

**MINUTES**  
**UUP Binghamton Executive Board Meeting**  
**Wednesday, April 6, 2016**  
**11:30 a.m. – 1:00 p.m., Uuw 324**

**Present:** R. Andrews, S. Atav, V. Carnegie, L. Gallagher, F. Goldman, J. Goldman, D. Kunkel, S. L’Hommedieu, D. Lewis, S. Massey, S. Michael, R. Pompei, B. Roth, S. Seibold-Simpson, R. Snyder, D. Stone, A. Wang, M. Zinkin

**Guests:** D. Wood, Labor Relations Specialist, E. Colon, C. Ignarri, G. Jackson, R. Mess, M. Sager

The meeting was called to order at 11:35 a.m. President Roth welcomed Executive Board members and guests to the April meeting.

**1. Vote to approve Minutes from Executive Board Meeting, March 9, 2016. See attached.**

Stuart L’Hommedieu **MOVED TO APPROVE** the March 9, 2016, Executive Board Minutes. **SECONDED** by Donald Kunkel. **MOTION PASSED WITHOUT DISSENT.**

**2. Passing the Hat for the Sunshine Fund.**

The Sunshine Fund was set up to use for purposes that would not be covered by the Chapter Allocation, such as get well gifts and retirement gifts. The Executive Board has been passing the hat for the last two years and it is up to members if they want to contribute or not. \$31 was collected at the March meeting.

**3. Treasurer’s report. Vote on Draft Budget for 2016-17 (see attached).**

Treasurer Joseph Goldman reported that the Chapter has a lot of money and asked for questions, comments or concerns regarding the Treasurer’s Report for March. No discussion followed. Susan Seibold-Simpson **MOVED TO APPROVE** the March 2016, Treasurer’s Report. **SECONDED** by Fran Goldman. **MOTION PASSED WITHOUT DISSENT.** Joseph reported to the board that the email vote conducted regarding approval of the Draft Budget for 2016-17 is not acceptable. The draft has not changed, and a vote for approval must be done at the April meeting. Sean Massey **MOVED TO APPROVE** the draft budget for 2016-2017. **SECONDED** by Donald Kunkel. **MOTION PASSED WITHOUT DISSENT.** The actual vote count is: **17 Yes, 0 No, 0 Abstain.**

**4. Report of the Vice-President, Professionals**

Vice President for Professionals, Fran Goldman stated that unfortunately it has been a busy month with supervisory related issues. Both she and Darryl have met with some regarding lack of supervisory know how. Fran reported that the Statewide Professional Conference that was previously going to be held in Binghamton will

now be held in Cortland on June 21. It was felt by people from Delhi and Cobleskill that the Cortland location would be more centrally located.

**5. Report of the Vice-President, Academics.—Tobacco Free initiative, etc.**

Vice President for Academics, Susan Seibold-Simpson reported that she has not had as busy a month as the Vice President for Professionals, with just a few concerns and rumbles here and there that mostly Benita Roth and Darryl Wood are working with. She said the Statewide Vice President for Academics is going to be having an orientation at the spring Delegate Assembly. The Vice President had hoped to create some monthly conference calls. Although there is a fair amount of information going back and forth, it does not affect Binghamton. Susan would be happy to share any of this information upon request.

Regarding the Tobacco Free Initiative, Susan reported that at committee meetings she sits next to David Lee, the President of CSEA. The campus is moving forward with the commitment from top down and two committees have been created. One is on policy development, and the other involves prevention and education. Susan sits on the policy committee. A draft policy has been created, and Susan encourages all to look at it. The policy includes no smoking, no tobacco, no e-cigarettes, chew, etc. It does not address marijuana, only tobacco. No smoking will be allowed in cars on campus. Enforcement is an issue, as one cannot suggest it will be congenial. People will be advised to go up to the person who is using tobacco on campus and say, “are you aware this is a tobacco free campus?” “Please stop.” If the person continues, employees should contact the Dean of Students office or go through the chain of command, through supervisors. Supervisors will receive education on how to deal with people who are violating the policy. It could be inconsistent. Susan stated that both she and David Lee have concerns about how it will play out and the fact that a representative from Sodexo has never attended a meeting. Once the roughly three week feedback period has ended, Joe Schultz will have a meeting with all unions about moving the policy forward. If it is a term and condition of employment, it needs negotiations. There are templates of what has happened at other campuses. Susan stated that she is open to input and feedback.

