



KEAN FEDERATION OF TEACHERS
An Association of Professors, Professional Staff and Librarians
Local 2187, American Federation of Teachers
Kean University, Union, N.J. 07083
Phone 908 737-3925 Fax 908 737-3929

KFT General Membership Meeting
29 March 2006
Hennings Hall, Room 113
3:30 p.m.

I. Approval of Agenda

R. Katz moved to approve the agenda; seconded by J. Erickson.

Agenda unanimously approved.

II. Approval of Minutes

W. Mack moved to approve the minutes; seconded by C. Fantaousakis.

Minutes unanimously approved.

III. President's Report

*M. Rodriguez acknowledged new officers elect present at the meeting. She encouraged all members to connect with new people and to ask them to join the Union and become full members.

*M. Rodriguez indicated that the Union had worked through last summer to strategize and plan tactics and goals, which is periodically reviewed to see how closely we are approaching our goals. She stated that she is trying to get feedback from members to make sure that she responds to the needs of the members. To that end, there are two luncheon meetings planned; one for Professional Staff and one for librarians.

*At the last luncheon meeting of the Professional Staff, there was some concern expressed about the NL agreement that some managers are not informing them of their rights to be compensated for working over 35 hours. The State Council is going to put pressure on managers to enforce the signed agreement. M. Rodriguez advised members to be vigilant about the agreements and the contract and if the administrators are not abiding by them, to inform the Union. A meeting has been set up with P. Connelly and T. Lisa to include all units that were initially excluded from the NL agreement so that all Professional Staff are covered under the agreement #107.

*The Librarians luncheon meeting occurred this past Monday. Only one Librarian was not there. One of the main concerns is that there has only been one promotion among them in the last fifteen years.

*M. Rodriguez indicated that she met with D. Placa, a lobbyist from “State Street Partners” with whom a contract has been executed. The lobbyist is needed to make inroads with the administration. The State Council has suggested locals hire lobbyists for just such action. M. Rodriguez will meet with the lobbyist every two weeks.

*M. Rodriguez stated that Gov. Corzine has indicated that cuts to Kean will amount to over \$8 million. A Leadership Forum meeting occurs the first Wednesday of every month with administrators, union representatives and a student representative in attendance. President Farahi asked to make sure that M. Rodriguez would attend. He said that Kean faces a \$15-18 million deficit for this year. He indicated that there is a \$125 million operating budget for Kean and that a 29.5% increase would be expected in tuition increases. He stated that he does not find it acceptable to enact such an increase because it would change the mission of the University. Farahi stated that the Vice Presidents would meet the next morning to reduce costs, but that scholarships will undoubtedly dramatically suffer. A structured change will occur for this year and in the future to deal with the cuts.

She asked President Farahi to please report what happened when he met with Gov. Corzine Monday night, when all Presidents met with him. He indicated that Gov. Corzine told the presidents that they must cut costs and that if UMDNJ was able to do it, the other institutions can do so. Gov. Corzine had stated that if revenues change dramatically, then he will look at the amount of cuts again. Gov. Corzine had stated that the Presidents must find ways to avoid curtailing access to education and that they must respect employees’ rights. President Farahi was asked how he plans to close the gap in monies. He stated that Gov. Corzine had indicated that the public colleges have tuition as income, whereas the other state offices do not. Gov. Corzine indicated that there is fat at the universities. He stated that he turned to tell Gov. Corzine that faculty are not here much of the time and that they are only here 32 hours a week. M. Rodriguez suggested that a group made up of Faculty, Professional Staff, Librarians, Administrators, student groups, and students form a committee to look at the issue of the budget deficit. She asked what the level of mismanagement is at the manager level; e.g., the price of the tent for the Gala is \$75,000. M. Rodriguez delivered a letter to President Farahi yesterday asking to meet with him and the administration to share the pains of governance in this atmosphere of budget cuts and inviting them to open all financial books.

*Discussion ensued. It was asked as to whether we can get through the public information act an audited report of finances and spending, not a budget such as that one included on the Kean web site. We need to know what the ratio is of managers to faculty and to staff. Twenty-five years ago, there was about the same number of faculty as there is now with two Deans, a VPO for Administration and Finance and about the same number of students. It appears that there has been a 30% increase in the number of

managers relative to 25 years ago. M. Rodriguez stated that if you have any suggestions, including OPRA requests to be done, please contact the KFT.

