



*UUP Binghamton Labor Management Meeting Notes*

Monday, March 25, 2019, 1:30 p.m., AD 712

**Present:** Renee Andrews, Donald Kunkel, Sean Massey, Benita Roth, Darryl Wood, Andrew Baker, Rebecca Brenner, Sara DeClemente-Hammoud, Joseph Schultz, Vice President Navarro, Provost Nieman, President Stenger

Sean Massey called the meeting to order at 1:30 p.m. and welcomed all to the March Labor Management Meeting.

1. **Continue discussion of staffing and coverage during hiring freeze; how the labor gaps caused by retirements, non-renewals, sick employees, etc. are being addressed; and the formal and informal messages regarding extra-service compensation. We continue to hear about managers blaming the current fiscal challenges and hiring freeze on the negotiated raises; staff being asked to take on additional duties, while being told there is no money to compensate those duties; and explicit warnings being given to not request salary adjustments. Would like to discuss strategies to address this practice by management.**

UUP (Sean Massey): We have continued to hear from our membership regarding discussions about the hiring freeze and how explanations about the hiring freeze are being tied to the contract and raises in areas where they are making decisions regarding retirements, non-renewals, etc. The messages that we are getting are that it is being suggested people have to cover the labor gap and they can't ask for any more because of the new contract raises. I understand that this is not what is supposed to be happening. We want to discuss strategies with dealing with this.

Management (President Stenger): The University has an exception to the hiring hold policy. We have processed 150 exceptions so far mostly replacements filling those gaps. If you hear of specific instances, bring it right to Joe.

UUP (Sean Massey): We can do that after the meeting.

Management (Joseph Schultz): The other piece is the option for the employee petition to have duties removed if something is added or talking to the supervisor about prioritizing. We had this discussion about employees who do not have permanency not wanting to rock the boat. There will be a meeting tomorrow to talk to people about the options here and how that works. Suppose this person retired and 20% of the duties are now yours. The supervisor or the employee can submit a petition. The other piece is sometimes the duties are cyclical. Can we prioritize?

UUP (Sean Massey): That is great to give people some sort of sense and to be able to see the problems. Is it the climate within the unit or program where they are not really supposed to do that? A top down conversation to remind people that they can't set that tone.

Management (President Stenger): Deans, Vice Presidents, Assistant Vice Presidents. Everyone who manages everybody. We also talked about this at a PSS meeting. The encouragement is that if duties are being changed, go to the performance program and go to your supervisor. If it is uncomfortable, go to the next level up.

UUP (Sean Massey): If we know in some circumstances there is a labor gap.

Management (President Stenger): Those are exceptions.

UUP (Sean Massey): If they ask if there are labor gaps that are created, would we need an explanation?

Management (President Stenger): It doesn't take long, about seven days.

UUP (Sean Massey): Whenever one arises, if they do not request something they have to fill it with someone.

Management (President Stenger): It seems like the easier thing would be to request it.

UUP (Sean Massey): There are deans who are saying to people they have to simply fill in the labor gap and just figure it out.

UUP (Benita Roth): Want to be looked at as good soldiers.

UUP (Sean Massey): Retirement, renewal automatically trigger how they are making the labor gap cutting duties.

Management (President Stenger): That is what the letter said in November I sent out.

UUP (Benita Roth): Are we still going to evaluate this hold based on enrollments?

Management (President Stenger): Yes.

2. **Continue discussion of job announcements, composition of search committees, and internal promotions.**

**Employees who have expressed interest in jobs posted on HR's employment opportunities webpage have been told by their supervisor not to apply because "They already someone**

**in mind for that position". We would like further clarification about the process of job posting; consideration of internal applicants; when and how search committees are formed; and when exception to this process are allowed.**

UUP (Sean Massey): Another thing is there have been a lot of unofficial conversations about employees who have expressed interest in jobs posted on HR's employment website and have discussed this with someone in their area and are being told no don't apply we already have someone in mind for that job.

Management (President Stenger): Seems like it really needs to be addressed one on one. They might think they have control, but they don't have control. Let us know who is saying it so we don't have to talk about it at the Labor Management meetings.

UUP (Sean Massey): We hear this.

Management (President Stenger): But they told you. You can tell us.

UUP (Sean Massey): We are their advocates.

Management (President Stenger): Ask if we have their permission.