Darryl Wood added that the emphasis is, if there is going to be a penalty, that is going to have to be negotiated with UUP. We will help with smoking cessation and tell you not to smoke, but if you are brought in for interrogation or disciplined in some way, that is a problem. The policy talks about established procedures. That is an area that talks about supervisory training. What the message is and how it will be implemented.

Serdar Atav asked how it would affect the downtown campus and new buildings. Susan replied that the policy pertains to every property owned by the university, including state cars. If you read through the policy, you will see that it applies to guests on campus, such as productions in the Anderson Center. There will be signs stating the policy in the Anderson Center and on the tickets sold. Stuart L’Hommedieu added that if it pertains to research or if an actor has to smoke in a

production, they would need a variance. Discussion followed on how people could get around the policy, such as hiding in a bathroom or walking off campus. Sandra Michael asked what the student response has been. Susan replied that there have been some comments such as the policy is very classist and shows an inequity. Smoker huts have been mentioned and there has been a lot of discussion regarding international students. Information will be provided to incoming as well as existing students in terms of cessation. The idea of employees receiving smoking cessation prescriptions free of charge has also been discussed. There are talks with United Health Services. At the present time, the Empire Plan does not cover this. Darryl Wood stated that there was an aborted attempt in the state legislature to make all state property smoke free. The bill failed and the campuses are using this SUNY resolution.

Benita stated that smoking is an addiction and should be treated as such. The idea of providing nicotine patches or gum would be important. Sodexo workers should be represented at these meetings, as sometimes they are working fairly long shifts and split shifts. Benita encourages board members and their friends to comment on the proposed policy.

**6. Newsletter/Communications Committee.**

Benita Roth reported that Lori Fuller couldn't attend the meeting. She is working out some problems with the newsletter, such as getting our materials from Hal and Dori and has had to recreate graphics and other. We are hoping it will be ready within the next couple of weeks and will be going forward in the future with two newsletters a semester. People like the newsletter and hard copies are always important. Benita thanked Donald Kunkel for updating the website. Every time we give him material, the website gets updated.

**7. Professional Staff Senate presentation – Maryjane Sager, Chair and Bob Mess, Vice-chair of the Professional Staff Senate have asked to come and speak to us.**

Benita Roth introduced Janey Sager, Chair of the Professional Staff Senate. Janey thanked the board for letting her speak and introduced Bob Mess, Vice-Chair of the PSS. She explained the name has been changed from the Professional Employees Council (PEC) to the Professional Staff Senate. The main reason for the name change was to indicate that PSS governs in regards to professionals. There are 27 members and meetings are held biweekly on Wednesdays at 3:15 p.m. in AD 148. The meetings are announced in Dateline and professionals should feel free to attend. PSS is involved in government, roadmap, participates in high level interviews, and was instrumental in the phasing out of future new employee hires at 90% and 95% FTE. Discussion followed with regards to how membership is established.

**7. Vote on Chapter Release Time for UUP Binghamton Chapter President Benita Roth for 2016-2017. As a chapter we must approve release time support. So...we need to move that the Executive Board of the Binghamton University Chapter of UUP approves 50% release time for Benita Roth for the 2016-17**

**academic year, with the proviso that the Binghamton Chapter of UUP will cover 10% of the approved release time using chapter funds. Or not. Your call:**

Bob Pompei **MOVED** that Benita vacate the room and Fran Goldman assume the Chair. **SECONDED** by Sean Massey. **MOTION PASSED WITHOUT DISSENT.** Fran Goldman assumed the chair and opened the floor to questions and comments. Bob Pompei stated his believe that Benita uses the time affectively for the membership at large and the release time support should be continued. An Executive Board member **MOVED TO APPROVE** the release time support of Benita Roth. **SECONDED** by Serdar Atav. **MOTION PASSED WITHOUT DISSENT.**

## **8. Issues and Concerns from the Executive Board.**

Sandra Michael asked if the University would be checking the water quality on campus. Benita Roth replied that she will discuss this issue further during her report of the April Labor Management Meeting.

