



KEAN FEDERATION OF TEACHERS

An Association of Professors, Professional Staff and Librarians

Local 2187, American Federation of Teachers

Kean University, Union, N.J. 07083

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Minutes

KFT General Membership Meeting

Wednesday, October 4, 2006, Little Theatre

Business Covered:

President María del Carmen Rodríguez welcomed everyone to the meeting. She also introduced Nagesh Rao, a faculty member from the College of New Jersey.

The meeting began at 3:40 PM.

I. Approval of Agenda

The agenda was approved as presented.

II. Approval of Minutes

The minutes of the meeting of March 29, were approved as presented.

III. President's Report

Code of Conduct. President María del Carmen Rodríguez started by discussing the Code of Conduct. There has been a strong effort by the Administration to impose a Code of Conduct that applies only to the bargaining unit. Negotiations have begun on this document. There was a meeting over the Summer including KFT, Administration and OER. There was a positive result because the Code of Conduct as well as the performance standards are subject to negotiation. It is understood that both areas must be negotiated. Negotiations will continue for the rest of the year. She acknowledged Pete Pezzolo, Charles Kelly and Tim Sensor for negotiating for the KFT.

Grievance Update. María del Carmen Rodríguez reported that among all institutions of higher learning in New Jersey, Kean University presents the highest numbers of grievances. Kean is the one that keeps the State Council officers tied up. Due to the efforts of the State Council and the KFT officers, the summer session cap issue and the non-reappointment of a faculty member from last year were settled. All three grievance officers James Castiglione, Mary Wuethrich, Sherrell Holderman were thanked for their efforts.

Signing In. Some changes were made for the Professional Staff regarding sign-in but only for those working in CAS. By changing the policy it sends the message that the staff is not to be trusted. A letter to explore the rationale for these changes was sent to the administration and due to initial conversations, some relief was provided to these union members.

Advisement Practices. All professional advisors were transferred to EEO or given lower positions. The University has decentralized advisement and expects 385 faculty to pick up the tab for advising 13,000 students. A letter was sent to the Administration stating that this is a significant change to terms and conditions. Therefore, faculty should be compensated for extra responsibilities or receive reduced work loads. A meeting was held. The topic will be addressed in formal negotiation sessions led by our KFT Negotiations chaired by Charles Kelly.

Relationship to Elected Officials. Contact has been made with the Office of the Governor regarding the placement of a Trustee in a paid position at the University. There is not a law that makes this practice illegal but it smacks of irregularity. Questions about this are being deflected at the Board of Trustees Open Forum in two separate meetings.

Legislative Activities. María del Carmen Rodríguez has tried to meet Senator Lesniak. The problem is that he is very busy and cannot meet with us. She continues to hope that he can meet with us to discuss our terms and conditions. Last Friday she met Assemblyman Cryan. She will meet him on October 18th. The most important events at the University are dictated by the Legislature.

María Pérez asked who will be meeting with this legislator. María del Carmen Rodríguez plans to bring a Librarian, a Professional Staff and a Faculty member to the meeting with Assemblyman Cryan. More details will be discussed at the Executive Council Meeting.

Introductory Meeting. We had a fine meeting in September. Our guests were inspirational. Regarding our immediate plans, we will advocate for our rights and be vigilant. This is a critical year regarding the negotiating of our next contract. It is important that membership at the grass-roots level understand the critical role they play in bringing our issues to the attention of the Governor and the Legislature.

Board of Trustees. María del Carmen Rodríguez noted that she presented a report at the meeting of the Board of Trustees. She noted that funds are being misused (wasted) at the University. She clarified what she said in her presentation. Membership was asked to send comments to her on the speech she made, copies of which were distributed here at this meeting. She noted that she has the right to stand before the Trustees and ask how a Trustee can get a paying job at the University. She asked what they do with the money from the gala. She wants to know what happens with the money that is saved by hiring adjuncts to replace faculty. She emphasized that our questioning is part of our duty as democratic citizens in a public university. Membership was told that they are free to make their own judgment.

