Labor Management  
Supervisory Unit Management Committee

Thursday, March 20, 1997

3:00 p.m.

Showalter Hall, Room 201

MINUTES  
(Approved at May 8, 1997 Meeting)

Members Present: Ken Berg, Jim Besse, Jean DeNio, Ken Dolan, Kandys Dygert, Kathy Fleming, Jane Johnson, Sue Potter, Pat Rast, Michael Tokarsyck

Members Not Present: Curt Huff, Phyllis Edmundson,

Resource Persons: Ken Berg, Annie Cole

Resource Persons Not Present: N/A

Ex-Officio: Tom McArthur

Guests: Karen Raver

Recording Secretary: Angie O’Neill

I. Call to Order and Quorum.

Ken Dolan called the meeting to order at 3:05 p.m.

II. Action Item:

Approval of Minutes, II.a. — Mr. Dolan

The minutes of the December 17, January 16 and February 20 minutes were approved with the following requests:  
1) Annie Cole requested to show as having “attended” the February 20 meeting. Even though she arrived late, she did attend the meeting.  
2) February 20 meeting, Agenda Item II.a.: The January meeting date was 16 not 18.  
3) Attach a copy of the signed Memorandum of Agreement to the February 20 minutes.  
4) Request for Sam Hopf to sign the December 17 minutes as chair of Bargaining Unit I representing Dennis Hays.

The membership agreed with the changes.

Disposition:

The minutes for the December 17, January 16, and February 20 were approved and signed noting the changes. The minutes will be distributed per contract.

Contract Interpretation: Article 17, Section 5, II.b. — Ken Berg
The membership discussed whether or not a Union representative should attend ALL modules of the Supervisors Training Program or only Module III.

Mr. Dolan stated, Management’s position on the issue is that the Supervisors Training Program consists of several modules. Module III is the module at which the Union contract is discussed and a representative of the Bargaining Unit is to be in attendance to help explain the contract.

Ms. Fleming stated that the Bargaining Unit Agreement is covered in all of the modules.

Ms. Dygert stated, the Union believes that agreements reached by the working committee regarding the Supervisors Training Program apparently have been changed. The changes should have come to Joint Labor Management before being made. According to the Union all program modules refer to issues covered in the contract and would need an interpretation by the Union, except possibly for Module VI.

Labor listed the following issues that needed to be discussed:

- Changes need to be brought before the main body.
- Timely notification should be given to allow for a Union appointed representative to attend the sessions.
- Changes in the training course. The Union did not agree to these changes.
- Format regarding participation has been changed. It was agreed that the Union would be able to respond and there would be joint participation.
- Each training session would be video-taped to further learning experiences and bring consistency to the program.
- Differences of opinion would be stated without conflict.
- Negotiating Teams were to meet and review the training program before starting the program/classes.

The Union set forth a proposal to discontinue all training sessions until these issues were resolved.

Management’s position was that the training module will proceed and that Module III will include Labor in the presentation of the module.

Labor disagreed with Management’s position and declared it will pursue appropriate actions under the provisions of the contract.

Mr. Dolan suggested to carry the item forward to the next Joint Labor Management meeting and invite Mr. Stewart and Ms. Rogers to attend the meeting to discuss the Supervisors Training Program and to address issues raised.

Ms. Dygert said, hearing those responses, we are at impasse. Labor will follow impasse procedures in the contract along with any other avenue available to pursue what Labor believes are clear violations of the contract and other agreements. She also said, to stop any negative action, Management can bring any new proposals forward at any time. The Union plans to go through with any action available to the Union.

Mr. Dolan proposed again to invite Mr. Stewart and Ms. Rogers to the meeting to discuss the Supervisors Training Program. This would not prevent Labor from taking whatever action it chooses to take in the meantime. Mr. Dolan explained that the purpose for bringing Mr. Stewart and Ms. Rogers to the meeting would be to present the program and to answer questions and/or have a full discussion of the program. Ms. Dygert said, if Mr. Stewart and Ms. Rogers want to come and say what they believe they are training people on, that’s one issue (information item), but the Union will not negotiate the issue again, until they go through the processes available or unless new proposals are offered. She stated that if it does come to a grievance, it may be decided to take the issue go back to Labor Management as part of the result of the grievance. But to discuss this issue at the next L/M meeting, since we have come to an impasse, without any other Management proposals, would be delaying the process.
Mr. Dolan stated that we have reached an impasse on this issue and need to move on to the next agenda item.

Disposition:

Management’s position is that the training module will proceed and that Module III will include Labor in the presentation of the module. Labor disagreed with Management’s position. Bargaining Unit I will pursue appropriate action under the provisions of the contract and other options available to them.

Information Items:

Reasonable Accommodations, III.a. — Subcommittee Report

Karen Raver reported that the sub of the Subcommittee has met and no changes were brought forward by Labor. Therefore the draft proposal was not completed. The sub of the Subcommittee is planning to meet and work on the needed changes in the language to the existing Reasonable Accommodations policy. It was agreed that the revised language to the draft proposal be forwarded to the Subcommittee for review and be brought to Joint Labor Management at the next meeting.

