

Labor Management Notes
December 15, 2014
Anne R. Roschelle

In Attendance:

Michelle Halstead, Don Christian, Phil Mauceri, Shelly Wright, Dawn Blades, Peter Brown, Anne R. Roschelle, Bill Capowski, Jeff Pollard, Spencer Salend, Anne Deutsch, Kiersten Greene, Anne Galperin, Valerie Mittenberg, Steve Macaluso, Natalie Chesky, Melissa Rock

Breast Feeding/Pumping:

Members of the UUP Women's Rights and Concerns Committee came to the LM meeting to discuss the need for a centrally located room for new mothers to pump breast milk. Anne Galperin, Kiersten Greene, and Natalie Chesky spoke eloquently about the need for a centrally located space this is private and hygienic. Shelly Wright explained that there is an old apartment in the SUB that would be ideal; it is private and has a kitchen. Don Christian enthusiastically supported this idea although he did express concern that the SUB might not be centrally located for everyone. He asked if it might be better to have a couple of locations. Anne and Natalie explained that there needs to be a refrigerator, an electric plug, and a sink to clean the apparatus and wash up afterwards. This process must be done several times a day. Don said the college is committed to rearranging the apartment in the SUB with all these requirements in mind. It was also brought up that students have the same need as well. There was a discussion about the type of key that would be required that would allow both faculty and students access. The administration is figuring out how best to accommodate security and access to faculty and students. Kiersten asked if we could also have a few other locations, perhaps the child care center and the north and south parts of the campus. Don and Shelly agreed to look into other locations as well so faculty don't have to walk all the way across campus to pump. In addition, Shelly mentioned that they can make individual accommodations if the SUB is not helpful as they have done in the past. In the meantime they are moving forward with the SUB apartment. Don suggested that Tom Gaffney and Mike Patterson show the SUB apartment to members of the Women's Rights and Concerns Committee for their approval. Kiersten Greene will be the point person on this.

Sick Leave Bank:

There was a discussion about setting up a sick leave bank so UUP members could donate vacation days into a bank that other members could then use when necessary. Peter had initially said that they do this at SUNY Fredonia. Dawn indicated that she reached out to Mike Daley at Fredonia and he did not think they had this program in place. Dawn mentioned that sick/vacation leave donation programs need to be negotiated by the state. In addition she mentioned Appendix A45 of the contract which states that you cannot donate vacation days that would otherwise be given up i.e. if a person did not use her/his vacation days they disappear. Dawn has a call into Ray Haynes (Vice Chancellor for Employee Relations) to see if this is in fact a possibility. Although Dawn indicated that sick leave/vacation leave must be explicitly specified in the contract, Shelly Wright pointed out that we can work things out on a policy basis and she and Dawn would talk to Ray about the possibility of coming up with a creative solution.

Athletic and Wellness Center:

Spencer discussed the costs to faculty and staff for using the Athletic and Wellness Center. It costs \$100.00 per semester for faculty and staff to have a membership. Elting gym pool is once again free. Don and Michelle explained the costs to upkeep the center are extremely high (new equipment etc.) and indicated that they could not possibly lower the cost and it would certainly not be free. The student athletic fee goes to the Center but also to intramural and other collegiate sports. The annual amount paid by faculty/staff/alumni is \$54,000.00 per year. Don explained that if faculty don't pay a membership fee that the Health and Wellness Center would be forced to charge students more money to cover the loss. Students will either have to bear the burden of an increased fee or a decrease in services (for example fewer morning hours). The cost of replacing equipment is very expensive and the general upkeep on the Center is a "giant enterprise." In advance of the meeting, Shelly looked at other places to get the money to offset the faculty fee, but ultimately found that all choices meant taking necessary money from other budgets. Peter and Spencer suggested doing a survey of faculty but Don was concerned that a survey might lead to a false assumption that the fee would be lowered or waived which he clearly stated will not happen. Peter showed him a survey they had already written and asked if the administration could collaborate. Two things that came up during the discussion about the survey: Some faculty don't utilize the Health and Wellness Center because they do not want to work out with their students. I would be great if faculty could have free access to the track just to walk (or run) during breaks, which would not put a burden on equipment. A survey could help discern the reasons faculty and staff do or do not use the Center. Presently only about 100 faculty/staff members actually utilize it. An agreement was reached that Stuart Robinson would be asked work with Spencer on a survey that would get at these issues.

Emergency Cancellations:

A memo went out on November 19, 2014 entitled *Important Modifications: Emergency Cancellations Non-Teaching Professional Employees and Librarians* indicating that if non-teaching employees came to campus late due to snow or after the time given for a delayed opening that they must indicate it on their time records. Librarians Valerie Mittenberg, Steve Macaluso, and Anne Deutsch attended to present their perspective on the memo. They articulated that they are indeed considered teaching faculty and given the exigencies of their jobs, they often work at home long past an eight hour day. In addition, they are not hourly workers they are paid an annual salary. Librarians have no time records, like faculty they have attendance records. Dawn said she agreed with that assessment and the memo was really meant for classified staff. She agreed that the memo was a mistake and that it caused confusion. Dawn suggested that in the future the administration would provide separate memos. Valerie and Anne mentioned that this is part of a deeper problem of Librarians being referred to as non-teaching staff. They indicated that in training memos and power point presentations librarians are often treated as hourly professionals not as faculty. This led to a broader discussion of changing requirements of their job. The work of the librarians is beyond a 9:00-5:00 structure. Many of them work at night and on the weekends. They are in the building most of the time but they need flexibility to conduct their work. They articulated that current state of the library has made this difficult. They do not have office space and are working in cubicles that are not conducive to productivity or to professionalism. These working conditions have hurt morale and the idea that they cannot come to school late due to snow adds insult to injury. Dawn mentioned that there does need to be someone on site and therefore they need to either get to work in snow or use a sick day. She said that Appendix A48 of the contract has a provision for negotiations with regards to librarians and

