Prof. Phil Lane, last year’s Faculty Chair, filled in for Prof. Larry Miners who was out of town. Prof. Lane called the meeting to order in DSB 110A/110B at 3:35 PM. He reminded faculty that Prof. Miners had appointed Prof. Rick DeWitt to be parliamentarian for the year.

1. **Announcements.**

Prof. Lane mentioned that the Faculty Salary Committee (FSC) had requested that the Secretary of the General Faculty (GFS) be prepared for ballot voting. Prof. Mulvey explained the ballots – some to be used when proxies were allowed and others for when proxies were not allowed.

Prof. Mulvey went on to explain the packet for the meeting and that she included in it all relevant documents and minutes of meetings. There has been a lot of talk of “successful resolution” of the matters before us. For the GFS, a successful resolution would not depend on the outcome of the votes, but would be a meeting where the faculty understood the proposals and made an informed decision by faculty vote after a robust discussion and debate. People need to understand the issues. She encouraged the faculty to ask any questions they had on content, on clarification, or on procedure. She noted that she made “mini-packets” for distribution that contained only the text of the amendments to be considered (attached). She hopes that we can get through all the proposals from the Faculty Salary Committee and all the proposals from the Academic Council from the AC Subcommittee on Governance before the Board of Trustees meets.
next in December. We have only 2 of the 7 governance proposals on the agenda for today. If we don’t get to them today, we can almost certainly have all governance proposals that are through the AC to consider at the GF meeting in November.

2. **Approval of Minutes of the Meeting on May, 14, 2009.**

   MOTION. [Scheraga/Greenberg] to approve the minutes of the General Faculty meeting on 5/14/09 as circulated.
   MOTION PASSED.

3. **Report on presentation by invited faculty members to Board of Trustees.**

   Prof. Mulvey described what she had included in the packet, in particular the resolution passed by the Board on 10/1/09 (page 26). She noted that this is not an action item, but informational.

4. **Report by the Faculty Salary Committee.**

   Prof. Crawford, a member of the Salary Committee, made the report for the committee. He began by mentioning the administration’s commitment to the 95th percentile and how that commitment provided some protection for faculty. (1) Merit pay, as currently implemented, is bad. In the packet is a universal merit plan with a clause on consumer price index (CPI) which will be better for faculty. We made compromises to get this, one is taking health benefits “at no cost to the faculty member” out of the Handbook. Faculty will begin to pay 10% of their health care premiums and the administration will add $2250 to base salary for anyone who hasn’t already switched to cost-sharing. In the near term, at least, this should be revenue neutral. (2) The FSC is proposing a Memo of Understanding (MOU) and Benefit Plans Overview (BPO, an appendix to the MOU) that incorporates cost-sharing and the $2250. (3) The FSC is proposing changes to the Faculty Handbook. In addition to removing “at no cost to the faculty member” re health benefits, we propose to move the 10% figure of the University’s contribution to retirement out of the Handbook and into the Benefit Plans Overview (BPO), and we propose to move (increased) life insurance out of the Handbook and into the BPO. With regard to what’s different from the proposal the faculty voted down last May, the administration has backed off demands to move other specific details (Anthem, TIAA, tuition benefits) out of the Handbook.

   Prof. Lane opened the floor for informational questions.

   Prof. Anibal Torres noted that in the MOU (Item F on page 48), the commitment to the 95th percentile is made “subject to financial limitations”. How is that determined? Answer: It is up to the Board.

   Prof. Mulvey noted that more and more of our benefit protections are dependent on the commitment to the 95th percentile. Given that, was there any discussion of putting the commitment to the 95th percentile into the Faculty Handbook? Answer: No.

   Prof. Curt Naser asked if there was a commitment to CPI even if there’s additional merit. Prof. Rakowitz answered that there is never a commitment to CPI. The commitment is “no additional merit unless standard merit is above CPI”. Prof. Naser asked if there were projections on possible compensation scenarios for upcoming years. Prof. Crawford said no one knows those projections. Prof. Naser said he assumed that the administration knows.

   Prof. Phil Shaw asked if the commitment to the 95th percentile took geography into account. Answer: No.

   Prof. Joan van Hise asked for specific clarification as to what, in the list of 6 items on page 31 of the packet, was or was not in the packet for last May 14. Answer: items 1 and 2 were in the 5/14 packet, items 3 and 4 were not. Prof. van Hise noted that the only things we’re getting refer to things we are losing.
Prof. Joy Gordon asked for clarification on exactly what was meant by item 4 on page 31 of the packet. Is the proposal to remove the 10% figure of the University’s contribution to retirement out of the Handbook where it is protected and move it to the BPO where it’s protected only for three years? Answer: Yes.