Item carried forward.

Nepotism Form for All Employees, III.b. — Ken Berg

Mr. Berg reported that Human Resources has modified the current form tracking Nepotism on campus, by adding a statement pertaining to administrative exempt employees. He said, he was told by Dana Parker, Academic Personnel, that she will also develop a similar form applying to faculty. Mr. Berg was asked to bring samples of the revised forms to the next meeting to be included in the records. Mr. Berg was also asked to find out about the process of continuously monitoring and consistently applying the policy to ALL University employees. Currently, the process is not complete but Human Resources is working on it.

Mr. Dolan stated that Dr. Drummond is looking for a consistent process for all University employees.

Item carried forward.

Background Check Policy, III.c. — Committee Discussion

Waiting for legislative action to take place.

Update on Review of Policy & Procedure Manual for Custodial Services, III.d. — Labor

Human Resources has reviewed the Manual and forwarded it to Donna Stambaugh at the Attorney General’s Office for its review. Waiting for review by AG’s.

Item carried forward.

Proposed 1998-99 Holiday Schedule, III.e. — Kathy Fleming

Ms. Fleming distributed a proposed holiday schedule for the next three years for the Committee’s consideration. Mr. Berg was asked to explain the process of approval for the holiday schedule. Mr. Rast noted the reason for presenting the schedule early was, to be able to avoid problems in the future and to give Labor’s input early before decisions have been made. One concern was expressed in regards to moving holidays from Mondays to Fridays. By doing so, it creates hardships for parents who have children in school or kindergarten and hardships for students and employees in planning family vacation.
Mr. Dolan suggested to forward the proposed schedule to Brian Levin-Stankevich as the preferred holiday schedule from Labor with a note that modifications of the schedule which deviate from the customary schedule present hardships for students and staff. Any changes or modifications should be reported back to Joint Labor Management for further discussion. (Copy of the memo to Brian Levin-Stankevich is attached to the minutes as an FYI.)

Item carried forward.

Employee Surveillance, III.f. — Kathy Fleming

Ms. Fleming reported that this issue was raised at one of the Supervisors Training Program modules she attended, where supervisors talked about video cameras that are installed in various locations on campus and represent electronic surveillance devices which is in direct conflict with the contract. She distinguished the use of a video camera as a security measure versus an employee surveillance tool.

Mr. Berg explained that there are areas on campus that have video cameras for the purpose of monitoring areas such as the bookstore, food services, etc., for possible theft. It was mentioned that Mr. Sperber intends to increase the number of video cameras in the near future.

Article IV., Section 16, page 10 of the contract says, “the employer agrees not to utilize any electronic, video, or telephonic surveillance unless such surveillance is pursuant to federal, state or local statute.”

The membership agreed that the University needs to address the security/safety issue but the rights of employees should not be violated in the process.

Mr. Dolan suggested that there should be a meeting to discuss what is permitted under the statute and under the contract. Mr. Dolan stated, no one wants to put employees in unsafe working conditions.

Ms. Cole proposed to put the question before the Attorney General. Ms. Dygert pointed out that if the purpose of inquiry was to provide certain statutes for review, the Union would be agreeable to that, but if the purpose was to ask for an interpretation of the contract, the Union would not be agreeable. Ms. Cole stated that the membership should ask the AG to tell if placement of surveillance cameras is allowed under federal, state and local statute. Ms. Dygert said that citation of such statute needed to be provided also. The membership agreed with Ms. Cole’s proposal. Mr. Dolan charged Ms. Cole to inquire with the AG’s Office and report back at the next L/M meeting. (Copy of the memo sent to Maureen McGuire is attached to the minutes as an FYI.)

Item carried forward.

Reports, IV.

BU I - Kathy Fleming

No report.

BU II - Jean DeNio

No report.

New Business

Ms. Johnson reported on Commencement as it was decided at the President’s Policy Council meeting on Thursday, March 20. She said that there will be two identical Commencements held on June 14: one in the morning, combining two colleges, and one in the afternoon, combining two colleges. The first event will take place from 8:30 - 11:30 and from 1:30 - 3:30 for the second one. A BBQ will be featured between the two Commencements to allow participation by students and their families. Convocations by individual colleges will be held on Friday. Also the Honor’s Dinner will take place Friday evening. Saturday afternoon receptions by individual colleges are still being discussed.
A campus-wide letter from the President will be sent out regarding Commencement addressing the issue of compensation for classified staff working on Saturday, the day of Commencement. Employees who have agreed to work may choose between compensatory time or over-time.

A second letter will be sent campus-wide addressing employees’ attendance of Founder’s Day. Mr. Dolan said, President Drummond encourages supervisors to release employees to attend the Founder’s Day Convocation. Release time may be granted in consultation with supervisors as the University is obligated to continue student services.

The meeting adjourned at 4:35 p.m.