

**UUP-New Paltz Chapter
Labor-Management Minutes
September 12, 2018
4:15 pm**

Attendees:

For UUP:

Beth Wilson, Gowri Parameswaran, Spencer Salend, Kevin Saunders, Linda Suszczynski

For the Administration:

Donald Christian, Lorin Basden Arnold, Michele Halstead, Tanhena Pacheco Dunn, Jodi Papa, Shelly Wright

- 1. New CBA implementation: DSA/DSI related to adjunct faculty.** We are assured of a pool of DSA money to be distributed for work in calendar year 2017, and the return of DSI to base from 2018 through the end of the newly ratified Agreement. Adjuncts are eligible for both DSA and DSI, and will no longer receive the dedicated portion of the pool under the formula included in the expired Agreement. What plans does the Administration have to include part-timers in the application process for these funds? How will the Administration address concerns for equitable distribution of the increases to base?

Beth Wilson asked if the Administration would consider earmarking the portion of the salary pool earned by adjuncts that makes up the DSA/DSI pool in some way for first access by the part-timers who are eligible.

Donald Christian would like to review the past practices. Jodi Papa stated this has not been done in the past. Wilson pointed out that with the Joint Labor Management IDA funds, 15% is earmarked for adjuncts who apply. Why might this principle not be followed when it comes to DSI? President Christian noted that the adjunct salary pool fluctuates from year to year, as some positions are filled temporarily when faculty members go on sabbatical, for example. Provost Arnold stated she is in favor of equitable distribution, saying that there will be an application process for adjuncts as it had existed in the past, and so they should apply for DSI moving forward.

In the end, the Administration declined to commit to any principle confining their discretion in distributing DSI funds.

- 2. New CBA implementation: DSA for 2017 for academic faculty.** We have heard from a number of academics who elected not to apply for the 2017 DSA funds back in January, when the Provost's call went out, as there was no certainty that such funds would be available at that time. Now that we know that they are, is it possible to re-open the call to academics, given that the professional faculty and adjuncts have the advantage of knowing in at the time they apply that these funds will be available?

Gowri Parameswaran mentioned she has received calls from a number of academics asking if there could be an extension. President Wilson said that she had been hearing from members on this as well.

Provost Arnold stated there are so many layers of review there would not be enough time to get it to payroll, she does not think it would be appropriate. President Christian pointed out that there was a clearly announced process, with deadlines, and to re-open applications now would not only not be feasible given the practical considerations raised by the Provost, but that it would be unfair to do so.

Gowri reminded everyone that the faculty has already done the work for the awards. Jodi Papa said it is very labor intensive to review the applications, and that is why the deadlines were set originally. The professional staff application process will be closing shortly; Provost Arnold noted that they planned to designate a portion of the DSA pool for 2017 for the part-timers, and they would distribute it equally across all the eligible members (no application required).

- 3. New CBA implementation: loss of opt-out program.** Under the recently ratified Agreement, the Opt-Out program for health insurance is no longer being offered by the State. How many UUP members here at New Paltz participated in this program for 2018? We have heard from a number of affected members that they have been relying on this money as part of their regular income, and losing the Opt-Out program presents a real financial hardship to them. We would like to discuss whether the College might make these members whole, given the apparent misunderstanding many of them had regarding the permanence of the program, and its role as part of their overall compensation.

Tanhena Pacheco Dunn stated that about 20 UUP employees at New Paltz participated in the Opt-Out incentive program. She stated that reading this item pulled at her heartstrings, but that as an employer, we are not in a place to make people whole for something that was bargained for.

Wilson countered that the contract represents a floor, it is possible to do things above. We understand that we are coming on bended knee on this, but it seems like a relatively small request, in the scheme of things. She reminded the Administration that several contracts ago, when there was a longevity award that technically included everyone but the full-time lecturers, the College went ahead and paid the award to them as well, despite the fact that it wasn't in the contract.

