Minutes for NTT Negotiating Meeting (06.09.23)

Attendees in Person

Pete Murray (notetaker)

Ruth McAdams

Sean Collins

Jeremy Sloane

Erika Schielke

Will Kennerly

Diana Barnes

Sarah Friedland

Sarah Delaney-Vero

Rob Manfredo

Dorothy Moseby

Janet Casey

Julie Delay

Attendees via Zoom

Patrice Maletestinic

Mike Paulmeno

Evan Mack

Beatrice Kendall

Beatriz Loyola

Sean

- Thank you to College for addressing the situation in the Music department so promptly
- Follow-up request for salary ranges for all positions (submitted mid-February)
- Received most healthcare details, but still waiting for dental and vision details

- New items for discussion: identifying dates this month for more meetings

Sean

Tentative Agreement (TA) on Preamble, Article VIII: Health and Safety, Article XI: Savings Clause

Article I: Accepted College's proposed language strike

Article II: Agreement on sections 1 and 3, maintaining position on Section 2

We agreed to two units to avoid lengthy negotiations, not because we agreed with College's contention that PT and FT do not share community of interest

Issues in receiving ballots, so we are confident that there were ballots that were not counted

Precedent at Ithaca: started with two contracts, ended up with one

Rob question on Article 2: What are the circumstances at Ithaca that led to single contract, as opposed to two contracts? Are there differences in the represented faculty at Siena that led to two units, as opposed to Ithaca?

Faculty go back and forth between PT and FT both here and elsewhere

Section 4: struck language concerning "non-bargaining unit instructors"

Article III: Reviewing, will respond after Caucus

Article IV: agreeing to Proposal in Section III, maintaining on Section V (precedent at other institutions for compensating stewards)

Section II: did not incorporate language about notification to HR about visitation because general public has access to College and don't see a reason to hold union to higher standard

Agreed to strike section 7

Maintained on new hire orientation (Section 8)

Article V

Maintaining our position, no impingement on Beck rights

Article VI

Agreed to providing list on first day of classes

Section 2: maintained on other professional assignments (e.g., committee assignments)

Agreed to strike section 3

New Section 3: College will provide info on rehires, reappointment

Rob: College concerned that impinges on management rights

Question from Pete: how would indicating that the reason a faculty member is no longer employed is that, e.g., their contract term ended, impinge on management rights?

Rob: question could arise about whether they ought nevertheless to have been given another contract

Article VII

Accepted proposal on Section 1

Section 2: tried to address concern with the circumstances under the union may present at a faculty meeting

Article VIII: Agreed

Article IX

Did not incorporate Title IX language;

Clarification from Sean: how many Title IX cases in a given year? 1 to 2 per year (Sarah D-V)

Sarah D-V: usually try to see if Part 6 of FHB applies, try to get done in approximately month

Didn't include section about FHB in Section 1

Section 4: folding CAFR into binding arbitration process

Opposed to process ending in President (not a neutral third-party)

Section 5: added language to avoid conflicts with teaching responsibilities

Article X

Section 2: Agreed to "generally" but not the additional sentence as redundant

Section 5: Weingarten rights

Do you consider evaluations as tied to just-cause analysis?

Performance evaluation: We have seen recent cases in which performance evaluations are weaponized to serve an end

Rob: looking at performance evals as subject to just-cause analysis seems not to fit 7-point just-cause rubric

Article XI: Agreed on Saving Clause

Agreement XII: CBA rules, except where it is silent. We have right to negotiate elements of FHB that effect our terms of employment

Rob: We don't want to hold up entire process of FHB revision for everyone

Article XIII

Accepted some language but not all

Article XIV

Remote work: new

Article XV

Section 5: we intend for provisions to apply to PT faculty

Section 9: Continued access to library resources for one year following termination

Article XVI: no language yet

Article XVII

Memorializing IP rights

Caucus: Evals, no-strike/lockout clause, FHB vs. CBA, Title IX (can the college legally do something outside the usual process? Fold Title IX recommendation into CBA)

Rob: trying for date in June

Responses to proposal

Article II: Want two different bargaining units, want separate discussions about economic issues

Section IV: non-bargaining unit instructors: Adrian Bautista (sometimes teaches), Director of OP (teaches), Director of AA (teaches), any administrator who is a faculty member

Article IV

Fine with language change to Section II

Section V: maintaining position that don't think it is necessary, and consider our activities voluntary

Section VII: new language proposal (on agenda, breakout session for Union orientation)

Article V: maintaining position

Article VI: appreciate flexibility on Section I, change to three weeks after beginning of semester

"other professional assignments" tracked by DoF office

Section 3: tabling until have proposal from us on reappointment/renewal

Article VII: presenting at faculty meetings (change "not unreasonably deny" => according to currently existing process

Article IX: tabling

Pete explained objective: not have to go to very person you have a problem with to resolve problem

Maybe jump to step two?

Article X: want to have carve-out for exceptional cases in which College can impose more severe penalties when merited.

FHB pages 137-8: sanctions short of termination, but don't fit neatly into progressive discipline model

Performance evaluation: Sean indicates how significant the performance evaluations are to compensation, renewal decisions, not just discipline.

Rob: how to arbitrate such a case? Maybe grievable but not arbitrable?

Section 5: College is okay w 4 workdays. Table discussion of Weingarten rights.

Article XII: College concerned that management does not control revisions to FHB, the faculty do.

Admin did not get a chance to discuss beyond article Article XII.

Sean: We talked about discipline and discharge, title IX.

Rob: I'm glad we did four hours! We'll get back to you on additional dates.

Adjourned 1:10PM