

## NOTES

UUP Labor Management Meeting

February 27, 2023

1:30 pm. AD-606

Present: R. Andrews, D. Kunkel, B. McGovern, R. Mess, B. Roth, C. Sielaff, A. Wang, J. Schultz

Meeting began at 1:30 p.m.

### MANAGEMENT

#### *1. Ethics Training*

Joseph Schultz (Management): This one pains me tremendously. We used to have only the people who were the financial disclosure makers or people who made a certain amount take this training. They renamed the ethics commission and it came out with every single employee has to take ethics training every year, and so we waited on this. The reason was everybody said this can't be the case. After it seemed like it was going to be the case. SUNY campuses don't have the resources. SUNY had someone in SUNY-Albany but the person left to join a law firm. We began to gear up. We started Friday to new employees. Annual training via Zoom every year and a refresher.

Benita Roth (UUP): This is not like the online training currently required.

Joseph Schultz (Management): We have this most boring presentation you will every watch in your life. We will play it via Zoom with questions and answers. We have employees who don't have access to computers. You can't accept gifts, can't hire family, or supervise family members. It makes no sense.

Chris Sielaff (UUP): You have been given a script, right?

Joseph Schultz (Management): Training provided.

Brendan McGovern (UUP): Timing?

Joseph Schultz (Management): SUNY gave four training dates last week with the hope that campuses will have everyone trained by the end of April. We will make our best effort as we do at everything we do.

Donald Kunkel (UUP): In person?

Benita Roth (UUP): What are the mandatory topics?

Joseph Schultz (Management): This is totally separate. Basically New York State law talks about gifts, outside employment, and conflicts of interest. Most fall under the general umbrella of conflict of interest.

Benita Roth (UUP): I remember filling out one of those things at one time.

Joseph Schultz (Management): In addition to this, you need to go through the training. Some good news, maybe about 12 to 15 new telecommuting applications were approved in Financial Aid and Student Records. I think they are starting out at two days a week at home.

Brendan McGovern (UUP): New applications?

Joseph Schultz (Management): The supervisors basically went to the Provost and said we think we can do this, and we think it could work. They said hey we think it could work if you'd like to put an application in. The Financial Aid and Student Records area.

Donald Kunkel (UUP): Do you think it would be possible for the new Provost to communicate with the Deans like Don did? Indicating to the Deans maybe there is some leeway if offices can be covered. Right now it is pretty much a standing order.

Joseph Schultz (Management): They have a back office and a front office. He is supportive in general, an administrative assistant in a department tends to service the office

Donald Kunkel (UUP): Maybe written that someone would be present. As professionals we can maintain in person coverage while covering work from home. The memo pretty much says no.

Joseph Schultz (Management): I think they are coming in April. The Provost and President.

Brendan McGovern (UUP): Don, you are referring to?

Donald Kunkel (UUP): The one that went out to the Deans.

Brendan McGovern (UUP): Essentially if you interact with another human being, don't ask.

Donald Kunkel (UUP): I don't know of anyone in academic forward facing that has been granted remote privileges.

Benita Roth (UUP): Current telecommuting is in place until?

Alan Wang (UUP): June.

Joseph Schultz (Management): I don't see it going away.

Donald Kunkel (UUP): Would be nice if Don Hall would.

Joseph Schultz (Management): I think it would be April. In general, he is supportive.

Brendan McGovern (UUP): Thanks for the good news.

Joseph Schultz (Management): Other thing. We are working on a bonus program. If someone refers someone to work here and the person stays for six months, the person who referred the person gets \$500. This would be for a regular position, and the money would be paid through the Binghamton Foundation.

Brendan McGovern (UUP): Trying to address the open positions on campus.

Joseph Schultz (Management): The most difficult is custodial. We have 60 vacancies. We had 10 who we oriented, and a month later 3 left. It is tough out there right now.

Donald Kunkel (UUP): What is the base salary for one position?

Joseph Schultz (Management): About \$30,000. Talk about OA1, exactly what the chart says. Just raise all of the grade levels. I've been here a long time and we have never not had a civil service list.

Brendan McGovern (UUP): We tried to hire a sec 1 with failed searches. About a year we've had one of the OA1's. Without taking a test, they are provisional.

Robert Mess (UUP): Do custodians have to be someone on the list? If they are off the street, can they apply for a custodial position?

Joseph Schultz (Management): Anyone can apply. They have to pass a criminal background check, but not a test.

