

UUP Labor Management Meeting Notes

Monday, April 28, 2014

1:30 - 3:00 p.m.

AD 148

Present: President Harvey Stenger, Provost Donald Nieman, Sara DeClemente-Hammoud, Sheila Doyle, Valerie Hampton, JoAnn Navarro, Joseph Schultz, Serdar Atav, Lisa Gallagher, Fran Goldman, John Oldfield, Benita Roth, Darryl Wood

NOTE: It is not my (BR's) practice to annotate LM notes – which are not minutes as such – however I have taken the liberty to do so with this meeting. When you see “NOTE” that is my (BR's) interjection beyond simple editing.

1:35 p.m. Benita suggested the meeting begin, although Provost Nieman had not yet arrived. President Stenger left the room and returned a few minutes later with the Provost. UUP was unaware that the Provost would attend the meeting, as there were no issues specific to curricular matters per se on the agenda.

Meeting Began At 1:37 p.m.

UUP (Benita Roth): Hi everyone, and thank you for coming. No introductions are necessary, as I think everyone knows each other. I see no items from Management.

Management (Joe Schultz): Just as a background, we generally do not put items on the agenda when the President is attending.

Items from UUP

On-Going Items

On call/Recall – Update re: state and campus efforts to decide on the effect of OC/RC and campus efforts to designate OC/RC staff. Continued discussion on question of defining “work station.” Reminder to management that UUP would like to see any lists designating OC/RC workers before they are sent in/finalized.

UUP (Benita Roth): Our contract now exists as a piece of paper in the world. Both state and campus efforts to designate on call recall staff, the definition of work station, and lists of on call recall. We have had some queries from members.

Management (Joe Schultz): SUNY has indicated [that the OC/RC provisions in the new contracts] are for new arrangements only. This has become an issue at the Statewide level. In terms of where we are at, the Division of Student Affairs is going to continue the practices they have had previously. We are down to a list of about 6-8 people - Facilities and UPD that we are doing a final analysis on. At this point in time, I would say no, that we are not going to be placing anyone on an on call recall list. Regarding the issue that we have discussed about returning to work: SUNY has indicated that you have to physically return to campus to be eligible for the recall. If we did place someone on recall and if it is 2 am and they have to go to a hospital, we would consider that. But not

if someone is at home and goes to work for 15 – 20 minutes. It is possible at the end of the day that we will end up in a status quo situation and the State and UUP will hash it out. If we make the determination there is no on call/ recall list or if there is an employee who questions that, I am willing to have a discussion with that employee. We are continuing the situation that they were already in. If we have an employee and he/she is new, we would look to place them on the list. We are looking at the arrangements in place that deal with this to see if they are sufficient.

UUP (Benita Roth): Would Emergency services be included?

Management (Joe Schultz): Yes.

UUP (Darryl Wood): If my memory is correct, some in IT were going to be recallable.

Management (Joe Schultz): IT are not in the 6-8 people; we are going to continue with the previous arrangements.

UUP (Darryl Wood): At this point, have you made a decision about putting anyone on on call?

Management (Joe Schultz): No one has been designated. I have about 6 people on a list.

UUP (Darryl Wood): I'll cut to the quick: the way UUP has been operating Statewide, if this discussion is ongoing we are not filing grievances. If there are these employees who are not being put on the list, we would file grievances. Up until this point at Binghamton we have been waiting for a decision. Are you telling me we should file a grievance? Without a grievance the clock hasn't started – we can go back 45 days to get paid. I need to know: should we file a grievance? I need to know.

Management (Joe Schultz): **Sometime during the month of May, I will give you a final answer of anyone who will be placed on an on call recall list.**

UUP (Benita Roth): But you do understand that if you have not put enough people and/or the right people on the list or we see no list at all, it is safe for us to go looking for these people to see where they are.

Management (Joe Schultz): This is an issue that is not going to be solved at the campus level.

UUP (Darryl Wood): There is this larger problem that we have to deal with. The members don't have to ask for this. The President in Albany is going to sign off on this. Residential Life, IT, Emergency Services, Counseling Center, maybe some in Physical Facilities. We would rather say this is a campus-based decision rather than someone in Albany.

