, A. Montare, K. McNeal, G. Furst, A. Holpp Scala, J. Matthew, R. Kearney, C. Simon, J. Hutchinson, E. Goldstein, M. Stanford, D. Nacin, K.H. Kim, B. Duffy, A. Cheo, E. Antoniou, L. Refsland, D. Potacco, D. Hill, M. Rosar, N. Kalb, M. Mwaura, R. Cauthen

Items distributed to the Council and General Membership:

- 1) May 12, 2009 General and Executive/Local Council Meeting Minutes
- 2) Listings of 2009-2010 Department Representatives, Committee members, and State Delegates
- 3) Rutgers's AAUP/AFT MOA clarification

1. Call to Order

The meeting was called to order at 12:39 pm.

2. Adoption of the Agenda

A motion to accept the agenda was made by K. Martus and seconded by J. Najarian. Approved unanimously.

3. Approval of Minutes of the May 12, 2009 General Membership and Executive/Local Council Meeting. A motion to accept the minutes was made by B. Duffy and seconded by A. Montare. Approved Unanimously.

4. Announcements

A Professional Staff Information Meeting will be held Wednesday, 9/16 in UC 171A. The furlough process and other information will be discussed.

5. Executive Board and Membership Introductions

6. Action Items

a. AFT Department Representatives

A motion to accept the list of Department Representatives was made by K. Martus, and seconded by E. Goldstein. Approved Unanimously.

b. Council of NJ State College Locals (Delegates and Alternates)

A motion to accept the list of Council of NJ State College Locals Delegates and Alternates was made by B. Duffy and seconded by A. Montare. Approved unanimously.

c. Political Action

Tardi noted that volunteers are needed for committees. She also reminded the Membership that if anyone is on a committee and cannot fulfill their responsibilities that they should let the Union Leadership know as soon as possible. Potacco volunteered for the Career Development and Tuition Reimbursement Committee. Hill volunteered for the Elections Committee.

A motion to accept the list of committee members was made by J. Najarian and seconded by A. Montare. Approved unanimously.

Tardi noted that volunteers are also needed to serve as Union observers on various committees. She further stated that any Union member is eligible as long as he or she completes a training session. A member asked if a person must be tenured in order to serve as a Union observer. Tardi replied that while being tenured is not one of the criteria, she does recommend it if the junior faculty member feels vulnerable in any way. She noted that a Union observer plays a key role on a committee and must insure that the rights of all members are protected. Tenured individuals would likely feel more comfortable in this role.

7. President's Report

a. Furlough Issues and Concerns

Tardi stated the Memo of Agreement (MOA) regarding the furlough and the wage increase deferment that was signed over the summer was unavoidable. She said that while the Executive Board and the Membership initially held the position that a contract is a contract, there was a clause in our Contract that allowed the State to impose a furlough and defer the wage increases. She noted that the clause was in the Contract long before the current Union Leadership was in place. Tardi stated that it was unfortunate that our legislature did not stand behind us, even in an election year. She further stated that given the current economic climate in the State of New Jersey and the rest of the country, she feels the agreement was the best we could do, and was better than we originally anticipated. Tardi noted that the administration is already considering a furlough for next year. She further noted that if the administration sees no impact from this furlough, then next year's furlough will be an easy way out. Tardi said that she wants the faculty and professional staff to understand that what occurred is not just about money; it is a political statement from the Governor stating that everyone is sharing the pain. Tardi urged the Membership to work within the guidelines of the MOA because it is a signed

agreement, but to not be manipulated by it. She noted that we have been mandated by the State to do this and it needs to have an impact.

