

Notes  
UUP Labor Management Meeting  
Monday, January 27, 2020, AD 712

Present: Renee Andrews, Donald Kunkel, Sean Massey, Benita Roth, Darryl Wood, Andrew Baker, Rebecca Brenner, Sara DeClemente-Hammoud, Joseph Schultz

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

**ITEMS FROM UUP**

**Salary Compression/Inversion**

**Discuss recent roll out of salary compression/inversion adjustments. Would like updates on the following: were any exceptions requested by Administration; frequency and reasons some areas received no adjustments; discuss feedback from employees; any feedback from our campus' HR that we can share with statewide colleagues?**

UUP (Sean Massey): Part of what we wanted to know is your impression on how things have gone and how things are going.

Management (Joseph Schultz): From a bargaining standpoint we had to look at a landmark of things in the contract. All first. First round. No clue. Very fluid UUP working with SUNY. From the campus prospective it continues to be a lot of work. We are hoping next time it will be less work, but it was a big project. We did our best to follow the guidelines SUNY provided and 1500 people were involved. Some people are happy and some are asking, "Where is mine?" I think some who contacted us thought, "I've been here a long time and thought I would get some type of thing." Maybe you have received more calls than we have. I thought we would have received me personally, more than we have received. It is still only January. A couple of questions on the CUPA data. Why didn't we use doctoral institutions? SUNY guidelines stated the preferred source was the all institutions. My understanding is what they indicated was that particular one had the more complete data.

UUP (Sean Massey): So you would have titles and disciplines missing.

Management (Joseph Schultz): Correct. Second piece was whatever you had, had to be consistent. It had to be the one.

UUP (Sean Massey): If it is missing data how could it be? How could they use institutions and not the doctoral institution as benchmark data? You would be missing some data.

Management (Joseph Schultz): You can't go back and forth. And all institutions is more data.

UUP (Sean Massey): What I have been told is it was left up to campuses to make the decisions.

Management (Joseph Schultz): SUNY sent an email saying that "all institutions" was the preferred source.

UUP (Sean Massey): It is unlikely that there is a doctoral institution that would choose to use all institutions. So you can choose, but you can't.

Management (Joseph Schultz): Guidelines preference.

UUP (Sean Massey): Are their missing data points in the all institutions?

Management (Joseph Schultz): There could be. We are recommending all institutions.

UUP (Benita Roth): I wonder if there is missing data for the all institutions.

UUP (Darryl Wood): All institutions would be complete. Everything is included as you begin to parse groups you begin to lose stuff. My memory in reading and with conversations I was a part of, you the campus could decide that for a group of individuals, a department, a program, etc. that you wanted to use a different data set.

Management (Joseph Schultz): A couple of examples. We have the Bartle Program where retirees are rehired with a \$30,000 earnings limit. Bartles were only compared to Bartles and pulled out of the regular adjuncts. You could use a different data set for comparison purposes if you justified it. All of the academic programs on basket weaving and all everyone else.

UUP (Sean Massey): A good justification is the data does not exist for a department. I sorted by department and took a look. There are some departments where nobody received any compression. Have you taken a look at the results if the calculation was run using the doctoral institution data for those departments?

Management (Joseph Schultz): They were all above the CUPA data. 70 and 76 kind of thing. We looked at it quickly and still above the doctoral ones.

UUP (Sean Massey): Another point not advocating for it just came up. Tiers in particular disciplines. Tier one and tier two compared. We are ranked for our different subject areas. But what happens is people didn't get one and say no one got one and go to disciplines. Wait a minute I am really compressed.

Management (Joseph Schultz): We have this many people.

UUP (Benita Roth): Do you know how many?

Management (Joseph Schultz): Could be 400 of all faculty and all professionals. Out of about 2000 a little less than 2000.

UUP (Sean Massey): Another concern when you look at the threshold of compression \$2500 it is much more difficult for disciplines where average salary is low compared to disciplines in other five or six figures. It is much easier to meet in STEM field than say in liberal arts. Having a fixed as compared to a percentage.

Management (Joseph Schultz): \$1500 to \$2500. We did the \$2500.

UUP (Donald Kunkel): Percentage.

Management (Joseph Schultz): Guidelines said an amount not a percentage.

UUP (Donald Kunkel): Again if you took the percentage.

Management (Joseph Schultz): It would have to come from SUNY and SUNY and UUP to go to the guidelines.

UUP (Sean Massey): Collectively we can modify guidelines in a way that we agree.

Management (Joseph Schultz): Send me something about it. We are pretty much a neutral party.