*M. Rodriguez went to a conference Monday for labor leaders at the Rutgers Labor Center sponsored by the AFL-CIO. Then overwhelming feeling is that the locals need to get involved in politics. Politicians decide how our life is at Kean and are making decisions. The highest level of political involvement is to run for office ourselves. A handout was distributed encouraging people to become involved in politics by running for office.

*M. Rodriguez stated that we need to reach out to the Governor and the legislators. She asked that we participate in an outreach to send e-mails and letters to legislators and the Governor to get higher education funding restored. On Monday, Gov. Corzine appeared at Montclair State University who said that as monies become available, his intent is to restore funds to higher education and that a more exact known amount of funds will not be available until taxes paid are accounted for. However, right now, the colleges are to develop budgets with various levels of funding to meet needs. The legislators spent a whole day today lobbying for their interests. M. Rodriguez stated that discussions have to take place as to what the priorities are. The provisions in the Master Contract and salaries stated therein are necessities.

*M. Rodriguez indicated that audited reports at Kean in the past show that there is a surplus that has been available for the past 4-5 years. She asked where this money is being used. The Administration's perspective is that they are using money from the operating budget so that money does not have to be borrowed. But are new projects being funded at the expense of programs and day-to-day operations and will this cause an implosion to services for students? We need to make great noise in Trenton. A lot of groups are competing for a limited amount of money. We have the right to be at the decision-making table defending the best interests of students and workers.

IV. Treasurer's Report

* E. Comerford stated that regarding the Union treasury, we have been able to fund all expenditures from dues we collect. We haven't raised dues in 10 years and even reduced dues. As your salary increases, the AFT and State Council dues have also increased. It does not look like we will have to raise dues right now, but we will not have a surplus. We do have a reserve of \$300,000. It is important to have reserves to negotiate the Master Contract from a strong fiscal position.

*The University has been in a good fiscal position and compared to other college, Kean fairs well. Kean has additional debt for construction. These surpluses have enabled the University to seek funding for projects at a reduced rate. How long would the surplus last?

*We need to be one voice to demand that funding be restored to higher education. There has been talk of a 29.6% tuition increase to make up for the budget deficit. However, that would amount to about \$20 million and if that were raised in tuition, and \$9 million was needed to make up for the budget deficit, than more money would be raised than needed.

V. Committee Reports

Legislative Report

*J. Erickson stated that Jane Oates is the new Commissioner for Higher Education. In the recent past, there was no commissioner for higher education. She was the chief advisor for educational issues to Sen. Edward Kennedy and she has been a school teacher. She seems open to working with unions. M. Rodriguez indicates that she had asked Gov. Corzine if there would be oversight of the public colleges/universities. The task of J. Oates is to develop oversight. Ms Oates stated to the locals that the Governor had been very critical of the Presidents at the meeting with them Monday night.

*The salary transfer for our salary increases should be restored. N. Yovnello gave testimony indicating that it should be reinstated since it had been done for the CWA.

Grievance Report

*J. Castiglione indicated that from the 3 untenured faculty grievances, 2 of the three had long closing arguments.

*There are two emerging issues:

1. The problem of how special sick leave clause of the contract is administered. How is it determined if someone should get the special sick leave-especially problematic for faculty with a long-standing health problem.
2. Six one-year appointed faculty members (a.k.a., 13-D employees) who (stated in the Master contract) shall be allowed to apply for tenure track lines. The Search committees recommended these faculty as the number-one ranked or the only candidates to fill full-time faculty vacancies, and then were approved by the Deans and the Provost to fill the vacancies. The offers were made to them over the phone. They later received a call from the Dean rescinding the offers, in one case 2-3 weeks after the offer was made. Different faculty were told different reasons why. At least one Dean was told that it was due to the budget issue, but was then told that the position was not being eliminated. Others were told that they (13-D) were not eligible to apply for tenure track positions. A ULP is being explored and there is some precedence for arbitration. Such actions by the administration have disturbing ramifications. Some of these faculty may have had their careers profoundly harmed.

