### **NATIONAL CENTER**

for the Study of Collective Bargaining in Higher Education and the Professions



# **42nd Annual National Conference**

Thinking about Tomorrow:
Collective Bargaining and Labor Relations in
Higher Education

Underwritten by a grant from



April 19, 20, 21, 2015 in New York City at the CUNY Graduate Center

With additional funding by



### NATIONAL CENTER

for the Study of Collective Bargaining in Higher Education and the Professions

Hunter College, City University of New York Brookdale Campus, Box 615 425 E. 25th Street, New York, NY 10010-2547 Presorted
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# Sunday April 19

Reception 2:00 – 2:30 pm

CUNY GRADUATE CENTER 365 Fifth Avenue (Fifth Ave. between 34th and 35th Street)

Research Panels 2:45 – 5:30 pm

4:15 – 5:45 pm

6:00 - 9:00 pm

 $CUNY\ GRADUATE\ CENTER\ 365\ Fifth\ Avenue\ (Fifth\ Ave.\ between\ 34th\ and\ 35th\ Street)$ 

New Extended-Time Interactive Workshop Trainings 2:45 – 5:45 pm

CUNY GRADUATE CENTER 365 Fifth Avenue (Fifth Ave. between 34th and 35th Street)

HEARTLAND BREWERY-EMPIRE STATE BUILDING 350 5th Avenue (corner of 34th Street & 5th Ave.)

Monday April 20

Buffet Dinner, Open Bar (Beer & Wine)

 Continental Breakfast
 7:45 am - 8:30 am

 Welcome, Plenary, Panels & Workshops
 8:45 am - 12:00 pm

 Lunch Service
 12:00 pm - 12:40 pm

 Plenary, Panels & Workshops
 12:45 pm - 5:15 pm

 Reception
 5:15 pm - 6:00 pm

 CUNY GRADUATE CENTER 366 Fifth Avenue (Fifth Avenue (Fifth Avenue) Atth and 35th Street)

# **Tuesday** April 21

 Continental Breakfast
 7:45 am - 8:30 am

 Panels & Workshops
 8:45 am - 12:00 pm

 Lunch Service
 12:00 pm - 1:00 pm

CUNY GRADUATE CENTER 365 Fifth Avenue (Fifth Ave. between 34th and 35th Street)

### **42nd Annual Conference Locations Map**



- A City University of New York (CUNY) Graduate Center 365 Fifth Avenue, NY, NY, 10016
- B Shelburne-Murray Hill Hotel 303 Lexington Avenue, New York, NY 10016, 212-689-5200
- C Affinia Dumont Hotel 150 E. 34th Street, New York, NY 10016, 212-481-7600: www.affinia.com
- D Heartland Brewery 350 5th Avenue, New York, NY 10118, 212-563-3433: diagonally across from the CUNY Graduate Center; storefront level of the Empire State Building

# NATIONAL CENTER for the Study of Collective Bargaining in Higher Education and the Professions HUNTER

# **42nd Annual National Conference**

Thinking about Tomorrow: Collective Bargaining and Labor Relations in Higher Education

Panel Topics • Civility & Academic Freedom • NLRB's Pacific Lutheran Decision
• Reporter Roundtable • Mediators Roundtable • Negotiating about Full-Time & Contingent
Faculty & Graduate Assistants • First Contracts at University of Oregon, Georgetown & Tufts • Due
Process for Contingent Faculty • Dues & Don'ts after Harris v. Quinn • Work/Life Balance • Phased
Retirement • ACA Update • Faculty Salary Schedules & Pay Equity • Sexual Assaults on Campus
• Electronic Privacy • Faculty Diversity & Retention

<u>Interactive Training Workshops</u> • Use of Financial Data • Collective Bargaining & Labor Relations • Effective Contract Administration • Best Practices on Bullying & Harassment

April 19, 20, 21, 2015 in New York City at the CUNY Graduate Center

### When & Where:

April 19 -21, 2015 CUNY Graduate Center 365 Fifth Ave., New York, NY 10016

### **Registration**

Aside from special CLE session fees, the registration fee includes all conference activities, Sunday evening buffet and Monday and Tuesday continental breakfast and lunch. Hotel accommodations and other meals are not included. Conference registration must be made by March 27, 2015. Any cancellations made after this date will *not* be reimbursed.

