

Minutes

February 28, 2023 11:30 AM-12:30 PM
Virtual Meeting (<https://pitt.zoom.us/j/92498486823>)

1. Attendees: Bridget Keown, Sharon Nelson-LeGall, Marty Levine, Kelly Tatone, Sharon Joyner, Clyde Wilson Pickett, Kris Kanthak, Robin Kear, Brenda Cassidy
2. Minutes of January 2023 meeting approved
3. Welcome to Sharon Joyner from Nursing, Staff Council Representative!
4. Brief faculty Assembly Update – February 15, 2023 (Bridget)
see: <https://www.utimes.pitt.edu/news/union-bargaining-chair>
5. New business
 - a. Critical updates from Chancellor's appointees to EIADAC
 - i. Clyde Pickett—today is the last day of K. Leroy Irvis Black History Month Celebrations. Honored 6 champions from inside and outside the university (<https://www.diversity.pitt.edu/events/monthly-celebrations/k-leroy-irvis-black-history-month-celebration>). Will be closing out the month with a Black and African American Alumni outing to the August Wilson Center this evening (open to all!).
 - ii. Women's history month is coming. A committee is planning relevant activities (<https://www.diversity.pitt.edu/events/monthly-celebrations/womens-history-month>).
 - iii. Working on the anchor initiative project—as stated in the Plan for Pitt—goal is to “Use our position as an anchor institution to benefit local communities”. Focus here is on Black-owned businesses, minority-owned businesses, and women-owned businesses in terms of procurement, work to hire, and building. Pitt will be making an intentional effort to hire from adjacent communities and wants to remove barriers of entry. How we can help: if opportunities for support/engagement with employees arise, engage.
 - iv. Personnel Updates:
 1. personnel contract in place for new director of diversity programs (formerly held by Ron Idoko)
 2. Title IX and Civil Rights Office new intake coordinator under contract
 3. In final stages of hiring of Director of Civil Rights and Title IX; there are two candidates so need a partner from this group
 4. Will also need a partner from for AVC for equity and inclusion, though that will be for a while in the future
 - i. Lu-in Wang—no updates
 - ii. John Wallace (Lorie Johnson-Osho)—no updates
 - iii. Kenyon Bonner—no updates
 - b. Minutes from Faculty Senate Meeting
 - i. Acknowledgement of the mass shooting at Michigan State

- ii. Notice of retiring policies, which can be found here:
<https://www.utimes.pitt.edu/news/comment-now-several>
- iii. Tentative agreement to keep ELI open and protect the faculty whose jobs would be terminated should ELI close; details have not been disclosed at this point, but will be made available as soon as possible
- iv. Update on shared governance: Faculty have been allowed to join large-scale budget meetings (this does not include medical school faculty), which bodes well for the future of shared governance with ongoing union contract negotiations
- v. Message of thanks from ELI to the Senate, as well as any individuals or other organizations who offered their support for the ELI. Despite the promise of an agreement with the University to support the ELI and its faculty, there remain a number of long-standing challenges that the ELI faces, especially in regards to the time and funding lost following the closure announcement. These eroding effects present a new challenge to the ELI
- vi. Discussion of University's drone/UAS (unmanned aerial vehicle) policy from office of trade and compliance: Recent advancement in drone technology has necessitated a revision of FAA and University policies.
 - 1. From an insurance perspective, the University requires all outdoor drone contractors doing business with the University to have their own insurance.
 - 2. Recreational drone use is not covered, unless it is for educational purposes
 - 3. Regional campuses and sports have been permitted to self-govern in regard to drone policies, since they understand their own needs and the landscape best.
 - 4. Questions from the assembly prompted a note that all drone users should be encouraged to follow local laws regarding drone use, if operating drones internationally
 - 5. Questions about international security were heard and will be taken into consideration
 - 6. Updates on how such policies get adapted or updated, should FAA regulations change
 - 7. Vote to accept new policy and forward to Senate Council: 46 yes, 1 no, 3 Abstain
- vii. Discussion of updated IT Network Policy from Computing and Information Technology Committee Chair, Ilia Murtazashvili
 - 1. Essentially, this policy represents an update to and a streamlining of the previous policy. Jargon and network usage standards have been removed, because they change frequently and will reduce the amount of updates going forward
 - 2. This policy provides the authority and responsibility for installing, developing, maintaining, operating, documenting, and supporting the network, as opposed to prescribing details about the network itself; usage will be outlined in a separate policy
 - 3. Questions addressed wording around who was allowed to create private networks (you can create them, they just can't be connected to PittNet)
 - 4. Questions resulted in the addition of contact information for interpreting the policy
 - 5. Question resulted in the deletion of an extra line break in the policy draft
 - 6. Vote to accept new policy with corrections and forward to Faculty Senate: 44 yes, 0 no, 4 abstain

