

Labor/Management Meeting

Wednesday, Sept. 15 2021

1:30PM

Via Zoom <https://plattsburgh.zoom.us/j/99453308029>

**Attending:** Gerianne Downs, Kim Hartshorn, Alex Enyedi, Sarah Reyell, Anne Herzog, Dan Gordon, Matt Salvatore, Anne Hansen, Michelle Trombley, Ray Guydosh, Kathy Briggs

Policies regarding Instructor prerogative to move to temporary remote instruction due to COVID positives in the classroom: Does not address individual instructors to address individual situations. May be anxiety in classroom. To what extent the instructors have the ability to unilaterally change the instruction mode for temporary period of time. Does get tricky; if not in a covid situation, instructors do that periodically anyway. May be going to a conference or some other kind of reason; would never really be an issue. Wondering if there could be some clarification on that point.

Anne: Would like to speak to deans. Intentional to plan for as many f2f classes this fall as we could. Chancellor, SUNY and our students want. They do not want to be shepherded into remote teaching. Classroom transmission has not been the location of spreading covid. Last year masked and it was not classroom transmission. As provost would not want to give unilateral permission. Last year went remote without telling us.

Kim: I have heard from two instructors who had two cases in each. Anecdotally. Now over a week ago, but it was why I put it on the agenda. You will want to monitor. Situation is so dynamic right now. Cases are going up in the county and North Country. Could go down again. And could happen very quickly. If you could monitor that, especially if you're getting calls from faculty.

Anne: No calls/emails have come to me on this. We've said all along we need to pivot. Is a situation that changes week to week. Why we talk about it every week. I will talk to deans about it. Minimally, I would not want a faculty member to unilaterally do that.

Kim: other situation, maybe Michelle or Sarah could talk of this, maybe in negotiations going into next contract, if an instructor is in isolation or quarantine, they may feel able to teach remotely; they can't come in.

Sarah: being placed in quarantine by HD different from last year. We'd make accommodations and encourage to work with supervisor, and all are on a case-by-case basis.

Kim: would be charged sick day working from home?

Sarah: not if by HD. They don't have to charge their own time.

Kim: Noticed, menu list, under non-chargeable time, gets longer. The use of that non-chargeable time menu item hasn't been explained well to people or to indicate when should use that. If are at a conference, I think there is places in that menu for conference attendance?

Sarah: includes things like jury duty ...

Michelle: working on something to go out to campus to assist with that.

### **Staffing for I&Q**

Put agenda together a bit ago; this came from person functioning as director of I&Q. Had 4 or 5 students already in I&Q. Most are back at original assignments. How is that playing out? How many students in?

Michelle: Lizzie sent me numbers: 4 isolations, 1 precautionary isolation on campus. 6 reported to be quarantined off campus and 16 precautionary off campus.

Kim: No plan to recall volunteers?

No.

### **Revisit approvals for taking accrued time.**

Kim: I think this is going to be an on-going issue; staffing getting tighter. You had mentioned previously there is a mechanism to appeal? Formal process or when someone has complained and it's gone informally back through the supervisor chain.

Sarah: Is up to supervisor to approve or deny time. If someone feels inappropriate, can go up chain of command or come to our office. The one we had we went back to supervisor. It is a case-by-case basis and there is no formal form.

Kim: That term, "Operational Needs" is very vague. Not really any oversight over ON.

Sarah: It varies based on position and department

Kim: could vary from person to person. One supervisor may believe one is ON and another may not. No opportunity to challenge that term itself. I think that's where it breaks down. You may not have heard of flak coming into office, but there is a considerable amount of consternation with people being denied based on operational need. there is no real appeal other than back up to HR and supervisor chain to try to convince someone. I think it would be helpful to employees and to supervisors also if some kind of guidelines or appeal process something if people going to say ON, needs to be some kind of justification for it.

Sarah: can contact HR if not satisfied going up chain of command.

