

Notes from the May 9th 2005 Labor/Management Meeting

Attendance: Jim Dix, Fran Goldman, Jeff Hadley, Valerie Hampton, Beth Kilmarx, Dennis Selzner, Joe Schultz, and Darryl Wood.

- *Compliance rates on Performance Programs and Performance Evaluations: we request an update on the current status of compliance.*

In response to Schultz's email, which stated the university's compliance rate for Performance Programs was 60%. Goldman asked if HR was still committed to having all Professional Performance Programs and Evaluations in compliance by the end of May. Schultz replied that this would be the case for permanent Professionals that compliance would be by May or June. Goldman asked if the compliance percentage would increase in June and Schultz said yes. Schultz also stated that the compliance rates vary from school to school from good to bad, and that he would be knocking on door in June for results. Goldman asked if UUP could be notified of the compliance rates in June, and Schultz agreed that do so.

Darryl Wood stated that at the end of the May, UUP most likely would have completed and have available a state-wide analysis of compliance and probably would be filing a state-wide grievance as a result of the study.

- *Health & Safety issues:*
 - *We had discussed at the April Labor/Management meeting the concept of a call center based on the Computer Center Help Desk model. Will the university move forward on this? Please remember that the most important aspect of this model is a timely response to the caller on the resolution of the concern.*

Jim Dix stated that there is confusion as to where members can lodge their complaints and members are frustrated. Dix asked for an update on the call center that was discussed at the April L/M meeting. Schultz stated that no action will be taken to create a centralized call center. In lieu of a call center, a list of phone numbers would be created and distributed campus wide. Also, there will be an article in **INSIDE BU** about cross walk safety.

Dix asked if the issue of the black hole of complaints would be addressed. Specifically, Dix asked if there would be follow-ups to complaints filed so that people can be contacted as to the status of their complaints, a system like that used by the Computer Call Center. Schultz continued to reiterate that no action would be taken at this time to create a centralized call center.

Wood asked when the article in **INSIDE BU** would be published and requested that it be published when people are on campus.

- *We are still awaiting a timeline regarding removal of the PCB-laden fluorescent lamp ballasts on campus. We hope you will provide this prior to the meeting and that it will indicate completion prior to the opening of classes in the Fall 2005.*

Schultz stated that there was no timeline as yet and that the deadline of Fall 2005 was not feasible for the replacement of all the PCB-laden lamp ballasts. He hoped to get a schedule in the next couple of weeks. Wood stated that this was a very serious problem and one that UUP would need to take action with.

- *Academic Freedom and Grading: we are still reviewing the court citations you provided and will respond. Our Chapter Executive Board has passed a statement on this topic, which we will provide.*

Dix stated that the UUP-Binghamton Executive Board discussed this issue and also the Faculty Senate and both are waiting on the Provost's report on the Decker School of Nursing situation.

Dix asked if there were any comments on the principles regarding evaluation of student performance and assigning grades in courses at Binghamton University. Schultz stated that in the UUP contract, Article 9 (Academic Freedom) does not cover the assigning of grades. Dix asked if the campus administration accepted that interpretation of Article 9. Schultz stated that the campus administration was receiving information from Central Administration and that is what they are going with. Dix asked, if one took away the contract, would the campus administration agree with the principles, to which Schultz replied, "Thank you for your perspective". Dix stated that UUP believed that it was appropriate for the issue about changing grades to be discussed at a L/M meeting. Schultz agreed with Dix on this point.

- *Retention Study: please provide us an update on the status of this proposal and of our involvement. Please confirm how the final report will be disseminated.*

Schultz stated that a retention study was being done by the campus' Office of Institutional Research and that it just involved Academics. Wood asked why Professionals were not included in the study, and if the study would start with 2005 hires or go back and include earlier faculty hires. Schultz stated the OIR was starting with new faculty hires, and that it would eventually go back and include the earlier hires. Wood stated that he was not pleased that Professionals were not included in this retention study to which Schultz replied that they had to start somewhere. Goldman asked why new faculty hires were being studied and not the senior faculty who were leaving. Goldman stated that it would be interesting to know the reasons as to why senior faculty leave. There was some debate as to whom the OIR would be including or concerned with in this study (old or new faculty hires), and Wood requested that UUP receive something from OIR to make this issue clear.

