

UUP Labor Management Meeting Notes
Monday, December 16, 2019
AD 606, 1:30 p.m.

Present: Donald Kunkel, Sean Massey, Benita Roth, Andrew Baker, Sara DeClemente-Hammoud, Joseph Schultz

Sean Massey called the meeting at order to 1:30 p.m. He welcomed all to the December Labor Management Meeting and thanked them for attending.

ITEMS FROM UUP

Non-Tenure Track Faculty Titles

UUP requests an update on efforts that have been (or will be) taken to address SUNY's request that campuses work to clarify and create consistency among various non-tenure track faculty titles (e.g., VAP).

UUP (Sean Massey): I will let Benita field this one. Basically how HR has coordinated with Harpur really with some of the efforts to clarify consistency.

UUP (Benita Roth): Based mostly on the Dean talking about this at last Friday's Chairs and Program Directors meeting. It is HR's understanding that there are too many Visiting Assistant and Associate positions at Binghamton as compared with other SUNY schools. She talked about how she has noticed a handful of instruction tenure track lines and not a substantial lecturer on term contracts. Looking for a way to make them special. A local title of some kind. Not one that would conflict with state titles or not one with any sort of bonus or raise or anything. From UUP's standpoint we can't say we are opposed to it. On the other hand, what's the value added? It kind of came a little bit out of the blue.

Management (Joseph Schultz): Had a conversation with the Dean about the visiting titles and what was indicated was that a visitor was truly visiting. If you look up SUNY titles there is something that actually says that. So what Harpur has been doing is as Visiting Assistant Professor contracts expire, they are moving them to Lecturer positions. Looks like the title of Senior Lecturer is one. What I said was you can't give a local title a budget title. Reward someone who was visiting for 18 years. Senior Lecturer it is not a budget title. Some people are upset and feel downgraded by the thought of a Senior Lecturer title. As those are coming up Harpur is processing those appointments. They are correct. If they are visiting, they should be visiting. The only thing that is changing is just their title.

UUP (Sean Massey): I think in the spirit of acknowledging commitment and time at instruction that sort of thing, some raises for Lecturer. Why not build some sort of compensation into that?

UUP (Darryl Wood): The President can give a raise and salary for any reason.

Management (Joseph Schultz): It is aligning the title correctly where it should be. No discussion on monetary.

UUP (Benita Roth): 25 years I think we are going to have to have answers for them.

UUP (Darryl Wood): Some campuses that have full-time Lecturers. They do have promotional ladders. Is that something Binghamton would consider? Cortland has had it for almost 20 years.

UUP (Sean Massey): Also step into the instructor title. Some people are not satisfied with the instructor title.

UUP (Benita Roth): Potential permanency for instructor title and tenure track is better.

UUP (Sean Massey): In the same way they have had the idea of creating a local title for the instructor title, teaching professor.

Management (Joseph Schultz): Endowed Chair of something, Your title is your title. We don't have a local structure like that. I think that is something that will be under discussion. If someone has a question about transition from visitor to lecturer, drop me a note. Good thing is there could be a number of people moving to tenure track positions.

UUP (Benita Roth): They have to have some scholarship. What does that mean if they are going to be considered for permanency on their teaching basically.

UUP (Sean Massey): It seems like a really good time to talk about compensation along with what we call them. We would like to be updated at the very least.

UUP (Darryl Wood): In terms of the Agreement if you are looking at levels, Assistant Professor and Lecturer, Instructor at the lower level. Associate is different. Are there any Visiting Associate Professors?

Management (Joseph Schultz): Off the top of my head I don't know of any.

UUP (Darryl Wood): Could be considered a penalty.

Management (Joseph Schultz): The focus for Harpur right now is the visitor.

UUP (Sean Massey): The way that research has been used as a descriptor of the position used in similar ways for the visitor.

Management (Joseph Schultz): The visitor is defined by SUNY as just visiting.

UUP (Darryl Wood): Focus research not tenure-able.

UUP (Sean Massey): Took a leave of absence for 3 years before they want back to their original one. They add "research" before title.

Consistency in Job Transitions Across Titles

Concerned about inconsistencies (and lack of care taken) in balancing job duties and compensation in offer letters for job transitions among temporary and term employees.

