

FACULTY SENATE
March 11, 2009
REID HALL 104
4:10 PM – 5:00 PM
MONTANA STATE UNIVERSITY-BOZEMAN, MONTANA
Minutes

Members Present: Becker, Cherry, Fields, Fischer, Fleck, Gerlach, Jacobsen, Lansverk, Lei, Livingston, Lynch, Maskiell, Mokwa, Neumeier, Osborne, Prawdzienski, Sowell, Taylor, Varricchio, Versaavel, Watson, T. Weaver, Wisner, Wojtowicz, Zhu

Members Absent: Amin, Bangert, Bennett, Chem-Biochem, Eitle, Gee, Igo, Jacobs, Jackson, Larson, Nursing On-Campus, Political Science, Simpson, D. Weaver

Others Present: G. Austin, T. Fitzgerald, J. Robison-Cox, R. Cone

Chair Wes Lynch called the meeting to order at 4:10 PM. A quorum was present.

Announcements – Chair Lynch

- BOR - The governor has proposed \$42M for another tuition cap. The BOR is still in negotiations with the Legislature about this as, if not resolved, we would be left covering all inflation costs (a \$5M deficit) impacting us over the next two years. There was an update on student loans, and it is favorable. MSU is in good shape for 2009-2010. In the future, the federal government may get involved in managing student loans.
- The current budget being considered by the Legislature is 5.6% below what the governor proposed; there will be no raises for the faculty. There will be floor discussions on the budget on March 12, 2009 in Helena.
- Enrollments are up this semester and, potentially, next year. Two-year colleges are seeing significant enrollment increases. A substantial amount of stimulus money is going into Pell Grants.
- Chair Lynch spoke to Cathy Conover and the \$1M that had been put into the university budget for agencies was retracted. It is not clear whether it will be put back in or not.
- HB328 – Guns Bill – Is still alive.
- HB2A – Stimulus Money – 18% is negotiable and the rest is dedicated.
- Communications are going on for the P&T revisions document, and this topic may dominate a couple FS meetings after spring break. Different parts of P&T may be approved; e.g., nomenclature and letters of recommendation.
- A male MSU student was admitted to the emergency room of Bozeman Deaconess Hospital on the morning of March 11, 2009. The student has been diagnosed with a case of meningococcal bacterial infection. He is currently hospitalized at Bozeman Deaconess.

Union Discussions – Chair Lynch

- After a number of emails with union questions, the FS Steering Committee decided to have another union discussion of people's concerns and to try to answer questions. As the current representative body of faculty, the Steering Committee believed that FS should spend additional time was needed to answer questions and address concerns of faculty, hence today's meeting
- Today's meeting is for faculty to be able to express themselves. Administration has been asked not to attend. It is hoped that questions posed today will be answered by faculty. If there are unanswered questions, Chair Lynch will attempt to get them answered and distribute the answers before the election.
- The minutes will be posted on the Faculty Senate website: <http://www2.montana.edu/facultysenate/>. Because of the short time until the union elections, the Faculty Senate Steering committee will be asked to edit the minutes, quickly, for accuracy and the Chair will attempt to post them by Monday, March 16, 2009.
- Discussions ensued:
 - The purpose of the union election is to determine whether or not faculty at MSU-Bozeman, with appointments of 0.5FTE or greater, will form bargaining units (one for tenure track faculty and one for adjuncts) and be represented by the MEA-MFT union. Faculty employed after Spring