## **9. President's Report:**

### **a) Report on Monday April 4 Labor Management Meeting with President Stenger in attendance (see attached agenda).**

Benita Roth reported on agenda items raised at the April 4, 2016, Labor Management Meeting which was attended by President Stenger, Provost Nieman, and Vice President Navarro. Tom Blake from IT was also in attendance to discuss environmental issues in buildings. There is a meeting scheduled for this Friday with stakeholders on campus to talk about air quality testing. Vice President Navarro cautioned the use of the term sick buildings but gave no alternative. She also stated that according to State law, we don't have to do testing on any renovations or buildings smaller than 20,000 sq. ft. The new Pharmacy Building and Decker School of Nursing Building will be large and need testing. If the testing is being done, it should be done correctly. Benita stated that we are concerned with communications with Environmental Health and Safety and to some extent Physical Facilities. She added that information is on the Environmental Health and Safety website but she thinks it actually discourages people, as there could be a number of reasons that cause issues. From our standpoint there should be more communications, more transparency, and more testing when issues arise. Water testing has been done on water fountains and sinks in targeted areas on campus. Benita stated that if you have problems, to let her know. There is a push by NYSUT regarding the purchase of flame retardant furniture and this issue was brought up at the Labor Management Meeting. Some people say the flame retardant chemicals don't really help that much, cause some sensitivities and if they do catch fire are worse for you. Vice President Navarro emailed Benita the standards for purchasing furniture. Benita would like to see some kind of campus-wide committee that deals with environmental issues. Sandra Michael asked in terms of sick buildings are there plans to go look at ones that are over the sq. ft.? Science 3 and 4 have raw concrete everywhere, and in the summer when it is wet you can smell the mold. Benita replied that Sandra should complain. If they get specific complaints from people to do testing, they will. Darryl Wood stated that 5 or 6 years ago they were very responsive about mold. They will be responsive, but you

have to call them. It would also help to take pictures. David Stone reported that if you send this information to Physical Facilities at [pfsc@binghamton.edu](mailto:pfsc@binghamton.edu) they will get a work order or dispatch someone out to the site. This email is manned by David and his staff.

Benita stated that Start Up NY is in the third year of planning. As long as the business is producing jobs and within the academic mission, it is tax free for 10 years. This year amendments show a considerable degree of enlargement of minimal ideas for Start Up. UUP is concerned about getting the university involved in the land lording of companies. Corning is located in Painted Post, NY. Benita questioned this location and was assured that the School of Engineering does a lot of work with Corning. Another faculty member is working in the area of refiguring warehouses and warehouse automation. Benita stated that the administration has assured us that aside from the faculty member and Per Stromhaug, who is the Assistant Vice President for Innovation and Economic Development no university resources or staff resources are going towards the Start Up expansion. If any board member would like to see this document, please email Benita.

Benita reported that the Upstate Revitalization Plan was presented to President Stenger. At the Labor Management Meeting, the President asked if she had sent the Plan to his co-chair, Tom Tranter, the CEO of Corning Linda has gotten the emails of the Southern Tier Representatives together, and Benita will be sending the plan to everyone on the list. Darryl Wood stated that the President said it made sense.

Benita reported that UUP has presented the administration with a summary of Cortland's salary compression strategy for both professionals and academics. President Stenger has tried to crunch our numbers and use it, but he said it didn't make sense. There was discussion regarding if Cortland was telling the truth about what they did. If we do have a salary compression problem, President Stenger thinks it is UUP's fault. No more DSI and an institution like ours which favors longevity for faculty and professionals, has no role to play in salary compression. Everything you read talks about an institution that it is structured like ours and the market. It was our fault that our raises had to come out of the university budget. Instead, why didn't we get a pay bill to give these raises? Serdar Atav questioned what the outcome of the discussion was. Benita replied that if the President finds we are salary compressed, he will talk with the other university centers about it. Darryl added that his recollection is that once the President has finished his analysis he would share it with us. Benita stated that a step program was also discussed and why is this not in the contract. We don't have the step program at the institution, but nothing is stopping us from having one. This has been shared with statewide and Tom Sinclair as well.

Susan Seibold-Simpson reported on the discussion of the Pharmacy School. The Administration is going to be coming out with numbers regarding how many employees will be classified and how many will be UUP. Of the management team, there will only be two Management Confidential employees. The other seven will be UUP. UUP is interested in seeing what the projections are regarding staff. There will

be 32 faculty, all will be UUP and 100 preceptors, who are volunteers that supervise. Fran Goldman added that there will not be a library in the new building. The main library will be used electronically.