**CONTACT:** national.center@hunter.cuny.edu ph: (212) 481-7550

National Center for the Study of Collective Bargaining in Higher Education and the Professions

Hunter College, City University of New York Brookdale Campus, 425 E. 25th Street, New York, NY 10010-2547

www.hunter.cuny.edu/ncscbhep

Hotel:

Affinia Dumont Hotel

150 E. 34th Street, New York, NY 10016

Affinia Shelburne Murray Hill

303 Lexington Avenue, New York, NY 10016

Room rate \$289/night

For reservations call 1.866.233.4642, indicate the Affinia Dumont or Affinia Shelburne Murray Hill, and mention the group code: NCOCBB (for the Dumont); NCCBSH (for the Shelburne). The group name is: National Center for the Study of Collective Bargaining. Conference rates are applicable from April 17th to April 22nd, 2015. Should an earlier or later stay need to be booked, two reservations are needed: one at the conference rate and one at the market rate.

Instructions for booking reservations:

Go to: www.hunter.cuny.edu/ncscbhep and

click: Instructions on Reserving Hotel Rooms

Hotel reservations must be made by March 27, 2015

Computer access will be provided in the CUNY Graduate Center conference facility and is available in individual rooms at the Affinia Hotels.

### Full Conference Registration:

Please reserve \_\_\_\_\_ place(s) for the complete conference program \_\_\_\_\_ @membership rate \$385.00 includes one conference registration with admission to all panels and workshops (including CLE sessions), the 2006 Directory of Faculty Contracts and the 2012 CD-ROM edition

\_\_\_\_\_@additional attendee rate \$230.00 (after payment of membership fee) with admission to all panels and workshops (including CLE sessions)

\_\_\_\_\_@non-member rate \$345.00 with admission to all panels and workshops (including CLE sessions)

\_\_\_\_\_@special rates for graduate employees, contingent faculty, postdoctorates, CUNY students, faculty, and staff (please contact The National Center)

Limited Conference Registration: (CLE only)

\_\_\_\_\_@\$200.00 admission to all CLE Sessions with continental breakfast and buffet lunch

\_\_\_\_\_\_@\$100.00 admission to all CLE Sessions without continental breakfast and buffet lunch

CLE sessions accredited by CUNY School of Law

Note: All workshops require pre-registration.

Mid-January check schedule at: www.hunter.cuny.edu/ncscbhep and follow instructions for pre-registration.

For Credit Card payment of fees (payments include a bank service charge) go to: www.hunter.cuny.edu/ncscbhep click on Credit Card Payment

NAME:\_\_\_\_\_\_\_
TITLE:\_\_\_\_\_
INSTITUTION:

ADDRESS:\_\_\_\_\_\_E-MAIL:

PHONE:

E-MAIL NAMES OF ADDITIONAL CONFERENCE PARTICIPANTS TO THE NCSCBHEP

Checks are payable to: Hunter College/NCSCBHEP

Please send the registration form & check to:

Hunter College, City University of New York 425 E. 25th Street, Box 615, New York, NY 10010-2547

Registration Form

#### Sunday April 19

### Research Panel: The History of Collective Bargaining in Higher Education

Ellen Schrecker, Professor of History Emeritus, Yeshiva University

Derryn W. Moten, Professor of Humanities, Alabama State University

Ernst Benjamin, former AAUP General Secretary

Donna Haverty-Stacke, Associate Professor, History, Hunter College, CUNY, Moderator

### Workshop Training: Collective Bargaining and Labor Relations for New Administrators and Labor Representatives

Conrad Bowling, FMCS Commissioner

Jeffrey Cross, Associate Vice President, Academic Affairs, Eastern Illinois University Deborah Williams, NEA FA President & Lead Negotiator, Johnson County C.C.