Questions and comments from members

A member noted that in addition to losing money in our paychecks, we are losing significant money from our pension. Another member asked if the Union Leadership can suggest dates when furlough days will make the most impact. Tardi responded that the impact will vary from department to department. She noted that currently, every department is understaffed and the Professional Staff are under-supported. Tardi said that faculty and staff cannot be expected to work double-time to make up for the days they miss due to the furlough. Tardi said that some faculty members were told they must go through the department chairpersons, but this is not accurate; no process of review can take place by the chairs. The deans and/or supervisors are the only level of approval. Tardi noted that for faculty members, furlough days cannot interfere with teaching and instruction; however, no pressure can be placed on individuals to participate in activities such as assessment, advisement, and faculty meetings when they are furloughed. Furlough days for professional staff members cannot fall within a period that constitutes a peak period of work. A member asked if weekend days can be taken as part of the furlough. Tardi responded that the State Council clarified that furlough days must be taken during the typical 5-day work week. Williams stated that the State and the Administration are relying on us to care more about the students than our own circumstances, and he noted that the worst thing that can happen is for no negative impact to occur. Tardi agreed, stating that if we calculate the number of unit members and the number of hours that they will be unable to engage in University related work, it is ridiculous to assume that furloughs will have no negative impact on students, departments, and the University as a whole. A member asked how we are going to demonstrate impact, when furlough days cannot be taken on teaching days. Tardi said one example is that this is a crucial year for assessment, and the members should not consider going above and beyond their duties since the State and our University supported the furlough. She said President Speert told the Board of Trustees that the furlough would not directly affect students. Tardi refuted this statement. Tardi requested that unit members inform Union Leadership of any instances of negative impact on students, departments, and the University due to furloughs. She will compile the information and present it to the Board of Trustees. Tardi noted that in the future, the mandated furlough may not come from the State, but rather from the University, and this information will prove useful when it is time to discuss the options. Tardi said that the people in the large, strong departments are the ones who need to carry the burden for the smaller, tenuous departments that are more vulnerable regarding low enrollment. A member asked if an automatic reply can be set up in order to identify the impact of furlough days. Tardi responded that email, voicemail and door signs should be utilized when faculty and staff are on furlough. She further emphasized the importance of reporting the specific negative impact that a furlough day has to Union Leadership, because Leadership must be informed in order to be empowered.

A member commented that the State is projecting a \$10 billion shortfall next year and is already considering laying off public school teachers. Tardi stated that is why it is

important for us to plan head for next year when we will likely be going back to the bargaining table. A member asked if it is acceptable to be furloughed on the date of the Provost's meeting. Tardi stated that no one is required by contract to attend the Provost's meeting, but furlough days must be preapproved. A member asked if faculty and staff are obligated to work at open house. Tardi said that while no one is obligated to work at open house, the event does have the potential to bring in new students and help increase enrollment at the University. She said that if enrollment remains low, future furloughs are even more likely. Tardi said her advice is to think carefully about what is reasonable and unreasonable when considering how to make an impact. A member asked about the furlough schedule for individuals with a five day teaching schedule. Tardi said individuals who have a five day teaching scheduled should request assistance from the Union Leadership. A member asked if the Union can suggest when to schedule furlough days so they will be the least damaging financially. Tardi noted that the response to this question would vary by individual. In general, anyone receiving a step increase in January 2010, would generally benefit financially if they complete all furlough days prior to the step increase. The reason is simply that individuals are likely to be making less money before a step increase. A member asked if furlough days can be taken during commencement, after final grades have been submitted. Tardi said that most people feel that once grades have been submitted, the semester is over. She said President Speert's position on this issue is to agree to disagree. The Union agreed to allow faculty members to attend meetings after commencement and final grade submission on a volunteer basis. Others have not accepted this, and it could go to arbitration. Tardi stated that the Union will soon be building a relationship with a new president. She noted that while the Union Leadership has often disagreed with President Speert, we have had a respectful relationship with him. Tardi said the Administration is very aware that we have an extremely strong Union at this Institution, unlike some of our sister Locals, and that the strength comes from the Membership. Tardi said her goal is to keep this Union very focused and strong. Tardi noted that the Board of Trustees has acknowledged that she has always put the students first, and that she is a professor who happens to be the President of the Union. Tardi stated that the negative impact of the mandated furlough is the result of the State and the University, not the individual faculty and professional staff members.

