

## **UUP Labor Management Meeting Notes**

Monday, February 22, 2016

1:30 - 3:00 p.m.

AD 712

**Present:** F. Goldman, B. Roth, S. Seibold-Simpson, D. Wood, S. DeClemente-Hammoud, S. Doyle, V. Hampton, J. Schultz, Provost Nieman

The meeting began at 1:38 p.m. Benita Roth welcomed everyone and thanked them for attending.

### **New Items from Management:**

#### **Changing the month due for permanent employee annual evaluations:**

Management (Joseph Schultz): We have been attempting to calculate the compliance rate which has been very painful (due to new software). We are at about 80% compliance and what we are faced with are problems over the last year, year and a half. We have changes in supervisors, changes in this and that, and what people are telling us is that the May date for permanent employees is a terrible time. We wanted to talk about changing that to perhaps January. The one piece I don't have in my head is the course building, etc.

UUP (Fran Goldman): Course building is January into February. Problems in January are a lot of chairs are not around, academics in general. Even if you shorten the break, you are still losing two weeks.

Management (Joseph Schultz): In our office the slower time is the midpoint of each semester. How about March?

UUP (Fran Goldman): It depends when spring break is and how long it is. If you are thinking March or January, March would be best.

Management (Joseph Schultz): We can run a query of supervisors. I think you might ask them and see if there is a problem with January.

UUP (Darryl Wood): Have you thought about how to phase this in?

Management (Joseph Schultz): The other thought I had was could it be two months if you are in an administrative process. There would be two windows per year, but tracking it would really be a nightmare. Administrative and operations might not be interested in that.

UUP (Benita Roth): How many people does a typical academic supervise?

Management (Joseph Schultz): Some, one or two. Some, seven.

UUP (Benita Roth): Does that differ greatly from non-academic supervisors?

Management (Joseph Schultz): 10+ (for non-academic supervisors).

UUP (Benita Roth): If the average academic is only supervising two people, it isn't that much.

UUP (Fran Goldman): It also depends on how insistent HR is on this.

Management (Joseph Schultz): It was a pretty persistent campaign to get it done, and we have seen a very positive response. Problem is that it is an annual thing.

UUP (Fran Goldman): Mary Ann Swain (former provost) would say if you are supervising and you don't get evaluations in, you won't get your DSI.

Management (Joseph Schultz): It is going to be a significant factor in it. We will generate something to the supervisors. And talk with my people to see how it would be to have two months.

UUP (Benita Roth): January for academics, your mind goes someplace else even if you don't leave town.

UUP (Fran Goldman): And a lot of professionals are not here. They take vacations.

### **Dual Career Program up and running:**

Management (Joseph Schultz): The program is up and running with seven or eight participants. Essentially John Wojcio is managing this new program, which is providing career assistance to the partners and spouses of people who have relocated to the Binghamton area. Resume review, career coaching, creating a network in the community. Second component is, "my husband is looking for a job and I need help." The issue of spousal employment wasn't addressed in a consistent type of way. Now we have a formal program. On the one hand it is very successful and on the other hand you see some immediate challenges. We are not guaranteeing jobs. John can sit with them and say, "What are you going to do"? A lot is simply resources, someone that can create this network where we can do the intake and have companies who have contacted us and we could match the two together.

UUP (Benita Roth): Who qualifies?

Management (Joseph Schultz): Going back one year and then anyone new or perspective. Even for those interviewing for a job here.

UUP (Benita Roth): Any plans to advertise this more widely?

Management (Joseph Schultz): After five years here, an employee doesn't qualify. They don't qualify, but let's provide some resources. The university is funding this and wrote the parameters for the program. It is open to full-time employees that have relocated. We will do it for everyone on up as long as they meet the parameters.

UUP (Benita Roth): How is it advertised?

Management (Joseph Schultz): We sent 100 flyers to each dean and the message has gone out to deans and chairs to make them aware. We have a website.

UUP (Darryl Wood): It is too late to do this in this *Agreement*. This could become a joint labor management campus grant if the two of you want to expand or do something different. You might get some money. It is something to think about down the road.

