

03.26.2024 Negotiating Committee Bargaining Session Minutes

Attendees:

- Will Kennerly
- Sean Collins
- Ruth McAdams
- Peter Murray
- Johanna MacKay
- Evan Halstead (notetaker)
- Dorothy Mosby
- Rob Manfredo
- Sarah Delany-Vero
- Erika Shielke
- Patrice Malatestinic
- Beatrice Kendall
- Eileen Sperry
- Julie Delay
- Adam Cottle (11:15-11:45am)

9:15am start (delay due to technical difficulties)

Rob starts with counterproposals

- Recognition
 - Rewrote description of bargaining unit to combine full time and part time
 - We still differ on whether or not post-docs should be included
 - Rob argues that even though they may have teaching responsibilities, they shouldn't be included because they are typically externally funded (usually by grants) and are on very short term contracts. Post-docs are also not in faculty handbook.
 - They are also still maintaining that department assistants shouldn't be included. There are only two people who have teaching responsibilities, and they both have a title of Lecturer. Also, "department assistant" is not actually a job title. It is a catch-all category for a variety of titles.
 - Sean asks about classification of things like Field Placement Coordinator. College responds that they don't know the details but will look into it.
 - Sean asks about funding sources for postdocs. Dorothy responds that Mellon Foundation is an example.
 - Ruth points out that postdocs were given a vote on whether or not to form the union, so the college recognized at one point that they should be included.
 - Sean suggests a compromise where we include only department assistants and/or postdocs that have teaching responsibilities because they have a shared community interest with the rest of NTT.
 - Rob asks about the logistics of implementing the contract for those who are grant-funded.

- Johanna asks about the distinction between department assistants and librarians since librarians also don't have teaching responsibilities. Sarah responds that department assistants are not listed in faculty handbook.
- Sean provides Fordham as an example where postdocs who are teaching are included in the bargaining unit.
- Bargaining Unit Information
 - Rob argues that it is logistically overly burdensome to provide reasoning for non-renewal, non-reappointment, or non-rehiring for every person, though they could do it on a case-by-case basis through an inquiry to HR.
 - Sean asks if that information could be provided earlier than the end of the semester. Rob says it is possible, but they would have to discuss it further.
- Discipline and Discharge
 - Clarification that decision to not renew an appointment is not a disciplinary issue.
 - The college may resort to a higher level of disciplinary action if the circumstances are severe enough, but is still subject to grievance.
 - College maintains on Weingarten Rights that it is the responsibility of the union to inform unit members of their rights and to have the unit member ask for union representation.

NTT Committee presents questions about Appointments and Assignments

- Ruth asks why college struck "General Statement". Rob asks what the purpose of that statement is. Ruth responds that it is a catch-all to account for the fact that the different types of positions make it complicated to catch everything. Rob says they will take a look.
- Ruth says that we would like a closed list for reasons for short-term appointments. Rob responds that they wanted to leave it open just in case something comes up that they haven't thought of yet.
- Ruth asks why they want short term to be six years instead of three. Dorothy responds it is consistent with AAUP guidelines and that it also covers multiple sabbatical replacements.
- Eileen points out that because sabbaticals occur every six years, sabbatical replacements can realistically be considered a long term need.
- Ruth explains why short-term contracts make it difficult for people to plan their lives.
- Rob asks if people who have had many short term contracts realistically worry each year whether they will get a new contract. Ruth brings up Cathy Silbur as an example of someone who was let go after many years.
- Rob says that three years is not enough for the college to determine if the need is long term.
- Sarah says that most of the time three years is enough, but there can be some cases in which it is not.
- Eileen points out that evaluation must happen on a timeline that allows the person to apply for new jobs. She then asks what the reasoning is for putting evaluation in the fifth year.