Prof. Jean Lange asked if the “same or better” language would remain in our contracts? Prof. Rakowitz said the administration has not indicated any intention of changing that language. Prof. Dawn Massey asked if the FSC had that in writing. Answer: No.

Prof. Michael Tucker noted that the BPO is part of the MOU. Does the BPO continue in the event of no agreement on an MOU? Prof. Rakowitz said the MOU and BPO should agree.

Prof. John Lasseter asked re item 6 on page 31, what limits the rate of increase on health insurance premiums? Answer: for the next three years health premiums will be less than or equal to 10% of basic health care premiums and the increase will be less than or equal to 6% per year. Prof. Lasseter asked what happens after three years? Answer: nothing has been agreed to for after three years.

Prof. Steve Bayne noted that the documents we were being asked to consider require the new charge to the FSC that we approved last year and the Board did not approve. Why hasn’t the FSC included that new charge for the faculty to consider along with these documents? Prof. Rakowitz said the FSC would be bringing that back to the faculty and that they didn’t consider it urgent.

Prof. Sharlene McEvoy asked why is the administration insisting on moving information and not changing it for three years? Why not leave it where it is for three years? Why not wait? Prof. Tromley answered that the Board wants fiscal details out of the Handbook.

Prof. Dorothea Braginsky expressed shock that the faculty were using the word “negotiate” to describe the discussions as that word had always been forbidden in the past. Prof. Lane suggested it was time for a motion to be put on the floor.

**MOTION I [Rakowitz/Dennin], The General Faculty approves the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation, included as pages 34-41 of the packet for the 10/23/09 General Faculty Meeting, for inclusion in the Journal of Record.**

Prof. John Thiel spoke in favor of the motion since the faculty approved this overwhelmingly last spring.

Prof. Dawn Massey spoke against the motion, as she did last spring. The FSC should not have drafted a merit plan, this is not under FSC purview. The merit plan doesn’t guarantee CPI and we should insist on that. The appeals process (last bullet on page 41) should be drafted before we approve the merit plan.

A ballot vote was conducted and proxy votes were allowed.

**MOTION I PASSED. 132 in favor and 43 opposed.**

**MOTION II [Rakowitz/Dennin], The General Faculty approves the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the packet for the 10/23/09 General Faculty meeting), contingent upon the approval by the faculty and the Board of Trustees of the Proposed Amendment to the Fiscal Policies section of the Handbook (pages 72-73 of the packet for the 10/23/09 General Faculty meeting) and the acceptance by the administration of the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 34-41 of the 10/23/09 packet) for inclusion in the Journal of Record.**

Prof. Joy Gordon noted that passage of Motion II was dependent on passage of MOTION III and so we should vote on Motion III first.
MOTION [Gordon/Massey]. To postpone voting on Motion II until after a vote on Motion III.
MOTION PASSED.

Motion III, edited with the underlined text, was put on the floor.

MOTION III [Rakowitz/Preljic]. The General Faculty approves replacing the Fiscal Policies section of the Faculty Handbook (II.B.) with the text found on pages 72-73 of the packet for the 10/23/09 General Faculty meeting, contingent upon the acceptance by the administration of the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 34-41 of the 10/23/09 packet) for inclusion in the Journal of Record, and the acceptance by the administration and the faculty and the Board of Trustees of the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the 10/23/09 packet).

Prof. Gordon noted that the motion contains three changes to the fiscal policies of the Handbook: changes to health benefits, changes to retirement benefits, changes to life insurance benefits. She supports the cost-sharing on health benefits, but the changes to retirement are very detrimental to faculty, especially younger faculty. She thought we should deliberate and vote on each benefit change separately.

MOTION [Gordon/Massey] to divide the question.
MOTION FAILED. 49 in favor, 90 opposed.

We returned to debate on MOTION III.

Prof. Greenberg spoke in favor of the motion. He asserted he is no friend of the administration, but felt we had made progress. It would be naïve to not expect the Board to act. He asked rhetorically, do we want to fight over this? Is it worth it? Prof. Greenberg’s remarks were followed by loud, sustained applause.

Prof. Jo Yarrington felt we had negotiated a strength position.