viii. Union and Shared Governance: Tyler Bickford, Chair of Bargaining Committee

1. Robin presents several issues about which the senate has expressed concern: 3 permanent senate committees and 1 ad hoc committee (on dependent care) are worried about meetings with administration during and after contract negotiations & their future; budget discussions (largely will be changing on the admin side); university policies related to mandatory subjects and changing policy committee memberships; University policies that are created, but only cover or apply to parts of the constituency
2. Tyler notes that faculty governance is a core value of the union. Share governance (to Tyler) means activities that happen at all levels of the university, from individual classrooms to faculty in leadership role to school-level governance and faculty assembly
3. Now that we have a union, the administration cannot make changes to key aspects of our jobs without securing our formal agreement. This is a key change that was voted, and represents a significant form of faculty power. It is a non-negotiable power from the union perspective, but there is room to move forward collaboratively and with fewer disruptions.
4. Mandatory subjects of bargaining: The State of Pennsylvania requires the University to negotiate with the Union as the exclusive representative of the faculty. However, legal restrictions apply to the University, not individuals. Faculty members can talk with each other or supervisors. There are prohibitions on supervisors negotiating deals themselves. There is nothing preventing anyone (inside or outside the bargaining unit) from discussing changes to policies that affect students, faculty, and staff outside the bargaining unit. Academic and curricular decisions are not mandatory subjects of bargaining. These details will be spelled out in a union contract, and will end any confusion that currently exists over these issues.
5. Decisions about programs are usually considered managerial, but the effects of those choices (including terminating employment, changing hours, changing services offered) are mandatory subjects of bargaining. Thus, the issues around things like the ELI does fall under the purview of the Union. Faculty assembly and senate play a role in these decisions and discussion, but they do not have the right to bargain independently. Having multiple structures provides more space to collaborate and guarantee the best outcomes for all.
6. The union is actively engaged in advocating for the faculty affected by the ELI closure discussions, and the union encourages the administration to announce the decisions promptly
7. Submissive subjects of bargaining: Areas that impact our work, but that the law considered managerial prerogative. If the employer is going to make changes that impact faculty, they are legally required to "meet and discuss," and listen to recommendations. Realizing that this can be highly disruptive in a large institution like Pitt, the union has proposed ways to streamline this process, esp. by allowing existing governance venue, like Senate Committees, to fulfill those "meet and discuss" obligations wherever possible. This involves waiving some of the union's legal rights in order to support existing faculty governance. This would directly address recent issues, like faculty being excluded from budget meetings. The administration has not responded to this proposal.