**New Items from UUP:**

***Hiring procedures and internal employees: We have heard concerns about hiring procedures involving internal professional employees. We would like to know more about how management safeguards the rights of internal employees in the hiring process.***

UUP (Benita Roth): There have been some conversations going on between Joe and Fran and others. Our concern and I will let Fran speak as well, has been that some things in the process have been lacking historically and that mainly has to do with follow up. Internal employees often times have heard nothing at all about their applications or Skype interview or other. They hear nothing. We think this is a problem. Procedures are given to supervisors that they are supposed to follow.

UUP (Fran Goldman): We talked about this before. Part of the problem is that a lot of new employees are on the parameters, are on the website. There should be some kind of training so that they understand that it is common courtesy to let them know they are not going to consider them further. It becomes a real morale problem. They apply and don't hear anything.

Management (Joseph Schultz): They apply and when that period is over we take a look and say yes, we confirm they are an internal candidate. Send to search committee, look at applicants, interview include in a larger pool. It sounds like that is not happening. We are very, very clear. Alison (in HR) is very thorough in contacting the search committee with internal applicants. After that it kind of leaves us and the search committee does their thing.

UUP (Fran Goldman): That is where the gap is. Tier one, tier two. There is no communication to the candidate or the applicant about what is happening. If they don't hear, maybe they are not going to be considered, but they should hear.

Management (Joseph Schultz): The most common response is do you meet the minimum qualifications? If so, you are going to be included in the larger pool. You are right. At some point they need to be told.

UUP (Fran Goldman): To find out in a meeting that someone else has been hired is not the way to find out. Someone on the committee should go through those applicants. This is kind of a small community. Once that decision is made to hire or not hire, email that person and say I am sorry.

Management (Valerie Hampton): We have jumped in and looking at my staff better practices need to be part of the process. Now I'm looking at exactly what you have described. Encouraging them to take it a step further because we do have internal folks, that it be reasonable, an internal best practice to keep our own engaged. Best practices you are doing these certain kind of things, recruitment but retention as well. We are invested in our internal employees.

UUP (Darryl Wood): A long time ago I can remember the Affirmative Action checklist thing. Is there any other form that gets done when people are going to be hired or offers are made?

Management (Joseph Schultz): Part Three basically says you may offer it to this person. They may or not accept.

UUP (Darryl Wood): What I'm thinking of is the Affirmative Action form. If there is a reminder check-off box that goes to the hiring chairperson, have you contacted all the candidates? Leave it as an open ended question.

Management (Valerie Hampton): There is one part. I have a final determination form. We can add that to this form. We could add the third question. Did you inform the search committee chair? Ok. Are you ready to close the search? Please remember to let the candidates know. Maybe we need to change the language on it.

UUP (Darryl Wood): I know you are telling them, but it could be three or four months earlier.

Management (Sara DeClemente-Hammoud): HR does this.

Management (Valerie Hampton): It would be easy to add a reminder.

Management (Sara DeClemente-Hammoud): Positions remain open on the Interview Exchange until we close the account.

UUP (Benita Roth): This (affirmative action form) sounds like it is a much earlier intervention.

UUP (Fran Goldman): People just want to know.

Management (Joseph Schultz): With Interview Exchange you can do it with everyone that applies to the position.

UUP (Benita Roth): We should be making sure our employees are being respected, rather than hear about not getting it at a meeting.

Management (Joseph Schultz): More than likely in any process internal candidates find out when an announcement is made. The announcement is made on a local level.

UUP (Fran Goldman): It seems like before it is publicly announced, they should know.

UUP (Benita Roth): Does Alison talk with the committee chair before the search goes out?

Management (Sara DeClemente-Hammoud): She has this (the process) documented and takes them through it. She walks them through it. Before you close it out, you need to contact the folks.

UUP (Susan Seibold-Simpson): If it is identified more as an issue, perhaps that can end the problem.

Management (Sara DeClemente-Hammoud): We find it is mostly the last piece. Alison goes every week back through (hiring processes). Forty at a time, sometimes.

Management (Valerie Hampton): If the pool is fairly deep, you can identify these people.