Alyssa Picard, Acting Director, AFT Higher Education, Moderator

### Workshop Training: Use of Financial Data Analysis for Collective Bargaining

Howard Bunsis, Chair, AAUP Collective Bargaining Congress, Professor, Accounting,

Eastern Michigan University
John Swarbrick, Associate Vice Chancellor for Labor Relations, California State University System Jeffery Frumkin, Associate Vice Provost & Senior Director, Academic

Human Resources, University of Michigan, Moderator

#### Research Panel: The Impact of Collective Bargaining and Local Appropriations on Faculty Salaries and Benefits at U.S. Community Colleges

Stephen Katsinas, Director & Professor, University of Alabama Education Policy Center Clive Belfield, Economics Professor, Queens College, CUNY, Research Affiliate, C.C. Research Center, Teachers College, Columbia University, Commentator

Fred Floss, Professor, Economics & Finance, SUNY Buffalo State & Senior Fellow, Fiscal Policy Institute, Commentator

DeWayne Sheaffer, Long Beach City College & Member, at Large, NEA NCHE, Moderator

#### Welcome April 20

Jennifer J. Raab, President, Hunter College, City University of New York Pamela Silverblatt, Vice Chancellor, Labor Relations, City University of New York Barbara Bowen, President, Professional Staff Congress, City University of New York Terrence Martell, Chair, University Faculty Senate, City University of New York William A. Herbert, Executive Director, National Center for the Study of Collective Bargaining in Higher Education and the Professions

#### April 20 - 21 **Panels & Presentations**

### Plenary Session: Civility and Academic Freedom

Risa Lieberwitz, Professor, Cornell ILR, & AAUP General Counsel

Tom C. Hogan, Professor, Human Resource Management, Pennsylvania State University, School of Labor & Employment Relations

Frederick P. Schaffer, General Counsel & Senior Vice Chancellor for Legal Affairs, CUNY, Moderator

### Luncheon Plenary: Reporters Roundtable: Covering Labor-Management Issues in Higher Education

Steven Greenhouse, former Labor Reporter, New York Times

Claudio Sanchez, National Public Radio

Peter Schmidt, Chronicle of Higher Education

Colleen Flaherty, Inside Higher Ed

Theresa Montaño, NEA National Council for Higher Education President, Moderator

### Panels & Presentations continued

Tim Lane, Managing Director, Institutional Relationships, TIAA-CREF

Larry Singer, Senior Vice President, SEGAL SIBSON

### Research Panel: Collective Bargaining and Contingent Faculty: A Survey of Results

Gary Rhoades, Professor & Director, Center for the Study of Higher Education, University of

Susan J. Schurman, Distinguished Professor & Dean, School of Management & Labor Relations, Rutgers University, Commentator

Valerie Martin Conley, Department Chair, Professor, Counseling & Higher Education, Patton College of Education, Ohio University, Commentator

Barbara Bowen, President, Professional Staff Congress, CUNY, Moderator

### Panel: University of Oregon: Bargaining and Implementing a First Contract

Doug Blandy, Senior Vice Provost for Academic Affairs

Jane Gordon, Senior Project Director, Academic Affairs Bill Brady, Senior Director, Employee and Labor Relations

Deborah Olson, Instructor, United Academics Executive Vice President/AFT-AAUP

David Cecil, Executive Director, United Academics/AFT-AAUF

Pamela Silverblatt, Vice Chancellor, Labor Relations, CUNY, Moderator

### Panel: Georgetown University: Lessons from Bargaining a First Contract for Contingent Faculty

Lisa Krim, Senior Advisor to the President for Faculty Relations

Cynthia Chance, Director of Faculty Affairs & Assistant Provost

Jonathan Fritts, *Morgan, Lewis & Bockius LLP* 

Kerry Danner-McDonald, Professorial Lecturer, Theology Department

David Rodich, Executive Director, SEIU Local 500

Anne McLeet, Director of Higher Education & Strategic Planning, SEIU Local 500 Harris Freeman, Professor, Legal Research & Writing, Western New England University,