UUP (Sean Massey): Completely related. This is a situation that we have discussed with several back and forth's about three or four offer letters. There is some concern with a lack of consistency and guidance on how they go from Visiting Assistant Professor to Lecturer and

workload and aren't compensated in a way for the increase in their workload. Some who described as volunteering service, doesn't count. People do serve and are compensated in some way. I would also suggest that a junior faculty member volunteering or withdrawing is a risk to their advancement. Make people fairly compensated and there is consistency.

Management (Joseph Schultz): That one is a one in a thousand, odd duck. In general, this is an odd duck scenario.

UUP (Benita Roth): People will be getting letters changing their job titles. A Visiting Assistant Professor that went to Lecturer.

Management (Joseph Schultz): I don't believe VAP to Lecturer or Senior Lecturer that their duties or jobs are going to change.

UUP (Sean Massey): We are not satisfied with the resolution of this.

Management (Joseph Schultz): Standpoint of that one visiting one year who then was offered a lecturer position. The transition took place, but I would like those attended to maintain the same workload which is 3 and 3.

UUP (Benita Roth): We would hate to see this streamlining of fixing job titles result in it becoming more than one in a thousand. We hope this will be discussed at a senior staff meeting in some way, shape or form.

UUP (Sean Massey): This particular college, squeezing people in terms this isn't just an anomaly. The tendency of not acknowledging the work.

Management (Joseph Schultz): Let's get together on what we're working on. First item, I don't think there is going to be any change in it.

Local Title Changes

Concern that several local titles have been changed in a department without employee notification. When asked, supervisor stated that all titles in the department were changing due to a reorganization. However, employees were not reorganized nor had their duties changed. Members are concerned that previous titles were significantly better descriptions of actual duties.

UUP (Sean Massey): Basically people's titles are being changed without notification.

UUP (Donald Kunkel): The previous title was a better description.

Management (Joseph Schultz): Took on some additional duties. Temporary that were added. I still have some in my current one.

UUP (Donald Kunkel): Has that been resolved? Did they go back to their original title?

Management (Joseph Schultz): I'd have to check.

UUP (Donald Kunkel): I've facilitated a meeting with supervisor, second line supervisor and employee. To the best of my knowledge, it has not resolved itself. Temporary assignment or

temporary trial, it was not resolved. The agreement was they would go back to their original title.

Management (Joseph Schultz): Could have happened, changed titles for a whole host of people. If previous added and money taken away whatever is associated with it should be taken away.

UUP (Donald Kunkel): Not opposed but want to make sure the employee is engaged.

Management (Joseph Schultz): Your local title has been changed. We'll figure that one out.

0 Credit Issue – Teacher Education Programs

Graduates who have completed a degree are not being awarded credit hours when they take undergraduate courses. This creates problems for K-12 certified teachers, for example, who want certification in Special Education. Can affect campus enrollments, revenue generation, relationship with area K-12 teachers, and Binghamton alums who may come back to BU for coursework.

UUP (Sean Massey): This is of concern to us. Statewide and a lot of chapters have been discussing this bureaucracy glitch. Teacher recertification, School of Management.

Management (Joseph Schultz): Registered graduate students?

UUP (Darryl Wood): If you have a bachelor's degree and apply to take a course here, you are a graduate student.

UUP (Sean Massey): If you have graduated and have to take a course for recertification or something, because you graduated the mark on your transcript is 0 credits. They need evidence that they have taken the course to get their credentials. Some campuses are dealing with it as a hand written work around. It affects members who want to come back, enrollment, etc.

Management (Joseph Schultz): System issue or policy issue?

UUP (Darryl Wood): I understand it is both. Part of the fact is graduates have at least a bachelor's degree. SUNY defines it that way when people are taking courses.

UUP (Benita Roth): We are going to lose people.

Management (Joseph Schultz): We haven't heard of the issues.

UUP (Sean Massey): We have a member who has been working on this. As a point of contact, it would be here.

Management (Joseph Schultz): Let me do some research on that.

"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.)

Edu Email Addresses

UUP (Sean Massey): We would like to figure out a way to get a list of edu emails addresses for our membership.

