

ANSWERS:

**1** TUITION AND FEES ARE \$7506 AT KEAN AND \$7290 AT MONTCLAIR.

**2** THIS YEAR MONTCLAIR HAS 506 FULL-TIME FACULTY; KEAN HAS 381.

**3** KEAN HAS 780 ADJUNCT FACULTY; MONTCLAIR HAS 643.

**4** KEAN HAS 8 CERTIFIED LIBRARIANS; MONTCLAIR HAS 15.

Send to:

THE KFT VOICE

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THE KFT VOICE

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A Commentary on the Code of Ethics

The University Administration distributed recently a code of ethics to all employees of this institution. The document was not seen by the bargaining units that operate at Kean University prior to its dissemination. This document is the end result of an initiative generated by the acting governor's office to unify the ethical standards that apply to all public employees. Although the intention of the Acting Governor's office is laudable, the way that this initiative has been implemented has posed serious dilemmas for many employees in the public sector, especially for those of us who work in the public university system.

We are all aware that corruption and conflicts of interest are serious challenges affecting many public officials in this state. The untimely resignation of former Governor McGreevey was in part due to serious ethical violations. Headlines of severe conflicts of interest and ethical misconduct by Trustees and upper level administrators have shaken the campus of UMDNJ and all related news have captured the attention of both the media and regular citizens alike.

The KFT Union agrees that professional values and standards are an important way of living out an ethical commitment. We also agree that values inform principles. We also know that key ethical values shared by all employees of this institution (deeply engrained in all of us) would be the best assurance that all employees will act out of personal dedication to our students and the University that serves them. We believe that the personal dedication of all employees to these ethical values is a powerful incentive for

avoiding financial conflicts of interest, but that these ends are best achieved by fostering an atmosphere of true professionalism rather than through pressure exercised by the mandatory requirement of an external document. To complicate matters even further, this code of ethics has been mostly generated

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KFT Negotiation Report

Peter Pezzolo has joined the negotiation team this academic year replacing James Castiglione who moved over to the Grievance Committee. James continued into this fall on the negotiation team until we resolved the Tenured Faculty Research Initiative (TFRI) issue. Due to his efforts and others in the KFT, we finally resolved the TFRI issue with Letter of Agreement #109 (LOA #109). LOA #109 requires a peer-review process at the university level. The existing Released Time for Research Committee will review and make recommendation for faculty applying for TFRI. A copy of LOA # 109 can be found on the KFT Web site www.kft2187.org.

The KFT also signed a letter of agreement this semester modifying the Promotion Calendar and Application. Last year, a number of applicants were rejected because their application did not comply completely with the documentation requirements. For example, one applicant was denied a review because his/her peer observation failed to note the date of the observation.

By modifying the calendar and application forms, the KFT and the university agreed to allow applicants an appeals period that affords the candidates the time to make corrections in their application. A copy of LOA # 108 that details the new calendar and application form can also be found on the KFT Web site.

The KFT also made significant progress on resolving the no-limit issue for professional staff. The agreement permits

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## KFT Negotiation Report

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professional staff to take straight time off as compensation for working beyond their normal schedule. The administration insisted on excluding employees in some areas before signing an agreement. By January 2006, the KFT hopes to have one agreement to apply to all professional staff. (See LOA # 107 on the KFT Web site).

The KFT also has made some progress on changes to the Range Adjustment Awards procedures. The KFT hopes to be able to sign a letter of agreement with the administration that will establish data collection and requirements for Range Adjustment similar to Promotion. The administration would like the KFT to agree to an award similar in size to that of a promotion. Currently, faculty needs to collect data from the four years previous to applying and, if the awards are available, the grant would be approximately \$10,000. The Farahi administration has made it clear that it will not allocate funds to the Range Adjustment Awards program if the individual grants remain at this monetary level.

Unfortunately, the administration has continued its adversarial approach to chair's compensation and duties. In June, it announced to the newly appointed chairs that they would be evaluated on an annual basis and they would be

responsible for new duties.

The KFT filed an unfair-labor practice (ULP) charge with the Public Employment Relations Commission (PERC) in response. While there has been some non-productive negotiation on chair's compensation, there has been no discussion of evaluation. PERC is likely to sustain the KFT demand for negotiation. The issue of duties is more ambiguous and needs legal analysis and review.