Benita Roth (UUP): Base salary for an OA1 is \$33,000 and it is provisional.

Joseph Schultz (Management): All regular state benefits. Classified service. Grade 5. An OA1 is a grade 6.

Brendan McGovern (UUP): Custodial is less pay than the 6. We can share with our members?

Joseph Schultz (Management): I would guess in the next month or so. Custodial staff is in the 100's. We have a cohort of ½ time cleaners who clean the dorms from 10 am to 2 pm or 6 to 2. See if they want to double their workload. It is everywhere.

Chris Sielaff (UUP): All of the campuses I am assigned to.

Joseph Schultz (Management): We had a meeting the other day a lot on the dual degree program. Next step is to create local networks. A partner needs a job too. We can set you up with the local industries and in that scenario, everyone has the same issues. Only one company and they pay a lot more, was Raymond out in Greene. Hired 60 people in a job fair. They are getting people already working getting \$6 or \$7 more an hour.

Chris Sielaff (UUP): They still have a gigantic banner that says they are hiring.

Donald Kunkel (UUP): Is it a pay issue?

Joseph Schultz (Management): For us. Yes. Take someone in their early 20's, paying \$17 they are not looking at benefits they are just looking at more money. You are going to work 40 years for full retirement. They say I don't know if I want to be here 40 years.

Brendan McGovern (UUP): They are paying more into the retirement.

Joseph Schultz (Management): Before our police got a special 25 year one. Starting in tier 6, a 22 year old said I have to be a police officer for 40 years before I can retire? Luckily, it changed, and he stayed.

Chris Sielaff (UUP): To add onto it 31% for the family plan. Great insurance, big hit. There are a number of factors. Unfortunately, we can't control that.

Brendan McGovern (UUP): We hired an OA1 who talks with others. Since a lot of replacing, their supervisors are giving them work they are not qualified for.

Joseph Schultz (Management): If they don't qualify as a sec 1, one second path to a sec 1 is the administrative assistant traineeship program.

Brendan McGovern (UUP): Do you have something like that in writing?

Joseph Schultz (Management): Yes.

Robert Mess (UUP): Any benefits?

Joseph Schultz (Management): They have all the benefits. It is 10 am to 2 pm in theory while the students are in class. If you do it while you have kids, you can put them on the bus. If the kids graduate, you can move up.

Benita Roth (UUP): We are lower than the national average.

## UUP

- 1. The communication regarding payroll structure for academic employees candidates who may be hired on academic year appointments that start on January 1 needs to improve. Specifically, before the employee signs their offer letter, management should clearly communicate that there is an effect on their pay over the summer off-obligation period. Several academic employees have come to UUP confused about the reasons for receiving less pay over the summer and some have reported that they may have made different decisions about employment if they were aware of the impact on their summer pay.**

Alan Wang (UUP): Candidates who are hired on academic year appointments that start on January 1 are not aware of the off-obligation period in the summer.

Joseph Schultz (Management): Very painful. A 10-month appointment is generally from September 1. When someone starts on January 1, they are only due six months of pay. In the summer you are going down to six months. So, with the two recent ones we had. One was the department didn't realize the ramifications of the January hire, and the other initially agreed and they said could I come in January instead. Any input we would be happy to have in trying to get that out there. An offer letter we sent out, here is the policy but doesn't say which will affect your pay.

Chris Sielaff (UUP): Putting in a little more clarity it should be noted between June to August 31 your checks will be 50% of the normal check. I don't know how you will word it. It is correct.

Joseph Schultz (Management): An employee who has never been here before called me from Nursing. The person had three offer letters. An adjunct coming in January and then in Fall. I asked the person to send me whatever they had, and I explained to them you aren't going to earn this much money.

Benita Roth (UUP): If a person is on a three-year contract or tenure line it would eventually work out.

Joseph Schultz (Management): But no one ever thinks of these things.

Benita Roth (UUP): It sounds like the first-year offer letter has to explain the program.

Chris Sielaff (UUP): The first-year program for January hires only.

Joseph Schultz (Management): Or if you go out on leave and come back January 1 teaching. They do a fall leave with no pay and come back January 1.

Chris Sielaff (UUP): A leave without pay. If you could go back in history and rewrite the policy you might pay people differently. It is the way the whole system operates. 10-month employees paid over 12 months.

Benita Roth (UUP): Chris is suggesting language. Is there anyway HR can flag them?