Management (Joe Schultz): We've been working hard on it.

Adjunct Pay –UUP thanks management for the information on adjunct pay for academic year Fall 2012-Spring 2013. Notes that there will be action nationwide on May 1st re: the question of adjunct pay. We will be continuing efforts on this issue.

UUP (Benita Roth): Thank you for the adjunct pay information for Fall 2012 and Spring 2013. There will be nation-wide action on May 1. Again, we are going to be doing further research. By my account, there are questions on compensation for about one-third of the people who showed up on that list. We would like to work further. No particular demand, but we plan to do more research and hope management would urge heads of departments to cooperate with us. The \$5,000 floor per course. There are clearly some problem departments.

Management (Provost Nieman): What's adequate varies from departments to departments. There are dozens of markets out there.

UUP (Benita Roth): We are going to look at adjuncts, national \$5000 per course. We do not think that paying poverty wages is a good thing for the Premier Public University of the 21st Century to be doing. \$5000 is a floor not a ceiling. We are right now in a research mode but will be looking more intensively on this. We would hope that there would be encouragement or a signal from management..

Management (Joe Schultz): 14 people with me. Looking at minimum per credit hour. (NOTE: not sure what Joe is referring to here). Was this an issue at the negotiations table.?

UUP (Darryl Wood): It has been, and essentially it has to be resolved at the campus level. It cannot be solved at the Statewide level. It is up to the campus.

UUP (Benita Roth): I heard our chief negotiators had it wiped off the table. Are you saying that the campus is unwilling to do something about salaries?

Management (Joe Schultz): We will look at this.

UUP (Benita Roth): We will need to explore this further. Our sense is this is a serious issue that affects a serious subset of our adjuncts. We are going to continue to work on this.

Leadership development/supervisory program -- UUP would like an update the process of evaluation of the program. We are also interested in efforts to get faculty who are supervisors involved. We also wish to discuss how UUP can play a role in shaping curriculum in the future.

UUP (Benita Roth): Thank you. It's nice to see something that the union has been crying out for, for so long and the commitment to keep it going. Thank you for the summary, which I have some things to say about. We are interested in greater efforts to get faculty who are supervisors involved, for example, chairs. There are very few faculty with supervisory duties involved. We would like to discuss how UUP can play a more active role. In particular, in order to get the curriculum of the seminar to be campus specific. Take it out of the sort of generic and say these are things that happened to us at

SUNY Binghamton. How can we manage these kinds of problems? The evaluation itself: I'm not sure that this gives me a lot of depth or details about what the curriculum actually was.

Management (JoAnn Navarro): This [evaluation] was from fall. The pie chart on page three deals with the ten core areas. You had made a comment that there seems to be a lack of conflict resolution. I met with Shelly to speak about that. She thought they spent a lot of time on conflict resolution. She said that her perspective was quite different. Clearly in her mind it dealt with conflict resolution.

UUP (Benita Roth): That could be because in her mind she is focusing on conflict resolution and some very generic stuff.

Management (JoAnn Navarro): I think we want to be careful of this because of confidentiality.

UUP (Benita Roth): There is a difference between being anonymous (and therefore confidential) and being generic.

UUP (John Oldfield): There is a difference between managing in the non profit sector and private sector. I think that is the type of thing that is more tailored to a new supervisor in a public sector job. How do you deal with unions? How do you motivate and discipline?

Management (JoAnn Navarro): On-line modules were Binghamton University specific.

UUP (Fran Goldman): I think one of the changes that needs to be made is about the online modules – these and face-to-face modules need to be integrated. We have one more class, and I don't think we are going to hear anything more about modules.

Management (JoAnn Navarro): Sara, how did they do it [last time]?

Management (Sara DeClemente-Hammoud): One week prior to the last class.

Management (JoAnn Navarro): I would agree. I think it should come out a little bit earlier.

UUP (Fran Goldman): Especially because they deal with unions. I agree that there is confidentiality within the class and we don't discuss names.