The KFT also filed a ULP charge with PERC on the unilateral implementation of an overload cap. KFT President Maria Rodriguez met Farahi to resolve this contentious issue. The KFT negotiation team has incorporated the understandings reached at the meeting in a draft proposal. The resolution of this issue, despite an oral understanding, has been complicated by the Governor's Office of Employee Relations (OER) need to sign off. Despite this complication, the KFT is hopeful that the issue of the overload cap can be resolved shortly.

The KFT is still pushing for more chair compensation as well as faculty compensation for August advisement. Unfortunately, the administration does not see any need to move on these issues.

*Charlie Kelly  
Political Science*

## NL Agreement

### COMPENSATORY TIME FORMS

It has come to our attention that some university department managers have not distributed the compensatory time forms that need to be used in order to apply for your comp time, when applicable. You may contact Human Resources directly if you need a copy of this document. Once again, we advise all professional staff to log their work hours to properly document your request for comp time. For more information on agreement #107 which regulates requests for compensatory time, you may download this agreement from the KFT Web site at [www.kft2187.org](http://www.kft2187.org). You may contact Mary Wuethrich at (908) 737-5212 or Sherell Holderman at (908) 737-0362, should you feel the need for further clarification.

### NL COMP TIME AGREEMENT FOR UNIVERSITY RELATIONS NOW IN PLACE

In a discussion in Human Resources on Friday, Dec. 2, it was decided that University Relations professional staff will be taken off the excluded list and enrolled in the master agreement for NL compensatory time off that was signed by the administration on June 6. It is now up to the manager of Athletics to create proposal for pro staff in that department. Tina Lisa, HR assistant director of Employee Relations, mentioned that Admissions managers had added their recruiters to the exempt list as their schedules are similar to those of Athletics.

According to the master agreement of June 6, it was decided that new proposals for these exempt units had to be completed by Dec. 31. Debra Davis of the State Council, who was present at the meeting, suggested the deadline be extended to Jan. 31, in order to afford the managers of the two remaining departments time to prepare proposals. This extension was approved by Phil Connolly, vice president for Administration and Finance.

## A Commentary on the Code of Ethics

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from a Trenton office, retouched and basically imposed by the university administration. This was done **without having procured meaningful consultation** with all bargaining units at any stage of the document development, design, and with minimum consultation at the implementation phase.

Our main concerns are the following: 1) there is lack of compatibility between the provisions of this code of ethics and our intellectual copyright agreement which is part of our current labor contract; 2) there is lack of systematic and explicit protection for all private information disclosed by all employees with the potential of misuse of such data by unauthorized individuals and potential danger of using these data for punitive purposes; 3) there is lack of consideration of any unethical behavior or stance which supervisors can engage in who may abuse their power and adopt unethical practices in their process of evaluating subordinates for personal vendettas (disregarding the objective merits of these workers); 4) there is lack of perspective especially with basic professional courtesies such as honoraria for speaking or complimentary textbooks from publishers. These are serious oversights that need immediate attention.

A code of ethics is an important document that may clarify for current and future members of this institution,

the nature of the ethical responsibilities held in common by all members. It can certainly help to support the mission of this institution. It may also establish basic principles that would define ethical behavior and best practices for all members of this academic community. What needs to happen first is opportunities for true dialogue and negotiation so that: 1) We can determine what are the central ethical values of all employees who work at this institution; 2) What are the basic protections given to all employees who divulge personal data; 3) What is the due process followed when processing ethical complaints against any employee (this would preserve the legal and labor rights of all workers and would safeguard these rights at all times); and finally, 4) There is urgent action needed to reconcile this code with all the rights that are part of our current labor contract. Until this meaningful dialogue, consultation and negotiation takes place at this University, the KFT continues to advise all members not to sign this code of ethics. All these actions would only demonstrate that the University truly respects our professionalism.

*Maria del Carmen Rodriguez  
KFT President*

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WHICH UNIVERSITY HAS LOWER TUITION AND FEES: KEAN OR MONTCLAIR?

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SEE PAGE 4 FOR THE ANSWERS