



# FAC'S SHEET



**Newsletter of the University of Scranton Faculty Affairs Council  
March 2009**

## ***March Meeting Set!***

### **FAC Schedules Membership Meeting for March 10 in DeNaples**

The sixth FAC meeting for 2008-2009 is scheduled for Tuesday, March 10 in Room 407 of the DeNaples Center.

Lunch will be served beginning at 11:15 a.m. with the business meeting starting at 11:30 a.m.

The Executive Committee urges all members to attend. Check in the right hand column for the agenda.

### ***FAC Meetings For Spring 2009***

The FAC Executive Committee has scheduled monthly membership meetings for the Spring Semester 2009 on the following dates and at the places indicated. All regular meetings are set for Tuesdays; beginning at 11:30 a.m. Additional meetings may be called to address special issues or concerns.

March 10, 2009 – Room 407 DeNaples Center  
April 14, 2009 –Room 407 DeNaples Center  
May 12, 2009 –Room 407 DeNaples Center

## **FAC'S SHEET**

is published periodically by the Faculty Affairs Council at the University of Scranton. The editor is Betsey Moylan. Comments and suggestions from the membership are welcomed. Members may also check FAC's Web site at [www.scranton.edu/fac](http://www.scranton.edu/fac) for further information on the Faculty Affairs Council, an affiliate of the American Association of University Professors (AAUP). Copies of the Faculty Contract and Handbook are found on the site. Members may also link to the national AAUP home page.

## **AGENDA**

For March 10th Meeting

1. Chair's Report (Michael Friedman)
  - a. Academic Freedom
  - b. Update on Negotiations
  - c. 2008-9 Gender Equity Report
  - d. Family and Medical Leave
2. Contract Administrator's Report (Kevin Nordberg)
3. Treasurer's Report (Dan West)
4. Grievance Officer's Report (Ned Warner)
5. New Business (Michael Friedman)
  - a. Changes to the FAC Constitution

## **FAC Executive Committee Proposes Constitutional Changes**

by Michael Friedman, FAC Chair

In 2007, FAC was contacted by the Department of Labor in response to some standard forms that we had submitted as part of our obligations under the tax code. The DOL wanted to inform us that our union Constitution was lacking some necessary features and that we needed to submit detailed policies within approximately six weeks. At that time, under the Bush administration, which was not sympathetically disposed toward labor, the DOL was looking for excuses to decertify unions, so we took the DOL's directive very seriously. I contacted our attorney, Mr. Mariani, who drew up for us two policy documents that we subsequently forwarded to the DOL. After a considerable amount of time without hearing a response, we called the DOL and received verbal

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## **MINUTES**

*from the February 10th FAC Meeting*

Michael Friedman called the meeting to order at 11:40.

### **Chair's Report:**

Friedman asked FAC members to consider applying for the 2009 **Sheldon Rosenberg Leadership Development Grant**, which pays for all travel expenses related to the winner's participation in the AAUP Summer Institute, which will be held this July at Macalester College in St. Paul, MN. The Institute provides seminars and workshops that offer training in many of the activities that union officers routinely perform, such as negotiations, grievance resolution, and contract administration. He stated that many FAC members have attended the conference in the past and have come away with valuable experiences, including last year's winner, Christie Karpiak, who would be willing to speak to anyone who is thinking about applying for this grant. Friedman stressed that since many of our most experienced faculty members will be retiring this year, at the end of the Window program, it becomes even more crucial for us to develop future union leaders from within our ranks. He encouraged anyone who thinks service to FAC would be engaging and fulfilling to consult the FAC's Sheet for application procedures and to submit an application to Betsy Moylan by the deadline of March 15, 2009.

**Update on Negotiations** – Friedman reported that the first meeting between the two table teams took place on January 13. At that meeting, the two sides took care of what is normally the first order of business by agreeing to table rules, a set of guidelines for how the negotiations process will be conducted. These rules were prepared by FAC, based on previous negotiations, and the administration asked for one additional provision, which our side granted. Then, FAC's representatives proceeded to make an opening statement outlining the general areas identified by the Steering Committee as the union's priorities for the contract talks. Friedman stated that the administration did not prepare a similar opening

statement. So far, the administration has made no claims that the University is facing a dire economic situation, and until we have proof to the contrary, we intend to proceed under the assumption that the University's financial status is secure.

The administration agreed to set up a regular schedule for negotiating sessions. Both teams have agreed to meet from 3:00-5:00 P.M. on Wednesday afternoons. At the next session (February 11, 2009), the administration has promised an opening statement, and Ed Steinmetz, the University Treasurer, will offer a presentation that outlines our current financial status. At this early stage, the negotiations are proceeding cordially, and we are still optimistic that we will have a tentative agreement to bring back to the membership at some point during the spring semester.

Friedman deferred the report on **Constitutional Changes** to the portion of the meeting devoted to new business.