UUP (Benita Roth): We are thrilled and very happy about it. All 400 supervisors are going to be encouraged one way or the other. What we are thinking now, we hope before the next program is that Shelly and Kim will be able to meet with Fran or a few other people to review the curriculum before the next session. We have not seen the actual curriculum and this is a multi-union area. We would like to have more input into the design of the seminar. Not take over or run it, but have more input into the structure.

Management (JoAnn Navarro): I don't have an issue with Shelly and Kim, but I would like to open it up to the other unions.

UUP (Benita Roth): Maybe she could come to a Labor Management meeting or we could arrange a meeting.

Management (Provost Nieman): As far as chairs, lots have been invited.

UUP (Darryl Wood): Pay them a stipend for additional duties.

Management (Provost Nieman): To pay one group and then not another?

UUP (Benita Roth): Why not make that part of it they are getting as a stipend as chairs. They are doing more. So why not make this one of them? Especially for someone who comes in new. There has to be strong encouragement.

Management (Provost Nieman): Impressments of people would change the dynamics. Having people come who may not feel that way.

Management (JoAnn Navarro): We had this on the last meeting of the Senior Officers Group that includes all the deans. It has been put on their agendas and we have offered to come to department meetings.

UUP (Fran Goldman): Advertised?

Management (JoAnn Navarro): We will be [doing so] soon.

Management (Joe Schultz): For example, physical Facilities Training Program has a unique set of issues, off hours, and I think it is going to be a very strong program. To give enough information so that someone recognizes that they need to call someone (Human Resources).

Management (Sara DeClemente-Hammoud): Three classes, multiple classes for each. Both CSEA and UUP. The first session is in May.

UUP (Benita Roth): Can we get copied on that?

Management (JoAnn Navarro): ASU Certification Program, Administrative Services - 65 supervisors (80 people were sent surveys – 65 responded).

Management (Joe Schultz): Civil Service List – Can we ask for this? Can we ask for that? Why don't we come up with a program? Take these courses so when they go to interview - Here is what we are looking for. Here is what they are looking for. Rolling on this fall for support of UUP faculty and professionals.

New Items

Plans for growth: President Stenger and others have stated that BU has plans for growing to "20,000 by 2020." This would mean adding thousands of students, almost 200 new faculty and only 100 new staff. Who will these new staff be – UUP, CSEA, MC, in what proportion? For example, how will the management insure that

employees in the planned for Pharmacy School have access to union representation.
In general, what are the projections for who and where staff are to be? How will UUP members be involved in the decision making processes about growth.

UUP (Benita Roth): Who will the new staff be and in what proportion?

Management (President Stenger): Too early to tell, but in the same proportion of current employees.

Management (Provost Nieman): Shared very widely. The Pharmacy School same typical break down of what you'd see. The CCPA School looks a lot like [what the pharmacy school will look like].

UUP (Fran Goldman): Anyone [to be hired] campus wide outside of Pharmacy School?

Management (Provost Nieman): Will be in the Pharmacy Building but from the Library. [Not sure what the context was here]

UUP (Darryl Wood): Assuming academic, professional, versus CSEA - In terms of professionals and CSEA are they going to be in the same proportion of types of jobs now or is that going to change? Primarily instructional support professionals, such as lab prep in sciences, etc. as opposed to someone in the budget office. Is that kind of proportion going to stay the same?

Management (President Stenger): UUP, CSEA, MC I think will be in the same proportion of our current employees. [It] depends upon where we grow. Driven in large part by what the programs say they need to operate.

UUP (Benita Roth): Support staff is sorely lacking. a) Who is going to support all the faculty and students? b) Where are we going to put them? We have one dept. where you have 23 faculty members and a half-time secretary.

Management (Provost Nieman): We currently have a budget process in place so that we have an opportunity to assess the needs.

UUP (Benita Roth): We don't know anything about that process.

Management (President Stenger): It is too early to make a firm prediction, but most likely in the same proportion as now.

UUP (Benita Roth): We have concerns about that. So how will management insure that the Pharmacy School employees have access to union representation?

Management (President Stenger): All university employees will be hired in the same way as those who work on the Vestal campus.

UUP (Benita Roth): What are the projections for who and where staff will be? Too early to tell? How will [management be making] decisions?

