

**DRAFT**

**NOTES**

**UUP Labor Management Meeting  
Monday, September 27, 2021  
1:30-3:00 p.m.  
AD 606**

Present: Renee Andrews, Donald Kunkel, Brendan McGovern, Robert Mess, Benita Roth, Chris Sielaff, Alan Wang, Sara DeClemente-Hammoud, Joseph Schultz

The meeting began at 1:31 p.m.

**Status and amount of what campus received of the HEERF 3 funding**

Alan Wang (UUP): What is the status and amount the campus received in HEERF 3 funding?

Joseph Schultz (Management): We haven't received money yet. John Cordi said around October. \$17,979,461 all provided directly to students. The institution will receive \$17,974,145. Both have extensive requirements and restrictions on how the money can be used, but I don't know what they are.

Benita Roth (UUP): It is part of the law and should be searchable.

Alan Wang (Management): HEERF stands for Higher Education Emergency Relief Fund. It is coming in October?

Joseph Schultz (Management): He is hoping.

Benita Roth (UUP): Regarding restrictions, is there a time factor?

Joseph Schultz (Management): I do not know.

Benita Roth (UUP): There are still lots of questions.

Donald Kunkel (UUP): John is presenting to PSS.

Brendan McGovern (UUP): To the Budget Committee in January.

Joseph Schultz (Management): John Cordi is the new Michael McGoff. CFO (Chief Financial Officer).

**COVID notifications for faculty for those who have large numbers of their student's directly/indirectly report that they have tested positive, how this impacts how a professor teaches a class (all in person vs hybrid vs virtual)**

Alan Wang (UUP): COVID notifications for faculty who have a large number of students who have tested positive. How does this impact how a professor teaches a class? Here is a more specific example. A professor contacted me and said over 50%. They may have been told or been told by another student that a student tested positive for COVID. According to her, she didn't get any notifications about those students who tested positive. Just from students or friends of the students. Such and such is out because.

Donald Kunkel (UUP): Are they in quarantine?

Joseph Schultz (Management): We probably have more students testing positive than we have quarantined, so you no longer have to quarantine if you are vaccinated. Students who aren't in class likely would be positive cases. Flip side. If a faculty member tests positive, it can be remote during quarantine or their isolation.

Chris Sielaff (UUP): Is that going on beyond the middle of October?

Joseph Schultz (Management): I don't think.

Sara DeClemente-Hammoud (Management): Separate from that group.

Joseph Schultz (Management): Flip side is probably a good example. Half of the class is positive or quarantined the class is still an in-person class although there is probably going to be quite a bit more work. Handling those students who can't attend prior to the pandemic. More options. They did things they hadn't done prior. If there is a special situation, they should have a conversation with the Chair or the Dean. It may be at a certain point in the semester.

Benita Roth (UUP): That has never happened before. Even in a bad flu season, maybe another SARS. I've never heard of numbers that high. Without going into specifics, there are any number of departments and chairs talking to individual instructors on an individual basis on how to teach a course when students aren't there. Whatever SUNY has declared is essential. I know a lot of Zoom courses are being covered. I'm not going to get into it

Joseph Schultz (Management): If it is something out of the ordinary or unusual, they should talk to the Dean or Chair.

Sara DeClemente-Hammoud (Management): The Department of Health is still the point person.

Joseph Schultz (Management): Some are letting faculty members know and some are not. It is not required. Department of Health may contact a faculty member regarding someone in class saying you have been identified as a close contact but not saying where and when. Just saying close contact.

Chris Sielaff (UUP): If the student is vaccinated and not presenting symptoms, they do not have to isolate or quarantine at all.

Joseph Schultz (Management): Correct.

**Update on mandatory volunteerism issue from 9/13 (any loose ends)**

Alan Wang (UUP): Mandatory voluntarism for those who volunteered the first week, is there any chance of receiving comp time for that shift?

Brendan McGovern (UUP): Or for those that are still continuing as well.

Alan Wang (UUP): Or those as well.

Joseph Schultz (Management): About 700 people signed up. About 300 people retracted their obligation and unsigned up. About 400 are listed in the system. We have been having people who didn't retract who haven't shown up.

Brendan McGovern (UUP): Combined UUP and CSEA?

Joseph Schultz (Management): Yes.

Sara DeClemente-Hammoud (Management): There are additional folks signing up that want to participate.

Joseph Schultz (Management): Right now, when the numbers were ticking up and if this continues or increases. At that point there were between 20-30 positives a day on the student side. Now there are between 5 and 10. It turned it right down. If the numbers remain with what we have now, we are ok. Fingers crossed this trend continues.

Benita Roth (UUP): Let's say the numbers go back up again, what is the plan then? So, you got about 400 people plus some faculty who signed up and didn't retract. Some aren't showing up for various things they have been assigned to. Why hasn't there been some kind of push for compensation?

Joseph Schultz (Management): There is compensation of \$500 for people who work on the weekend. Do 4 shifts for \$500. The only additional amount is for the weekend work.

Benita Roth (UUP): I would suggest some sort of comp time arrangement, not that it would work for faculty. Some kind of comp time for people to work.