### Panel: Tufts University: Lessons from Bargaining a First Contract for Part-Time Contingent Faculty

Nicholas DiGiovanni, Morgan, Brown & Joy, LLP

James M. Glaser, Interim Dean of the School of Arts & Sciences

Rebecca Gibson, Part-Time Lecturer, English Department, SEIU Negotiating Committee Christine Cousineau, Part-Time Lecturer, Urban & Environmental Policy & Planning Department, SEIU Negotiating Committee

Patricia DiSilvio, Part-Time Lecturer, Romance Languages, SEIU Negotiating Committee Larry Alcoff, SEIU

Jeffrey Cross, Associate Vice President for Academic Affairs, Eastern Illinois University, Moderator

### Panel: Graduate Assistants: Special Issues and Challenges in Collective Bargaining

Kerr Ballenger, United Faculty of FL-FSU-Graduate Assistants United President Margaret E. Winters, Provost & Senior Vice President for Academic Affairs, Wayne State University John D. Vander Weg, Associate Provost for Academic Personnel, Wayne State University

Peter Chester, Director, Labor Relations, University of California

Carl J. Levine, Levy Ratner, P.C. Adrienne Eaton, Rutgers University AAUP/AFT President, Moderator

### Panel: Public and Private Sector Negotiations: Distinctions and Similarities (CLE) Beth Margolis, Gladstein, Reif & Meginnis, LLP

Cindy Oliver, Federation of Post-Secondary Educators President, BC, Canada Michael Loconto, Associate Director, Labor & Employee Relations, Harvard University

Judi Burgess, Director, Labor Relations, Boston University, Moderato Panel: Ins and Outs of Faculty Salary Structures and Wage Equity

Michael N. O'Malley, Senior Vice President, Higher Education Compensation Practice Leader, Sibson Consulting

Pierre Joanis, Associate Vice President for Human Resources, Bucknell University Rex Fuller, Provost & Vice President for Academic Affairs, Eastern Washington University

National Center for the Study of Collective Bargaining in Higher Education and the Professions Hunter College, City University of New York Brookdale Campus, Box 615 425 E. 25th Street New York, NY 10010-2547

### Panels & Presentations continued

Michael Conlin, United Faculty of Eastern President, History Professor, Eastern Washington University John W. Curtis, Director, Department of Research on the Discipline & Profession, American Sociological Association, Panelist and Moderator

### Panel: Dues and Don'ts after Harris v. Quinn (CLE)

David Strom, AFT General Counsel

Catherine Fisk, Chancellor's Professor of Law, University of California, Irvine

Richard K. Zuckerman, Lamb & Barnosky, LLP

Gary Johnson, Counsel to the President, Medgar Evers College, CUNY, Moderator

# Panel: Impact of Pacific Lutheran on Collective Bargaining at Catholic Colleges and Universities (CLE)

Nicholas P. Cafardi, Dean Emeritus & Professor of Law, Duquesne University

Michael P. Moreland, Vice Dean & Professor of Law, Villanova University School of Law

Maryann Parker, SEIU Associate General Counsel

Clayton Sinyai, Director, Catholic Employer Project

David L. Gregory, Dorothy Day Professor of Law & Executive Director, Center for Labor & Employment Law, St. John's University School of Law, Moderator

### Panel: Electronic Privacy in Higher Education (CLE)

Jason Walta, Senior Counsel, NEA

Ginger McCall, Associate Director, Electronic Privacy Information Center

Jill L. Rosenberg, Partner, Orrick, Herrington & Sutcliffe LLP

Raymond L. Haines, Associate Vice Chancellor for Employee Relations, SUNY, Moderator

### Research Panel: Negotiating Over Academic Freedom in Higher Education

Risa Lieberwitz, Professor, Cornell ILR & AAUP General Counsel

Shane Lancer, Cornel University l ILR, MILR, 2016

Emily Miller, Cornell University ILR, B.S., 2015

Kevin Mollica, Cornell University ILR, B.S., 2015

Mike Mauer, Esq., Senior Labor Advisor, AAUP

Kenneth S. Hawkinson, Provost & Academic Vice President, Western Illinois University, Moderator