Kim: There are other elements to approval decisions that can be challenged and taken to some kind of committee so it's not just a unilateral decision. I'd prefer not to suggest we have a L/M committee for an appeal process for taking vacation time. Prefer much more leniency for taking vacation time. If we're in a staff-shortage situation we have to accept what's going to happen in staff shortages. Going to have a decrease in service. Can't keep the standard of service by not allowing people to take vacation time. at some point, the supervisor has to take the end result of staff shortages. The operational needs can't require that somebody not take their earned vacation time.

Sarah: not the intent. Let us know so we can address it.

Kim: Alright. We've lost some people this summer over this issue.

Michelle: Also a difference between a day here and there vacation and someone using vacation time.

Kim: During month of August, pretty much every administrator took considerable amount of time. Many in rank and file are not able to take two weeks; taking one week is very rare.

Sarah: Few take two weeks.

Kim: Very rare for people to be approved, never happens to take two weeks. Two week vacation is not an unusual thing in the realm of labor.

Anne: This topic has come up again and again. It generically comes up. I heard Sarah say if this particular supervisors and employees need to come forward. It needs to be addressed with particular people

Kim: but it also needs to be addressed at a systemic level; needs to think about staffing that is compatible for people taking two week vacations.

Alex: Seems the immediate request is one in which a denial or not accommodating that employees are informed they can move up to HR for evaluation

Kim: but pressure going down is a suggestion. There is very rarely has a demand been made or a supervisor to change a denial. Sometimes there is some negotiation.

Matt: If a member has 30 or 35, approaching 40 vacation days, during downtime wouldn't a supervisor encourage use of those accruals. Then we wouldn't have memo come out saying take a vacation.

Kim: Props to supervisors. They're under pressure to keep services going. The downtime isn't there for many of the offices. It isn't there because as a college, an institution, we have not been factoring four weeks of vacation into the employee workload.

Matt: shouldn't be pushing members to 40 days where they can lose accumulations at end of year. Maybe it's retaliatory if not a good relationship. There's downtime for different departments in just about every area.

Michelle: there's also liberal leave. Encouraged to take. Down time around those longer weekends when isn't a lot going on.

Matt: No reason for me to work July 4.

Alex: Two different concepts being discussed: 1, staffing challenges. Approaching, from a systemic point of view, how do we look at and assure employees able to take accrued vacation. Struck a cord with me, have to be able to provide those opportunities. As Matt said, there may be negotiations.

But immediate is employees having challenges getting things approved. And HR needs to get involved.

**Clarification of updated guidelines from SUNY for Telecommuting regarding extension of COVID accommodations through October?**

Kim: confusing information coming from statewide that statewide acknowledges is confusing. They have been informed by GOER that telecommuting policy, the new one, which did not address elder and child care is being superseded by the former policy which did include elder and child care so people who were under accommodations under prior policy will continue to be through October. Your understanding?

Sarah: No. Goer put out originally they had said, as of July 2, all telecommuting had ended. Child care or medical issues. They then said, through Sept. 7, would allow if a campus had a tele policy pre-covid already approved could use as a way to gradually bring back all employees by sept. 7. Came out Friday, they were going to extend that through oct. 12. Also said it would include child care. I reached out to SUNY to ask if we could allow the if child put under quarantine, and that's the announcement came out yesterday. That is completely separate from any tele policy and pilot policy SUNY put out in August.

Kim: I didn't see that yesterday; not officially getting those emails anymore.

Michelle: and that's only good through oct. 12.

Need for clarification regarding roles for administration of Academic Performance Reviews. Who is handling what? Who can provide information?

Kim: With Diane Merkel leaving, have some shifts in how doing academic performance reviews, still coming out primarily provost's office?

Anne: happy to help clarify; had a lot of back and forth with Dan. Unable to replicate Diane, trying to justify best to handle this.

Kim: going forward, should we have a meeting with Dan and myself and your office and HR?

Anne: I don't think it needs to involve a large group. If Dan wanted to sit down with main people in my office, most efficient way.

Kim: anything Diane was doing that you need or your office having difficulty doing that HR should do?