there is a new committee to discuss these issues for the next round of negotiations. However, there is currently no uniformity in the SUNY system and contract negotiations are a fairly long way off. In addition, it was mentioned that at SUNY Potsdam it was not required that librarians be in the building.

Compensation:

UUP asked the administration to provide salary data for the past six years from 2009-2014 for full-time and part-time academics, including librarians by rank and professionals by salary grade, as well as salary data over the same six years for all Management Confidential (M/C) positions. Dawn indicated that the state provides UUP salary on a quarterly basis and that we can get that from UUP in Albany. Hard copies of MC salaries are kept in the library and are available to us.

Diversity:

UUP asked for data for the last six years from 2009-2014 regarding the number of Black, Latino/a and other historically under-represented groups on the college's academic and professional faculty. We also asked about measures undertaken to increase representation of these groups and asked what additional steps will be taken. Phil indicated that UUP central has the information for the overall SUNY system. When asked specifically about New Paltz, he indicated that he was not sure if our campus had that data. He said the state keeps that information and we should refer to his most recent Provost's report for what he is doing to increase diversity on campus. He mentioned the possibility of cluster hires and using the states' Target of Opportunity. He also said it was up to departments to hire historically under-represented faculty and staff. Anne mentioned the fact that we need to be more strategic in our searches by contacting potential candidates who represent historically under-represented groups and encourage them to apply, but that the pay is terrible and makes it difficult to hire these candidates.

Inclement Weather Policy:

Peter asked what the rationale was for Don not using his authority to "suspend campus activities" and direct employees to leave work without charge when we had inclement weather the day before Thanksgiving. There was a significant snowfall on one of the busiest travel days of the year and driving became extremely hazardous. Peter argued that on that particular day early release would not impact the campus because there were no classes that day or for the remainder of the week. Dawn and Shelly indicated that Don did not suspend offices because GOER advised agencies to have employees charge any missed work that day to their accruals. Peter said that the UUP contract trumped GOER and that Don has the authority to use his own judgment and could have closed the campus. Peter argued according to Section 23.11 of the contract Don does have the power to send people home without accruals. No resolution was reached.

UUP Labor-Management Meeting Agenda, December 15, 2014

1. Sick leave bank. On November 17th, UUP asked the College to establish a process whereby employees who have accrued over 40 vacation days at the end of the year could donate their excess vacation leave to a sick leave bank for employees who need extra sick leave. Can we establish such a leave bank before the end of this year?

2. Athletic & Wellness Center fees. Also at our last meeting, the Union noted that the membership fees charged to UUP members by the College's Athletic and Wellness Center are substantially higher than at most of our SUNY sister institutions. Following up, we wish to know:

How many faculty and professional staff are members of the AWC?

What percentage of the athletic fee paid by students is devoted to the budget of the AWC?

What is the line-by-line budget for the AWC?

Is the administration willing to co-sponsor a survey to faculty and staff concerning their use of the AWC?

3. Emergency Cancellations and Delays Policy 2014-2015

The Union would like to discuss concerns that bargaining unit members have brought to our attention about this policy.

a. Attendance Records, not time records. UUP bargaining unit members do not have time records, they have attendance records (see Article 23.9 of the *Agreement between UUP and NYS, 2011-2016*). This is a fundamental aspect of the terms and conditions of UUP bargaining unit members;

b. Librarians are Faculty. After the policy memo was distributed, the UUP Chapter had several Librarians remind us that they are Faculty, not Professionals. We agreed to raise this at the upcoming Labor-Management meeting;

c. Non-chargeable leave. There is no fixed work-day. When the College has a delayed opening, it should not result in a requirement that the UUP bargaining-unit member enter any form of leave. None was requested, and none is needed. The responsibility of the Professional employees is to meet their professional obligation, not to round out a non-negotiated work day by using a form of leave that was not negotiated or agreed to;

d. The quarter-day rule. The memo indicates that Professional employees (and possibly Librarians) need to use accruals when they arrive after the opening time of the College. This appears to encourage, if not require, falsification of attendance records. Sick leave may be used when the employee is temporarily disabled, and vacation leave requires prior request and approval. SUNY and UUP agree that rather than charge a quarter of a day accrual, that this can be handled informally between the supervisor and the employee without charge to accruals. UUP requests that the administration cease from requiring the charge of accruals in these circumstances.

4. Compensation. Please provide average salary data for the past six years from 2009-2014 for full-time and part-time academics, including librarians, by rank and professionals by salary grade, as well as salary data over the same six years for all M/C positions.

5. Diversity. Please provide data for the past six years from 2009-2014 regarding the number of Black, Latino and other members of historically underrepresented groups on the College's academic and professional faculty. What measures has the Administration recently undertaken to increase representation of these groups, and what additional steps to increase diversity will be taken in the future?