



## **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 Minutes

Wednesday, November 7, 2007, HH-113

### **Business Covered:**

The meeting began at 3:45 PM.

President María del Carmen Rodríguez welcomed everyone to the meeting.

#### **I. Approval of Agenda**

The agenda was approved as presented, with the addition of an item requested by John Valentine regarding a resolution of the Faculty Senate. It was added under New Issues. He also asked to make a statement.

#### **II. Approval of Minutes**

The minutes of the meeting of October 3, 2007 were approved as presented.

#### **III. President's Report**

María del Carmen Rodríguez noted that she represents KFT membership at both the General Council and Executive Council meetings of the State AFT. There was a meeting where Mr. McGovern, union's legal counsel, made recommendations to improve the negotiations process. Six recommendations were involved which are suggested for future negotiations.

Creating a subcommittee to handle all local demands may help improve the negotiations process. Having a legal advisor also helped us with the process. It is suggested that we continue to meet in Central Jersey. He noted that the size of the body (50) is too high. He suggests that we streamline processes using single spokespersons per unit. He also felt there should be a code of conduct for the delegates who attend negotiations, including behavior within breaks and the way negotiators act in the present of State representatives.

Also, the Council President, N. Yovnello scheduled a meeting on the three most important open issues. These are the numbers of sabbatical leaves, the new letter of agreement on tuition waivers must include civil unions, and transition to retirement leaves across all nine universities.

At the local level we are facing problems with the University Promotion Committee where they disregarded the KFT representative due to their allegation of double representation. María del Carmen Rodríguez noted that the department of origin of the KFT representative is irrelevant as they do not have a vote in the process. Copies were sent to Administration as well as David Beckett in the OER. It is understood that the choice of the KFT observer is up to the KFT and not to the UPC chair.

The proposal to evaluate administrators was passed by the Executive Committee of the State Council. It was unanimously supported. It appears that the officers of the Council are interested in presenting this proposal to AFT national. This may be the first time that an idea originating in NJ has been applied nationally.

AFT national has expressed concern about the number of nurses nationally. Dr. Minnie Campbell has been asked to select a Kean representative on this matter statewide.

At the last meeting it was reported that there was a case filed by a member in the College of Business that has been going on for years. Meetings have been held regarding the appeal that he just won. He could not open the case regarding the Union and the State Council but there are still issues to be responded to the Supreme Court of New Jersey.

#### **IV. Treasurer's Report**

The Treasurer was absent and no report was made.

#### **V. Committee Reports**

*Legislative/Political Action.* The COPE Committee funded eight candidates in the recent election. All of these candidates won. We will be able to endorse more candidates next year.

*Departmental Liaison System.* No report.

*Membership Services.* No report.

*Grievance Committee.* James Castiglione reported on many issues that have come up this term. These are serious and we are trying to help the employees involved.

- There is a professional staff member who gave a password to a student worker of OCIS. The Administration wants to discipline the employee. It was noted that there are conflicting policies. Administration says not to give passwords to students while OCIS demands cooperation with their student helpers. We are trying to help the employee in this regard.
- A faculty member solicited students to help with an outside business. The faculty member apparently misunderstood the ethics code. The individual met with the University Attorney. It was noted that all membership must follow state ethics rules.

- A faculty member was using strong language in a classroom, partly in context with the lecture material. Some students suggested it was sexual harassment. The Union is concerned that academic freedom be observed.
- A faculty member took time off for religious observances (had been doing so for 30 years). This time the Dean wants to discipline the faculty member. There was an apparent misunderstanding but it could be religious discrimination.
- An untenured faculty member of a few years ago grieved because the criteria were not applied correctly. It went to arbitration and is very near settlement. An ad hoc committee will be set up to review the individual's portfolio and make a recommendation to the University President.
- There was another one involving a violation of grade grievances. These two were discussed in the State Council Grievance Committee but were not sent forward. Then, at the State Council meeting, the negative recommendation was overridden and they are going forward to arbitration.
- There was a settlement last year regarding the KFT member on the University Promotion committee. The KFT member is appointed by the KFT and is allowed to participate in deliberations of committees, including the right to speak there.
- A request for sabbatical leave was denied last year to a faculty member. It was grieved that the Administration violated the process for sabbaticals. It went to arbitration. The settlement agreement states that the process for sabbaticals at the University must be maintained stating that all letters of approval/disapproval must come from the President. The faculty member will be able to apply for sabbatical again.
- María del Carmen Rodríguez noted that a faculty member in the Philosophy department reported having 20 more students than the cap on the class. Faculty members were asked to be vigilant in seeing that the correct numbers of students are enrolled in their sections.

*Local Negotiations Committee.* Charles Kelly reported that the Committee has met twice this year. The last time the Administration ended the meeting abruptly over a dispute involving authority. It was really miscommunication. Some departments used the form sent out by the department Chair and then were corrected by the provost regarding the promotion committee results in departments. As it turns out, ties are permissible. The letter of agreement was signed last year in this regard. It was reported that the VPAA has no responsibility in this regard. At this point, the negotiations meeting ended. Subsequently, it was found out that the form was used in error. There were other items that were supposed to be discussed. There are letters of agreements which, in the past, were always supposed to have had sunset clauses. There is precedent in the public sector regarding agreements after their end date. It is that the contract is lived under until it is replaced, even if there is a termination date. It is not correct that the contract is not abided by after the expiration date.

Other issues include that we have been asked, and acted in good faith, to get representation for the School of Visual and Performing Arts. We had an oral agreement last Spring. The faculty agreed and it was set up with weighted representation. It was never signed, but we are still sticking to it. The Administration has not provided us with

any written proposal since then. If there is no signature, they should come back with a counter-proposal. These things are jointly decided by the Administration and the Union.