8. Local governance: Where most governance happens. The Union has proposed to delegate things like performance standards and promotion processes that vary by field to existing governance structures, programs, and departments. In the interim, the union has recommended that all processes continue as normal. The administration has not responded to this proposal.
9. At the end of the day, we all want the same thing: more of a say over our jobs. Collectively bargaining enforceable contracts are a tool to achieve that. During a period where a lot of disruptions have been happening, there has been a lot of success in making real progress at the bargaining table, winning improvements in things like job security, renewal, contract length, etc., Ends comments with an invitation to join the union at the Board of Trustees meeting to insist on responses from the University to the union and to send their decision-makers to the table.
10. Robin asks for clarification: It seems that the changes that the administration made in the fall were the result of articles brought forward by the union for local/shared governance to continue in the way that it has. However, there was other information about direct dealing and unfair labor practices that actually changed this. Because those outside the bargaining committee cannot see the communications between the administration and the committee, this is unclear. Tyler clarifies that in the fall, the bargaining committee asked the administration to stop bringing them things that had already been negotiated by other groups and instead focus on mandatory subjects. They then brought a proposal regarding shared governance that resulted in the changed (managerial policy etc.)
11. Question regarding vision of division of labor between existing governance structures and the union, esp. regarding benefits (is the committee in charge of “meet and discuss” as well as meeting with vendors? Is there a need to continue the benefits committee?). Tyler responds that the union would not be negotiating with vendors, only with the university. The university needs to establish a relationship with the vendors. There are some places where committees have more overlap with issues of mandatory subject than others, and benefits largely falls under mandatory subjects, therefore, it’s worth discussing the future of the benefits committee (esp. for non-represented individuals)
12. Question for details regarding what “negotiate” means to the union (other institutions like SUNY have adopted a narrow-negotiate policy that allows all senate functions to continue), and how the union and shared-governance will function in the future? Tyler responds that once we have a contract, these things will be clarified. Right now, everything is a mandatory subject, but this will be reduced by the specific wording of a contract. If the union says that “meet and discuss” can be handled by existing units, the union most likely would appoint someone in those units in order to ensure that their needs are addressed.
 - a. Response question to clarify who can negotiate contracts with the university, and to clarify how a union representative would function. Clarification that no union representative would function in a disruptive manner for committees; they would simply be a voice for and to the union in “meet and discuss” situations.
13. Question: The faculty union does not represent everyone, including people in the med school; however, the shared governance does.

Therefore, it's critical to involve shared governance in this process. For those who are on the outside of this process, there is concern that the union is not being transparent in their plans for the future, and it is a source of concern. Tyler asks if there are specific issues of concern; response that every issue is/will be affected. Example: during recent work on an IPA policy, the research committee wasn't allowed to have administration present to faculty assembly because of the concern over the threats made by the union. Having an adversarial relationship will most likely continue, and that is not something that exists with shared governance. There should be clarity on how shared governance will be included in the union's contract. Tyler responds that there is nothing in our contract that can prevent shared governance structures from implementing policies that affect faculty, including those not represented by the union. In the case presented (about the IPA policy), the University asked if this was a mandatory subject, and the union asked to look over the policy, and it was never sent. Most issues are local governance; however, the omission of school of medicine faculty is already a problematic status quo, so the likelihood of this changing is slim.

14. Question regarding transparency: school of medicine faculty are feeling very excluded from discussions and fearful about what will happen to them as the result of union negotiations. While we can disagree on the level of transparency, including the October letter and how it changed University policies, how does the union leadership decide what is shared and not shared with the rank-and-file members. Tyler responds that there is an elected council of representatives who deal with this. Asks for follow-up on the specific issues of concern for school of medicine. Response: what the administration has caused "a threat" from the union, and what was in the October letter. Tyler reiterates that the union is the only institution that can bargain over wages and other mandatory issues with the University. Response that research practitioners would like to discuss salary and cannot, even though they are medical school faculty, because the University refuses to engage. Tyler responds that the administration is perfectly able to have those discussions. Response that there is a lot of language of exclusion. The school of medicine isn't concerned with what is going on now, but is instead concerned that the policies that have worked for them previously will go away, and the union will not be able to offer anything productive in its place. The fear is that the school of medicine will be left behind, and any policies negotiated by the union will leave school of medicine behind and without recourse for negotiations.
 - a. Room zoom functions went on "Mute," which disrupts the discussion
 - b. Pushback that the union committee is not wholly representative; one can only vote for people at their division at their rank. The bargaining committee isn't elected by the faculty. Therefore, the vote for the senate is direct, whereas the election for the union is much less representative. Tyler responds that part-time faculty are fully represented by union. Additionally, a policy on academic freedom has been approved, which would be the first academic freedom policy at Pitt that would apply to all bargaining unit faculty, including part time faculty. If this is possible, it should bode well for the future for the school of medicine and the ways

in which they will benefit from union negotiations. Pushback: While this is great, academic freedom has never been a issue before, so it doesn't represent a huge change. Additionally, those who teach one class a year can vote on the same level as someone who teaches eight, with the implication that this policy is unfair. Tyler states that all colleague are full colleagues. Moreover, the union has won several struggles that represent dramatic improvements for faculty in the bargaining unit that are not tenure-stream, and that it is making real progress around the issues over which have expressed concerns.