- semester 2008 are not eligible to vote but will become part of the bargaining unit, should the union vote pass.
- There will be separate ballots for two faculty groups: one for tenure track faculty and one for adjunct faculty. Either, both, or neither group may vote FOR its own union representation. There are some exclusions from each group including, but not limited to, Extension agents, and AES research station faculty, department heads, licensed professional engineers, administrators. A final list of employee strata and whether they are included in the voting or not, has not been finalized. For questions, please contact Leslie Taylor or Chair Lynch. Professional engineers who are licensed with the state of Montana and engineers-in-training are excluded from the union bargaining unit and will not be assessed a dues or a representation fee should the vote for the union pass.
 - Elections will take place, by mail ballot, over approximately a 3-week period beginning in late March. According to Kevin McRae final dates are up to the Montana Board of Personnel Appeals (BoPA) but tentatively March 26 – April 15-18. If you want to vote and do not get a card, you may appeal to the BoPA.
 - The outcome of the elections will be determined by the majority of votes cast. For example, if only 50 ballots were returned the outcome could be determined by as few as 26 total individuals. Therefore, you **MUST VOTE** in order to have an influence on the outcome.
 - Votes cast will be tabulated by the Montana Board of Personnel Appeals, **NOT** by MSU or by MEA-MFT. As a note, individuals who do not receive ballots, but believe they should, may appeal to the BoPA after the election is completed. The BoPA is a legal entity set up by the state and is like any other board of elections. Jim Robison-Cox stated that he believed a FS representative may be present when the votes are being counted; he will give definitive information to Chair Lynch.
 - If a majority of votes cast are FOR unionization, the union becomes the exclusive representative to bargain collectively on questions of wage and other conditions of employment for employees in the unit. Bargaining will culminate in the ratification a Collective Bargaining Agreement. This process could take as much as a year to complete.
 - A FS member asked questions for the adjuncts in her department. They want to know what the adjunct bargaining unit will look like and whether voting for the union improves their stead or not. It was suggested that the adjuncts go to the following web page: <http://mus.edu/hr/cba/collbarg.asp>, which provides the entire list of Montana collective bargaining unit contracts. There, adjuncts and tenurable faculty will be able to get a sense of what is being done at other unionized MUS campuses. (If the union vote passes and a bargaining team is formed to negotiate the bargaining agreement, it was suggested that the all adjuncts attend and become a part of that group to provide input.) It was suggested that faculty might choose an issue that is important to them (e.g., tenure and promotion, retirement, compensation, office space, etc.) and critically read the MUS collective bargaining documents (list on the website noted above) and decide for themselves if the current policies are more or less advantageous.
 - A FS member noted that the longest section in the bargaining unit contract for U of M concerns the collection of dues and how one might be in violation and prosecuted, if they are not paid.
 - A FS member suggested that a position paper written by FS members, pro and con, be written and distributed.
 - A FS member stated that a compelling argument should be presented by the union as to why faculty should vote for the union. She stated that much of the information presented is not meaningful and in her opinion: “..having them take 1% of my small salary is not something I would want to do at this point.”
 - A FS member suggested writing a memo with informational links and bullet points.
 - From the forum discussions, it was noted that adjuncts will not have representation on the union Board of Directors (technically ½ of a person); and MSU-Bozeman would have one representative (apparently, the current rule is 1 representative on the Board per 400 faculty members).
 - A FS member stated that her understanding of how the union will work on the MSU-Bozeman campus is that it will depend on what the people participating in it decide it to be.

- Data collected and presented by Dr. Doug Young, last year, with web link references, was distributed to some of the individuals present.
 - A FS member commented that thinking about a union, favorably in a philosophical manner of what a union is (i.e., a mechanism for helping the underdog), may not be how it actually turns out. He queried: “Given our vision of MSU as a quality, top rated university in the country, is there any example of a union at another university in research 100 category, operating this way? I think the answer is probably “No.””
 - It was noted that the California State University system is unionized and also many of their institutions that are top-ranked research universities.
 - A FS member stated that despite disadvantages, faculty may think that with our current system, the union is not going to be a panacea or immediate solution to any problems. This person stated: “MSU will be a very different place.”
 - A FS member in favor of the union stated that a union would give a unified voice (from MSU faculty) to the BOR, where things are written down.
- If a majority of votes are cast FOR the union, all faculty members within the bargaining unit (who join the union) will be assessed dues. The amount of dues may vary but, according to MEA-MFT (as stated at the February 18, 2009 forum) they will be approximately 1% of the faculty member’s gross annual salary. The final dues amount is set by the MEA-MFT Board of Directors. It is not known whether the dues may change from year to year.
 - Aspects of faculty governance, other than salaries and working conditions, may continue to be carried out by Faculty Senate. These aspects could include academic matters (e.g., policies on courses and grading, etc.) and development/revision of promotion and tenure policies. It is noted, however, that ALL aspects of faculty governance are actually negotiable under union bargaining agreements. Some bargaining agreements give little or no role to an elected Faculty Senate, such as currently exists at MSU.
 - Faculty on sabbatical leave or otherwise off-campus during the vote will be included in the vote, if they are eligible. Ballots will be sent to their home address on file. Those faculty members may want to contact MSU to provide alternate addresses if the one on file is not in use or people have moved.
 - When will we definitely know who is in and who is out of each bargaining unit? According to Leslie Taylor, lists of who is in the bargaining unit and who is out are still being finalized. They have been vetted by Deans and will be available in the next few days. FS Chair Lynch has requested copies.

The Faculty Senate meeting ended at 5:00 PM, as there was no further business.

Signature

Wes Lynch, Chair

Signature

Gale R. Gough, Secretary