We are at the 11<sup>th</sup> hour on the item of Transition to Retirements. At the time, it was not signed because it was supposed to be in the Master Contract. Our proposal was actually better than the Master Contract has. The Administration would also benefit because it would encourage senior faculty who are considering retirement to choose this option. It would make the transition easier and more orderly for chairs to assign classes. It was noted that we also asked for it regarding Professional Staff. The Administration rejected it out of hand. KFT suggested that the Administration pilot the program with professional staff. It was noted that it has been done before with some senior Administrators.

The proposal to spread the normal faculty load over three semesters was presented but the Administration never came back to it. The change from 12 credits to 9 credits is also out there. Five of the others state universities have 3-course loads, Kean is one of three places with 4 courses. It is still on the table.

The summer school schedule of five days came up. Nothing has happened about it since.

*Public Policy.* No report

*Untenured Faculty.* Chrysoula Fantaousakis noted that the committee is planning an event for December. A brief survey has been completed. The idea is to find out how KFT can be more helpful to the untenured faculty.

María del Carmen Rodríguez noted that a National AFT member wrote a book on this topic. Information was presented to the committee.

*Ad-hoc Committee on Administration Evaluation.* Bryan Lees reported that the ad hoc committee was set up last Spring when the Administration was planning to evaluate all faculty. Much time was spent between then and now in this regard nationwide. AAUP sent extensive literature but the best source came from Charles Farmer's book from 1972. He was a provost at Tulsa.

We chose the two better methods that were tested and reported on. There is the survey model which uses university criteria. The other model is a personal growth contract. These two were combined to create an instrument that would be used by the membership of the KFT. After the administrators were evaluated, the results would be presented to them so that they would be able to express personal growth in their roles as administrators. It was warmly received at the State Council meeting. It was approved and forwarded to the National AFT.

Statewide, we are discussing statewide implementation strategies and ideas for bringing it to the other universities. A questionnaire is being worked on. We need to talk about methods of evaluation and other parts of a comprehensive proposal.

María del Carmen Rodríguez added that Senator Lesniak is a great proponent of accountability. She suggested that our committee met with the Senator to report our progress to him for advice.

Bryan Lees noted that some institutions are undergoing financial investigations. He suggested that this be applied to all institutions and would work closely with Senator Lesniak's activities.

## **VI. Old Issues**

There were none.

## **VII. New Issues**

*Eleanor McKnight—Insights gained from attending the AFT National Conference on Human/Civil Rights (October 25-October 28, 2007), New Orleans, Louisiana.* Eleanor McKnight reported attending the conference. She noted that the major theme was rebuilding the labor movement. Important dignitaries attended the conference. The conference was structured around strengthening unions with key activities: coalition building, political motivation and organizing. In the final analysis, how do we do this best. The idea was to keep on working and escalate the efforts. The other main thrust was that labor unions are under attack nationwide. In this case, the middle classes will suffer. This reemphasizes the need to become even stronger. The conference participants also toured New Orleans to view the progress on the recovery. She presented facts in this regard. She noted that unions need to be helpful in the recovery. María del Carmen Rodríguez noted that we should seek ways to help the New Orleans teacher.

*ID badges.* María del Carmen Rodríguez reported emails from membership asking why the faculty are the only ones being required to wear ID badges. This may be invasion of privacy because they have a computer chip that could be tracked by GPS. We are working with the other unions to present a unified presentation to the membership and the Administration. She suggested that she would ask questions of the Administration such as why the ID policy was implemented without any consultation with the community they are trying to protect. She noted that there was no consultation anywhere on the campus. She asked how the wearing of ID badges would help if there continues to be unrestricted access to the campus. We have no way of checking—access to the campus is free for all at all hours of the day and night. Besides, Human Resources already knows who the employees are. The important issue is to require ID of the visitors and the students. There are also legal implications that need to be addressed. She noted that everywhere she goes, students wear ID badges. Our research so far shows that the majority of colleges are not requiring employees to wear ID. Bert Wailoo noted that the Director of Human Resources sent the memo which is questionable. If it came from the President or the Board of Trustees, it could be properly addressed. He suggested that we as faculty should question the authority. When the authority comes down as legitimate, then we must follow it.

*Faculty Senate Resolution.* John Valentine addressed the meeting regarding the KFT statement made before the Board of Trustees at its May 21, 2007 meeting and the graduate coordinator's statement. He noted that

- The KFT vice-president made his comments regarding the Graduate Program at Kean in a public forum. His comments are a matter of public record.
- The comments made were incorrect, negative and exaggerated. They were made without the mandate of the Union membership.
- A retraction of the vice-president's statements should be given at the very next Board of Trustees meeting, before the Board hears the vice-president's statement and decides to take action to diminish or cancel programs, or divert funds from Graduate Studies at Kean.

María del Carmen Rodríguez noted that this item was discussed in the last General Membership meeting a few weeks ago. Time was given to membership to present their views. At the end of that meeting she decided to send it to the Executive Council. However, there was no time at the last Executive Council meeting to discuss it. She promised that it will come up at the next meeting of the Executive Council. She also added that there is nothing in the KFT constitution stating that any message to the Board of Trustees has to be cleared by the membership. She noted that the KFT President or their representative can present their concerns and opinions to the Board of Trustees with no restrictions. There is nowhere written that it has to be approved in advance.

### **VIII. Adjournment**

The meeting adjourned at 4:39 PM

Respectfully submitted,  
Frank Osborne, Secretary