Provost Arnold countered that that was a very different situation, an oversight in writing the contract language. President Christian pointed out that this incentive, presumably, was something taken advantage of by people who were married to spouses with insurance, and so to do what UUP was requesting would be mean making a decision based on marital status, which is not fair.

- 4. Serving disciplinary notices to our members when they are off obligation.** We would like to discuss our request that the College to no longer send official, certified mail notices to our members when they are not on obligation.

The Provost commented that even though they are not under obligation, they are still employees, and we need to be able to communicate with them.

Gowri Parameswaran said the real crux is that you wanted them to respond to you during a period they are not under obligation. Wilson added that if official communications are sent, requiring the member to respond within a certain period of time, or imposing a penalty if there is no response, it puts the union at a disadvantage in being able to assist the member, and in filing counter-grievances in a timely way if needed.

Provost Arnold expressed concern that if someone was being disciplined for egregious behavior, the College would lose the ability to act in a timely fashion if they surrendered the right to send communications when they were needed. Jodi Papa said they would still want the right to communicate to members when they are not under obligation. There are exceptions, but we will not say we are not going to send out communications when we need to.

The Administration declined any agreement to stop sending official notices or communications to UUP members when they are not on obligation; they will consider discussions of particular cases if we want to raise them.

- 5. Follow-up on discussion of accommodation policies.** What is the status of the Administration's review and implementation of the revisions suggested by our Disability Rights and Concerns Committee to the College's Reasonable Accommodation Policy and Procedures for University Employees, Job Applicants, and Campus Visitors? As a related item, we have noticed that there are places and forms on campus that still used outdated and non-inclusive signage and language. We would like to know what plans the College has to implement New York State's Accessibility Signage and Logos legislation of 2014. (<https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-updating-new-yorks-accessibility-signage-and-logos>)

Spencer Salend stated that if people need an accommodation, they should know how and when to request it. It is not only the policy, but the implementation. Announcements for public events should include contact information to request accessible accommodations; this past summer, there was for example an event in the Studley Theater which a number of people had found difficult to get to, and there was no contact information on the event flyer.

Salend then asked if there was any response to an extensive commentary produced by the Disability Rights and Concerns Committee over the summer, intended to help inform the College's development of a comprehensive policy on accessibility for the campus. Pacheco Dunn said she had this as a working project for the summer, and that they had hoped to have had it up by now. She thanked Spencer and said his feedback was helpful and thoughtful. Her department is working on getting the website up and running and providing training. Salend offered to have members of his committee review whatever they put together, to serve as 'beta testers' for it as they develop it. Pacheco Dunn said

that they would roll it out sometime soon, and that she looked forward to hearing any suggestions for improvement after they saw how it worked for a while.

Spencer reminded management about disability etiquette, how the language and images portray those with disabilities. He said that in many places on campus, he had noted that they'd changed signage in line with the state law that went into effect in 2014. There are, however, some places (especially on the website) that use outdated language such as the word 'handicapped'. The page to apply for parking permits still includes that term in a drop down menu, for example. Michele Halstead said this will be addressed immediately.

- 6. Academic year contracts for adjunct faculty.** We have had reports from a number of part-time academics, who formerly received academic year contracts, that they are now only receiving semester-by-semester appointments. How many academic year appointments has the College made for these adjuncts for 2018-19? Is this at a significantly lower level than in the past? In addition, in some cases the paperwork for their appointments seems to be taking place later than in the past, which can create difficulties getting on the payroll, health insurance, etc in a timely fashion. What steps can the Administration take to ensure that this critical paperwork is processed on time?

Jodi Papa said management looked at the numbers and they are not significantly lower than they were in the past. Last year there were 47 and this year 42.

Lorin Basden Arnold said the departments don't necessarily know how many sections to project for the full academic year. Jodi Papa said chairs are encouraged to give full year contract when they can.

Beth Wilson asked about getting employees processed on the payroll in a timely manner. Lorin Basden Arnold replied sometimes we get late hires. The numbers are good, only about eleven had to go on to the next payroll.

Meeting adjourned at 5:15 p.m.

Respectfully submitted,

Linda Suszczynski
Chapter Secretary