Management (Sara DeClemente-Hammoud): We had a situation where an internal candidate was in the second position and the external candidate was offered the position. The person did not accept the position, and it was offered to the internal candidate. Had the internal candidate been sent a letter before the position was accepted, the person could have said, frankly I was sent an old letter and I don't want it now. It's hit and miss. They don't always work the same way.

UUP (Darryl Wood): Every person gets something before it is announced.

UUP (Benita Roth): If the info about contacting folks is on Interview Exchange, you put it on yours (HR's website).

***Deans' searches and changes at GSE: We would like an update from management on these things, since the leadership of various schools directly affects the terms and conditions of our represented employees' work.***

UUP (Benita Roth): We would like an update from Management on these.

Management (Provost Nieman): Dean searches are good. We have a search going on for the Dean of the Decker School of Nursing, and we have a small pool of applicants. A very strong pool far fewer kind of through way applications that is normal. I am optimistic. Skype interviews in 2-3 weeks. Maybe the first week in March and bring candidates to campus before spring break hopefully. That is our goal.

UUP (Benita Roth): Has Skype replaced airport interviews?

Management (Provost Nieman): For the Dean search, yes. First time we used Skype interview for a dean was the library. I really think it is going to be the way of the future. Much less complicated.

UUP (Benita Roth): The Library dean is here?

Management (Provost Nieman): Yes. He started Martin Luther King's Birthday.

UUP (Susan Seibold-Simpson): We have heard nothing about the search to replace the dean of the nursing school.

Management (Provost Nieman): Gail Spencer, Serdar, several others are on the search committee.

UUP (Darryl Wood): I have a question about internal candidates. Would that be the plan (Skype interviews) as well, if they are internal?

Management (Provost Nieman): Yes. Same conditions for each. Fair is fair and really in an airport interview environment, the committee meets a maximum 1 to 1.5 hours, My sense in participating you don't really sacrifice that much in Skype. Years ago with primitive technology it was more problematic, bad connections, people being cut off. But with technology now it is really good and candidates are getting much more accustomed.

UUP (Benita Roth): Once we had a candidate who balked at having a Skype interview. No one has balked since.

Management (Provost Nieman): We have a second interim dean in the Graduate School of Education until a year from this summer. No other searches for deans.

***Salary Compression: We will be bringing this up when we meet with the President of the university, but we have now received some data on how SUNY Cortland is dealing with salary compression for both faculty and professional employees (see attached). Their solution initial relied on DSI money, but note that it no longer does. They have developed different models for determining which faculty and which professional employees are underpaid (the latter with the aid of a consulting firm).***

***We firmly believe that if a comprehensive SUNY 45 minutes north of us can do that, we can do this. While it is true that we are larger, that only affects scale and not the question of how relief for compression can be accomplished.***

UUP (Benita Roth): Cortland has been in the process of dealing with salary compression.

UUP (Darryl Wood): There was an analysis and money eight or nine years ago. They decided they needed to redo it. What I've heard is they weren't entirely pleased with it and have modified and redone it both for academics and professionals.

UUP (Benita Roth): Some things about the process -- essentially they began thinking they could rely on DSI money and when it wasn't there they used other campus funds. A multi-year formula using different models. For academics it is an easier process with fewer variables. With professionals there are a lot of different standards, and different markets, so they used a consulting firm to come up with some models. We strongly suggest it be done here. They identified the people, committed the money and all of this took a lot of effort and had a lot of buy in from administrators. I gave a bit of information to Joe and I can give more to share. They are

public documents. We encourage you all to think about this. End of contract is coming up and we don't know when we will have a new one. We don't know about DSI coming back but there are serious issues with compression and inversion with people coming in at higher salaries. Really morale busters.

Management (Provost Nieman): Cortland is a very different institution. Salaries starting are probably 15 to 20% lower than here.

UUP (Darryl Wood): What is the beginning salary in Sociology?

UUP (Benita Roth): Probably \$70,000, but I have seen assistant professors in management starting at \$155,000. I have to initial some of the paperwork.

UUP (Darryl Wood): 15-20% less is about right for Cortland.

Management (Provost Nieman): What is their promotion raise policy? Flat? That would be another component. I can find out. I know Mark (provost at Cortland).

UUP (Darryl Wood): I never heard that conversation.