Management (President Stenger): The same way they are now. The departments admit graduate students in the same way they do now.

Management (Provost Nieman): All faculty are UUP. They have a voice through schools, departments, and the union.

UUP (Benita Roth): Not all UUP members are faculty. Those folks are going to be required to do more.

Management (Provost Nieman): I think as we look at expanding programs, we look at where we need to have additional staffing for the growth. There are never enough resources to go around.

UUP (Benita Roth): Do you have a metric? What are the guidelines?

Management (President Stenger): Where we are now is pretty reasonable.

In a related issue, UUP faculty members have noted that many of our classrooms are in poor shape; for example, in Science I, there is at least one classroom with broken windows, and broken environmental controls (often the room is too hot to teach in). Other “smart” classrooms have broken DVD machines. Others look shabby. What are the plans to rehab these spaces and build better ones?

UUP (Benita Roth): In a related issue: Classrooms. Science I, etc. What are the plans?

Management (President Stenger): Requests are made through The University Space Management Council in consultation with the Budget Review Committee and Learning Environment Committee. These groups may be consulted by the Director of Center for Learning and Teaching.

Management (JoAnn Navarro): if there are problems, faculty can call Environmental Control and they can call Physical Facilities.

Management (Provost Nieman): If a DVD player is broken, it will ruin your class. But it is impossible to go into each classroom and check prior to the class. The best way is for faculty to report it to Ed. Comm. The Ed. Comm. people are very responsive, in my opinion. We have a regular schedule, each 10 years [we assess tech capabilities of classrooms] We have 125 general purpose classrooms. A ten-year schedule for renovations from enlarging technology to replacing the seating. Glass boards as opposed to blackboards, paint, etc. 13 classrooms that have just been renovated, with new furniture and will be coming on line in the fall. Rafuse [sp?] and Dingman [sp?], Champlain - new classrooms. Fine Arts Building – two state-of-the-art graphic design classrooms; basement - the Lindsey Study Room, Art History faculty were asking for; we are going to be opening a new Admissions Center in Old Dickinson Dining Hall, open up a classroom. A new Lecture Hall in Center of Excellence Building. In Admissions Center a 30- person classroom. JoAnn and Pitarresi have a “sand box” [experimental classroom set up] in the Center for Learning and Teaching. The Facility has always had a plan, but in the last year we have been proactive. Much more faculty input on this.

James Pitarresi heads the Learning Environment Committee and Ed. Comm. reports to him. What we've tried to do is line up classroom renovations and classroom technology with faculty who are using those. My experience has been that Physical Facilities really gets on it. It has a very high sense of pride in what this campus looks like and how it functions.

UUP (Benita Roth): Clearly our members are not privy to the holistic view that you gave. My experience with Ed. Comm. is not good. There is little info as to who to call about what – the lines are opaque as opposed to who they are. If James Pitarresi is the one to call for any problem, I will let people know.

Management (Provost Nieman): How do we communicate this out? In all fairness, they [faculty] are going to hit delete, but what is a good way to communicate this? We spend a lot of time talking about classrooms and the quality of classrooms and we put a lot of money, in excess of a million dollars a year, into them. I think James is working on not what the appropriate classrooms are now but where our classroom spaces should be moving and what can accommodate the kind of teaching our faculty want to do. On-line, productive interactions, platforms. How do we get this information out?

UUP (Serdar Atav): Technology glitches ruin your class. Something as simple as a spillage on the floor, and we have no access to paper towels so that a student doesn't slip and fall. If we have a locked cabinet with a scroll of paper towels. Spillage is a very big concern and brings stress on faculty members.

UUP (Benita Roth): How much of the new classroom space is going to be flexible space? Is there an amount of flexibility in new classrooms, because we don't know how we are going to configure classrooms for a new group of 4000 students?

Management (Provost Nieman): It's hard to develop 15 student as well as 60 student classrooms. We have space over in C4, wonderful meeting rooms and classrooms. They have moveable walls so that they can divide this space up into spaces of 25 to 30 or open it up completely to over 200 students. Student Wing is our next major project; will bring 16 new from about 15 to 50. Michelle Ponczek, Director of Course Building and Academic Space Management, manages the utilization of classrooms very well, and she knows what the needs are. Happily one of our biggest needs is classrooms of 30. There is a lot of research that goes into this.