**Emeriti teaching stipends** – At the request of a FAC member who is retiring this year, the FAC officers inquired about an informal arrangement that exists whereby emeritus faculty, when they teach a course, are paid at the standard overtime rate for a full-time faculty member (currently \$3,150 for a three-credit course) rather than the going rate for adjunct faculty, which may be considerably less. When FAC contact the Provost regarding this agreement, Baillie reported that the deans are currently working on a revision of the pay schedule for all part-time faculty that should be finished soon. The officers asked him to include the arrangement for emeritus faculty in that document, and Baillie agreed to take this under consideration. Friedman brought this issue to the membership's attention because a number of window retirees are going to be remaining on campus to teach part-time next year. The officers want to make sure that they realize that the full-time faculty overtime rate is the going rate for their services.

### **Contract Administrator's Report:**

Kevin Nordberg reiterated a standing offer to hear any complaints that may have occurred to

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## Constitutional Changes Proposed

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confirmation that our resubmitted forms had been accepted and that everything was fine, as long as we eventually incorporated those two documents into the FAC Constitution. I will take some time to outline those constitutional amendments here.

First, the DOL pointed out that we were missing any language describing our procedure for selecting representatives to other bodies composed of delegates from multiple labor organizations. Some of you may know that FAC belongs to what is called the CBC (Collective Bargaining Congress), which is an arm of the AAUP, and we send representatives to their meetings from time to time. Generally, the FAC officers have simply decided amongst themselves who would attend such gatherings, but the DOL insisted that our Constitution must include a method for selecting such representatives.



Second, the DOL asserted that we were also lacking a procedure for protesting a defect in the election of officers. According to Mr. Mariani, our Constitution should include a process according to which a FAC member may lodge a protest that he or she has been unfairly ruled ineligible to run for office, or that there has been some sort of defect in the conduct of the election, which the FAC member may submit either before or after the ballots are counted. The full text of both of these proposed additions to the FAC Constitution are included in this month's FAC's Sheet.

Since the exact wording of these policies has already been approved by the DOL, we will not be able to entertain changes to the language. If the members of FAC find these amendments to be unacceptable as they are, we will need to return to the DOL and begin the process all over again. Also, changes to the FAC Constitution require a two-thirds majority vote of at least half the membership, as opposed to the usual simple majority vote of one third of the membership. So, the officers of FAC need to call upon the membership to examine the relevant documents and to participate in the discussion at the March meeting. If we do not have a quorum, an electronic ballot will follow shortly afterward.

## Luncheon Menu

*for March 10th Meeting*

- **Mixed Green Salad with Two Dressings**
- **Assorted Sandwiches including Turkey, Roast Beef, Ham and Egg Salad served on Freshly Prepared Bread Accompanied by Fresh Leaf Lettuce, Sliced Tomatoes, and Pickle Spears**
- **Marinated Tortellini and Vegetable Salad**
- **Vegan Chili**
- **Rolls and Butter**
- **Warm Berry Cobbler**
- **Coffee, Tea, Soda, and Water**

**Serving will begin at 11:15 a.m. in Leahy Auditorium.**



## FAC OFFICERS 2008-2009

### *Chairperson*

Michael Friedman  
English, CLP 210  
941-4229 friedmanm1@scranton.edu

### *Contract Administration Officer*

Kevin Nordberg  
Philosophy, St. Thomas 554  
941-7448 nordberg@scranton.edu

### *Grievance Officer*

Edward Warner  
Communication, St. Thomas 4122  
941-4135 warnere1@scranton.edu

### *Secretary*

Betsey Moylan  
Library  
941-4504 moylanm1@scranton.edu

### *Treasurer*

Daniel West  
Health Admin. & Human Resources  
McGurrin 417  
941-4126 westd1@scranton.edu

## Minutes from February 10<sup>th</sup> Meeting

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faculty members whose dependents attended colleges abroad with whom the University has an existing exchange program and were charged full tuition. He is still attempting to resolve all issues regarding the policies in place for study abroad and tuition remission.

### **Treasurer's Report:**

Dan West distributed a copy of the latest FAC financial statement. He will be meeting with an independent accountant during the next week to file the FAC tax return for 2008. A FAC member suggested in the interest of sustainability that Dan post the financial statement on the FAC's website. Friedman explained that the financial information was for members only, thus the need to distribute paper copies. A possible compromise was suggested to use a projector at the monthly meeting.

### **Grievance Officer's Report:**

Ned Warner reported that there are no outstanding grievances.

### **Old Business:**

Friedman read an email sent to him by Provost Baillie on Friday, February 6 regarding the Academic Freedom language that had been passed by the membership in December. He explained that although the membership passes a change to the handbook, it must also be voted on by FPC before it is forwarded to the Board of Trustees. After reading the email Friedman asked for comments or questions. A number of faculty spoke in favor the changes to the language and several questioned the actual understanding of several words, especially "site." Friedman presented a number of options to consider in response to the FPC's decision. After much discussion and clarification from members of the Handbook Committee, it was decided that Friedman would ask to meet with Baillie in order to clarify positions on both sides. He promised to inform the membership of the meeting's outcome.

### **New Business:**

Due to the lateness of the hour, the discussion of the constitutional changes was postponed until the March FAC meeting.

The meeting was adjourned at 12:55 P.M.

Respectfully submitted by Betsey Moylan