Joseph Schultz (Management): We don't know about them until they come through. Vicki flags them, but we are the last to know. Someone is starting January 1, we might get it in October.

Benita Roth (UUP): Who is the first to know? The departments?

Joseph Schultz (Management): Yes. Maybe something we can add to the postings. If we add review this policy which outlines significant pay ramifications?

Chris Sielaff (UUP): I think it is fine if anyone can read the policy and it explains it to them. I know the policy, but off the top of my head. It reads if there was part of a policy for incoming faculty on an academic year, hired on start day of January or thereafter this is how your pay is going to be affected.

Benita Roth (UUP): If that person can have a contact person. There is a new orientation for chairs and directors. That might be a place to flag the January start date.

Joseph Schultz (Management): Rewrite the policy and put some stronger language in the offer letter.

Donald Kunkel (UUP): Having a meeting for new department chairs and directors.

Benita Roth (UUP): I negotiated with the Provost for 20 minutes.

Donald Kunkel (UUP): Could we do the same thing for new supervisors? Performance Programs and Evaluations. No one told me what to do and how to write a good one. At the time, I was on the UUP Executive Board.

Benita Roth (UUP): Most new chairs and program directors start in September.

Donald Kunkel (UUP): At least a portion of their contractual orientation. I took the university supervisor training program. No contractual obligations in there. This is what you need to be doing for your subordinates. If you want to advance, this is a pathway for you.

Joseph Schultz (Management): We started this on the CSEA side. We can commandeer that group easier. Supervisor monthly meetings. We do evaluation training, counseling memo, time and attendance training. Works well for that group. We can get them all.

Donald Kunkel (UUP): Supervisors who really care and want to do well.

Joseph Schultz (Management): We have a fair number of people who contact us regarding the differences in CSEA and UUP.

Brendan McGovern (UUP): An issue in PSS. PSS is interested as well and brought it up to the President. A couple of initiatives.

Donald Kunkel (UUP): I am heading the ad hoc committee on supervisory training to get the information out to them.

Benita Roth (UUP): It has been a long-term question. The leadership development program that management worked with was very well intended but virtually no academics took it. Maybe three or four over the course of the training. Maybe transformational leadership. They want to know how to do it.

Joseph Schultz (Management): The training assumed you know how to do it.

Benita Roth (UUP): You have one CSEA you have one UUP. This is common in many departments.

Donald Kunkel (UUP): I welcome all professionals and faculty in part of the new orientation. Follow up with new employees, do you have a performance program yet? One said no but my supervisor did my evaluation. Obviously doesn't know the difference between a performance program and an evaluation. Employee was only here three weeks.

Joseph Schultz (Management): How do you get an evaluation after three weeks? A regular UUP professional employee will receive an email from our office which gives the timeframe and schedule for performance programs and evaluations for the entire period until they receive permanency.

Donald Kunkel (UUP): They are confused. They don't know what to do first, what to do second. It is important and would go a long way.

Joseph Schultz (Management): I agree.

Robert Mess (UUP): Professionals also. The same thing affects professionals if we come in January.

Joseph Schultz (Management): We have the issue with 10-month RDs, off cycle. Leaves in October and hired in November. We have to explain it to them. You started in November only a month and a week in the month. It is kind of a custom one we do for RDs.

Chris Sielaff (UUP): Anything less than 12 months. That is the college year.

Joseph Schultz (Management): On the academic side no more than 10 months.

Chris Sielaff (UUP): There is no such thing as an academic year appointment for professionals.

Joseph Schultz (Management): Transitions back always to 7/1, you have to do it on 9/1.

2. **UUP has been made aware of some issues regarding the way SSD has been communicating with faculty, if at all possible we would like to have the director of SSD come to the labor management meeting**

- **SSD unwilling to communicate in writing and some faculty do not have office landlines. Instructors need to use their personal phones for what should be an on the record conversation.**
- **SSD appears to be understaffed, is there a plan to increase staffing in that office?**
- **SSD has made requests for faculty materials without any clear indication of the purpose for receiving and reviewing the materials.**

Alan Wang (UUP): UUP has been made aware of some issues regarding the way SSD has been communicating with faculty. Benita if you want to take this.

Benita Roth (UUP): Apparently there is a court case particularly around attendance.

Joseph Schultz (Management): I'll give you what I have.

Benita Roth (UUP): There is a complicated list of factors. I want to be clear.

Joseph Schultz (Management): I was able to meet with the Director.

Benita Roth (UUP): I have heard very good things about her.