Joseph Schultz (Management): They are still volunteering during their workday. Still going above and beyond.

Donald Kunkel (UUP): Their work isn't decreasing. They do their work outside of their normal time. Not decreasing their performance program.

Joseph Schultz (Management): I will look into it.

Chris Sielaff (UUP): Just to avoid some of the feelings that happened last semester I think supervisors should know if they have employees that are volunteering. It may affect their work obligation in some way. Lack of voluntarism spirit. We were hearing from UUP members they have volunteered, and their efforts weren't recognized or the opposite. They were pressured to work beyond their normal obligation because they had to take time out of their day to volunteer. Supervisors have to know there is cost to employees rearranging their day.

Benita Roth (UUP): Volunteering during normal workday. I would assume tasks are listed on their performance program. An argument for volunteering during their workday. You would have to change their work obligation.

Joseph Schultz (Management): Auditors are looking at it.

Donald Kunkel (UUP): But we don't work between 8 and 4. We have a professional obligation.

Benita Roth (UUP): I have 2 months of non-obligation during the summer. We know there are ways that people are just doing extra stuff. This extra stuff has been stressful, and we know it has been stressful for you all. Morale is down. That message on 9/13 did not help. It was like throwing a firecracker. Comp time could be one thing.

Donald Kunkel (UUP): It acknowledges that the work you do is important as well as the extra work.

Benita Roth (UUP): Comp time rather than a mug. Give them something they actually can use.

**Airflow and filter types used in buildings and if any other mitigations (e.g. increased circulation of outside air) for keeping air clean**

*Joseph Schultz (Management) sent the following information regarding the above agenda item prior to the Labor Management Meeting:*

<https://www.binghamton.edu/covid-guidance-2021/frequently-asked-questions.html#employees>

*The University is following all current and emerging guidelines regarding mechanical and ventilation systems to help reduce the potential spread of COVID-19. While ventilation is not capable of addressing all aspects of infection control, modifications to HVAC systems can help in some manner. Accordingly, the University is running air systems for longer durations, has increased outdoor air ventilation, and has upgraded filtration and made other adjustments as part of the larger mitigation effort.*

*Minimum Efficiency Reporting Value, commonly known as MERV, is a measurement scale designed by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) to report the effectiveness of air filters. Most code compliant commercial buildings (gyms, malls, etc.) use MERV 8 filters. Our typical buildings have MERV 14 with some cases of*

*MERV 13. MERV 14 filters are typically used in hospital inpatient and general surgery applications.*

Alan Wang (UUP): This is more along the older ones. Old Johnson, Old O'Connor, Fine Arts. Science 1, now that I think of it.

Joseph Schultz (Management): Did you get my email (information received prior to the meeting listed above)? Outside of that response, we have purchased a number of portable units to be dispatched in kind of special situations.

Benita Roth (UUP): Here is a question. It is lovely today, but it is not going to be. The spring semester should be called the winter semester because it happens during winter. I have had a number of inquiries from people asking if they should buy their own filters. Even if the room does have windows, they will be shut. What is it? What is our plan going forward in terms of making more spaces better?

Joseph Schultz (Management): We are at MERV 13 or 14 with airflow in newer buildings, some are hospital grade filters. Some units were ordered for special circumstances. I'm not sure how many were ordered and how many have come in.

Benita Roth (UUP): Can we find out?

Donald Kunkel (UUP): What would be the process if someone has a request for one?

Joseph Schultz (Management): I will find out.

Benita Roth (UUP): Once there is a request for a system, do we have some sort of portal, or a person assigned to it?

Joseph Schultz (Management): My guess is that it might be the building administrator.

Benita Roth (UUP): If people ask us, we tell them to talk to the building administrator.

Joseph Schultz (Management): I will verify that.

*The following information was received from Joseph Schultz (Management) after the Labor Management Meeting:*

*“As a follow up, we have about 50 portable air purifying units available for special situations. We anticipate that most will end up being distributed within the Library Tower and Fine Arts.*

*Requests can be sent to Mike Kukawa, Director of Operations in Physical Facilities at [mkukawa@binghamton.edu](mailto:mkukawa@binghamton.edu)”*

**What additional measures will be taken in reaction to the most recent spike in covid cases around campus?**

Alan Wang (UUP): What additional measures will be taken in reaction to the most recent spike in COVID cases around campus?

Joseph Schultz (Management): What we are looking at. The Testing Center has two components. Doing the testing and at the front end, where we are doing the check-in. Looking at it, we have a large number of temporary employees for this obligation. Some doing testing and some on the other end. Some on the testing side go over and work in the check-in side. Some have been susceptible.

Benita Roth (UUP): How many were hired as temp?

Sara DeClemente-Hammoud (Management): 150-200 and they are still coming.

Joseph Schultz (Management): Not 1.0 FTE's.

Sara DeClemente-Hammoud (Management): A lot are students.

Chris Sielaff (UUP): What unit does that work fall under?

Joseph Schultz (Management): Right now, Nursing, I think nurses do the testing and the check-in side is instructional support. Emergency management.