UUP (Darryl Wood): Think of a ten-year cycle. In ten years, Bluerays replaced VHS. This misses a whole generation of technology. Ten years for technology? Ten years doesn't sound like it is quick enough.

Management (JoAnn Navarro): What we find in ITS, is that some of the faculty are using old technology and miss it.

UUP (Benita Roth): Of course they miss it. Because here is what happens – if I have media I use for my classes, if I purchase it, I don't have the money to convert that [into a new format]. Ed. Comm. won't do it for me. I don't have the money to convert it., but I did spend my own money. Ed. Comm. has no plan for converting that material into new

user-friendly formats. There are other schools that do it. Ed Comm gets hung up on a very strict interpretation of “fair use” that basically means don’t copy anything ever.

Management (JoAnn Navarro): If you run into this, call Media Research in ITS.

UUP (Benita Roth): Ed. Comm. has a very rigid view. The Library has a less rigid view.

Management (Provost Nieman): We would very much like to be able to communicate both what we are doing and to encourage faculty input.

UUP (Benita Roth): Communicating through the union is a good way to communicate. We are both faculty and professional. Through Faculty Senate, I don’t hear anything. People would like to hear about this, classrooms.

Salaries: According to the AAUP “salaries issue,” BU faculty are the lowest paid faculty among the university centers, and the trend is downward from last year, while the national trend is upward. Moreover, UUP has heard of a number of instances where promotions have been accompanied by minimal raises, even in situations where the employee had five outside offers. This goes against the idea that management has floated in past meetings that employees seeking raises should attract outside offers. What are management’s plans for addressing this question, which has seriously impacted morale?

NOTE: President Stenger interrupted UUP and asked for this item to be read question by question. His request was accommodated.

UUP (Benita Roth): According to the AAUP salaries issue, BU faculty are the lowest paid faculty among the university centers, and the trend is downward from last year, while the national trend is upward

Management (President Stenger): Can you provide this to me?

UUP (Benita Roth): I can send it to you. **NOTE: UUP (Benita Roth) sent an email message (see below) to Management immediately after the meeting.**

Management (Provost Nieman): What is the source of the data? **NOTE: Answer to this question appears in the agenda item underlined above.** [Nieman also mentioned that BU salaries stack up well when looked at “discipline by discipline.”

UUP (Serdar Atav): In comparison to BU we are well below other university centers but the more important thing and very depressing was the salary compression. Highest salary compression of University Centers.

UUP (Darryl Wood): AAUP gets their information from the United States Department of Education.

Management (Sheila Doyle): Cost of living?

UUP (Benita Roth): We are not going there. Cost of living is a wash. It takes faculty and staff more money to leave Binghamton. Mortgages are only thing lower in terms of cost of living.

Management (President Stenger): Will you send us your data?

UUP (Benita Roth): Yes. I will send you the data. Will you send me your data? It might be a good idea to look discipline to discipline, but our trend is downward. One faculty member has had five outside offers, and could not get a promotion/tenure raise. Salary is an issue that has seriously affected morale. We feel we are seriously underpaid.

UUP Concerns about the messages given on raises by management: UUP members have now heard in various venues about the supposed hardships imposed on management due to the contractually agreed upon raises due this year and next. UUP is concerned that the message being sent to employees is that paying them fair wages is a hardship and a burden to management. UUP would like the message to be that employees are worthwhile and deserve the raises they get.

UUP (Benita Roth): Let me conclude with another issue: the supposed hardships imposed on management due to the contractually agreed upon raises. Our members have heard that paying them fair wages is a hardship for the university and a burden for management. People do not want to hear about that. I'm welcome to any responses.

Management (President Stenger): Starting salaries are determined by deans, in consultation with chairs, and supervisors. **NOTE: This was not a response to the question asked.**

UUP (Darryl Wood): Contractually you can resolve this problem by the stroke of a pen.

Management (President Stenger): The unfunded, negotiated raises do impose hardship.