Address by Guest Speaker. Ragesh Nao, faculty of English at TCNJ, addressed the membership. He reported about the budget crisis in the state and how it will be balanced on the backs of the state employees and by reduction of higher education. When the state budget was finally passed, the Governor announced, in a speech, that there will be plenty of occasions for future cost savings because contracts are up for negotiations. The state will ask for concessions in the coming round of negotiations to balance the budget. In the meantime, federal funding will be cut. Apparently, there will be a tax cut for corporations at the same time. So, if the budget is to be balanced, it should not be at the expense of the employees of the state or by decreasing higher education. The Governor has asked for early negotiations. They may begin in a few weeks.

Going into this contract year, we need to think of our role in a different way from the past. There is a tendency by membership to see the Union as something “out there” and separate from themselves. They hope that the contract will be a good one. We need to change that attitude. They need to understand that they are the Union. The way to a good contract this year will be via massive grass-roots mobilization. Across the country, health care, wages and pensions are on the chopping block. We have a good set of benefits that may be on the block without a good fight. In this sort of climate, it is common to say that all we can do is compromise, concede or look for consensus. This defeatist attitude can change if we take on the role of grass-roots organizers. The involvement of the grass-roots level is not that great. At College of New Jersey a group of faculty has formed GO AFT (Grass-roots Organizers AFT) which can involve the rest of the membership as well as students in the effort to get a good contract. A petition campaign will be launched next week with a simple set of demands that should attract support. The three demands have already been brought forward.

- Salary increases in each year of the contract with adjustments for cost of living increases.

- No cutbacks on healthcare

- No further tiering of the pension system.

In this type of fiscal-crunch year, the state will look for concessions in these areas. We need to build the appropriate rank and file mobilization to push for these demands. The Council will fight for them if they can see that the rank and file is behind them. It will not work if the contract is allowed to expire without negotiations. A campaign of reaching out to students, parents and community groups should begin now. Funding has been going down while tuition has been going up. Next year it will rise again. Students and parents are being pushed to pay more while funding is decreasing. The state has a responsibility for adequately funding higher education.

Another way is to have educational forums (teach-ins) to educate ourselves and students on the issues that we are facing. If there is support from the KFT for this effort, he will send out the GO AFT petition to us. This petition is not with the illusion that the state will succumb to a large number of signatures, but to use it to organize the membership. It involves each one of us taking petitions into the classrooms and among membership to create consciousness about the Union activities for the coming year.

María del Carmen Rodríguez clarified that the Governor wants all negotiations completed and finished by January. It was noted that this may be an effort to catch the Union unprepared. James Castiglione noted that a report was made at the State council meeting last Friday. The Capwiz computer system was used to make a large response to the Governor and the Legislature. Looking at all of the issues, Higher Education dominated by a ratio of 5:1. This fact was cited as the source of the pressure to restore funding to higher education. The reason that the original cut was so heavy was because the State University Presidents threatened the Governor. However, due to the efforts of the employees, money was restored. Richard Katz noted that CWA has already started to negotiate with the state. He noted that it is to our advantage to enter negotiations last.

IV. Treasurer's Report

Ellen Comerford reviewed the proposed KFT budget. Membership thanked her for the report. She asked for any comments or suggestions.

V. Committee Reports

Article. Michael Halper reported on why he distributed the article, "No University Left Alone." He thought that it might be of interest to membership. It was noted that the report states that the more adjuncts they hire and less full-time faculty causes the students to suffer.

Local Negotiations. Charles Kelly reported on local negotiations. Last year, we could not get the Administration to negotiate on overload. An unfair labor practice action was filed with PERC. They recently ruled to refer it to arbitration. We are appealing the ruling to refer it to arbitration because we claim that if there is a cap imposed, it must be via negotiations. There once was a cap but it was removed by negotiations in 1995 at administrators' request. They would take the cap off but the increment was removed for one year. The State position was to take it off to have the flexibility to assign more or less depending on their prerogative. As it was removed via negotiations, it should be reinstated via negotiations. They have an even more restrictive cap now as varies from college to college. Last year we negotiated the no-limit agreement for professional staff. We were also successful in modifying the range adjustment process. The amount of a successful award will be equivalent to a promotion. Difficulties with the range adjustment program were that Administration would not tell how many range adjustments were available. We will find out Friday how many spaces there are. If they give no spaces, it is a violation of the contract. TFRI (Tenured Faculty Research Initiative) grants were approved last Spring. Faculty was encouraged to apply for these funds.