UUP (Sean Massey): You don't have to be a neutral party. I have actually been answering some of their questions.

Management (Joseph Schultz): Thank you.

UUP (Benita Roth): Should we talk about the survey? We have been asked from Statewide to send out a survey about compression.

UUP (Sean Massey): Online. We are going to do it. Before you fill this out check with HR. Supposedly to come to you to ask about compression. If you have satisfaction with compression or dissatisfaction.

Management (Joseph Schultz): Someone wants to know. Did they get one or didn't. Guidelines. SUNY is telling us the CUPA data is proprietary. Here are the data points and how it is formulated.

UUP (Sean Massey): I could just tell them to go to HR and then fill out the form. Going to be a lot of people. One thing, those who got 0 didn't get a letter and don't know that the decision was already made.

Management (Joseph Schultz): Timing on the letters. When we do all the letters for regular discretionary, we know the salary. One transaction. Attempting to do two separate letters. First to do one and then do another letter. Got a regular letter.

UUP (Sean Massey): The people who got nothing are asking: When is the compression money coming?

UUP (Darryl Wood): Some campuses sent to every employee.

Management (Joseph Schultz): Our normal process is that if you got one you got the letter. We did the same this year. Budgets.

UUP (Darryl Wood): I think they did emails. Just so you know.

UUP (Sean Massey): What is going to happen when we send out about survey? Everyone didn't get one but the survey is probably going to everybody.

UUP (Donald Kunkel): If you haven't received a compression letter, you aren't going to get one because you are below the threshold.

UUP (Benita Roth): Should give a reason. According to the CUPA. I wouldn't specify.

UUP (Sean Massey): Everyone send feedback. Some reasonable points are being raised. May have heard or not.

Management (Joseph Schultz): Professionals was different than faculty. Professionals SL4 look at someone and say you are an SL4 senior advisor and given a SL4.5. When we could we did this. They had a consultant come in and created a much more specific system. SL-1, a, b c, d. Historically some put directors at SL-5 or directors at SL-4. There were some when we looked at it that doesn't really compare well, but it is what it is. We had the variable. The basketball coach is not going to be compared with the swim coach. Comparison again. Higher paid individuals, Director of Athletics that sort of thing. Again it worked. We did our best. That's why someone received a variable. Faculty, if you were a former dean and then came back to faculty, salaries were a bit different.

UUP (Darryl Wood): Monies have been paid on January 8?

Management (Joseph Schultz): Yes. I sent you the report that went to everyone.

UUP (Sean Massey): If you got a compression raise you got the letter and you know what your variables are.

Management (Joseph Schultz): If you did the math, you know how much you were compressed.

UUP (Donald Kunkel): If you didn't get a letter, you still don't know.

Management (Joseph Schultz): Next year when we do this no idea what the results will be. Results will be different because some have been compressed.

UUP (Benita Roth): If someone was \$2400 compressed and someone was \$2500 compressed, the person who was \$2500 got it.

UUP (Sean Massey): So using the doctoral benchmark doesn't require buying another data set?

Management (Joseph Schultz): It is the CUPA salary survey. Everyone had to buy it. It was very clear at training this is copyrighted and campuses must have a subscription.

### **Graduate Students Taking Undergraduate-Level Courses**

**Request an update. Also, will solutions be available to graduates who are taking courses but are not matriculated into a graduate degree program?**

Management (Joseph Schultz): We have a solution. The policy solution is not yet implemented but is going to be all graduate students regardless.

UUP (Sean Massey): If someone took it, it will show as a credit. Won't show as a credit towards a degree but will be for certification. Given 0 credits for a course might look like they failed.

Management (Joseph Schultz): Sounds like they have a solution now. Not able to do this for spring but for the summer or fall.

### **Online Performance Program System**

**Requesting a semester update on progress of implementing additional features (e.g., reports on compliance, etc.).**

Management (Joseph Schultz): Scott has provided us with the ability to query. March we are in January now when everyone is due. We are running and looking at data. Found an issue. Lots and lots of work run the query the document has been completed. Let them know they have to go in and do that final approval. Hundreds. Don't think we can automate the final. Automatic reminder.

UUP (Sean Massey): We have hundreds.

Management (Joseph Schultz): Person thinks it is on file.

Management (Sara DeClemente-Hammoud): Mostly supervisors in most scenarios.

UUP (Sean Massey): By doing it now you know that it is happening. It sounds really good.

Management (Joseph Schultz): We will be writing emails to supervisors in the next month and a half.

UUP (Donald Kunkel): I got one. Someone reached out to me. I didn't finish mine.

