

## EXECUTIVE COMMITTEE MINUTES

**Present:** Anaya, Fech, Flowers, Franti, Konecky, LaCost, Lindquist, Nickerson, Schubert, Shea, Stock

**Absent:** McCollough

**Date:** Wednesday, April 20, 2011

**Location:** Faculty Senate Office

**Note:** These are not verbatim minutes. They are a summary of the discussions at the Executive Committee meeting as corrected by those participating.

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### 1.0 Call to Order

Lindquist called the meeting to order at 3:02 p.m.

### 2.0 Announcements

#### 2.1 Faculty Compensation Advisory Committee (FCAC)

Fech reported that the FCAC met this Monday and concentrated on reviewing the Gender Equity Salary Study, the Faculty Salary Peer Comparison report, and recommendations on salary increases. He noted that no significant differences were found in gender salaries, although some trends did appear. He reported that there is a .06 difference in salaries at the assistant professor level and there is some concern at the full professor level as well with women receiving less pay. He stated that Professor DiMagno suggested the FCAC continue to monitor these trends to see if the situation improves. He noted that newly hired assistant professor salaries and newly promoted full professor salaries will be reviewed to see if any variables occur.

Fech stated that in comparison to our peers we are still lagging in terms of faculty salaries. He pointed out that some departments are significantly behind their peers and the FCAC wants to encourage the administration to continue making efforts to reach the mid-point of our peers. Franti asked if we will still have the same peer group since we are moving into the Big Ten. Fech reported that our peer group is the same.

LaCost reported that the FCAC shied away from recommending percentages of salary increases because the amount allotted for salary increases is so small. Fech stated that it is not definite that there will be a 2.5% increase and to make recommendations without accurate figures is difficult. He reported that generally, 0.3 - 0.35% is required for promotion and tenure increase. Therefore, if the Board of Regents did allocate a 2.5% increase in salaries, only 2.15-2.2% would be available for merit-based increases.

Shea asked if the FCAC recommendations are usually the same each year. Griffin reported that in recent years the salary increases have been so small that the FCAC has not had much to work with. She noted that in some previous years the FCAC has made recommendations that differ from the ones most recently made.

Fech reported that the FCAC did not address administrative salaries although the committee syllabus instructs the Committee to do this. Shea asked why the Committee didn't address this issue. Fech stated that the necessary data was not available. Shea stated that he would have thought there would be interest in this given the current economic situation. He suggested that administrators should forgo increases because of the tight budget.

Lindquist asked Fech to distribute the Gender Equity Salary Study Report and the Faculty Salary Peer Comparison report to the Executive Committee.

## **2.2 Pepsi Quasi Endowment Advisory Committee**

Lindquist reported that he recently participated in the Pepsi Quasi Endowment Advisory Committee. He noted that it is a quasi-endowment because the fund is set up so that the principle could be used if needed. However, this has never happened. He stated that there is \$563,000 in interest that can be used and the value of the endowment with carry forward is \$805,000. He reported that the money is used to support the UCARE program, Pepsi scholarships, and marketing/sponsorships. In the past, this fund has supported the UCARE program with \$400,000 annually. However, he noted that the campus is currently spending \$600,000 for the UCARE program. He stated that \$200,000 of the cost of the program has been coming from money associated with Programs of Excellence funds, but the office of the Senior Vice Chancellor for Academic Affairs indicated that the money for these programs is no longer available. He stated that the Committee approved raising the support of the UCARE program to a total of \$600,000 for three years. After this time the Committee will re-evaluate whether to continue providing the additional \$200,000 for UCARE. He pointed out that continuing to support the program would eventually result in expending some of the fund's principle.

Schubert asked if this was the first time the Committee is considering changing its policy to use some of the principle in the fund. Lindquist reported that the principle will not be used just yet because it will take several years to use up the accumulated carry-forward.

Nickerson asked if the money will be used to increase funding for scholarships. Lindquist reported that the scholarships will stay the same.

Schubert noted that he served on the committee that reviewed the renewal of the beverage contract and there was some discussion about the potential future need to dissolving the principle of the previous Pepsi funds. He stated that the committee tried to ascertain whether another fund would be set up with Pepsi.

