



# FAC'S SHEET



Newsletter of the University of Scranton Faculty Affairs Council  
October 2011

**Circle This Date!!**

## FAC Meeting Set for Oct.11. in Brennan

The Oct. FAC meeting is scheduled for **Tuesday, October 13 in Brennan Hall, Room 509.**

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 2011-2012***

The FAC Executive Committee has scheduled monthly membership meetings for the following dates and locations. All regular meetings begin at 11:30 A.M. Additional meetings may be called to address special issues or concerns.

October 11, 2011	Tuesday	<b>Brennan 509</b>
November 8, 2011	Tuesday	DeNaples 407
December 13, 2011	Tuesday	DeNaples 407
February 14, 2012	Tuesday	DeNaples 407
March 8, 2012	<b>Thursday</b>	DeNaples 407
April 10, 2012	Tuesday	DeNaples 407
May 8, 2012	Tuesday	DeNaples 407

## **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 October 11 Meeting

1. Chair's Report (Michael Friedman)
  - A. Legal Counsel
  - B. Update on Negotiations
  - C. Faculty Dining Committee
  - D. We Are Ohio
2. Contract Administrator's Report (Kevin Nordberg)
3. Treasurer's Report (Dan West)
4. Grievance Officer's Report (Len Champney)
5. New Business (Michael Friedman)
  - A. Faculty/Staff Hybrid positions

## **Hybrid Faculty/Staff Positions**

One of the most basic issues that a union must address is the question of who may belong to the organization. It is clear that FAC's NLRB certification limits our membership to the ranks of the full-time faculty, but how does one distinguish a full-time faculty member from other full-time employees of the University? One might respond that full-time faculty teach credit-bearing courses as a primary component of their workload. However, since the beginning of FAC's existence, full-time faculty status has been granted to several faculty librarians, many of whom do not teach credit-bearing classes. As the Handbook Committee has come to discover, composing a definition of a full-time faculty member that applies to all current members of the bargaining unit is a deceptively difficult task.

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## FAC OFFICERS 2011-2012

### *Chairperson*

Michael Friedman  
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### *Contract Administration Officer*

Kevin Nordberg  
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### *Grievance Officer*

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### *Secretary*

Betsey Moylan  
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### *Treasurer*

Daniel West  
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## **MINUTES**

### *from the September 13th FAC Meeting*

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

**Chair's Report:** Chair Michael Friedman welcomed new and returning faculty to the 2011-12 academic year. He introduced the officers, noting that Contract Administrator Kevin Nordberg was the recent winner of the John Earl award, named for the longtime FAC Chair. Friedman reported that the FAC officers met with Father Kevin Quinn in July. After briefing Father on the history of the union at Scranton, the officers explained each of their roles. Two major concerns were brought forth: academic freedom and the president's relationship with the faculty. Quinn assured the officers that as an academic himself, he feels strongly about the former. As to the later, he hopes to become more familiar with his new colleagues and to create strong ties with the faculty. The officers left the meeting feeling optimistic about the new president.

Friedman reminded members that this is the last year of our three-year contract. Before negotiations begin, the table team must be ratified by a majority vote of FAC members present. Friedman proposed the following faculty members who will comprise the **table team**: Dan West –Lead Negotiator (PCPS), Dan Mahoney (KSOM), Bob Spinelli (PCPS), Terry Sweeney (CAS), and Joan Wasilewski (CAS). Len Champney (CAS) will serve as an observer. A motion was made and seconded. The Table Team was ratified with no audible dissent. Two other committees were announced: **Salary and Benefits**, which is comprised of Rich Plishka – Chair (CAS), Margarete Zalon (PCPS), Bryan Burnham (CAS), Abijit Roy (KSOM), Michael Knies (PCPS); and the **Steering Committee**, made up of the FAC Executive Committee, the Table Team and two representatives from each college: Cathy Lovecchio and Pat Gross (PCPS), Murli Rajan and Len Tishler (KSOM), and Jody DeRitter and Christie Karpiak (CAS). The goal of the committees is to reach a tentative agreement that the membership can discuss and vote on before the end of the spring semester.

Friedman reported on the results of the **Faculty Dining Survey**, which was conducted last spring by the Dining Facility Committee under the leadership of Chair Rob Waldeck. The executive summary has been transmitted to the Provost, who has agreed to reconstitute the Administration's side of the Committee to examine the full report with faculty representatives.

At the **Parking Oversight Committee** meeting held in May, FAC was asked to survey faculty regarding offsite shuttle service to campus, specifically the Viewmont Mall. Erratic schedules, safety issues, and location of shuttle pick-up were seen as possible impediments by the membership. Friedman has asked that the committee meet earlier in the semester this fall and will bring concerns about increasing the number of available faculty spaces and potential savings for carpoolers to the committee.

**Contract Administrator's Report:** Kevin Nordberg announced that the new schedule for overload payments is now in effect. You may expect one lump sum in November rather than three monthly checks. Chair and quasi-administrative pay will still be issued on a monthly basis. Nordberg also mentioned several financial incentives available as a faculty, including grants for purchasing Hill section homes, paycheck advances and low-interest emergency loans. He has begun his review of the 38 contracts, 20 of which are new this year.

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## Report of AAUP Summer Institute

by Matt Reavy

The University of Scranton has a contract that is the envy of faculty throughout the United States, at least according to experts at the American Association of University Professors Summer Institute held this August in Boston.

We are one of only a few dozen private universities to be permitted a faculty union. We have a relatively good relationship with our administration – especially compared with faculty who complain that colleagues and even spouses have been fired in retribution for union activity. And we have a Faculty Handbook that is intimately woven into our contract, when administrators at other universities have forbidden faculty to even have input into handbook content.