UUP (Benita Roth): Don't know, but we can find out. We don't have a flat promotion policy. There are ranges.

UUP (Darryl Wood): It is my understanding at least HR office they would be more than happy to sit down with campuses to say how they did it.

Management (Provost Nieman): I can get Mark's perspective on this.

UUP (Benita Roth): I reached out to a labor economist friend. Like a good academic he said there are many different definitions of salary compression. So I looked at the radical online journal for the Nat'l Assoc. of University and College Business Officers [this is a joke]. They really stress that the market creates salary compression, but so do institutions by not having a policy that addresses it. We value seniority and longevity here. One thing that was interesting about Cortland is they could separate merit pay so they didn't penalize people. All of this can be done. Cortland is modeling the process for us. If we could create a program, it would create so much good feelings on the campus. A view from employees that the university feels that they are important. Yes. It does involve money.

Management (Sheila Doyle): Did they say where they generated the money?

Management (Joseph Schultz): DSI. They were taking half of their pool, no about 25% of whatever the compression is. They vowed to address the compression. [Cortland identified monies outside of DSI after the new Agreement with the state did not have DSI]

UUP (Darryl Wood): You come up with money in reserves. They don't have a magic bag of money some place. They have the same problems that we have but they figured out a way to do it. Savings or whatever it is. I don't think they are hiring fewer people.

UUP (Benita Roth): I will see what I can find out on my end, and you can find out on your end. There are models out there and the commitments to do that kind of study over four or eight years is very important and would also like DSI to really go towards merit and not be covertly used to deal with compression issues what is what I think goes on.

Management (Sheila Doyle): Is there any one from Binghamton on the team for negotiations?

UUP (Fran Goldman): No one is on the negotiating team.

UUP (Benita Roth): The amount of agreement among our people and the rest of UUP re: negotiation issues is stunning. We [Benita, Fran, Susan] went to a meeting of the Negotiations Team, Committee and Ad Hoc Committee and the most important thing was that the amount of repetition re: issues was striking. It is across the system.

Management (Joseph Schultz): There are structural differences in how unions deal with pay. Classified employees has used the step system for years of service. You actually see that. There has been a lot of discussion about that.

UUP (Fran Goldman): I think UUP has been trying to get a step scenario (from the state) for a long, long time.

UUP (Benita Roth): I would be in favor of a step system in the Agreement over DSI, but I'm not the Governor.

UUP (Darryl Wood): Are you recommending that, Joe?

Management (Joseph Schultz): To SUNY? I haven't yet.

UUP (Benita Roth): It would help to correct salary compression. But we don't have that as a negotiating part of our contract. But there are other things that can happen.

### **Ongoing items from UUP:**

***Part-time work that is full time: In December, we discussed our concerns about how employees in some units are doing 90% and 95% work that although classified as "part time" is full time. We wanted to know why employees who seem to be needed year after year are working in this manner. We are especially concerned about the 95% employees, which seems to us in practice to be impossible to fairly maintain for employees. Management said that they would talk to the supervisors in the unit(s) in question, and with the employees, offering the 95% employees (which at last count numbered 5) at the very least the option to go to 90% (and thus get one day off in ten). We also have concerned about continuously rehiring employees***

*even at the 90% level because it precludes permanency and thus seems patently unfair. We believe that 90% or 95% employees who wish to be full-time should be given the opportunity.*

UUP (Benita Roth): Is there an update on this?

Management (Joseph Schultz): I sent you an email a while back. Research I did there is that there are two UUP employees, permanent who are funded through the capital plan. There is some flexibility in identifying more people who could become permanent. We have two employees.

UUP (Benita Roth): I need to go back to 95% employed.

Management (Joseph Schultz): Talked with facilities. Issue is if some of the 95% wanted to go to 90% full day off. Facilities was o.k. with that situation, but we haven't reached out to anybody.

UUP (Benita Roth): Can we do that now? Can we reach out to those five people? Would you like to?

UUP (Darryl Wood): I suggest that we should reach out to the individuals that contacted us. I don't think it would be a good idea for you (management) to do that.

Management (Joseph Schultz): Good.

UUP (Benita Roth): I'm not sure I got names with that email.