### Panel: Faculty Diversity and Retention: Best Practices

Anthony Browne, Chair, Africana & Puerto Rican/Latino Studies, Hunter College, CUNY Arlene Torres, Professor, Africana & Puerto Rican/Latino Studies, Hunter College, CUNY Carlos Medina, Chief Diversity Officer & Senior Associate Vice Chancellor for Diversity, Equity & Inclusion, SUNY

J. Phillippe Abraham, Vice President for Professionals, UUP

John T. Rose, Dean for Diversity, Hunter College, CUNY, Moderator

### Panel: Phased Retirement in Higher Education

Amy Strage, Assistant Vice President, for Faculty Development & Director, Center for Faculty Development, San Jose State University

William Connellan, Director of Academic Support Services, University of Florida

Steven Filling, California Faculty Association

Tim Lane, Managing Director, Institutional Relationships, TIAA-CREF

Steve Hicks, Associate Professor, Lock Haven University, Co-Editor, JCBA, Moderator

### Panel: Views from Mediators: Resolving Higher Education Labor Disputes

Bonnie Weinstock, Arbitrator & Mediator

Kevin Flanigan, Director, NYS PERB Office of Conciliation

Kathleen Murray-Cannon, Commissioner, FMCS

Joel M. Douglas, Professor Emeritus, Baruch College, CUNY, & former National Center Executive Director, Moderator

# Panel: Higher Education Scorecards, Performance Based Metrics and Faculty Compensation

Alan D. Phillips, Executive Deputy Director, Illinois Board of Higher Education Mark Smith, Higher Education Policy Analyst, National Education Association Jeffrey M. Lax, Chair, Department of Business, Kingsborough C.C., CUNY, Moderator Panel in formation

#### Panel: Due Process Issues for Non-Tenured Track Faculty: How Much Process is Due? (CLE)

James Castagnera, Associate Provost & Associate Counsel, Rider University

Mark Farley, Managing Consultant, InvOv8 Inc.

Richard E. Casagrande, NYSUT General Counsel

Jim Moran, Provost and Vice President, Academic Affairs, University of South Dakota, Moderator

### Research Panel: International and Domestic Perspectives on Non-Tenured Track Faculty Bargaining

Karen Stubaus, Vice President, Academic Affairs & Administration, Rutgers University

Sara Slinn, Associate Professor, York University, Osgoode Hall Law School

Ana Virginia Moreira Gomes, Professor of Law, Universidade de Fortaleza, Brazil Antonio Alfeu da Silva, Ph.D. Candidate, Faculty of Law, Universidade de Fortaleza, Brazil

Michael Zweig, Professor & Director, Center for Study of Working Class Life, Stony Brook University, SUNY, UUP, Moderator

### Annual Panel: Year in Higher Education

Theodore H. Curry II, Michigan State University Associate Provost & Associate Vice President, School of Human Resources & Labor Relations Professor

Stuart Andrews, Executive Director, Australian Higher Education Industrial Association Helen Fairfoul, Chief Executive, Universities & Colleges Employers Association, UK Daniel Julius, Senior Vice President & Provost, New Jersey City University, Moderator

### Panel: Politics of Higher Education Funding

Hon. Sandra B. Cunningham, Chair, New Jersey State Senate Higher Education Committee Ed Maloney, MJS Associates, former Chair of Illinois Senate Higher Education Committee Kenneth Mash, Association of Pennsylvania State College & University Faculties President Hank Sheinkopf, Political Consultant, Sheinkopf Communications, Moderator

### Panel: Student Evaluation of Teaching in Higher Education

Philip B. Stark, Professor & Chair, UC Berkeley Department of Statistics

### Panels & Presentations continued

John Centra, Professor Emeritus Syracuse University Department of Education Alexandra Matish, Associate Director, Academic Human Resources, University of Michigan Lillian MacNell, North Carolina State University Graduate Student, 2016 Fred Kowal, President, United University Professions, Moderator

### Panel: Work/Life Balance: Framing and Negotiating the Issues

Joya Misra, Professor of Sociology & Public Policy, University of Massachusetts, Amherst Jennifer Lundquist, Associate Professor of Sociology, University of Massachusetts, Amherst Lisa Bonick, Director, Academic Labor Relations, Rutgers University