15. Question over medical school faculty being excluded from any discussions on anything that involves the bargaining agreement, even if these things don't see to fall under issues of the bargaining unit. Therefore, medical school faculty feel wholly left out. Follow-up comment that even those in the bargaining unit feel generally in the dark and left out of discussion. Why can't the university set up a process for the bargaining unit and for those outside the bargaining unit, esp. on issues like salary.
16. Question about whether issue of shared governance will be in the contract, esp. those that address local shared governance and university shared governance. Tyler responses in the affirmative; governance at the local level would take responsibility, and the senate could fulfill the legal role for the union in many cases. While the Univeristy is interpreting the law in the strictest sense, the union would be much more flexible.
17. Statement that the senate has always tried to represent everyone in the faculty and staff, without division. But it's true that the senate couldn't get everything done, and that is why we have a union. Now, the senate, union, and administration need each other, and have to be clear in defining our roles and tell each other what we envision for working together. The longer we wait, the more people will grow angry and afraid. Request for the union to sit down and figure things out.
18. Robin sums up, requesting an acknowledgment of these unintended consequences and how the union is working through them. We are facing a lot of issue now, and its so hard to try and figure out who can talk about what; how they can talk about them, etc., Robin would welcome more collaboration on what shared governance and negotiation means and what kinds of things we can talk about, both in a formal way between the union and the administration and with senate as a partner. Tyler acknowledges that the senate has been impacted, especially in the past few months. Robin hopes that we can continue the conversation between leadership going forward. Thanks Tyler for coming and for taking comments and questions.

6. Ongoing Business

- a. Updates on university policy review processes
 - i. Nondiscrimination policy (Ally and Natasha; no update)
 - ii. Service Animal policy (Ellen Smith; waiting for more info)
 - iii. Supplier Diversity policy (no update)
- b. Fall Semester Work Groups
 - i. Disability Advocacy—no updates

- ii. Faculty Gender Gaps (Natasha): EIADAC would like to get faculty salary data more often than every three years, when it is typically released by the Provost's office. Kelly and Ally met with two representatives from Human Resources to see if it was possible to get data on faculty salaries by gender more often. The HR reps recommended that Kelly and Ally go back to the Provost's office with their request. Folks in attendance were asked for suggestions. Robin noted that Amanda Brodish from the Provost's office (who typically prepares the report) said that she was going to present the report to the Budget Policies Committee, however that committee is not presently meeting. Robin recommends that we ask Amanda to present the report to our group instead (Natasha will do this). Kris Kanthak further noted that we may wish to ask whether it is possible to get de-identified data about this that we could work with (otherwise there could be privacy issues).
 - iii. Transcript Withholding—no updates
 - c. Spring Semester Work Groups
 - i. LGBTQIA+ Advocacy (Bridget, Brenda, Kelly, Sharon J.)
 - ii. Graduate Student Medical Leave (Paula, Natasha, and Zuzana)
- 7. Announcements/Events
 - a. <https://www.diversity.pitt.edu/inventory>
 - i. Please submit your events and include school-specific and department-specific events.
 - ii. Rethinking War Conference (rethinkingwar.com)-“study of war across disciplines and types of narrative”-contact Bridget with questions
 - iii. Staff Council EDI Committee is working on updating the list of lactation locations and free menstrual product dispensers on campus - if you would like to walk around your building and add to the list it would be most appreciated! <https://docs.google.com/spreadsheets/d/1Q9ERf73rYVEab5ezWfQzsT97VqGwXhd6-iZovgfTtds/edit?usp=sharing>
 - iv. UTimes did a write up on new workshops that will focus on ‘under-acknowledged’ single moms in higher ed <https://www.utimes.pitt.edu/news/new-workshops-will-focus>. The first one is tomorrow - the flyer is attached if you would like to attend and/or promote.
 - v. There will be a Menstrual Health Summit on 3/18 - this flyer is also attached.
- 8. Next meeting: March 28, 2023 in CL 1817 or <https://pitt.zoom.us/j/92498486823>
 Let us know if you intend to join in person.