Professor Leo O’Connor spoke in favor of the motion, noting that he has worked at Fairfield for 45 years and was the first chair of the FSC.

Prof. Massey spoke against the motion, noting that the commitment to the 95th percentile, which a lot depends on, is weak and not well-protected itself. The changes to retirement are very detrimental to faculty and we are getting nothing in return for giving those up. The proposals are bad for faculty, especially young faculty and faculty with children, and we should reject them.

Prof. Kevin Cassidy spoke in favor of the motion saying it’s not perfect but it is possible.

MOTION [Dallavalle/second]. To call the question.
MOTION PASSED by the required 2/3.

Motion III is an amendment to the Faculty Handbook and so must pass by 2/3 of those present and voting.

MOTION III PASSED. 105 in favor and 38 against.

MOTION II [Rakowitz/Dennin]. The General Faculty approves the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the packet for the 10/23/09 General Faculty meeting), contingent upon the approval by the faculty and the Board of Trustees of the Proposed Amendment to the Fiscal Policies section of the Handbook (pages 72-73 of the packet for the 10/23/09 General Faculty meeting) and the acceptance by the administration of the Proposed Guidelines for Faculty Annual

**MOTION II PASSED.** 134 in favor and 33 against.

5. **Proposed Handbook amendments on Academic Council Executive Committee**

This item was postponed until the next meeting.

6. **Adjournment.**

A **MOTION to adjourn** was made, seconded and **PASSED** without objection.

Respectfully submitted,
Irene Mulvey
Secretary of the General Faculty

Approved by the General Faculty November 20, 2009
Meeting of the General Faculty  
Friday, October 23, 2009 from 3:30 - 5:00 PM  
Dolan School of Business  
Room 110A and 110B

A list of motions as they appear in the packet for the meeting:

I. Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation

**Motion I:** the General Faculty approves the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation, included as pages 34-41 of the packet for the 10/23/09 General Faculty Meeting, for inclusion in the Journal of Record.

This motion appears on page 29 of the 10/23/09 GF meeting packet.

II: Proposed 2009-2010 Memo of Understanding (MOU).

**Motion II:** the General Faculty approves the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the packet for the 10/23/09 General Faculty meeting), contingent upon the approval by the faculty and the Board of Trustees of the Proposed Amendment to the Fiscal Policies section of the Handbook (pages 72-73 of the packet for the 10/23/09 General Faculty meeting) and the acceptance by the administration of the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 34-41 of the 10/23/09 packet) for inclusion in the Journal of Record.

This motion appears on page 30 of the 10/23/09 GF meeting packet.

III. Proposed Amendment to the Fiscal Policies section of the Faculty Handbook.

**Motion III:** the General Faculty approves replacing the Fiscal Policies section of the Faculty Handbook (II.B.) with the text found on pages 72-73 of the packet for the 10/23/09 General Faculty meeting, contingent upon the acceptance by the administration of the Proposed Guidelines for Faculty Annual Merit Review and Self-Evaluation (pages 34-41 of the 10/23/09 packet) for inclusion in the Journal of Record, and the acceptance by the administration and the Board of Trustees of the Proposed 2009-2010 Memo of Understanding (pages 47-51 of the 10/23/09 packet).

This motion appears on page 31 of the 10/23/09 GF meeting packet.

**The Handbook text (with changes shown) is on the next three pages:**
II. B. FISCAL POLICIES

1. Benefits

Faculty benefits are outlined in the Benefits Plan Overview for Full-Time Faculty. Enrollment and changes in all benefits programs and requests for additional information are handled by the Office of Human Resources. The insurance programs may be effected by that department only and it is, therefore, imperative that anyone wishing new or changed coverage contact that office immediately. Changed coverage can include addition and cancellation of dependents, change of marital status, change of name, etc. Although the University shall provide all these benefits, it is incumbent upon the individual faculty member to contact the Office of Human Resources in order to effect his or her enrollment in these programs. Brochures and detailed information outlining each benefit plan are available in the Office of Human Resources. In all instances, the Plan documents control and these documents should be consulted with any specific questions concerning benefits.

a. Health Care Plans

BASIC MEDICAL COVERAGE

The University provides, at no cost to the faculty member, an enhanced high quality Health Care Plan (as of July 1, 1996, a self-funded plan with benefits equivalent to the Blue Cross-Blue Shield Century Preferred Plan) which covers hospital and medical/surgical expenses for the faculty member, spouse or civil union partner, and his or her eligible dependents. Optional enhancements are also available. The Health Care Plan is outlined in the Benefits Plan Overview.