**b) Delegates Assembly May 13-14 2016, Saratoga Hilton, Saratoga Springs. Come one, come all. Please let Linda know as soon as possible about your attendance and your arrangements. There will be voting on new officers and Statewide Executive Board Members, and other consequential matters. I'm sure that there will be discussion of what UUP and the rest of the public sector labor unions can expect in the wake of the 4-4 Freidrichs decision, which upholds the lower court ruling in favor of the legitimacy of fair share fees (for now). And having just returned from the lovely town of Saratoga Springs, I now know where the bars are – remember this is the DA where I buy a round of drinks.** Benita Roth announced that the spring Delegate Assembly is May 13 and 14. Please let Linda know what your attendance will be. The spring DA tends to be a very consequential one, where a lot of business gets done.

**c) Sodexo update: The nearly 700 Sodexo workers at BU were offered a contract for two years on fairly favorable terms. Much of the credit for the company's quick turn-around is due to the public pressure of petitioning, protesting and organizing that happened here on campus of which UUP was a part. There is talk of forming a BU local labor council that would meet regularly on campus to share information and discuss issues of interest to the BU community. Stay tuned next year for updates on this.**

Benita Roth reported that due to lots of public pressure, of which we were a part of, Sodexo workers at BU were offered a contract for two years on fairly favorable terms. It was also rumored that President Stenger signed the petition to exercise in good faith. There is talk of forming a BU local labor council. It is just in the interim stages, baby phases of trying to form a government that would meet one or twice a year.

**d) General Membership meeting held on March 14, 2016: This event went forward as scheduled, with about 35 or so people in attendance and some new faces in the crowd. Although Fred Kowal was not able to come, Rob Trimarchi and Tom Hoey from UUP Statewide came. The next scheduled General Membership meeting is for April 28<sup>th</sup> – a breakfast in UUW 324 at 8:30 a.m. There will be a presentation by me and other officers and perhaps some more discussion by members new or old who attend. As many Executive Board members who can come will be welcome and it would be great if we could attract some new faces. There will be bagels.**

Benita Roth reported that approximately 35 people attended the general membership meeting held on March 14, 2016. Fred Kowal was unable to attend. Rob Trimarchi and Tom Hoey from UUP Statewide attended and the meeting sort of turned into another membership drive. There is another general membership meeting scheduled for Thursday, April 28 at 8:30 a.m. in UUW-324. Representatives from Statewide will not be in attendance. Benita will give another short presentation about what UUP

does at the Statewide level and she will ask chapter officers to come and say why they became involved. Benita encouraged Boards members to attend.

**e) May 4<sup>th</sup> Thank You Meeting/Luncheon: Please let Linda O’Branski know who you would like to invite to this last meeting/luncheon. There will be a minimal meeting and as much discussion as folks want.**

Benita Roth announced that the May Thank You Luncheon will be held on May 4 at 11:30 a.m. in U UW-324. This will be a minimal meeting with very little discussion. She has given Linda the names of a few people she would like to invite and encouraged board members to do the same.

Bob Pompei stated he had heard that the Dean of the Graduate School of Education has been asked to step down and the school reformulated as a college and put under the CCPA umbrella. He questioned how this change would affect our members. Benita replied that she has heard that the school has had long-term issues under the previous dean as well. They have about 14-15 faculty and are now very happy with the interim dean. No search for a new dean is planned. Provost Nieman does not think he would be able to find someone who would take over the school. This is a statewide problem now with statewide teacher certification programs. Susan Strehle has taken over. She is juggling graduate issues and GSE. It may be compartmentalized and placed within CCPA. Benita added that she doesn’t know if this would be a worse or better situation for them. CCPA is growing to some extent and the energy might be better for them. We have been talking with them and continue to do so. Discussion followed regarding the Graduate School of Education and issues that may have led up to its problems.

Donald Kunkel **MOVED TO ADJOURN. SECONDED** by Fran Goldman. Meeting adjourned at 12:52 p.m.

**The next Executive Board Meeting will be the May Thank You Luncheon, scheduled for Wednesday, May 4, 2016, from 11:30 a.m. to 1:00 p.m. in U UW-324.**