Anne: Dan should speak. He's the one who walked through the process. Had great help from HR. Not clear any part of it not adequately supported right now?

Dan: My perspective. I fielded lot of questions at start of semester. Just about all of them, a year or two ago, would have been handled by Diane. I'm not sure what I'm supposed to do.

Anne: Helpful to have a follow-up meeting. Think about the questions coming your way.

Dan: discussed various questions coming to him, not sure what to do. Answer is usually tell the provost's office.

Anne: Wondering, collaboratively, how we can help with this process. Sit down together so our team can hear and figure out.

Dan: happy to do that. Need to be in place before spring evaluation cycle. Kim, think you need to be there, too.

**Request for summary of full-time UUP Separations since Fall 2020 and the outcomes; refilled, refilled at lesser rank, left open, reallocated in PSR**

Kim: Sent the list to Matt and Anne; quite lengthy. Matt's question was how does it compare to fewer years. 61 people seem like a lot.

Sarah: Wasn't part of the request.

Kim: do you have an estimate off the top of your head? There are quite a few. Some of the data was for FT FTEs, one year ago we were at 455; this year, 445. Decrease of 10 FT FTEs. Last year 19.6 FTEs of part-time. That is based on .1 FTE for three credit course. Rep[resents] 191 courses.

Michelle: there are PT professionals.

Kim: Head count was 42 part-timers last year; 37 this year. Decrease 3 FTEs. 19 FTEs equivalent of 191 courses. If those are replaced by FT faculty at 3 courses FT or 4 courses for lecturers, that's between 25 and 30 equivalent FT faculty. Feels like the decrease has been bigger than that. Shows what change of 10 FT employees feels like.

Also asked if you knew net change in tenure or permanent track positions.

Michelle: haven't yet. have to run a couple reports together.

Kim: new employee orientation. There were 10 ft employees and only one of them was listed as an assistant professor; three listed visiting. How many appointed as lecturers appointed as tenure track.

Anne: Two there FT non-tenure track teaching faculty.

Kim: Saw only one appointed as assistant professor.

Michelle: 4 hired ABD. Some waiting for degree information.

Kim: So of 10 FT employees I saw, 5 are tenure track; 5 were lecturers.

Practice was to hire as instructors maybe 10 years ago. Instructor is a tenured rank. Got burned by a couple people never finished the Ph.D.

However, I truly believe going forward the instructor rank is one under used; people like Mark Kaiser, 30-some years a lecturer, have no idea why he could not be appointed as an instructor

and receive tenure. We have lecturers been here decades some of them. Why they can't be appointed as instructors. I don't understand why the college doesn't do that. As we go more and more lecture-based faculty, if you have a path to permanency that includes the instructor, that opens a whole range of promotion possibilities. Encourages even an instructor to engage in scholarship and service if a path to promotion. AT least the path is there should they choose to take it.

Anne: Not my goal to move toward a more lecturer-based faculty. Should have competitive national searches for professors.

Kim: realistically we have people been lecturers here for decades. Some of them have gone through the disrespect of having to go through one year appointments after being here for 30 years. Obviously, these people have prove they're a value to the college; being appointed as an instructor with a path toward permanency and promotion is just respectful. I think the instructor rank could be used more strategically than it has and we encourage you to look at it. we certainly have people hired as lecturers, stayed in that, are valuable members of our community.

#### **Other Items that may arise.**

Kim: had wanted to ask if savings from the positions not saved, are the funds being allocated or going other places.

Alex: One-time savings all accrued in savings we reported end of 20-21 fiscal year. Referred to Josee.

Alex: You're going to be with us until end of the year?

Kim: End of the calendar year.

Michelle: with amount of resignation letters, send out a reminder of the 30-day contractual notice. People haven't been meeting it. Reminder might be a good idea.

Kim: Everybody I talk to I tell them about it. How want to do? Didn't realize you were getting letters I didn't know about.

Michelle: one was less than two weeks. If we put something out, that's why.