

Report on Negotiation Sessions 6 – 10

This is the time in negotiations when there is much discussion, some counterproposals, but little agreement. We have been discussing “non-money” issues, before turning to salary, benefits, sabbaticals and other “money” issues. At the next session we will address RPT and other issues of faculty evaluation. Over the five sessions, we discussed and came to some agreement on the following issues.

Discipline & Sanctions (Article 13). A number of changes will bring substantial membership protection gains. First, a written letter of reprimand must state specifically that it is a “Letter of Reprimand” in order to be considered a disciplinary action. Any other letter does not constitute discipline. Second, in cases where the Administration is conducting an investigatory interview, it must notify the faculty member in writing as to what is being investigated and that it may potentially lead to discipline. The faculty member will have a right to union representation at such interviews. Third, we reduced the time to initiate and complete investigations from 135 days to 90 days and, in cases of sexual harassment, from two years to 270 days. Fourth, the union must be informed when disciplinary actions beyond letters of reprimand are being considered, enabling us to work with the faculty member to respond. Finally, a faculty member may be put on paid leave during a disciplinary investigation only if he or she poses “unreasonable risk of harm” to the faculty member or others or “of disruption of University programs.” Any such leave shall not itself be considered a disciplinary action. Furthermore, where a member has been placed on leave and no discipline imposed, the member has a right to discuss adjustments to scheduled evaluations -- including the tenure evaluation.

Harassment (Article 5). The bargaining team has provided examples of harassment language (a.k.a. bullying) contained in other contracts at comparable institutions. We have reiterated membership interest in obtaining harassment protections at UVM.

Campus Mail (Article 8). There has been additional discussion about our submitted proposal to be able to use the campus mail service for mailings to the membership. While the Administration raised legal concerns about allowing “third party” mail, we identified many institutions that allow the practice. The Administration responded by saying it may obtain an advisory opinion from the United States Postal Service.

Right to Information & Personnel Files (Articles 9 & 17). We proposed a process that will allow appropriate access to personnel files, as necessary to meet collective bargaining responsibilities and to effectively administer the Contract. Responding to a recent Labor Board victory for the union, the Administration proposed to grant access, but for limited purposes and with restrictions.

Grievance & Arbitration (Article 12). The key issues concern the time within which grievances must be filed, the role of the grievance panel in “recommending” settlements; and whether withdrawn grievances should be reported as such.

Retrenchment (Article 15). The bargaining team proposed that the retrenchment process should apply to all units, including Extension and the libraries, with full program reviews.

Professional Development Funds (Article 21). The bargaining team has presented three issues for discussion. The first is money. We feel the Administration needs to provide a substantial funding increase, but the Administration is currently proposing no increase. If the University wants to improve faculty research, as it says it does, it needs to put more money into professional development. Secondly, there is need for language that is explicit with regard to what professional development money can be spent for. It should be usable not only for travel, but other resources and technical support. Thirdly, there needs to be a written policy in each department agreed to by the faculty and the chair so that everyone knows the criteria.