Management (Joseph Schultz): The capital 95% in their facilities – I will send those names.

UUP (Darryl Wood): Performance programs will have to change.

Management (Joseph Schultz): If you coordinate capital projects, you are only working 9 days out of the pay period.

UUP (Benita Roth): We will reach out to them.

***Hygiene in "Gender Neutral" bathrooms: At the December meeting, we noted that hygiene in the Gender Neutral bathrooms was an issue. Management noted that signage was going up in these bathrooms re: locking the door and re: hygiene. Management indicated that they were working on what the signage should read (particularly in regards to hygiene). Progress?***

UUP (Benita Roth): I just walked in on someone in an unlocked bathroom on the third floor of Library Tower.

UUP (Fran Goldman): We don't have a sign that says "please flush."

Management (Joseph Schultz): We don't know what to put on that sign. Simply please flush? We have not agreed upon what the sign said.

UUP (Darryl Wood): I thought you came up with some ideas?

Management (Sara DeClemente-Hammoud): I thought of some cute ones. Could you send us a couple thoughts?

Management (Joseph Schultz): Please be courteous?

UUP (Benita Roth): Please think of others and flush.

UUP (Fran Goldman): Put the signs at standing eye level.

***Gym Membership: We appreciate that some services are made available to our members for free, but a question lingered from last time as to whether the current software system at the gym could accommodate different tiers of membership. Can it?***

UUP (Benita Roth): We are glad there have been a lot of offers for some free services. I have heard from Fran who uses the gym that the card swiper is back (i.e. not just the thumb print).

UUP (Darryl Wood): They can create something that would accommodate some of our folks with a lower cost membership.

Management (Joseph Schultz): I will see if anything has changed.

UUP (Benita Roth): I would be happy to have them here.

Management (Joseph Roth): They are not happy to be here.

UUP (Benita Roth): I would like to know their technology response as to why it can't happen.

Management (Joseph Schultz): We talked about membership charging less money during off hours kind of things. Software cannot accommodate some of those things.

UUP (Fran Goldman): During the break Fitspace is free. If you have to use your thumbprint or thumb to get in the door, how are these people who are free getting in? How are they accommodating those people? You can get in the door with your card because my thumbprint won't work on the door. They were having the problem enough that they put the card slider back.

UUP (Benita Roth): If the campus tells you this is what we would like, it is then up to them to find software that accommodates their needs. Tell them that.

Management (Sheila Doyle): It doesn't matter what software we have, if we don't want to offer this.

Management (Joseph Schultz): I talked with Brian Rose. He would be amenable to a cheaper

price on off times, but the software can't accommodate it.

UUP (Fran Goldman): How are they getting in the door? Because other people are using the gym at these times. The problem is, how do the people get in the door to do these free things?

Management (Sara DeClemente-Hammoud): When I go in and pay for a service, they just buzz me in.

UUP (Benita Roth): I just can't imagine that this is such a difficult fix. It seems that to charge something is basic economics. Second, I don't believe the software can't be tweaked to accommodate this.

Management (Joseph Schultz): I will ask Brian Rose.

UUP (Fran Goldman): The free month of January, other free things. How are people getting in the door?

Management (Joseph Schultz): I will ask.

***Sick building(s) on campus: We are glad that Old O'Connor (henceforth OOC) and Old Johnson (henceforth OJ) were retested, apparently on December 23. UUP (Benita Roth only) received the memo from Connie Corey, dated January 29, 2016 about that retesting. We still have questions.***

- 1) The memo did not address the issue of why OOC and OJ were occupied before testing was completed.***
- 2) The memo did not address the issue of lower federal OSHA standards have been used instead of higher state PESH standards.***
- 3) The retesting took place on December 23, a time when fewer people are in the building compared with normal times. The test for carbon dioxide appears to have been for a shorter time span than typically would be tested for (4 hours rather than 8 hours). Also, it appears to have been conducted in the morning, when carbon dioxide levels are lower. We need to remember that human beings are the chief producers of carbon dioxide. Therefore we question whether this test was conducted in a meaningful way.***

