

**IBB Bargaining Meeting Notes
November 15, 2011**

Participants; Darlene Andert, Steve Belcher, Lucero Carvajal, Lois Christensen, Beth Elliott, Joan Glacken, Maddy Isaacs, Madeline Holzem, Jeff Kleeger, Monika Renard, Hudson Rogers, David Steckler, Jim Wohlpart (facilitator)

Steve indicated that the notes from the November 10, 2011 meeting were not ready for review due to the Veteran's Day holiday but will be available for the November 28, 2011 meeting. He distributed a management prepared Sudden Prep for Article 20 reflecting management's interests. After some discussion, the IBB Team agreed that management's interests for items #1, #2, #3 are shared interests, with "when appropriate" added to item #3. Item #4 was revised to replace the word "Clarify" with "Communicate" and was agreed to be a shared interest.

For Item 5, Steve explained that management is interested in looking at the methods used to deliver decisions and documents in order to improve the process. He said that this may not necessitate new language in the Article. Maddy said that if this includes discussion on counting of days, we may have a shared interest. Steve indicated that management does not have interest in accepting documents after the established deadline. Maddy indicated that she cannot say she shares an interest in management's interest #5 as it seems to speak to using a deadline to avoid accepting documents from faculty. Jim said he hears that Steve was only talking about Item #5 based upon how the decision and or document was delivered. Darlene said that the interest might be more clearly identified as modes of delivery. Maddy agreed there is a shared interest to improve the delivery of decisions and document receipt at each step in the grievance process (Item 5).

Monika indicated that UFF wants to share faculty perspectives on management issues. She asked if there is an interest to have no grievances. Hudson indicated that it depends on the issue being grieved as it may not be possible to say we have a shared interest in having no grievances. He indicated that there may be issues on which there can be no agreement and the matter needs to be settled by an outside arbitrator's review that is binding on both parties. Jim suggested there may be a shared interest in strengthening IR process before a grievance is filed. Maddy questioned whether this includes interest in the IR process having a full and fair hearing of the issues to avoid grievances where possible. There was agreement for this as a shared interest and wording for management's interest item #6 was developed.

Maddy indicated that the union has identified its interests but did not have a written Sudden Prep for the meeting. She suggested using the overhead screen and work on a combined Sudden Prep using her laptop computer (see attached combined UFF and Management Sudden Prep with (S) indicating shared interest).

The UFF's interests were advanced and discussed. Those that were shared by the Management Team are listed as (S). The interests advanced by the UFF were:

#1 Avoid grievances by resolving them before a formal grievance process (S)

#2 Faculty have the opportunity to have their concerns heard on their merits (S)

49 #3 – Fairness and equity in dealing with faculty concerns. (S)
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51 Beth said that faculty are concerned about retribution and not being treated equitably. Maddy said that
52 the UFF’s Interest is as follows:
53
54 #4 – Define fairness as valuing fair hearing and not valuing timeliness for filing over all other interests.
55
56 After some discussion Steve indicated that management does not share the UFF’s Interest on item #4.
57 Maddy indicated that the UFF had an interest in creating a supportive environment for faculty
58 encountering student-related problems, and encountering organization-related difficulties in performing
59 their responsibilities, rather than a punitive or non-supportive one. Steve indicated that this addressed
60 two items and he was not sure of the UFF’s interest. Maddy agreed to restate the UFF’s interest as two
61 items.
62
63 #5 – Create a supportive environment for faculty encountering student-related problems in performing
64 their responsibilities, rather than a punitive or non-supportive one. (S)
65
66 #6 – Create a supportive environment for faculty encountering organization-related difficulties in
67 performing their responsibilities, rather than a punitive or non-supportive one. (S)
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69 Steve said that from his experience and belief, we have an environment supportive of employees and
70 there are numerous examples that can be cited.
71
72 #7 - Removing time-barring or timeliness of signatures (i.e., minor procedural issues) as a way of
73 avoiding dealing with faculty concerns or avoiding providing faculty with substantive due process.
74
75 Maddy said that the concern is management’s use of time to avoid dealing with an issue. Steve said that
76 this is not a shared interest as the language of Article 20.2 does not support any such assertion.
77
78 #8 – UFF as representative of the faculty is co-owner of the contract with administration; UFF must
79 enforce all aspects of the contract.
80
81 Steve said that the current language provides for the UFF to represent a faculty member who files a
82 grievance unless the faculty member opts to do otherwise. He said that the language also provides for
83 UFF to be promptly notified when a grievance is filed, if the UFF is not named as the faculty member’s
84 representative. He indicated that the UFF has always been notified as required.
85
86 #9 – Equal obligations to enforce the contract.
87
88 Jim said that he is not sure what this means and does not see this as a shared interest absent further
89 information.
90
91 #10 – Resolving faculty concerns through openness.
92
93 Steve said that he is not sure what this means and does not see this as a shared interest absent further
94 information. He said that there is no provision in the CBA that allows for publicizing grievances.
95
96 #11 – Align arbitration forms and timelines with state UFF procedures.

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98 Steve said that he is not sure what this means and does not see this as a shared interest absent further
99 information.
100
101 #12 – Provide incentives for administration to resolve grievances not just avoid them.
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103 Steve said that he is not sure what this means and does not see this as a shared interest.
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105 #13 – Remove the individual risk from raising issues that might result in grievances.
106
107 Steve said that he is not sure what this means and does not see this as a shared interest absent further
108 information.
109
110 #14 – Create a level playing field for faculty to address unfair or inappropriate administration decisions
111 that affect faculty working conditions/terms and conditions of employment or areas covered by the
112 CBA.
113
114 Steve said that Article 20 provides the procedure by which faculty can address alleged violations of the
115 CBA. He said that he is not sure what is meant here and does not see this as a shared interest absent
116 further information.
117
118 #15 – Provide a fair hearing of faculty concerns and respect for decisions of administration in context of
119 that fairness.
120
121 Steve said that this is not a shared interest. He that Article 20 provides the procedure by which faculty
122 can address alleged violations of the CBA up to an including access to arbitration.
123
124 #16 – That those who process or hear grievances are impartial and not unduly influenced by the span of
125 supervision of the party whose decisions or actions are being grieved.
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127 Steve said that this is not a shared interest as it suggests that the review of faculty concerns are not
128 addressed impartially. He reminded the IBB Team that Article 20 provides the procedure by which
129 faculty can address alleged violations of the CBA up to an including access to arbitration.
130
131 Steve said that he will get the Sudden Prep document finalized and bring copies to the November 28th
132 meeting.
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134 Next meeting is scheduled for Monday, November 28, 2011 from 9:00 a.m. – 11:00 a.m. in AB5 Room
135 309.
136
137 The UFF team will facilitate the November 28th meeting.
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139 Adjourned – 3:37 PM.
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