

UDMPU Board Meeting Minutes - 12/13/07

Present: Stokes Baker; Mike Canjar; Cindy Gillham; Heather Hill-Vásquez; Doug MacDonald; Lorri MacDonald; Kris McLonis; Stephen Manning; Prasad Venugopal; Kate Walters; Larry Zeff

Absent: Mary Higby; JoAnne Isbey

I. Call to Order.

II. Minutes of 11/27/07 were approved as amended.

III. Treasurer's Report and Audit Sub-Committee Report.

a. McLonis reported \$25,752.44 in checking and \$69,032.39 in savings for a total of \$94,784.83 in the Comerica accounts. Recent activity includes a check withdrawal to pay MEA dues (\$15,135.44) and a deposit from the Jesuits (\$6,097.50)

b. Outstanding checks from the two conscientious objectors have arrived and have cleared.

c. Charitable donation checks for each of the three conscientious objectors have been prepared and await co-signatures.

d. Two checks (in the amounts of \$26.67 and \$68.37) in order to reimburse McLonis for refreshments provided at the 12/29/07 General Membership meeting have been prepared and await co-signatures.

e. On behalf of the Audit Sub-Committee (D. MacDonald, Baker, and John Dwyer), MacDonald presented a review of the UDMPU's cash flow for the period January 2007-July 2007. MacDonald reported that everything appears fine and that the next report will cover July 2007-December 2007. MacDonald also reported that he will be resigning from the Audit Sub-Committee. The Board will seek a new member for the Audit Sub-Committee at the next General Membership meeting.

f. Baker expressed a general concern that the UDMPU appears to have a cash flow problem. McLonis suggested that this may in part be due to the fact that dues checks from Human Resources sometimes arrive late. The apparent cash flow problem may also be explained by the fact that the report covers six months as opposed to an entire year. Canjar indicated that the mandatory report that the UDMPU treasurer must file with the Labor Department will provide data for the entire year and may also clear up any apparent cash flow issues. (The report which will account for the fiscal year ending June 30, 2008 must be filed with the Labor Department before September 30, 2008.)

g. A motion was made to accept the Audit Sub-Committee's Report and the motion passed.

h. A motion was made to accept the Treasurer's Report and the motion passed.

IV. Grievance Report.

a. In connection with the Board's decision on 10/9/07 to deny the request by a UDMPU member for an extension of the tenure clock, Manning reported that he had received in late November a request from the said member for a "response in writing." Manning informed the Board that the member was, in fact, informed of the decision in writing via an e-mail sent by Manning on the afternoon of 10/9/07. Furthermore, as the minutes of UDMPU Board meetings are made public via its website, the minutes of the 10/9/07 meeting which reported the Board's decision also constitute a written response.

Nevertheless, Manning has sent a third written response on UDM letterhead to the UDMPU member.

b. Manning and Hill-Vásquez raised the issue of new letterhead. Canjar and McLonis have electronic letterhead which they will make available to the Grievance Officer and Secretary.

c. Manning reported that on 12/4/07 he received the latest update from the Traffic Appeals Board (TAB) regarding parking violations that had been submitted for dismissal. The period of time covered by the latest report is unclear but of 25 requests for dismissal, only one was granted. The Board agreed that the record on denying dismissals is good but this does not address the real and ongoing issue of unauthorized vehicles parked in designated faculty/staff spaces.

d. The agreement document and payroll authorization created in connection with the resolution of the recent violation of Article 3.3d of the contract (assignment of overload teaching) have been processed.

e. As reported in the minutes of the 11/27/07 Board meeting, MEA attorney Lee is pursuing an action to seek reimbursement of legal and court costs incurred by the MEA based upon the frivolity of a law suit brought against the UDMPU and the UDM administration by a bargaining unit member. Manning reported that the reimbursement amount sought is approximately \$10,400.00.

f. A motion was made to accept the Grievance Report and the motion passed.

V. MAHE Report

a. Baker reported on an issue raised during a bargaining strategies session concerning potential administration surveillance of union e-mail accounts. After a brief discussion, it was agreed that all UDMPU members involved in contract negotiations should, as usual, be cautious regarding the information they disseminate via UDM e-mail.

VI. Job Advertisement Added Language Issue

a. The Board had a lengthy discussion concerning the language that has been added to CLAE job advertisements. Topics discussed included the following:

1. Potential violation of the spirit of shared governance (Letter of Agreement 13) as faculty were not consulted regarding any change in advertisement language.
2. Potential violation of Article 5.1, Academic Freedom.
3. Again, a lack of faculty involvement in a second change in language that has recently taken place.
4. A lack of uniformity across the university regarding job search processes and the language of job advertisements.
5. No clear sense of where the change originated or who instituted the change. At this point, any and all administrators consulted assert that they do not know where the change in language originated.
6. A clear, definitive, and uniform process for all searches across the university needs to be established and the establishment of the process needs to be faculty-driven.

b. The issue was discussed with the Interim AVP at the MFA Clearinghouse meeting on 12/11/07. The MFA officers asked the Interim AVP to remove the new language from job advertisements and thus revert to the language used in the past. The Interim AVP informed the MFA officers that she would reply to this request as soon as possible. In addition, the Interim AVP will investigate the source of the change. Very soon, all those involved in faculty searches will be copied on an e-mail from the Interim

AVP in response to the concerns raised by the MFA officers at the Clearinghouse meeting.

c. It was agreed that the issue will also be put on the agenda for the next Executive Liaison meeting.

(At this point, Hill-Vásquez had to leave and McLonis took over secretarial duties.)

Respectfully submitted,
Heather Hill-Vásquez

Meeting with librarians, Libraries/IDS administration, UDMPU officers, and University administration

Canjar, Gillham, Manning, and McLonis reported on the meeting which was held in the McNichols Campus Library on December 12. Attendees at the meeting included

Librarians from the McNichols Campus and Dental School
Dean of Libraries/IDS Margaret Auer
Libraries/IDS Associate Deans George Libbey and Sara Martin
UDMPU officers Canjar, Hill-Vásquez, Manning, and McLonis
Steve Nelson of Human Resources
Interim Vice President of Academic Affairs Pam Zarkowski

The purpose of this meeting had been to interpret the contract language regarding the librarians' work week and what constituted overtime for them. It had been agreed at that meeting that the long-followed informal practice of exchanging work hours between librarians be continued. It had been acknowledged that in rare cases the need may arise for a librarian to be compensated at the rate of 1.5 times the extra time worked; but it had also been agreed that such instances should be acknowledged and approved, in advance and in writing, by the Dean.

At that meeting, Nelson had also clarified that the definition of the work week in the University's Employee Handbook (described as seven and one-half hours per day, with a half-hour lunch and two fifteen-minute breaks which could be used to lengthen the lunch period but not to shorten the work day) did not apply to librarians, who serve in a professional capacity along with professors. The UDMPU contract states that the 37 ½ hours which make up librarians' work week need only be distributed over no more than five days in a given week.

Teacher evaluations

Zeff reported that apparently students in the College of Health Professions (CHP) are able to complete their online evaluations of professors during the week of final exams, beyond the usual deadline of the last day of classes. There was some speculation as to why this is occurring. Since some CHP classes run on a different date range than other classes, the later time frame for CHP

students to complete evaluations may reflect that difference in scheduling. Venugopal said that he would bring up this issue with the MFA.

The meeting was adjourned at 2:50 PM.