We are also working with changes in the promotional process. Department Chairs may have received a letter from the Chairperson of the University Promotion Committee that should be disregarded. It noted that ties were not acceptable and rank order was required. It is not the position of the KFT. The letter from Provost Vinton Thompson is the correct

procedure and it has been sent to all department chairs. Therefore, ranking by the department is optional.

There are three students on the UPC. They vote. Sometimes they come from the same college. In one case, all three students came from the same department of the Chairperson of the UPC. Now students must come from different colleges according to a tentative letter of agreement which we hope to have signed in a few days. On the other hand, faculty representation has not been agreed to. Size of the faculty in each college and percentage of eligible for promotion are variable. An agreement has not been reached regarding proportional representation. The University and KFT are working together to resolve this item. Those with ideas to help should contact the Charles Kelly.

Regarding the advisement changes, these were implemented then the KFT put in a demand for negotiations. Training will be voluntary, not mandatory. Faculty in small departments may be also advising undecided majors. Rather than planning first, they are implementing the program and modifying it as the Union complaints come in. María del Carmen Rodríguez reported that the professional staff knowledge and experience was not considered by the Administration during the few meetings where changes were communicated to the KFT. Charles Kelly noted that policies such as these are generally made without consulting with the employees and this creates unnecessary chaos.

Regarding the Code of Conduct, it went to the state level and it was bounced back to us. The procedures and implementation are negotiation while the criteria are not negotiable. We do have the right to negotiate the implementation of the criteria, especially if faculty are put in a position of recommending disciplinary action against their colleagues. There were two meetings over the summer with productive results. There is a sub-committee with Pete Pezzolo and Tim Sensor heading up negotiations.

According to the Administration, because we are in statewide negotiations, we cannot negotiate locally. So we asked for a written statement from OER asking that this is their position. Oral communications have been held but nothing in writing so far. We are expecting future meetings on local items that are not involved in state negotiations.

Barbara Wheeler asked about the criteria for Distinguished Professor. Charles Kelly noted that if there is a monetary reward, it is subject to negotiation. It was noted that a grant of released time is involved. He noted that he will bring it up at local negotiations.

Victor Ortiz asked about letters of agreements. He asked whether the letters of agreement on promotion are part of the local negotiations. Charles Kelly stated that recent local letters of agreement were supposed to have a sunset clause, causing them to expire at the end of the master contract. We proposed ours without a sunset clause but they put it back in. Therefore, a few letters of agreement will need to be extended, most do not.

Membership Questionnaire. Linda Bradbury reported that there are 41 responses so far and an initial analysis presented. Highest issues are teaching load and health benefits.

Locally there are several issues that are important. She asked membership to send theirs in so that a more representative analysis can be made.

On Friday, October 20th there will be a professional staff conference at Thomas Edison State College. Membership was asked to respond to the KFT office by October 12th. She added that the flyer has been sent to all professional staff.

Grievance Committee. James Castiglione noted that the summer cap grievance was settled. Those who were harmed received a cash settlement. Unfortunately, it took over a year to finalize. When we go to the state, we report that the University does not deal in good faith to resolve grievances in a timely manner. There were four grievances (3 from Kean) brought to the State Council. In fact, most of the grievances come from Kean. These regard sabbatical denials, and one-year appointments which were offered jobs that were subsequently rescinded. They were voted forward for arbitration.

María del Carmen Rodríguez asked whether these were frivolous grievances being filed or not. James Castiglione noted that all grievances have been settled locally or have been brought forward to the State Council. Whether it goes to arbitration depends on the merit of the grievance. The great majority are moved forward therefore are not deemed to be frivolous.

One faculty member filed a grievance regarding non-reappointment last year. The case was settled to the satisfaction of the member.

Regarding the overload cap, we are filing a grievance shortly. Hopefully it can be resolved quickly.

Sherrell Holderman noted that most items regarding the professional staff have been resolved. There is one item that may have to go to arbitration.

The meeting adjourned at 5:09 PM

Respectfully submitted,
Frank Osborne, Secretary

Handouts:

“No University Left Alone” by Roger W. Bowen
2006-2007 KFT Survey

Invitation to a Professional Staff Conference

FT/PT Faculty Data

Initial Analysis of Results of KFT Short Survey

Proposed KFT Budget

Parliamentary Motions Guide

Voting Flyer from AFT

Urgent appeal to the Kean University trustees ad Kean University (Date: 9/25/06)

Full-Time Faculty by College and Rank