## **2.3 CBA Issue**

Lindquist reported that he has learned of a draft policy document for the College of Business Administration that states that the number of classes faculty members teach will be based on their research productivity. He pointed out that this directly relates to the apportionment of duties. He noted that faculty were concerned about the draft policy because they were told by the dean that there would not be a faculty vote on the

document. He stated that questions arose as to whether a dean has the authority to do this. He reported that he checked the Bylaws and found that a dean could do this, but he sent Dean Plowman an email expressing his concerns about such a policy. He pointed out in the email that the document would link apportionment of duties with productivity and makes an end run around Regents Bylaw 4.3. He reported that the faculty of CBA has since met and it seems that the document is being redrafted. He pointed out that both Chancellor Perlman and SVCAA Weissinger have stated in recent meetings that it is the faculty members in the departments and colleges who make decisions about policy on how faculty are to be evaluated. Implementation of a policy such as this without a faculty vote would be completely inconsistent with those sentiments. LaCost noted that faculty members in her college have already been told that they will probably have an increased workload because of the retiring professors.

Shea stated that a problem with the proposed document was that it used a point system based on academic impact of journals. He noted that people whose work is in areas not covered by the specific journals identified as the top journals for business would not be given as high a point value.

Lindquist pointed out that the draft policy would essentially penalize a faculty member with lower research productivity by requiring them to teach more courses. Making teaching a penalty is completely contrary to the university's guidelines for apportionment. He noted that colleges and departments should want to use apportionment to give people responsibilities in areas that they are good in.

Franti applauds the initiative to address this issue quickly. He noted that 78 faculty members are going out on retirement and a number of courses will not be covered because of the retirements. He stated that courses need to be cut if they can't be covered rather than putting the additional workload on the remaining faculty.

#### **2.4 Letter from General Counsel Joel Pederson**

Lindquist reported that he received a letter from General Counsel Pederson stating that he has approved the revisions to the Procedures to Be Invoked for Significant Budget Reductions and Reallocations and has forwarded them to the Board of Regents.

### **3.0 Approval of 4/6/11 Minutes**

Shea noted that there was extensive discussion with the Chancellor concerning the Dean of the College of Engineering but the minutes were pared down considerably. Lindquist stated that the Chancellor has requested that the entire paragraph be removed and he agreed. He stated that the Executive Committee made its point to the Chancellor and he does not see the benefit in making the comments public.

Schubert pointed out that the Executive Committee is here as the top of the faculty voice and if we start talking silently then there is no reason to attend Executive Committee meetings. He stated that if the members of the Executive Committee discuss the outcome of assigned duties, in this case the interview with Dean candidates, than all faculty members have the right to hear. He noted that he does not think it is appropriate for us to

remove discussions from the minutes, regardless of the specific circumstances. He pointed out that it is way too early to know how the new dean will impact the faculty.

Shea stated that the Executive Committee is not the Chancellor's committee, it is the faculty's committee, and the members of the Committee should decide what to include and not to include in the minutes. He noted that he does understand the Chancellor's specific concerns but he feels it is important to include the content of the discussion and this can be done without identifying the person. Konecky suggested that the minutes state that the Executive Committee discussed its concerns with the Chancellor. This would allow the issue to go on record without being specific.

Franti asked what this would mean if people say they disagree with a candidate. Schubert asked why the Executive Committee would take the time to meet with candidates if the members cannot provide honest input. Shea pointed out that the Executive Committee has chosen not to give a collective view on a candidate, but there isn't anything that says that it cannot do this. He stated that if the Executive Committee as a group wants to express its opinion, then it should. Konecky pointed out that if we offer a group opinion then we would have to insure that nearly all of us are able to attend the interview. She stated that otherwise it would not be fair representation of the group if only a few members voice their opinions. Lindquist stated that it could be argued that people who attend the interview represent the group, since the entire committee had the opportunity to participate. Franti pointed out that this is a delicate situation, but he trusts the other members of the Executive Committee to represent the group.

