

Subject: UUP New Paltz Chapter Labor-Management Meeting Notes

3:30pm May 11, 2012

Administration Attendees: President Christian, VP DiStefano, Chief of Staff Wright, HR Associate Director Papa

UUP Attendees: President Brown, VP Smith, VP Miller, NYSUT Labor Relations Specialist Capowski, Secretary Hanley.

1. Leave policy. UUP seeks clarification of the absence policy circulated to LA&S faculty by Dean Schiffer on 20 March 2012. In item (b) of that message, the following text was included:

“b. For second and subsequent absences, with the purpose and destination for travel approved, arrangements should be made for substitutes. Before committing to travel, permission of the dean should be obtained. This is only for professional travel. Other reasons for absence are covered by other policies. There will be a form on the Human Resources website for this type of extended absence. There was discussion of this policy.” This was followed by a description of the procedure to follow in case of more than one absence:

“The above policy, while specifically addressing absences for professional travel, also applies to other kinds of absence when the instructor knows in advance that she or he will miss more than a single class: The instructor should a) notify the department chair of the absences and b) seek the approval of the chair and dean for the plan of coverage during the absences.”

UUP maintains that under The Agreement (Articles 23 and 27), UUP-represented academic employees accrue sick leave. They can use that paid sick leave when sick, and this accrued, paid sick leave does not require permission from the employer. The Agreement does not require notice to the employer, though it is a good practice whenever feasible. The employer cannot disallow sick leave, but the employer can ask employees to provide medical documentation to substantiate the sick leave.

After briefly recapping the issue to open the discussion, President Brown stated the concern here is that “other kinds of absence” is rather vague and suggested that a memo from Dean Schiffer clarifying what this means would be appropriate. Associate Director Papa stated that HR was already looking into the matter and working with Dean Schiffer to clarify the policy.

2. Faculty threatened by students. We are receiving reports that chairs and deans are not adequately supporting faculty members threatened by students, who are sometimes emotionally disturbed. Does the administration have any procedures to support members in such situations?

Brown observed that presently available guidance on workplace violence seems focused on employee vs. employee situations, rather than student vs. employee situations. President Christian stated that procedures covering such workplace violence situations are clearly specified and followed. Problems can arise if an incident is initially addressed, but the faculty members

involved choose not to pursue the matter. This leaves the administration willing to act, but lacking the backing of the affected members. Problems can also arise in instances where certain behavior(s) by students are initially tolerated by faculty as “OK,” but then subsequently deemed problematic. Noting there are examples of how situations of this type have been handled superbly in the past, Christian stated that training may help, but the administration needs to look into this. VP DiStefano seconded the need for training. Papa pointed out that the current workplace violence training already provides a good baseline for addressing these situations. Brown asked about specific procedures and where they were outlined. Christian noted that responses vary by circumstances involved. In cases where there is an immediate threat to safety, the University Police will respond. Where there is no immediate threat, the matter would normally be handled through the campus judicial process. Brown asked if there was any specific role for department Chairs. Christian indicated that while there is no official role specified, Chairs need to be in a position to advise their faculty on these matters. Clearly, there is a need for much more robust training and orientation for new Chairs.

3. Workload. UUP welcomed members of the administration to UUP’s April 3rd Faculty Forum. Since the second half of the event was limited to UUP members, as a courtesy to administrators who attended the first part of this Forum, we are sharing a separate document, copied below, summarizing the four table discussions that ensued. While UUP is collecting quantitative data through a separate process, there was universal consensus at the Forum that overall workload has been significantly increasing, along with a concomitant decrease in educational quality. These are very disturbing trends that not only affect our terms and conditions of employment, but a serious lowering of quality is something that could affect the entire College, its faculty, staff and students for decades to come. How does the administration propose to address the overall workload increase, and how can non-teaching components of the professional obligation be proportionally decreased in order to achieve a level workload based on past practice?

Brown stated the primary concern here is the effect workload is having on educational quality. Christian asked Brown to be cautious about sending messages about declining quality. He noted that such conversations are often picked up by students and faculty. Citing the example of student comments regarding the loss of adjuncts, Christian pointed out that the numbers (adjuncts and courses taught by adjuncts) from 2010 and 2011 were virtually identical. In this case, myth has overcome reality and fostered inaccurate perceptions. Christian observed that as far as workload is concerned 2012 has, to some degree, been an anomaly as it is a major transition year. Funds have already been allocated for searches and hires in 2013. Further, the administration is already looking for additional lecturers for the Fall semester. Next year and the year after should see a dramatic shift in the number of teaching faculty. Nevertheless, there is a continuing need to explore ways of doing business differently. Christian went on to point out that the workload issue has been framed as a technical problem that some “expert(s)” can solve. He sees it more as an adaptive problem requiring solutions and behavioral changes on the part of everyone and hopes UUP can work with the administration to help achieve the opportunity he sees represented in such shifts. Responding to Brown’s observation that teaching and scholarship constitute two big slices of the workload “pie,” Christian stated that having our new Provost on board will help further conversations about our curriculum. Regarding scholarship, this is an area where just the sort of cultural shift alluded to earlier will come into play.

4. Improper Practice. Our members have been reporting for a while that a number of units have been actively discouraging their subordinate employees from participation in UUP. This is arguably a serious violation of the statute and an Improper Practice actionable with PERB. The administration needs to make it very clear by sending a memo to all department and area heads/directors, with a copy to UUP, affirming: that under the Taylor Law, UUP is the exclusive legal representative of the roughly 900 members of the bargaining unit; and that it is an Improper Practice, as set forth in §209-a, Section 1a, to “interfere with, restrain or coerce public employees in the exercise of their rights guaranteed” in §202 (Right of Organization), §203 (Right of Representation) and §204 (Recognition and Certification).

Brown noted that there seems to be an anti-union animus in certain departments and went on to cite specific examples. DiStefano indicated she had been hoping for just such specifics so she could follow up in focused conversations with the departments and people involved. She assured Brown that the administration would address the matter.

The meeting adjourned at 4:30pm.

Respectfully submitted,

Ed Hanley
Chapter Secretary