Management (Joseph Schultz): We have a new process for UUP in that SUNY used to send UUP a list of employees. We now send Khalil Nehme the list. It goes down to room number. Does not include edu. Not in favor of providing the edu. Talked with ITS about the UUP listserv. ITS said whoever is the administrator can see the emails. So a piece of the puzzle. You have that listserv through a local agreement. I'm not sure how you guys maintain that list. We can talk further about it.

UUP (Darryl Wood): Edu list. Go back. You said there is a listserv local agreement from 20 years ago electronic bulletin board. Which includes the edu of all UUP. The administrator is Sean and Linda.

UUP (Sean Massey): That list doesn't lose anyone. Many who are retired.

Management (Joseph Schultz): Ask ITS to include a fresh list.

UUP (Darryl Wood): This is a university created list.

Management (Joseph Schultz): How often are they added to that list? We can ask ITS to refresh the list.

UUP (Sean Massey): As long as we can ask that the list be refreshed. We can create active lists, tag multiple lists. As long as I can get a refreshed list each semester, that's fine.

List of Adjuncts

UUP (Sean Massey): Adjuncts on payroll every semester. When they are on payroll, ask for a refresh. When is the earliest we can send out the address? If we are sending it mid-February, as soon as they are on.

DSI

UUP (Sean Massey): Some members ask me about DSI and most of them have been, how does the formula work with compression and when are we getting paid? A good job coordinating it and getting the word out. There is allocation 1 percent now half percent allocated. Programs get notification that they have a certain amount that they can distribute among their employees. The President and Provost and Deans can hold back a portion. There

is lack of a kind of transparency ongoing and this is a concern for UUP. At least in some department it works that there is the distribution of the held back money. Dealing with compression, equity, DSI's this is a really good opportunity to create more information about how this works. How decisions are being made about the situation. Second there are some departments, where the money distributed didn't add up to the money they were allocated.

Management (Joseph Schultz): Our process breaks down the pool from eligible salaries to the vice presidential level. Nothing is ever perfect in terms of the pool. In general my recollection is years ago there used to be a presidential pool with holdback, but I don't think it's done. Distributed to the vice presidents and they distribute down. I don't know if and where there is a holdback.

UUP (Sean Massey): We would like to have an answer to that.

UUP (Benita Roth): I've been told at every level a bit gets held back. If we are already fielding questions about it, you can be sure after the adjustments are made and letters go out we are going to have more questions. As transparent as we can get, with numbers.

UUP (Sean Massey): Money held back from one department and given somewhere else.

Management (Joseph Schultz): It is discretionary.

UUP (Darryl Wood): In the past, professionals generated a professional pool and academic generated an academic pool.

UUP (Benita Roth): This person is worried that the money from the academic pool from the professional pool.

UUP (Darryl Wood): It can happen.

UUP (Benita Roth): We would like to be able to tell them as much concrete data as we can. Discretionary does not mean secret.

UUP (Sean Massey): It would be much easier if we knew the process. People are not necessarily going to be happy. I have a 21-page document to at least explain the process to them.

Management (Joseph Schultz): I will do some feedback. DSI, January 8 pay check.

UUP (Darryl Wood): Anyone receives one or both?

Management (Joseph Schultz): Two separate letters. The attempt on compression, not 21-pages but this described the analysis. It has some kind of a basic thing.

UUP (Sean Massey): Can I make some feedback? They don't understand the terminology used. Reading it like the way you just said it made more sense. That might just help.

UUP (Darryl Wood): When are the letters going to go out?

Management (Joseph Schultz): We are attempting to have the letters out by the beginning of next week.

UUP (Darryl Wood): Exams are done.

Management (Joseph Schultz): The hope is by the beginning of next week.

UUP (Darryl Wood): The discretionary money is not being used to supplement.

Management (Joseph Schultz): The two process decisions made over here. No one has seen any information on. The two are going to expend exactly what they gave us to expend.

Professional Employee Resignations

UUP (Donald Kunkel): Two employees are resigning and duties reassigned temporarily by HR.

Management (Sara DeClemente-Hammoud): At this point in time she was insisting on being on my calendar. The employee has not resigned, working with the known decisions, no steps are being taken. She has to just sit tight.