Schubert stated that the Executive Committee meets to report to the entire faculty what is happening with respect to faculty concerns. He asked why peoples' input and concerns should not be included in the minutes. Shea noted that if the Executive Committee is engaged it should be reported as they see it. Flowers stated that in all of the interviews he has participated in he has always turned in an evaluation, and he can never remember saying someone was unacceptable for a position although he might have pointed out some aspects of the candidate he had concerns with. Shea noted that there should be honesty and an administrator should always be honest. Schubert pointed out that if faculty members have an opinion then they should voice their concerns.

Franti moved that the minutes be retained as they are. Konecky seconded the motion. The motion was approved with two abstentions.

The Executive Committee suggested that Lindquist check with the Chancellor to see if he wants to edit his comments or remove them.

#### **4.0 Unfinished Business**

##### **4.1 Cancellation Policy on Senate Meetings**

Shea stated that he has asked Professor Chouinard, Mathematics, who raised concerns about the policy at the April 5 Senate meeting, to make specific suggestions. He noted that he will check with Professor Chouinard to see if these changes can be presented to the Senate at the April 26 meeting.

## **4.2 Suspension of Pay Policy**

Lindquist asked the Executive Committee whether it wants to accept the recommendations of the Academic Rights and Responsibilities Committee (ARRC) to not create a suspension of pay policy, or to further develop a policy based on the draft policy statement presented by the chair of the ARRC. Shea asked if the existing Bylaws adequately address the issue of suspending pay.

Franti asked what would happen if a faculty member was informed that they were to teach a class shortly before the semester began but refused. Lindquist stated that being asked to teach an additional course is an apportionment issue and Regents Bylaw 4.3 applies.

Franti asked how a suspension of pay policy would address responsibilities other than teaching. Lindquist stated that the draft policy statement specifically focused on teaching because this is the most clear cut responsibility of professors. Shea noted that it is easier to quantify teaching responsibilities. He pointed out that it would be difficult to develop a policy for other duties and it would have to be done very carefully because an administrator could claim that someone was not performing their duties and could suspend someone's pay. Lindquist stated that he does not know how this could be done if a person's position description specifically states what a person's job responsibilities are. Fech pointed out that not all position descriptions are written so clearly. Franti noted that all other aspects of neglected duties are dealt with through evaluation.

Franti suggested that the Executive Committee ask for legal counsel to see if the draft policy statement conflicts with the Regents Bylaws or the state law that states that people cannot be paid for work they have not performed. The Executive Committee agreed to seek counsel with an attorney.

## **4.3 Faculty Forums**

Lindquist asked if the Executive Committee recommends having faculty forums in the future. Shea stated that he thinks the idea is a very good one and suggested that there be a regular series addressing various campus issues. Franti asked if the forums are of value to the faculty. Konecky stated that the forums should continue, but it would be helpful if the Executive Committee formulate questions that could be raised to encourage more participation by the attendees. She noted that people streaming should be able to ask questions. Nickerson stated that he thinks the forum went well and the university received good press coverage with Dr. Spanier's visit. Franti suggested that the Executive Committee continue reaching out to faculty members of the Big Ten and encourage them to come and speak on campus.

## **5.0 New Business**

### **5.1 Agenda Items for President Milliken**

The Executive Committee identified the following topics for President Milliken to address at the April 26 Senate meeting:

Is UNL thinking about changing peer groups?

Status of Employee Plus One Benefits

System-wide Update on the Health Care Audit: how much money is being saved? How many ineligible dependents have been identified? What is the proportion of responses to date? Will there be a final report available to faculty and if so, when?

Update on the Budget

Update on Online Worldwide

## **5.2 Agenda Items for Chancellor Perlman**

The Executive Committee identified the following items to discuss with Chancellor Perlman when it meets with him on April 27: Who will be teaching all of the courses that will be open due to the faculty members retiring through VSIP? Discuss the budget cuts.

## **5.3 Campus Recreation Advisory Council**

Griffin reported that Professor Pete Maslowski is retiring from the university and needs to be replaced on the Campus Recreation Advisory Council. She noted that Professor Jim Steadman has volunteered to serve on the Council. The Executive Committee agreed to have Professor Steadman serve.

The meeting was adjourned at 5:09 p.m. The next meeting of the Executive Committee will be on Wednesday, April 27, 2011 at 3:00 pm. The meeting will be held in 201 Administration. The minutes are respectfully submitted by Karen Griffin, Coordinator and Pat Shea, Secretary.