If the University should offer a different plan to other University employees, the University will offer faculty members the option to elect alternative coverage under such plan, subject to the same terms and conditions applicable to other employees. If the University should offer a supplemental plan to other University employees, the University will likewise offer such supplemental plan to faculty members, subject to the same terms and conditions applicable to other employees.

If the Health Care Plan described above is discontinued or not available, the University shall continue to provide a comparable plan of benefits.

The faculty shall be advised at least 90 days prior to any proposed changes in the plan of benefits and any proposed comparable plan of benefits shall be submitted for approval to the General Faculty.

The Health Care Plan, while self-funded, provides all the mandated benefits required by state law applicable to insured plans.

For faculty members, new coverage usually starts on the first day of employment at the University if enrollment procedures are completed on a timely basis. Upon termination of employment, coverage can be continued according to prevailing regulations.

MAJOR MEDICAL PLAN

The University’s Major Medical Plan shall be provided at no cost to the full-time faculty member and to his or her dependents. The coverage is effective on the first day of employment at the University. Upon termination of employment, coverage can be continued according to prevailing regulations.

b. Retirement Plan

Participation in the regular Retirement Plans is mandatory for all eligible tenured faculty members. Plans underwritten by the Teachers Insurance and Annuity...
Association (TIAA), and the College Retirement Equities Fund (CREF) and Fidelity Investments, are available. The faculty member who has completed one year of full-time service or its equivalent is eligible for this Plan and must initiate enrollment in this Plan through the Office of Human Resources. If the faculty member is already a member of an eligible retirement plan, the one-year waiting period may be waived. The eligible and enrolled faculty member is fully and immediately vested in the plan. The University contributes towards the retirement plan with the expectation of a minimum contribution from the participating faculty member as detailed in the Benefits Plan Overview. The Employee Retirement Equities Act (ERISA) also calls for eligibility for someone who works at least 1,000 hours per year. A member's contributions may be tax-sheltered, if he or she so designates.

The University contribution is ten percent of the base annual salary with a minimum faculty contribution of two and one-half percent.

An optional Supplementary Retirement Annuity Plan underwritten by TIAA/CREF or Fidelity Investments which may provide tax shelter opportunities is also available.

Eligible faculty members wishing to enroll in this plan should do so through the Office of Human Resources once they are eligible.

c. **Life Insurance**

The University provides a term Life Insurance policy at no cost to the full-time faculty member. The base value of this policy is equal to one and one-half times the base annual salary. However, additional amounts of coverage are available through payroll deduction up to a combined policy maximum (base plus additional) of $100,000. Supplemental coverage beyond the base amount may be purchased, but the faculty member must enroll within 31 days of employment or be required to furnish evidence of insurability for a later effective date. There is no dependent coverage with this policy. On the first day of the month in which a faculty member’s 70th birthday occurs, an amount equal to 65% of the selected amount will be provided. Other reductions will occur at ages 75 and 80.

Although this policy terminates when the faculty member leaves the University’s employment, the faculty member may purchase, without evidence of insurability and subject to certain policy provisions, a Personal Policy of Life Insurance at prevailing rates.

d. **Illness/Disability Paid Absence Policy**

Full-time faculty who are absent from work as a result of illness or disability due to childbirth or injury which is not work related are afforded regular salary, insurance and other benefits during the period of disability. In case of lengthy or recurring absences or disabilities, the University reserves the right to request a medical certification of disability or a second opinion at University expense. In cases of serious and long-term illness/injury, the University will provide salary up to six months. The University’s Total Disability Plan provides benefits after six months subject to the terms of the Plan. The Plan provides benefits up to age 65 or beyond depending on the age of the eligible faculty member at the time total disability starts.

Temporary disability resulting from pregnancy is covered in the same manner as other disabilities during the period the full-time faculty member is absent from work. As soon as is feasible, a pregnant faculty member should provide a statement indicating the anticipated commencement and duration of the period of pregnancy disability. Barring complications the expected period of pregnancy disability would be six (6) weeks. If the period of disability extends beyond the six (6) weeks, documentation from a physician may be required.
Faculty whose maternity disability leave occurs at a time during the semester that would interfere significantly with their teaching (normally considered to be a period of absence of three or more weeks) shall be released by the appropriate Dean from teaching responsibilities for the semester. During that time, full pay and benefits will be continued. Faculty will be expected to work on projects and to fulfill other responsibilities congruent with their role at the expiration of their maternity leave.

e. **Workers’ Compensation**

   Work related injuries are covered by Workers’ Compensation.
MOTION 1. That the General Faculty approve that the *Faculty Handbook* tenth edition (2006) be amended in section I.B.2 paragraphs 2 and 6 and I.B.6 paragraph 1 as follows. (New language is in **bold** and language to be deleted is marked with *strikethrough*.)