UUP (Sean Massey): I would say that collectively there is this atmosphere out there that people don't think they can do that. Something that has created that atmosphere.

Management (President Stenger): Retaliation is a pretty serious event. Fifteen people, five, three?

UUP (Sean Massey): Four or five I would say. It is localized who is creating this environment.

UUP (Donald Kunkel): You may not get the right person for that position.

UUP (Sean Massey): Also a distrust of the system that is encouraging that. I feel like if we can figure out how to adjust it. Some responsibility on management to be clear this should not happen.

Management (President Stenger): You tell us where it is happening, and we will make sure it doesn't happen anymore. Right, Joe?

Management (Joseph Schultz): Yes. On the internal side over the years the advice that we have given to departments that offhand do you want to go with the internal pool interview three out of five. This is an opportunity to give everyone a chance to compete. It represents an opportunity. Telling someone upfront don't apply. Not a go.

UUP (Darryl Wood): Generally it is a pool of one that they have already decided on.

UUP (Donald Kunkel): Could be viewed as a missed opportunity for a promotion. It is a vacancy but could be a promotion for people in the internal pool.

Management (Joseph Schultz): Someone can be promoted. That would be a non- posted vacancy.

UUP (Donald Kunkel): Could that be what is happening?

UUP (Sean Massey): I don't think so. They saw it and were encouraged not to apply for it.

3. **Request an update on priority given to the full implementation of the new online performance program system.**

**It appears that the implementation of the online performance program system has stalled. Although a basic system is now available online, the critical tracking, reminder, and reporting features that were part of the initial proposal have not been implemented. Would like to discuss the priority given to this project and the plan for implementation of the full program.**

UUP (Sean Massey): The plan to move everything to an online system was very encouraging and I think we had a fairly robust plan to encourage people to complete them and give us some report on compliance with that expectation. It moved to getting performance programs and evaluations online in terms of compliance and then it stalled.

Management (President Stenger): It is a good start.

Management (Joseph Schultz): What we are expecting from Scott by the end of the semester is reporting capabilities. He is working on it now. Reporting is up next, and we hope to be testing by the end of the semester.

UUP (Benita Roth): UUP brought it up because of compliance. Compliance is part of the contract. The fact that we didn't know percentages and thought it wasn't as high as expected. The reporting capabilities to know who and where the problems are is what we want.

UUP (Sean Massey): The initial sense we got were that other things took place.

Management (Vice President Navarro): I saw a list of 20 bugs he is trying to fix. They are well aware that this is a high priority.

UUP (Sean Massey): We didn't really know if anyone was using it.

Management (President Stenger): It is all being saved to a database. They are smarter than we are about these things, and they will figure it out. People just don't like doing this. The

majority of people that do this are UUP and is both of our problem. I'll bet a lot of them are in academic affairs. It is not fun to do these things.

UUP (Benita Roth): New chairs and program directors did not get into the business to supervisor employees. We have advocated for many years to have training for new chairs and program directors and that training be mandatory. It is contractual for everyone involved and that it is happening. They are not skilled in the nitty gritty details that they need.

UUP (Donald Kunkel): Darryl and I are presenting a workshop on April 15. There will be a session in the morning and a session in the afternoon about performance programs and evaluations. It will be in Dateline.

Management (President Stenger): That's great. Thank you, Darryl.

UUP (Sean Massey): The announcements on Dateline and reminders about that have been pretty robust lately.

UUP (Benita Roth): We are happy to see announcements.

UUP (Sean Massey): We need a report about compliance and know where they are not complying.

4. **Request an update on plan discussed last year to move long-term part-time capital funded employees**

UUP (Sean Massey): We discussed last year to move part-time capital funded employees to a full-time pathway to permanency. As I understand it, there has been movement in the past month or so.

Management (Joseph Schultz): I sent you an email and never heard back. Capital facilities monies are temporary and we talked about 90-95%. It doesn't allow them to become permanent. We started with trying to identify a number of positions. They already were doing this with a few people in physical facilities. There are a total of nine. Looking at the next two positions, and that would give us four of the nine. One part of the puzzle is how do we define seniority for this? Some as soon as they have gotten here. We want to come to some agreement.

UUP (Sean Massey): I misunderstood that.