- *Part-Time Employee Web-site/brochure: please provide an update on the sub-committee's progress on this process.*

Goldman and Kilmarx met with Shultz and Hadley one month ago to discuss this issue and had a great meeting. The group reviewed the Part-Timer's website from SUNY-Cortland and agreed to tweak and change the information in that website to meet the needs of Binghamton. This group agreed to meet the next month to go over their revisions. Schultz stated that the first page of the website and (handbook/guide) would provide information about I-9s, health, pay, etc. and it would be ready for Fall 2005.

- *Internal Consideration Plan: we requested you revise the procedural part of this agreement to provide for UUP Professional's complete consideration for positions*

prior to other internal candidates. We will discuss the draft you have provided. In addition, we are concerned about the possibility of prospective supervisors having access to an internal applicant's official file. We wish to discuss this as well.

Goldman thanked Schultz for updating the guidelines and asked if a supervisor has the right to review the file of a prospective internal candidate. Hadley stated that HR makes sure that there is no confidential information in the file when the supervisor reviews it. Hadley also stated that in the draft, a phrase will be added to let candidates know that there is a possibility that their personnel file might be reviewed by the prospective supervisor. Schultz stated that this is an internal procedure that has been followed for some time and supervisors just see the transaction paperwork and performance programs. Wood requested that in the memo, it is stated that candidates have the right to review their files BEFORE the prospective supervisor does so.

- *Analysis of UUP members' activities: at the March meeting, we discussed a joint study to document the activities carried on by academic and professional faculty as defined by the Board of Trustees' Policies, Article XI, Title H, Section 2, i.e., teaching, research, service, and other duties and responsibilities. We have not received a complete response. Please confirm the university's position on this proposal.*

Dix asked about the analysis of UUP members' activities and management's decision. Schultz stated that the campus administration does not have the authority to enter into discussion or initiatives concerning workload at the campus level according to Central Administration. Dix asked if the administration can talk about workload with individuals but not with UUP and Schultz affirmed this position. Dix asked about "other duties" and Schultz stated that it is the one and the same conversation with workload. Wood stated that this subject has been discussed at the campus level before and that UUP was not negotiating but trying to discuss it. Schultz stated that he did not have the authority to discuss this topic. Wood tried again, by stating that Provost Swain had sent out a directive to the Deans about this issue and that UUP assumed the Deans had responded to the Provost. Schultz said that he had no information. Wood asked what has the campus done about this issue in the last two years, and again, Schultz said he no information. Wood replied that he would supply Schultz with the memo.

- *Downtown Center: President DeFleur agreed that we would be consulted on issues of concern regarding the move to the Downtown Center. What will the process for this be and what is the anticipated timeline?*

Shultz stated that President DeFleur will keep UUP informed on the progress. No timeline, schedule or timetable was forthcoming from management.

- *Discretionary Salary Increases: DSI will be distributed this fall. What will the criteria be for that distribution? Will there be specific issues addressed, e.g., gender equity, compression, and/or salary competitiveness? Will the university add to this pool of moneys out of university funds?*

Shultz stated that the same criteria that was used two years ago will be used this fall for DSI. There are no specific initiatives to deal with such as gender, equity, or compression. It is a DISCRETIONARY raise. Wood asked about the DSI timeline and if the DSI monies will be supplemented. Dix asked if Schultz had the DSI letter and also for a copy of it, as did Wood.