Susan Pearson, Associate Chancellor, University of Massachusetts, Amherst, Panelist and Moderator

### Panel: Music and Bargaining: Negotiating in Tune at Music Schools and Departments

Michael Scott, Berklee Faculty Union

Matt Marvuglio, Dean, Performance Division, Berklee College of Music
Jimmy Owens, Part-time Classroom Faculty, New School for Jazz & Contemporary
Music/Local 802, AFM

Martin Mueller, Executive Director, New School for Jazz & Contemporary Music Panel in formation

### Panel: Past Practices and Labor Relations: The Importance of Institutional Memory

John Hamlin, University Education Association President, Professor of Sociology, University of Minnesota, Duluth

Scott Laderman, University Education Association Contract Administrator, Associate Professor of History, University of Minnesota, Duluth

James Burkel, Senior Academic Labor Relations Representative, University of Michigan Angela Latham, Professor, Theatre & Performance Studies, member, UPI Local 4100, Governors State University, Panelist and Moderator

### Panel: Sexual Assaults on Campus: What Is To Be Done?

Coleen Chin, Senior Attorney, U.S. Department of Education, Office of Civil Rights Michelle Kiss, Director of Special Projects, Academic Affairs, California State University System Ray Murillo, Director, Student Programs, California State University System Holly M. Rider-Milkovich, Director, Sexual Assault Prevention & Awareness Center, Co-Chair, Abuse Hurts Initiative, University of Michigan, Moderator

## Panel: Legal Issues in Higher Education: Annual Review of Court and Administrative Developments (CLE)

Richard F. Griffin, NLRB General Counsel

Aaron Nisenson, AAUP Senior Legal Counsel

Kerry B. Melear, Interim Chair, Leadership & Counselor Education & Associate Professor, University of Mississippi

Marjorie Wittner, Chair, Massachusetts Commonwealth Employment Relations Board, Moderator

# Panel: Postsecondary Minority Serving Institutions: Labor Relations and Collective Bargaining

Robert White, Alabama State University Professor of History Professor

Quintlon Ross, NEA Uniserv Director, Alabama Education Association

Sasha Tarrant, Assistant Professor of History, Brazoport College, Executive Council Member, TX Faculty Association Lynda Villanueva, Vice President, Academic & Student Affairs, Brazosport College

Lynda Villallucva, Vite I resident, Adduenti O Student Affairs, Drizosport Codeg

Joyce Moy, Director CUNY Asian American Research Institute, Moderator

### Panel: Affordable Care Act Update

John Abraham, AFT Benefits Department Director

John H. Gross, Ingerman Smith LLP

Maria Maisto, Adjunct, Cuyahoga C.C., New Faculty Majority (NFM) President, OH PT FA co-founder Larry Singer, Senior Vice President, SEGAL|SIBSON, Panelist and Moderator

### Workshops April 20 - 21

# Workshop Training: Effective Contract Administration for Administrators and Labor Representatives

Debra Gold, NYSUT Labor Relations Specialist

Michael J. Lebowich, Proskauer Rose LLP

Brian Duffy, Acting Associate Provost, Hunter College, CUNY, Moderator

### Workshop Training: Practices and Policies on Bullying and Harassment

Fran Sepler, Sepler and Associates, MN

Lesley Burke-O'Flynn, Federation of Post-Secondary Educators Staff Representative, BC, Canada Phadra Williams, Organizational Specialist, Office of Higher Education, NEA, Moderator

# Workshop Training: Mindfulness and Stress Management for Negotiations and Labor Relations

Victor Goode, Associate Professor, CUNY School of Law

### Workshop Training: Collective Bargaining and Labor Relations for Experienced Administrators and Labor Representatives

Joe Ambash, Fisher & Phillips LLP

Thomas Olson, Commissioner, FMCS

Howard Parish, Arbitrator & Mediator, Panelist and Moderator

### Report: Journal of Collective Bargaining in the Academy

Jeffrey Cross, Co-editor, Associate Vice President for Academic Affairs, Eastern Illinois University Steve Hicks, Co-editor, Associate Professor, Lock Haven University