Pat Shaw, a former attorney with the National Labor Relations Board and a presenter at this year's Summer Institute, credited Scranton's FAC leadership throughout the years with helping to create a contract that he said could serve as a model for faculty unions throughout the country.

I didn't know what to expect when FAC graciously awarded me this year's Rosenberg Grant to attend the AAUP Summer Institute. But I certainly didn't anticipate that the Faculty Affairs Council was so well known and well regarded in union circles. Like many, I didn't even know what AAUP was when I received my first letter from the organization. I recall asking my chair at the time, Ned Warner, whether or not I should join. He laughed, explaining that by joining FAC I had automatically enrolled in AAUP – an organization of faculty unions dedicated to advancing academic freedom and promoting shared governance. The Summer Institute highlighted these values, offering dozens of workshops on everything from contract negotiations to faculty handbooks to the problems faced by public sector unions. Based on advice from FAC officers, I focused on sessions covering contract and grievance administration. I also found time to attend others on press relations and using social media for union activities. The sessions were both informative and challenging.

I also had the pleasant surprise of running into FAC treasurer Dan West at the Summer Institute. Dan's familiarity with AAUP, his contacts within the organization and his knowledge of FAC's activities greatly enhanced my experience at the institute.

When possible, I'd encourage this kind of teamwork at future AAUP events.



## Faculty-Staff Hybrid

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Until about four years ago, there were several full-time positions at the University that involved a significant instructional component (such as the teaching of laboratory courses or the supervision of students in a clinical setting), but these jobs were designated as staff positions because they did not require a terminal degree. With the creation of the rank of Faculty Specialist, it became possible for a person without a terminal degree to take on such duties while holding full-time faculty status. At that point, FAC signed an MOU with the University that stipulated that, in the case of three staff positions, as long as the current occupant of any one of the positions continued to be employed by the University in the same capacity, the job would remain a staff position. However, when any of the three positions became vacant, the position would convert to a Faculty Specialist position, and the holder of the position would be a member of the collective bargaining unit. One of these jobs has already been converted into a Faculty Specialist position, and another is in progress for this year's hiring season.

FAC and the administration were able to come to this agreement through a collegial process of examining the job descriptions of approximately ten staff members whose duties involved some level of instructional activity. This process became the basis for a proposed addition to the *Faculty Handbook* (Section 5.0) that will be distributed by email and formally introduced at the October FAC meeting. In short, this addition outlines the process by which FAC and FPC will come to a mutual decision on the faculty or staff status of any newly-created "hybrid" position that mixes both staff and teaching responsibilities. The same process will apply if any "hybrid" position undergoes a legitimate, permanent, and significant change in duties that might affect its faculty or staff status. Finally, the addition also stipulates that, in the absence of agreement between FAC and FPC, the matter will be submitted to binding arbitration.

Please join us at the October meeting to participate in the discussion of this Handbook revision.

### Minutes

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**Treasurer's Report:** Dan West announced that all outstanding invoices have been paid. He reported the various balances in each of FAC's accounts. An independent auditor's review was conducted during the summer and the 990 Department of Labor form was filed in April.

**Grievance Officer's Report:** Len Champney reported that there is one active complaint. The Nursing Department grievance regarding lab equivalences from last spring has been resolved.

**Old Business:** The new faculty handbook language regarding Family and Medical Leave passed without audible dissent. After several comments and clarifications regarding the proposed Handbook language allowing for a slight change in overload credits over the academic year in the online MBA and HRA programs, the motion was also approved with no audible dissent. Both changes will now be forwarded to the Board of Trustees for their approval at the December meeting.

**New Business:** Friedman asked for support in sending a minimal contribution to support the "We Are Ohio" campaign, which will assist in educating the citizens of Ohio on Senate Bill 5, which aims to recall the law stripping faculty at state universities of their collective bargaining rights. After discussion, a voice vote was taken and there was no audible dissension. It was agreed that a \$1,000 donation would constitute a gesture of support without compromising FAC's financial situation.

**Summer Move.** Friedman asked for comments on the recent moves from St. Thomas into the new Loyola Science Center. A number of faculty voiced their concerns over temporary placement in cubicles, the lack of assistance in packing of laboratory equipment, the loss of research time by junior faculty, noise, dust, lack of communication, and loss of confidentiality in cubicle-like office spaces. Several members strongly objected to Human Resources' decision not to publish the print version of the Staff and Faculty Directory, stating that the online version does not assist in locating temporarily displaced faculty and staff and is not always available if one is without a computer or phone.

Respectfully Submitted,

Betsey Moylan FAC Secretary

### FAC Hires Pat Shaw as Legal Counsel

Due to the impending Senate confirmation of FAC's attorney, Robert Mariani, as a federal judge, the FAC Executive Committee has entered into a retainer agreement with Pat Shaw of Beins, Axelrod, P. C. of Washington, D. C. to become FAC's legal counsel. Pat spent 19 years working in the legal department of the AAUP, and he has visited Scranton on several occasions to address the union membership. The FAC officers welcome Pat to the University community and wish Bob Mariani the best of luck in his new position.

### *Luncheon Menu*

*for October 11th Meeting*

- **Butternut Squash Soup and Crackers**
- **Chicken Strips Marsala**
- **Pasta Primavera with Fall Vegetables**
- **Root Vegetable**
- **Apple Pie**
- **Rolls and Butter**
- **Usual Beverages (Coffee, Tea, Soda, and Water)**

**Serving will begin at 11:15  
a.m. in Room 509, Brennan Hall**