- Rob responds that providing enough lead time makes it even harder to make a decision about long term/short term in only three years.
- With regards to short term needs, Sean points out that enrollment trends and curricular innovation are open to interpretation whereas the other reasons are much more clear.
- Pete asks about redundant language. Rob says it isn't pointing out anything new, just for extra clarification.
- Pete asks about the college changing the language about 18 hour credit requirement. College says "18 hours averaged over length of appointment" rather than "18 hours averaged every two years". Dorothy says it helps cover one year contracts.
- Ruth points out importance of three-tier structure and asks about renewal without promotion. Rob says that the current three-tier positions have scholarly requirements and asks what our thinking is regarding adding a third tier to positions without scholarship requirements. Johanna points out that promotion to Associate does not require scholarship and that promotion to the third tier does not always require scholarship either. There are other types of work that count for promotion. Ruth asks if the college would be open to a merit-based third tier. The college seems open to it, but also pointed out that it makes sense that renewal shouldn't always come with promotion.
- Eileen asks why only three years of terminal contract credit count for promotion. Rob says it is to be consistent with previous paragraph.
- Ruth asks if probationary year is meant to codify what is already in the faculty handbook. Rob says yes. Ruth points out that the language does not currently mention librarians. She asks whether it was intentional to not have probationary year for terminal contracts, and Rob says yes.
- Eileen asks about reasons for dismissal during probationary year, because the reasons are currently not delineated. Rob says that is intentionally left open. Eileen asks if things like enrollment trends could be used as justification for dismissal during probationary year, and Rob says yes. Pete points out that that opens the door for dismissal due to things like the chair of a department not liking a particular person. Rob says he understands and is willing to work with us on that.
- Ruth points out that we made a mistake when referring to contact or credit hours, whichever is higher. Our intent was to maintain the status quo, which actually divides things as science vs. non-science.
- Johanna says that librarians work 35 hours per week but that the college's language says "at least 35 hours." Sarah says that it is intentional because sometimes they do work more. Johanna asks if it is necessary, since "required to work 35" necessarily implies that it is possible to work more. Johanna is concerned that the "at least" language opens the door for expectation of longer work weeks. College seems amenable to that.
- Ruth reiterates that we think it is important that part time members are also open to three-tiers.
- Sean asks why private lesson instructors can teach up to 17 credit hours but all other part timers are limited to 12. The college needs to look into it.
- Regarding notice of course assignment, Eileen says that we are willing to consider the college's suggested dates but that we maintain on course development fees.

- Eileen asks about the college's thinking on seniority. For example, we suggested cumulative years whereas the college suggested continuous years. Rob says they will discuss during caucus. Ruth asks why the college is not agreeing to provide seniority list. Rob says it is logistically burdensome and is not included in Bargaining Unit Information. Sean points out that they should be keeping track of that information anyway, bringing up SUNY Schenectady as an example (list provided in the middle of each semester).
- Ruth asks if the college rejected our credit-hour table for music or just hasn't had time to review. Rob says that they haven't looked at it yet. Ruth says we are happy that the college accepted our suggestions for Accompanists and asks if it is intentional that private lesson instructors be treated differently.
- Ruth asks about "Visiting Faculty" vs. "Visiting Assistant Professor". Is that intentional? Rob says yes. Ruth says VAP is liked by those who hold that position and is more well understood on the job market. Rob points out that VAP requires terminal degree, so Visiting Faculty would cover those without terminal degrees. Rob says they will think about it.
- Johanna asks about the word "generally" in Article XXII, Section 1.3. She suggests adding language to make it explicit that librarians can be hired into Associate tier.
- Ruth says that part time faculty like "Lecturer" instead of "Instructor". Rob says they are amenable to that.
- Ruth asks why the college replaced our implementation in Article XXII with a unilateral decision on the part of management. Rob says the intention is for it to be a discussion rather than an automatic slotting based on years of service. They generally don't like the idea of ranks being determined only by years of service. Ruth asks why the determination would be exempt from grievance. Rob says that arbitration process can be very expensive and time-consuming.
- Pete asks why new ranks will take 90 days. Rob says that it could happen earlier if we can come to agreement soon. That way, unit members will have more information when they decide whether or not to ratify.

Caucus at 11:24am

Return from caucus at 11:52am

- Sean says that we can agree to drop department assistants from the bargaining unit but maintain on keeping postdocs. Ruth says we can revise our language regarding postdocs who are currently externally funded.
- On bargaining unit information, we agree with one caveat: in section 3, replace "at the end of each term" with "no later than 45 days before the end of the term."
- On Discipline and Discharge, we want to go back and compare against our most recent proposal. We can agree to the college's language in Sections 5 and 6. In section 2, we want to add "in a manner consistent with the *express provisions* with this agreement."

Adjourn at 12pm