UUP (Sean Massey): At the March labor management meeting we can talk about compliance.

Management (Joseph Schultz): Yes.

Management (Sara DeClemente-Hammoud): That is our goal.

UUP (Darryl Wood): More detailed in terms of completion. Maybe not by supervisor but by area. Break it down different by schools, academic and maybe other.

UUP (Benita Roth): Departments. That would be good.

Management (Joseph Schultz): I don't know that Scott has a hierarchy.

UUP (Donald Kunkel): Still accepting paper. Is there a plan?

Management (Joseph Schultz): Part will be yes it has been completed, in processing going ahead. One reason the system only allows one per year change. If the supervisor changes, it won't allow you to do another one. We have a list for Scott.

UUP (Donald Kunkel): Yes. We will have to know which areas we have to target. We want to know. I echo what Darryl said.

---

#### "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.)

#### **Comp Time**

UUP (Donald Kunkel): Comp time. I am getting quite a few questions from people in regards to comp time. What is your professional obligation? How long is a day? Supervisors are saying there is no comp time - Appendix A-28. I think there is a solution.

Move a person's pass day and comp time and assigning once. A 15-16 hour day more than exceeds your obligation.

Management (Joseph Schultz): Professional obligation. Three different scenarios. Here is how we should be handling a difficult topic to throw out there to the masses. Really comes down to being reasonable. Let's have this conversation. A lot of work behind the scenes.

UUP (Donald Kunkel): Not in just one department. Do I have to work 12 hours every day? We have members doing that.

Management (Joseph Schultz): No. That is not reasonable. There isn't a definition of a work day. I have a 37.5 work week. The fact that there is a definition of a work day creates a scenario. A clear, concise answer? It depends.

UUP (Darryl Wood): For as long as I can remember. There is a way that the university can confirm that comp time exists. Talk about a normal obligation. If someone is working beyond their normal professional obligation.

Management (Joseph Schultz): If you have questions, read the 2002 Sylvia Hall memo. Management's biggest issue. A supervisor says two weeks after the fact and there wasn't a discussion. Get together and agree. I'm going to be here Saturday and Sunday. An Admissions Fair is on Saturday and Sunday and will be away. Not coming in Monday and coming in Tuesday afternoon. We send it out weekly.

Management (Sara DeClemente-Hammoud): I would be happy to send it to you.

UUP (Sean Massey): Put an article in the newsletter.

UUP (Donald Kunkel): Reasonable that is it abuse excessive or that is reasonable.

UUP (Sean Massey): I think we can define what we understand what the boundaries are of that.

UUP (Darryl Wood): We refuse to actually address the problem.

Management (Joseph Schultz): Very simple. In classified service, the workday is defined. Someone working 12 hours a day that is asking for comp time. Different operations. Different system. New supervisor. It is a difficult scenario. Difficult to get a systematic message.

UUP (Sean Massey): I think we have to stand for a specific standard.

Management (Joseph Schultz): New supervisors: this is the way it was handled.

UUP (Donald Kunkel): The issue is that it doesn't exist.

Management (Joseph Schultz): I would agree in your article. Yes it doesn't exist.

UUP (Benita Roth): Nothing has changed since 2002?

UUP (Donald Kunkel): Nothing has changed.

UUP (Darryl Wood): Conceptually nothing has changed.

UUP (Sean Massey): We are often dealing with performance program slippage and certain supervisors trying to squeeze more. A clear understanding with everyone involved. We already have a problem and are trying to negotiate comp time. I feel like the reasons we need to continue to communicate to every nook and cranny is that there is comp time. Being asked if we look at it is that is not right.

UUP (Benita Roth): How many of these situations do you think you are intervening?

Management (Joseph Schultz): Questions on comp time come up weekly. Call us. It is dependent on the scenario. The interesting one we found over the years. People request to go to conferences held on Saturday and Sunday. This wasn't a required conference but the university was being nice and paid for it and let you go. And now you are asking for comp time.

Management (Sara DeClemente-Hammoud): People don't ask on the front end. They have to understand that you need to have a conversation on the front end.

UUP (Donald Kunkel): I agree.

Management (Joseph Schultz): Supervisor says no comp time.

UUP (Donald Kunkel): That Saturday you asked me to work that is my pass day. No comp time.

Management (Joseph Schultz): You can give us a call. We can call the supervisor. Lots and lots of supervisor changes over the past years.

UUP (Donald Kunkel): We held two supervisor training sessions to address that. We hope to have more.

