

Labor-Management Meeting Notes, October 22, 2012

By Ed Hanley, Chapter Secretary

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

UUP Attendees: President Brown, VP Smith, VP Miller, NYSUT Labor Relations Specialist Capowski, Secretary Hanley, Chapter Intern Burns (pre-meeting photos only).

1. Results of elections by UUP Professionals. UUP has completed its two elections among its Professional members with the following results:

College Review Panel
Niza Cardona (Student Accounts)
Amanda Merritt (Curriculum Materials Ctr., School of Education)
Jeff Pollard (International Programs)
Scott Schulte (Environmental Health & Safety)
Marcia Roth Tucci (Academic Advising)
Committee on Professional Evaluation
Alan Dunefsky (Development – Foundation)
Mary Kastner (Design, Print & Mail Services)
Wayne Lempka (Art Museum)

Has the administration designated its two members of the Committee on Professional Evaluation? This committee is required to issue its report within 25 working days of any appeal, and UUP members may be requesting reviews in the very near future.

President Brown asked President Christian if the administration had yet identified two members to serve on the College Committee on Professional Evaluation. Answering affirmatively, Christian stated that Camille Suckie (Financial Aid) and Rosemarie LaTourette (Accounting Services) would serve on the Committee. Brown indicated the union would provide some orientation for its committee representatives; he invited the administration's representatives to participate in the session(s) as well.

2. Administration empowered to grant upward salary adjustments. UUP will be reminding its members of §20.12 in the Agreement and requests that the administration do the same.

“§20.12 Nothing contained herein shall prevent the University, in its discretion, from granting further upward salary adjustments of individual employees.”

Noting that the union will be contacting members on the matter of salary adjustments, Brown opined that it would be helpful if both the union and the administration sent the same message on this issue. Christian pointed out that it was not the administration's responsibility to remind members of the bargaining unit of their rights under the contract.

Brown suggested that perhaps the administration could at least get the word out to Deans and Vice Presidents that this option exists. Christian noted Brown's point.

3. Disabled commuters. Some of our disabled members have been denied permission to be driven up to, and discharged close to, the buildings where they work. A member was denied a request for a remote control to lift the barrier behind the FOB. The University Police should be directed and trained to be more helpful to disabled employees.

4. Private vehicles used for College business. Some members are required to use their personal vehicles to transport bulky supplies and provisions to the College. We propose that they be provided with special hang tags for short-term parking near academic buildings. We should also consider establishing a more efficient mechanism for resolving such issues described in agenda items #3 and #4 outside of Labor-Management.

Note: items 3 & 4 were addressed in combination rather than separately. Noting that Labor-Management meetings do not seem the most appropriate forum for issues of this type, Brown suggested there was a need for a more effective mechanism for dealing with them. VP DiStefano concurred, noting that the college already has a well defined, vetted process for dealing with disability issues. She further noted that people who encounter problems when using their personal vehicle to perform official business should, as a first step, seek their supervisor's help in resolving them. Acknowledging DiStefano's point, LRS Capowski observed it is always desirable to resolve issues at the lowest level. Christian noted that - even when such issues are properly addressed and reasonable accommodations made - those involved are not always completely satisfied with the results. He cautioned against the possibility of people continuing to shop around for solutions in an attempt to achieve their preferred outcome.

5. Sabbatical rescission. UUP was very concerned when it learned this fall that a member's previously-approved sabbatical leave had suddenly been rescinded over the summer. Where is the authority for, and what are the precedents, if any, for such a sabbatical rescission? Was there approval of this leave by SUNY system administration in Albany?

Christian stated the authority for rescission resides with the campus president, based on institutional need. Noting that sabbaticals are reported to SUNY but not approved at that level, he further noted there is no formal process that requires notification in the event approval is rescinded. When Miller suggested it might be advisable to highlight the possibility of rescission when awarding sabbaticals in the future, Christian indicated this was certainly not something he foresaw doing on a routine basis. Brown asked if people who had a sabbatical rescinded would receive any special consideration when they next applied. Christian noted that such circumstances could certainly be considered. Miller then asked how Title F leaves affect sabbaticals once tenure is reached. Per Christian, faculty are eligible to apply for their first sabbatical upon achieving tenure. As they will

normally be expected to give up that first sabbatical in exchange for a Title F leave, they would be considered for their next (second) sabbatical seven years after achieving tenure.

6. Improper Practice. Our members continue to report that some units have been actively discouraging their subordinate employees from participation in UUP. This is 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).

Acknowledging improvement on this issue since it was first discussed at the May '12, Labor-Management meeting, Brown noted that it is not yet fully resolved. As at the May meeting, the administration asked for specific details and these were provided by the union. HR Director Blades also took the opportunity to bring a related issue to the union's attention. Specifically, that people occasionally contact HR asking if they are required to participate in union activities. Because the administration abides by the policies, procedures, and agreements that guarantee the union's right to interact with its members, people sometimes incorrectly surmise that the administration therefore expects faculty & staff to participate in union activities. Brown clearly reiterated that, while members are indeed actively encouraged to avail themselves of all the union has to offer – including participation in events – such involvement is entirely voluntary.