Management (Joseph Schultz): Switched to 100% a long time ago. There are nine total capital funded employees. Of the nine, two are permanent. We are going to identify two more, so it would be four out of the nine. Sounds like the two people we haven't come up with scenarios

on may be close to retirement. Go on track and then retirement would allow another two for six of the nine. We have to have a discussion on transitions.

UUP (Sean Massey): Four but no more until something is open or those two people retiree would probably give them the opportunity to move on to 100%.

UUP (Benita Roth): I am concerned about the 95% not being moved to 100%. It does not seem right in any way shape or form.

Management (Joseph Schultz): I don't know the breakdown of the 90 to 95%. Our preference is 90%. It is clear with facilities that in the big picture I think we are talking about a million dollars of this temporary salary. Don't have the ability to move to that salary. Take all the people involved.

UUP (Darryl Wood): You may not be able to answer, but what has been the average number of individuals in that group?

Management (Joseph Schultz): I would say seven or eight. It has been pretty consistent.

UUP (Darryl Wood): That might suggest that if you know that you pretty consistently have that money for six or seven or eight.

Management (Vice President Navarro): Historically we have, but there is just no guarantee.

UUP (Darryl Wood): Go back ten years with fluctuations. The lowest number is seven? Seven maybe not. Five maybe. Appropriate number of positions to go full time.

UUP (Sean Massey): Another concern is the long-term aspect of it. Over a decade in the position also seems like a way to avoid permanency. It is a concern.

Management (Vice President Navarro): Most campuses have them go just through the construction fund. When the project is done, they could be over.

UUP (Sean Massey): We are aware that it is a SUNY-wide problem.

Management (Joseph Schultz): Outside of this meeting, we will discuss this scenario.

UUP (Benita Roth): By seniority. Who will be next?

Management (Joseph Schultz): Nothing in the contract, so we just need to be on the same page.

5. **Request an update on plans/procedures to regularly upgrade electrical systems and other technology in older buildings.**

UUP (Sean Massey): Let me give you an example. In the building that we are in we regularly pop the circuit breaker. Can we get an update?

Management (President Stenger): Are you talking about circuit breakers? Don't use power strips, don't put a coffee cup in a microwave.

Management (Vice President Navarro): We are in phase five. We have invested over \$12 million in updating our electrical system. We recognize that some of the buildings were not designed for equipment. There are instances in adding a circuit. Simply submit a work order, and if it is possible we will install. We don't have one in this capital plan 2022. We are making tons of investments across campus. The library is not in in. The third floor, but not the Tower. Hopefully something in the next capital plan. We will wait and see. Send a request to facilities and see if they can invest something.

UUP (Benita Roth): Fifteen offices are on the same circuit breaker. We have also paid for another plug. Basically the Library, Library Tower.

Management (Vice President Navarro): Perhaps the next capital plan.

Management (Vice President Stenger): As soon as you do, the asbestos which costs millions and millions of dollar.

Management (Vice President Navarro): We know we have those windows that need to be replaced. It is a huge project in the Library.

Management (President Stenger): Larry would love to do it. He knows how many air conditioners there are and he hates it. Each one has a compressor outside.

UUP (Darryl Wood): Solar?

Management (President Stenger): Bid with 20 other SUNY campuses on a clean energy purchase. We would all participate. We would guarantee we would buy. Not on campus.

Management (Vice President Navarro): Experiment with Solar, but it is not the most reliable.

UUP (Darryl Wood): Just reading popular windows, siding that provides you with some power. Clearly you need to start with installation.

Management (Vice President Stenger): Windows in the new nursing building electronically sense the light and grey them. Sage glass. Energy conservation is important. New engineering building is almost 100 thousand dollars a year in electricity.

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“Below the Line” Agenda Items

(As agreed to by UUP and Management during the October 2011 Labor Management meeting, agenda for these meetings may include “below the line” agenda items that are added after the agenda is set. These items can be discussed formally or informally (no notes) at the current Labor Management meeting if both parties agree, or can be postponed to the next Labor Management meeting upon request of either party.)

Management (Joseph Schultz): We were able to get insurance for the seven people in English in Harpur. If they teach the same courses they will get the six. One four and one two. If they teach next semester. Harvey and Don’s solutions.

Management (Donald Nieman): We had a need. It really meets a student need as well.

UUP (Sean Massey): You fixed it and it is great. I know that you have informed them.

Management (President Stenger): Big savings for them.

Meeting ended at 2:09 p.m.