Joseph Schultz (Management): SSD is following the same process it has used for the last six years. No one is asked or required to sign anything, every faculty member gets a letter, faculty have to be involved in the process, and communicate with SSD, but it can be whatever. Whenever they want to or whatever manner they communicate with faculty. Unless they are dealing with more frequent accommodations. It has grown. We haven't had more different accommodations, we have more of the same accommodations. Faculty aren't told how they have to provide the accommodations. For example, students require extra time. Faculty decides, come in during office hour, stay after class, the University Testing Center. Basically, leave it up to the faculty. One issue appears to be the Testing Center. For example, if you have a large class and 30 students need extra time, the Testing Center only holds 20. For the most part for more information on course material usually a syllabus can be used as an example of attendance. Accommodations that center around attendance, and a faculty member may not have an attendance policy.

Benita Roth (UUP): Not correct in what has been done recently.

Joseph Schultz (Management): Not signed but an agreement that outlines. The agreement is assigned and has to protect both. The agreement says this is what we agree to. If a student feels it hasn't been upheld, they can appeal it. Brian Rose has had communications with Donald about the frequency and numbers of accommodations, and it is growing. Student Affairs with Brian Rose. First step is to meet with Deans. Who do we want to include or can we make this process better for our faculty and then go down to departments to include faculty in the conversation.

Benita Roth (UUP): Not only me. What's been presented of late to us. One of the people in SSD I like very much. Some court case happened in the last three years. On the specific accommodations of illness, mental or physical accommodations, attendance accommodation. The attendance accommodation has somewhat been made stricter. I don't know what the course case is. I don't know how to explain it. It has been presented to faculty, a recent court case. We are not asking people to sign this statement with student, we are having people doing this. No announcement to the faculty. No announcement of this. Suddenly it seems people are being told they have to do this.

Joseph Schultz (Management): They are signing?



Benita Roth (UUP): Yes. I wouldn't without asking Chris. But who knows.

Joseph Schultz (Management): You were asked to sign something?

Benita Roth (UUP): Yes. Around this particular accommodation. It has been a perceptual problem that faculty are a little bit concerned that SSD seems to always want to talk on the phone. I refuse. Why talk to me on the phone? A. I don't know the answer. B. They don't want to leave a record. It's like give us a call. Very insistent on the phone call. I prefer to do it over email but asked to phone. Nothing globally went out. Course case specific to attendance. I do know that some faculty are dinosaurs, that might be 5% of faculty. The vast majority say fine this is what I have to do. University testing has gotten easier and seems to be working quite well. It is about signing. I understand faculty and student agreements protect both of them. You are supposed to have a conversation with the student about the accommodation. Best practices. Lots of students have accommodations that they could use but choose not to. It is a complex kind of thing. What I want to know is why are we talking about a court case? What case is it? Why do we seem to be suddenly making more requests for materials from faculty? Personally, I got an email asking if I have any attendance requirements over a certain student. I have known. Of course, this is a college course (syllabus and exams). Well, I need a copy of your syllabus. Student can provide you with a copy. I didn't need to. There is a court case, and we need to sign.

Joseph Schultz (Management): How was the accommodation? People are not required to sign anything.

Benita Roth (UUP): How it is memorialized. Make sure letter is sent to the faculty. They have been in the past slow. The new electronic system is better.

Joseph Schultz (Management): I wonder if the case had something about memorializing.

Benita Roth (UUP): I have no idea. What court case? I don't know if they know. Several years old and now we are getting the request. I want to know what it is. It is absolutely true, there is more accommodating than ever before. I say that is good. Congenial. There are all sorts of accommodations. Ways in which communication from that office. Whatever the Director says is happening, is not what is happening. Attendance accommodation is the stickiest one for faculty. What do you mean the person doesn't have to come to class?

Joseph Schultz (Management): I will do some research on this.

3. **UUP is requesting a list of individuals that have supervisory responsibilities for professionals so that UUP can provide better communication on manager-specific and contractual issues**

Alan Wang (UUP): The chapter is looking for a list of individuals that have supervisory responsibilities for professionals so that we can better provide them with communications on manager-specific and contractual issues.

Joseph Schultz (Management): Over the years I think we've had a couple of scenarios. Don is right. Someone comes here they don't have any clue about anything. Every bargaining unit. A supervisor is being told by two entities, management and union. Supervisor can't differentiate between the two. UUP has an opinion, but you have to listen to management. My concern is UUP has a right to reach out to supervisors. They are under the impression they have to listen to what the union says.