UUP (Donald Kunkel): I will communicate with here

Management (Sara DeClemente-Hammoud): No steps have been taken. No one has left. The director hasn't made decisions about anything yet. Sit tight.

Comp Time Question

UUP (Sean Massey): Comp time question.

Management (Joseph Schultz): Specific or more generic?

UUP (Sean Massey): Generic. A day and a third and one day comp.

Management (Joseph Schultz): In this specific instance in what we are working with. Department says listen we don't have a normal M-F kind of deal. You also know months in advance, what the preparation is. A month in advance, let's take a look at your schedules. If working Saturday and Sunday, change the days for that week so they are off Monday and Tuesday. Let's plan this out, let's be fair. Last week someone had to work on the Saturday. Sometimes you do nights and weekends. Sometimes you might have to work M-F and a half a day. Let's try and be fair and be reasonable. Someone is looking to be treated like an hourly employee. My standpoint and working with director we are on the same page and want to be fair.

UUP (Darryl Wood): Slightly contracting scenario. My understanding is it is the immediate supervisor who makes the initial determination. 18 hours on a Saturday or 16, one could argue that is two days

Management (Joseph Schultz): These are exempt level employees.

UUP (Darryl Wood): It's not a half a day. If immediate supervisor says I think it is equivalent of two days, it is between the two.

Management (Joseph Schultz): That still doesn't mean the supervisor can gift comp time. Look about a month in advance and try and be fair how this is going to work. Two days for working one day. A day is not defined in the contract.

UUP (Darryl Wood): Correct, but 18 hours in a day?

Management (Joseph Schultz): Athletic coach works many 18 hours. They have an obligation. When students aren't here, take some down time.

UUP (Darryl Wood): That's the comp time solution.

Management (Joseph Schultz): Look at this a month in advance.

UUP (Darryl Wood): Maybe same thing slightly differently.

Management (Joseph Schultz): Supervisor gives Monday and Tuesday off.

UUP (Darryl Wood): Because let's back up. I'm going to turn it on you. Let's assume we aren't talking weekends. An individual is required by job to be there at 7 am and can't leave until midnight, two days, M-F. A normal workweek and have worked an additional 12 hours. Happens two out of five weeks. 10-12 hours a week.

Management (Joseph Schultz): 50 hours as opposed to 40. FLSA under 50, I think we would have to look at it. Then see what is fair and reasonable. 50 hours a week, we don't define the day.

UUP (Benita Roth): One is the way things have been done for a long time.

Management (Joseph Schultz): You work 50 hours. It is the nature of your job.

UUP (Benita Roth): It has been done for a long time in this manner. Agree supervisor and an employee, don't see what the big deal is. They decide 7 a to midnight. I want to keep them happy and around. Not when it is busy. State rules? Or you don't like it?

Management (Joseph Schultz): At the end of the day, the immediate supervisor doesn't mean they decide it's talking about professional obligation. 50 hours 52 week nothing. You worked 3 hours here 4 hours here, you get comp time. I'm in the middle and trying to be fair.

UUP (Sean Massey): 40 hours a week, professional obligation changes to four hours a week.

Management (Joseph Schultz): The workweek is not defined. Core office hours. Fall rush you might have to be here.

UUP (Darryl Wood): Not necessarily. What is a normal definition of core hours? My normal professional obligation. The other side we are open between 8:30 and 5 but you can't say you

must be there. You can't have core hours for the individual, but if you are defining me to be there.

Management (Joseph Schultz): This will end up in the middle which I believe is reasonable.

UUP (Sean Massey): The lack of consistency is a problem.

Management (Joseph Schultz): A difficult thing to be just consistent.

UUP (Sean Massey): Admissions has a busy time, adjustments of schedule is that fine. There should be some consistency, not squeezing employees and are not compensated. Not hourly, non FLSA employees.

UUP (Darryl Wood): A different Issue. FLSA and a gap and 40 hours then you have gap comp time. Comp time has nothing to do with FLSA.

Management (Joseph Schultz): If you'd like to meet in January specific to this area.

The meeting ended at 2:40 pm.