- *Promotion and Salary Increases for Professionals: what is the process the university uses for determining a permanent significant increase or change in duties and responsibilities? Is it different for those being considered for Promotions vs. those being considered for a Salary Increase?*

Goldman stated that the promotion form on the web is not easy to read nor are some of its questions pertinent to some Professionals. The form is daunting to some and prohibitive to other Professionals. She pointed out SUNY-Cortland's promotion form as an example of a form that could be used by this campus as it is easier to read and fill-out. Goldman asked if other means for determining promotions or salary increases were used. Schultz stated that point factor analysis was used by the campus, had always been used and the results were reviewed by himself or Hadley. Wood pointed out that point factor analysis is but one option, and that other options were available.

The salary increase form is also on the web. Schultz stated that what he said about the promotions form also pertained to the salary increase form. The tools and the process are the same. For salary increases, Selzner said that the last 2 performance programs are looked at but asked if the last 4 can be reviewed. Shultz said yes. Selzner noted that the form does not indicate the more than the last 2 performance programs could be used for review. Wood asked about the appeal procedure and Schultz stated it's on the form.

- *Complaints about a Specific Supervisor: we have received complaints about specific supervisors. What process shall we follow in those situations? What follow-up and feedback will we and the members who complained receive? How will confidentiality be preserved? How will potential retaliation be curtailed?*

Goldman stated that there are a lot of complaints about supervisors making inappropriate statements, comments or having discussions about employees in public. She asked about the process or procedures to be followed in such situations. Goldman also noted that the frequency is increasing and staff are often afraid to say anything. Hampton stated that any response depended on the particular complaint. In general, a complaint is to be addressed informally or formally and there should be communication between her office and UUP.

Hampton is limited to what she can discuss due to confidentiality. Hampton asked for specific examples in this discussion. Wood stated that there has been an increase in the number of such complaints and also asked what can be done when there are constant complaints about a specific supervisor. Goldman also asked what happens to a supervisor when there is a history of complaints, and that retaliation does play a role in this discussion. Wood stated that the union is trying to deal with this issue and it's the university lack of response to it that concerns him. People are frustrated and it's also a matter of how the university treats its employees. Shultz stated that in such instances people should come to his office with specifics.

- *Article 16.4, Lists: We have had informal discussions regarding ensuring that these lists are complete. We wish to finalize this.*

Wood stated that the lists are not received incomplete, and UUP needs an inclusive list. For example, when he receives the spring hire list, it has a gap between the spring hires and the fall hires. The list does not include those members who were hired after the last list was

compiled and when the new one is done. Shultz said there would be no problem to correct this situation.

- *Summer Labor/Management Meetings: These meetings are already scheduled and we are prepared to meet throughout the summer as needed.*

Wood will get back to Schultz about possible meeting dates.

- *Accompanying Partners*

Cornell, Ithaca College and others in the area are interested in creating a website for jobs and opportunities in the area. The website would be open to all.

- *The Cornell Leadership Program*

Wood commented on why Binghamton uses the Cornell Leadership Program when there is state-run and cheaper program is available for such training.

- *Center for Learning and Advancement*

Sylvia Hall has not heard back about this. Wood stated that maybe some issues will be addressed, but the university has to be careful about something that looks good but doesn't do anything.

- *Reporting out*

Wood discussed the incidence of reporting out. This incidence occurred at a recent Student Affairs staff meeting. Shultz said there was no reporting out; a report had been written solely for the President and it was not distributed to others. Wood asked Shultz to determine what L/M issue was reported about at the Student Affairs staff meeting.

- *Spring Break*

At a Senior Staff meeting, all offices were directed to stay open until 5:00 pm on Good Friday, the start of the Easter Break. Some offices called to see if they could close early, but were told to stay open. However, a number of offices closed early. Wood asked what is the university's decision on a President's directive. Wood also asked why were some offices allowed to close early and others not. Shultz had no response to these questions and Wood's email about this issue. Wood asked when he would received a response and was told "in due time."

The next L/M meeting is June 13, 2005