***Given that UUP represented employees are still in these buildings, and given the record of late and problematic testing, we believe that Environmental Health and Safety needs to re-examine its relationship with those who use the spaces on campus that they oversee. Are there committees or task forces that EHS communicates with on a regular basis? Are they getting to other buildings on campus, for testing before they are occupied? Is there a way that the campus community can easily know more about what EHS is doing and when? Do they have, for example, an easy and well-known way for people to contact them with concerns?***

***We would also like to know if EHS has met with the occupants of the bldgs. – Geography, Advancement, the BU Foundation, others?***

*We would also like to know the testing plans for the sections of Student Wing that are being rehabbed.*

UUP (Benita Roth): We will have a separate meeting on this item. It hasn't been scheduled yet. I sent you a list of the names of people to attend. It is a lot of people at this point. I know it will be difficult to schedule. We know other buildings are being opened during the coming months. I strongly recommend that the campus community know when the testing dates are so we don't have the same situation. We also are concerned with the burst water pipes in Science 2. Burst pipes lead to moisture which leads to mold. The campus community needs to know a lot more about what Environmental Health and Safety does, and they need to accommodate more transparency.

Management (Joseph Schultz): Through CSEA Labor Management, floods and clearing the area before people come back in. Is there a procedure? There is a procedure in place.

Management (Sara DeClemente-Hammoud): A notification procedure is in place for people in these areas.

UUP (Benita Roth): One thing that was a problem for me is I didn't hear about Old O'Connor and Old Johnson until the IT guys who were bothered by it had left already. Employees should know what has happened when you come into a newly rehabbed space, what to look for in terms of signs of sickness... We need a broader discussion and it is bigger than Labor Management. I would like to know how EHS talks with people and how, if, it communicates effectively.

**Note: as the UUP Executive Board continues this semester to meet before the Labor Management meeting, we may have "below the line" items.**

---

#### **"Below the Line" Agenda Items**

**(As agreed to by UUP and Management during the October 2011 Labor Management meeting, agenda for these meetings may include "below the line" agenda items that are added after the agenda is set. These items can be discussed formally or informally (no notes) at the current Labor Management meeting if both parties agree, or can be postponed to the next Labor Management meeting upon request of either party)**

#### **Dogs on Campus:**

UUP (Benita Roth): I saw an email from JoAnn Navarro. The discussion about dogs on campus has been tabled. I have members showing me signs banning unauthorized animals in new buildings. The language is kind of strange.

Management (Joseph Schultz): A couple of research buildings, Science 5 where they have research animals. They have signs.

UUP (Benita Roth): The signage I got were from the ones on the Parkway.

Management (Joseph Schultz): Those new ones (bldgs.) that have come online that have the research going on. There is a citation that essentially says that we have the authority to do this in the buildings.

UUP (Darryl Wood): I don't think that is the question.

Management (Joseph Schultz): We aren't doing anything at this point in time.

Management (Sheila Doyle): There are no animals (in those buildings) because of the sensitivity of research.

UUP (Benita Roth): Would an authorized animal would be limited to a service animal?

Management (Joseph Schultz): Val?

Management (Valerie Hampton): There is no mechanism for us to report. If I have a service animal, I am allowed to bring my animal.

UUP (Darryl Wood): If I say it is a service animal, then it is?

Management (Joseph Schultz): You don't have to ask permission, but there are still guidelines.

Management (Valerie Hampton): You have to identify service animals. It has to have something on it (paperwork).

Management (Sheila Doyle): There is no paperwork.

Management (Valerie Hampton): There is no requirement for a particular authorization for your service animal.

UUP (Benita Roth): We are glad there is no policy. We would also discourage management from putting more of those signs in other places, because people might start seeing them.

Management (Joseph Schultz): The signs are up because some research takes place in a clean room environment. I will get back to you with this information.

UUP (Darryl Wood): Simply having a sign doesn't make much sense. Let's say that there really is a true service animal, are they precluded from going into those buildings, Val?

Management (Valerie Hampton): If I am an employee with a service animal, I should be able to go into those buildings

UUP (Darryl Wood): It is not about keeping animals out of the building, just some animals out.

Management (Joseph Schultz): I will look into it.

Management (Valerie Hampton): The law makes a distinction between service animals and those who provide emotional support.

Meeting ended at 2:48 p.m.