Donald Kunkel (UUP): Pre-pandemic we had a labor management meeting with President Stenger on training supervisors on what's in the contract. Paraphrasing, President Stenger said you are right. I agree 100%. If we can work together we can actually help.

Joseph Schultz (Management): We talked a while ago about doing dual training. Did it with Darryl. The question is finding the time.

Benita Roth (UUP): I think it is a great idea.

Joseph Schultz (Management): Agree on a group. Put together a topic.

Donald Kunkel (UUP): Or an outline on the HR website. I've been searching on the HR and UUP websites. The *UUP Guide for Professionals* outlines what should be happening. From a supervisor's point of view. It is the same material just presented in a different way.

Benita Roth (UUP): What you said was really interesting. As Chapter President, people said the union said I have to do it, but it was the manager. It happened in the Pharmacy School a lot. So and so said the union said.

Joseph Schultz (Management): Always confusion with CSEA, and the New York State Department of Civil Service. Civil Service says I have to do it. Timing on training. Time of the year. I think we have to get a timing down and maybe have a separate meeting on topics and stuff. Timing.

Benita Roth (UUP): Maybe summer for professionals?

Donald Kunkel (UUP): At least guidance they can reference. It could be a document on the website. As fair as training for supervisors, I think you offer it twice a year. I don't know if there is a best time after the semester begins.

Chris Sielaff (UUP): Summer is not great. And people take vacations. If posted around, a supervisor might start thinking about the evaluation cycle. Renewal decisions on professionals.

Joseph Schultz (Management): October? November?

Chris Sielaff (UUP): I think in general I am obviously in favor of joint training. Back to the specific request. UUP is beginning to run Statewide workshops for supervisors. It would be great to target our membership base to just the people that are perhaps interested in knowing

about it. I don't necessarily see it as a list that would be used to advise supervisors in ways other than informational stuff. If UUP puts something out which is useful to supervisors.

Benita Roth (UUP): Calling them supervisors possibly has to be expanded a bit. Chairs and directors don't think they are supervisors.

Joseph Schultz (Management): They think they are chairs and directors.

Brendan McGovern (UUP): Don said getting information out. What if we propose to change the information on the HR website and submit it to you from a new employee prospective, using the same kind of agreement?

Joseph Schultz (Management): I think welcome aboard. Explain UUP.

Brendan McGovern (UUP): Memo officially and both post it as a source people can go to. We can direct supervisors that don't know where to go.

Chris Sielaff (UUP): I also think to address a concern you share. People are going to hear what they hear and make their own assumptions. Advise, don't be insubordinate unless unsafe, illegal or immoral. Comply and we will deal with it later. UUP says to do it that way. I don't know of a chapter leader that would supersede a directive.

Joseph Schultz (Management): I've never seen anything like it before. Someone from UUP Central sent a request for information directly to the employee. Asking how does it work? Give me the information. Employee never got something before and forwarded it to me.

Benita Roth (UUP): From UUP?

Joseph Schultz (Management): Someone from UUP Central. Alex Hammerstein.

Chris Sielaff (UUP): He is a researcher.

Joseph Schultz (Management): New area for me. I don't think he was asking for nuclear secrets. Didn't have anything in there. I heard you work on that.

Chris Sielaff (UUP): I wasn't aware of that request. Regarding number 3, I will circle around to that on my end specifically. If we were going to get sensitive information, me or an officer. That communication and this request are unrelated. It indicates supervisors and their roles in the forefront because we do represent so many supervisors. Perhaps Alex has been assigned to research something. This and that request are unrelated.

Joseph Schultz (Management): I'll get that request in the next few weeks. Anyone in UUP that supervises a professional in UUP.

Donald Kunkel (UUP): It could be Management-Confidential. Anyone in a supervisory role.

Chris Sielaff (UUP): If they are MC if we are going to communicate with supervisors, we would be communicating with them differently. We don't represent them. Likely we communicate with the MC employee. I wouldn't, and I would caution leaders. Benita reaching out to a Dean that might be information. Other things are not appropriate. Know the names understanding that it would be different to communicate with them. We understand that would be different.

Robert Mess (UUP): Do you supervise any directly?

Joseph Schultz (Management): Not now. The Retiree Services Coordinator is the only person in HR who is UUP. All the others are MC.

Alan Wang (UUP): Anything below the line?

Meeting ended at 2:37 p.m.