*Ex officio* members of the Council are the **Senior Vice President for Academic Affairs** Academic Vice President, the Deans of the Schools and the Secretary of the General Faculty. The **Senior Vice President for Academic Affairs and the Secretary of the General Faculty are ex officio voting members**. Additional *ex officio* positions may be accorded membership on the Council by appointment of the President and the Council. Faculty members of the Council are elected to represent the interest and orientations of the various Schools of the University.

The right to vote and/or to make and second motions is limited to faculty members elected to the Council and those *ex officio* members designated above as voting members. Other *ex officio* members do not have these rights. Only the elected faculty members on the Council have the right to vote and/or to make and second motions. *Ex officio* members do not have these rights. All Council members have the right and privilege of discussion. Additionally, the opportunity for direct communication from the President of the University to the members of the Council is afforded at all meetings in the Order of Business.

The Academic Council shall at its first meeting of the year, elect from its current elected membership a Chairperson for the ensuing year. The term of office is fixed at one year. The functions of the Chairperson are:

**At the Academic Council Meeting on 10/5/2009, a MOTION to approve the above amendment to the *Faculty Handbook* FAILED:** 8 in favor, 9 opposed.

This motion appears on page 89 of the 10/23/2009 GF meeting packet.
MOTION 2. That the General Faculty approve that the Faculty Handbook tenth edition (2006) be amended in section I.B.10, I.B.6., and I.B.7. paragraph 1. (New language is in bold and language to be deleted is marked with strikethrough.)

10. Agenda
Any member of the University community may suggest topics for the Council’s consideration. However, the Council, subject to specific instructions by the General Faculty, shall determine which items to accept for placement on the agenda. The Executive Committee of the Academic Council establishes the agenda of Council meetings. The members of the Executive Committee are the Chairperson and Executive Secretary of the Council, the Secretary of the General Faculty, and the Senior Vice-President for Academic Affairs. The Chairperson of the Council serves as Chairperson of the Executive Committee. The Executive Committee is also available to consult with faculty and administrators on the best way to address issues within the governance structure.

6. Position of Chairperson of the Council
The Academic Council shall, at its first meeting of the year, elect from its current elected membership a Chairperson for the ensuing year. The term of office is fixed for one year. The functions of the Chairperson are:

a. To serve as presiding officer during the course of Council meetings and to enforce the operating procedure adopted by the Council. In the absence of the Chairperson the Council shall designate a substitute from its membership, ex officio or elected.

b. Serve as its official representative to outside groups.

c. With the Executive Secretary establish the agenda for the meetings.

7. Position of Executive Secretary
The Executive Secretary is elected from the elected membership of the Council. The Executive Secretary is responsible for the following: (a) implementation of the actions of the Council; (b) arranging meetings of the Council and of the Council's Executive Committee, and, in conjunction with the Chairperson, establishing the agenda; (c) communicating the work of the Council to the President and the General Faculty; (d) distributing Council-approved minutes to all members of the General Faculty; (e) overseeing committees of the Council; (f) designating the Recording Secretary before the next meeting of the Council; (g) whatever other executive function the Council may delegate.

At the Academic Council Meeting on 10/5/2009, a MOTION to approve the above amendment to the Faculty Handbook FAILED: 5 in favor, 12 opposed.

This motion appears on page 90 of the 10/23/2009 GF meeting packet.
**MOTION 3.** That the Academic Council Chair and Executive Secretary, together with the General Faculty Secretary, meet with the Senior Vice President for Academic Affairs at least once a month. The meetings should take place before the agenda is prepared for upcoming Academic Council meetings. Topics for discussion should include but not be limited to possible Academic Council agenda items, as well as how best to address issues that arise within the governance structure of the university.

**At the Academic Council Meeting on 10/13/2009, the MOTION above PASSED: 13 in favor, 2 opposed, 1 abstention.**

This motion appears on page 91 of the 10/23/2009 GF meeting packet.