Chris Sielaff (UUP): Do those people come through the new hire lists?

Sara DeClemente-Hammoud (Management): Yes. Clinical falls under health services.

Joseph Schultz (Management): They will not be eligible for benefits.

Chris Sielaff (UUP): That list?

Joseph Schultz (Management): That list is everybody. The one that Kathy sends to Khalil.

Sara DeClemente-Hammoud (Management): Anywhere from 4 hours to 40 hours a week. Students are not on the students they are on the faculty/staff and never is it full-time capacity or even 50%.

Benita Roth (UUP): With that level of hiring, we've needed hundreds of volunteers?

Joseph Schultz (Management): Basically, what we were looking at was doubling the capacity from what we started with. When we starting to get to the 20-30, we were looking at doubling the capacity.

Benita Roth (UUP): You couldn't ramp up the hiring?

Joseph Schultz (Management): If this thing continues on, it takes about a month to get them on and in the door. If things really do hit and continue to grow, we don't have the options here and that is what we went with.

Benita Roth (UUP): Yes.

**What are the compliance rates for the following annual training modules and what is being done to reach 100% compliance?:**

**Title IX**

**"BU Workplace Violence Prevention and Domestic Violence in the Workplace"**

Alan Wang (UUP): What was last year's figures for compliance and what is being done to reach 100%?

Joseph Schultz (Management): We are about 75% on all of the modules. The largest number of people who haven't completed them are faculty. We are open to suggestions.

Benita Roth (UUP): Pay them.

Chris Sielaff (UUP): How many are required?

Joseph Schultz (Management): They are: Right to Know, Internal Control, Workplace Violence Prevention, Discrimination and Harassment Prevention, and Preventing Sexual Misconduct (Title IX). There are five.

Brendan McGovern (UUP): You do give comp time.

Joseph Schultz (Management): Chris, what we've done between Christmas and New Year's, when people have to charge their time, we indicated if someone earns vacation on one of those days, so 4 hours or a half a day they don't have to charge vacation. When we did that, it shot the numbers up quite a bit. Faculty don't have vacation.

Benita Roth (UUP): Pay people. I know they are required and there are no longer quizzes at the end. Anything else if you have some way of giving the carrot otherwise you don't have any leverage with faculty to do this. Unless cracking down in some way and the Faculty Senate and Faculty Senate Executive Board will counter that. Give them gift certificates.

Joseph Schultz (Management): I don't think we can pay people, because the law requires you to do these. In a school district model, the first day they all sit down. They report on Tuesday and school starts on Thursday. It is impossible for us to do that. We don't have that central model.

Donald Kunkel (UUP): Hochul's sexual harassment and training. She said in-person.

Chris Sielaff (UUP): She said in-person. The way they read is interactive.

Joseph Schultz (Management): The 75% is going to go lower. If in-person is Zoom with a live Zoom, I think we'll be ok. If it is literally in-person, it is a tall order.

Benita Roth (UUP): Speaking for the faculty, no one takes those modules seriously. If they do them at all. If one-half of the faculty do it, I would be shocked.

Joseph Schultz (Management): I think it would be 60% if I had the breakdown.

Benita Roth (UUP): What do I do? Do them. I said they were better.

Sara DeClemente-Hammoud (Management): We offered them in-person and more presenters than people showed up. It is tough with that many people.

Benita Roth (UUP): Can't do anything.

Chris Sielaff (UUP): Does SUNY have a compliance for campuses?

Joseph Schultz (Management): What we said to SUNY years ago is we have our home-grown system. What we said before the last Chancellor took over. What can we do to make life easier? Four or five modules, isn't this something SUNY can spearhead? They thought it was a good idea and that Chancellor is not here, and all campuses are doing their own thing on the compliance training.

Benita Roth (UUP): Could you go back to SUNY and say something again? Don't they have a new Chancellor?

Alan Wang (UUP): Former Chancellor was Johnson.

Joseph Schultz (Management): Yes.

Chris Sielaff (UUP): He is trying to stay out of the papers is my guess. Tied to the ship that's already sunk.

Joseph Schultz (Management): He edited the book.

Benita Roth (UUP): I'm willing to ask faculty what would get them to take the modules. You do the same thing year in and out. The English Professor trying to wonder why they need to worry about Hazmat. I'll ask, but they will mostly complain about them.

Alan Wang (UUP): Does anyone have anything to add?

Joseph Schultz (Management): I need to find out how many we've ordered and the process to request a unit.

Benita Roth (UUP): We can ask the question. I've been asked by at least 25 faculty wondering what they should do. Some have bought their own and are schlepping them from room to room.



Joseph Schultz (Management): I ordered through the ADA process. One was \$700 and one was a thousand. The one I dealt with had them in the classrooms. You can't carry them.

Benita Roth (UUP): Most departments have a cart.

Brendan McGovern (UUP): Old Johnson bought them ahead of time, and we bought them because of the ceiling height.

Benita Roth (UUP): I'm going to say this, make the University know that they are responding to a need instead of saying whatever. So that would be a good thing to know.

Alan Wang (UUP): That is it.

The meeting ended at 2:08 p.m.