The academic departments know their teaching and scholarship in ways that candidates from the outside could not be known. The tenure law says that they should be able to use the one-year appointment towards the

tenure clock. If anyone knows of someone affected by this action, encourage them to contact the Union. M. Lender contacted M. Rodriguez outraged by this action, indicated that one of the people with whom he is familiar is 150% competent, that he believes there is no reason in the world for this and that he'd be part of protest against the action.

Code of Conduct Report

*P. Pezzolo stated that a motion sent forward demanding negotiation to the administration regarding the final draft of the code of conduct has resulted in no response. He asked KFT members to consider a petition campaign whereby members are asked to sign a petition to say that they are concerned about the code of conduct and request that it be brought to the bargaining table. He asked if members would help circulate such a petition and/or would sign petition. He questioned members if more than half of the faculty would sign it. He suggested that another way to deal with it is to go from department to department and faculty-to-faculty, but this would take time. It was suggested to him that only tenured faculty sign it. He indicated that the Administration has the right to institute a code of conduct, but we are asking for negotiations for it so that due process could be made a part of it. Discussion ensued.

There are nine institutions in our sector and five have a code of conduct that apply to faculty or faculty and staff. Half of those codes are punitive but for criminal acts. NJCU and Ramapo have codes that regulate unprofessional conduct and the classroom, but the enforcement machinery for it is non-threatening. Three other codes are specifically aimed at prohibiting illegal and criminal conduct and the codes apply to all employees. One college includes student employees and another applies to anyone who steps onto campus. The Kean proposed code uses the enforcement machinery of Ramapo (whose code prohibits illegal and criminal conduct) and pits it together with professional codes. Kean is a public university. We need freedom of speech and freedom of inquiry. When the administration is willing to negotiate, they are realistic. But if they do not come to the negotiating table, there's a problem.

P. Pezzolo drafted a proposed agreement for overload, but the Administration indicated that that was the end of the bargaining. The code calls for an elected Peer Review committee, one for faculty and one for Professional Staff that would recommend discipline to the Administration. The Union says that this is illegal. Supervisors and supervisees cannot be in the same bargaining unit. If the recommendation for discipline is made, they are then supervisors. The Kean Student code of conduct is like the code at Ramapo. It focuses on illegal or criminal conduct. In February, the Task Force Chair unilaterally changed the code regarding the clause for an audio recording of fact finding. The person who hears the appeal doesn't hear all the evidence. If there is no transcript, it is hard to appeal. The audio recording of fact-finding was left out in the revision and instead it said that no audio recording would be permitted.

In the student code of conduct, audio recording is allowed, so that an effective appeal can be made. Further discussion ensued. A petition has people's signatures, but a motion by

faculty in a department is anonymous. Perhaps that is a better way to go. If a ULP is filed, it will take a long time to be resolved, and then the Administration may still not negotiate. If the code goes into effect, tenure will protect people. The code sends a mixed message to untenured faculty about their vulnerable state. Volunteers can discuss it to find the best course of action. We need to offer more of a role to fight for people's rights who are not even concerned about those rights. It is the Union's obligation to fight for everyone's rights. A petition needs to include as many groups as possible. Perhaps groups, like departments could endorse a petition. B. Wheeler, C. Fantaousakis, B. Bachiller-Rodriguez volunteered to investigate courses of action. D. Davis will come to a KFT Executive Committee meeting about this issue next week. Action is urgently needed.

*Discussion ensued regarding the impact of cuts in the budget. In New York there is a budget surplus. There may be an impact on state budgets from the federal level. Hysteria about the budget may give cause for the Administration to use this to change programs and eliminate employee lines.

B. Rodriguez-Bachiller moved to adjourn the meeting based on time; seconded by C. Fantaousakis. Motion unanimously approved.

Meeting adjourned at 4:53 p.m.

Respectfully submitted by Linda Bradbury, Secretary to the KFT.

Handouts:

Agenda

22 February 2006 KFT General Meeting minutes

State Street Partners letter and contract

"Take Back the Power Through Committee Seats" flyer

N. Yovnello's statement to Assembly Budget Committee

Sample letter to Governor Corzine regarding higher education budget cuts

Newspaper article about budget cuts

Letter from P. Connelly about budget cuts