b. University Safety

Tardi said there have been a number of safety related incidents over the past two years, and we finally have a Safety Committee in place. Tardi said that while there has been a "Students of Concern Committee" for quite a while, she doesn't think people are aware of exactly what the Committee does, and she feels that faculty should have more say about how safety issues are brought forward on this campus. Tardi said the Provost has expressed concern that faculty members will bring forth too many small issues. Tardi said she feels it is better to come forward with small problems, rather than ignore problems until they escalate. Due to her participation on the Safety Committee, Tardi identified that safety cards had been printed but not widely distributed. Thanks to Chief Horvath and Terry Bogorad, Deputy Director of the Department of Public Safety, the cards are being circulated to our Union representatives to give to their department members. She further noted that we want people to know what to do in an emergency and we want faculty to identify potentially dangerous situations. Tardi reminded the Membership that counselors

are protected because of their licenses, but faculty members and staff are not; that is why students should always be referred to the professional counselors on campus. A member asked about the H1N1 outbreak and questioned if a formal process is in place to deal with it. Tardi said she will get clarification from the administration on the policy on the H1N1 virus as it relates to students, faculty, and staff.

c. Political Action

Frank Pavese, Chairperson of the COPE Committee outlined the process our Local follows prior to endorsing a political candidate. Pavese stated that the facts about political candidates are discussed at the general meeting. The department representatives are asked to discuss the matter with their department, and report back at the following meeting where a vote is taken. Pavese noted that the AFT State Council has chosen to support Jon Corzine. He further stated that Christie maintains he will not negotiate with labor unions. In addition, Christie has criticized Corzine for being too labor friendly and has already stated that if he is elected, he will lay-off 20,000 State employees. Tardi added that although Corzine took advantage of the clause in the Contract permitting the wage freeze and furlough, at least he is still willing to negotiate with labor, and therefore seems to be the lesser of two evils. A member asked if we can choose a third option of not supporting Corzine and denouncing Christie. Tardi said she fears that so many people are angry with Corzine that they will simply vote for Christie without knowing the facts. A member mentioned that the gubernatorial debate will be held at William Paterson on October 16.

8. V.P. for Grievances Report

Williams stated that last semester we voted to provide support to a member who had engaged in plagiarism and was facing the possibility of detenure. Williams explained that the individual chose to hire a private attorney that had nothing to do with the Union. The person has since resigned, and the matter is closed.

Williams described another case where a member was sent to our Local's attorney for a consultation. The person had a history of progressive discipline and the administration believed that the next step was a one semester suspension. The attorney will evaluate the case and decide if the punishment is in line with other similarly suited cases in the State. Williams noted that the attorney's recommendation will be our guide as to whether or not we will recommend if this individual should be given further financial assistance. Tardi clarified the process by stating that under usual circumstances, an individual should speak to the Grievance Officer who will discuss it with the Executive Board. The Executive Board votes to determine whether or not the member should receive financial support from the Local. At the subsequent General and Executive Board meeting, the issue is discussed and voted upon by the Membership. Currently we have a member who has disputed the manner in which his or her previous case was handled by our Local, so the person has been referred to our attorney for consultation. Our attorney will make a recommendation to Union Leadership and the normal process will resume (vote by the Executive Board on whether to provide financial assistance and then presented to the members at the General and Executive meeting for a vote).

Tardi stated that the Senate recently discussed whether or not to allow students to record classes. She said this is about academic freedom, and she would like to know where the Membership stands on this issue. Tardi explained that the Senate is considering passing a rule stating that students are not authorized to record a class unless they have permission from Disability Services. She stated that while she disagrees with this ruling because it subjects the students to being labeled, she does feel that limitations should be placed on how the information can be used.

Comments from members

A member stated that it is “well and good” to say there are limitations, but in this day and age there exists a possibility that information can be placed in a public forum that is inappropriate. Williams stated that he is completely against all forms of recording because it can be easily manipulated. A member stated that people are not supposed to speed on Ratzler Road, but they do it anyway. Another member stated that if people are recording a lecture, other students might feel uncomfortable and participate in classroom discussion. One member pointed out that even if penalties were to be imposed, it would be too late, because the information would already be out there. A member questioned if Disability Services can provide the recording to faculty members, so the faculty member who was recorded can retain a copy of the original recording. A member asked if the professor could be allowed to record and control the recording. Another member stated that passing a law is not going to stop anyone from quietly recording. Tardi stated that she would consult our Local’s attorney.

10. Adjournment

A motion to adjourn was made by K. Martus and seconded by A. Holpp Scala. Approved unanimously. The meeting adjourned at 1:55 p.m.

Respectfully submitted,

Jan Pinkston,
Recording Secretary