UUP (Benita Roth): I think conversations have to be held on the front end so supervisors know what they are doing. It really could be something that supervisors could initiate as well. Can they call?

Management (Joseph Schultz): Yes.

UUP (Benita Roth): Not just on the member but both parties.



UUP (Sean Massey): At a conference? Representing the university?

Management (Joseph Schultz): It depends.

UUP (Sean Massey): Why does it depend?

Management (Joseph Schultz): I am requesting a different scenario. This is required. Ok. Let's talk. If someone is saying I would like to go. The university paid for it and let you go.

UUP (Sean Massey): Are you saying people get to volunteer for BU? Volunteer to represent BU?

Management (Joseph Schultz): People request to go to conferences that aren't required for their job. A supervisor says here is a conference, I want you to go. There is a difference.

UUP (Darryl Wood): You are suggesting that the campus is funding junkets? I would like to go to Hawaii. Yes. We would be happy to send you and are paying for me to go and have funding. Funding it because you decided that this is important for that individual to have the knowledge and skills.

Management (Joseph Schultz): Clearly an endorsement. Has to be approved.

UUP (Darryl Wood): My memory is that IDA awards do address this issue about travel and stuff for funded IDA's. If the campus is going to endorse it with their money, it is your job.

Management (Joseph Schultz): Don't come back and ask for it. Do it before.

UUP (Sean Massey): There has to be consistency.

Management (Joseph Schultz): There isn't a blanket across the university.

UUP (Benita Roth): My sense in listening to you is that some of the supervisors sound like some non-required conferences are only personal and not part of a university obligation. Are you getting that sense that they are making a distinction?

Management (Joseph Schultz): Me being a supervisor. Did I have to send this person to this? They requested. I would have approved. The person approached the supervisor to do it. I was benevolent but now I'm being asked.

UUP (Benita Roth): What is this benevolence? It seems that the supervisors have to have a sense. It is either important and if it is not it's a junket.

UUP (Donald Kunkel): The conversation needs to be had before they go.

UUP (Benita Roth): They have to decide if it is a good idea for their area.

UUP (Darryl Wood): Just good professional development. This will make you a good person and good for the campus. If the campus is shelling out several thousands of dollars, than yes it is important.

UUP (Sean Massey): I agree. Another piece is it varies on who they are talking about or whether or not they get compensated. Fair labor requires consistency.

Management (Joseph Schultz): Non-holiday comp time. Not talking about hourly employees. People have different professional obligations. The reason we are arguing 20 something years ago is because it is a grey area. You can't put a blueprint down.

UUP (Sean Massey): It seems to vary by the benevolence of the supervisor. It varies by supervisor not professional obligation. The conference is either eligible for comp time or not. The decision needs to be made up front.

UUP (Donald Kunkel): Traveling during a work day or a pass day.

UUP (Sean Massey): All could be so worked out, but consistent.

Management (Joseph Schultz): I'll send you the memo, Darryl.

UUP (Darryl Wood): Please.

### **Information Sent Out By The Dean of A Specific School**

UUP (Sean Massey): Apparently information went out from the administration in a school that says all faculty regardless of where they are, are now required to attend all faculty meetings in person. No exceptions and that it has been vetted by the union and told the provost agreed that it was ok. Not only that, but the union is. The union did not in any way agree nor were we even asked about it.

UUP (Benita Roth): More to the point on the other side of it. Repeatedly stated early on and no matter where people lived or if they were supervisors off campus, they have to return to their office rather than returning home. And we have seen emails where the same administration has stated that 10-month faculty have summer obligations and where they lay out the summer obligation. Anti-contract. Now we have to hear the same administrator speaking for us. We are doing some research. We need to clear our name.

Management (Joseph Schultz): Send it to me.

UUP (Sean Massey): Some really outrageous conduct on the part of the administration. My concern is that we have stated concern after concern after concern about these issues about these inappropriate anti-union policies and nothing is being done with it.

Management (Joseph Schultz): We dealt with them. 10 month.

UUP (Benita Roth): Why do they keep coming up? University old dogs learning new tricks. They brought our name into it. We are going to say nothing? Conversations with conversations.

Management (Joseph Schultz): Send it to me. I will do my research.

UUP (Sean Massey): You have all of these examples of the same blatant disregard. It is not that big a mystery. It hasn't been dealt with. Multiple times it keeps happening with the same person.

UUP (Benita Roth): Now they are implicating us. Not acceptable.

UUP (Sean Massey): I will send you the text, not the people.

Management (Joseph Schultz): Yes. Send me the text.

The meeting ended at 2:30 p.m.