UUP (Benita Roth): A pay bill is used to pay for raises – this time, Zimpher said no to Cuomo, we are fine, our campuses are fine, we don't need to cover raises in the pay bill. That is the story we heard that SUNY washed its hands. My point is that all of hear about how our raises have made things harder.

Management (Provost Nieman): There were three things and that was at the top of the list. Political realities -- what legislature is going to remove resources to restore contractually?

UUP (Benita Roth): What you communicate and what UUP members hear is that we have to pay you. We don't really want to and because we have to pay you we cannot do the other things.

Management (Provost Nieman): If that is the way [things are heard], sorry. What we were trying to do and be transparent that we had 6 plus million dollars that we had to meet.

UUP (Fran Goldman): A lot of people are feeling like the scapegoat because things cannot be done.

UUP (Darryl Wood): It has been less than ten years since contractually agreed upon wages were not legislatively passed. Fairly new where they were not automatically put into State Budget. Somewhere along the way, someone convinced the legislators that we don't need the money. They were undercut this time when legislators told them if they were not going to ask for them we aren't going to give it out.

Management (President Stenger): [Zimpher said that paying for the raises was] the highest priority.

Management (Provost Nieman): All campuses were behind it very actively.

Management (Sheila Doyle): Otherwise it means a 6 million dollar cut for campuses.

UUP (Benita Roth): What is coming through is, we would do so much more if we didn't have to give you folks raises.

Management (President Stenger): Not saying we are having a hard time, we are saying we can't hire other people now.

Management (Provost Nieman): 3.3 million dollars this year. It is a reality, and next year about the same amount.

UUP (Benita Roth): Management should say these are raises you deserve. It is not that you don't deserve these raises, because you do. If it is the truth, it needs to be told but the message shouldn't be that we don't deserve to be paid.

Self-Evaluations as part of packet for permanent appointment: UUP would like to know how/if "self-evaluations" are being used as part of packets for permanent appointment.

UUP (Benita Roth): We had a question on self evaluations. We are wondering if self-evaluations are required (as part of requests for raises/promotions, etc.)

Management (Joe Schultz): On the evaluation form, the 1 highlight encouraged self evaluations. I talked with Allison briefly who reviews them. Are you seeing this generally speaking as part of the process? Yes, people are doing the self evaluation as part of the process.

UUP (Fran Goldman): We have heard that some people have being told that it is mandatory. It is encouraged but not mandatory. We have been told that it is mandatory.

Management (Joe Schultz): It is not mandatory.

Meeting ended at 2:55 p.m.

Attached: email sent to President Stenger and Provost Nieman et al. on April 28th 2014, after the meeting.

President Stenger and Provost Nieman:

You asked for my data source re: BU salaries. I have the magazine at home, as I suspect you do somewhere, but the links below are from the online edition of the *AAUP "Salaries Issue"* (March/April 2014).

The overall report is at:

<http://www.aaup.org/file/zreport.pdf> (see page 13 for overall percentage changes in salary)

Re: our institution, see

<http://www.aaup.org/2013-14-explanation-statistical-data> and

<http://www.aaup.org/sites/default/files/files/2014%20salary%20report/AAUP-Appdx1-2013-14-MA-OK.pdf>, see pages 11-12

I chose to compare BU directly with the other University Centers, and yes, I know Stony Brook is on Long Island and has a medical school. Other schools aren't and/or don't. On pages 11-12 of the institutional reports, it's pretty clear that with the exception of reported salaries for instructors, BU's match-ups to other University Centers isn't great (see columns 2 & 3). Moreover, the percent of increase of salary in the past year is quite low (see column 8, and page 13 in the overall report for overall percentage changes in salary). There are many tables in this report and you might find others compelling, but I would urge you to look most directly at the other institutions that we resemble in the SUNY system.

Since as a union, UUP negotiates and monitors the terms and conditions of work, I know that we will continue to have discussions about how we can deal with ongoing matters of concern to our members, such as salary compression, gender discrimination in salaries (see column 10 in the institutional tables), a less capricious system for raises that accompany tenure and promotions, and adequate, above poverty, adjunct pay.

Respectfully,

Benita Roth, Ph.D.