

Report of the Faculty Council meeting

June 12, 2020

1. Faculty Council approved the meeting minutes of 3/11/20, 4/15/20, and 6/3/20 unanimously.
2. Discussion of the new Retirement Benefits proposal
 - Faculty objection to the earlier proposal: 1. It indicated cuts for more than one year; 2. there were no benchmarks provided as to how we could get the benefits back.
 - The new proposal states explicitly that the cut was intended for one year and that “After that time, the University intends to reinstate the University contribution to employees’ accounts. Any proposal to reinstate the University retirement contribution at a reduced
 - percentage compared to the pre-July 2020 University contribution level would be presented to the Faculty Council leadership for review and any necessary action consistent with any applicable Faculty Handbook provisions.”
 - It was suggested that the words “intends to” in the proposal should be changed to “will.”
 - A concern was raised about what if they change the faculty handbook. Everything needs to be reexamined if the handbook becomes void for some reason. This may be why we should seek out legal counsel.
 - In Brent’s meeting with Steve: 1. Steve agrees to a need of transparency, and mentioned that Case Western published their budget online; 2. Steve was open to the idea that faculty should be able to look at the budget numbers; 3. Steve agreed to have another town hall meeting and will bring Lauri to answer specific questions.
 - A concern was raised that faculty would need to see the overarching budget cut plans (not just the part concerning the faculty) before they can vote on the proposal. The proposal also needs to be sent before the end of June.
 - Some faculty members raised the questions about why the benefit cuts would start in July while the salary cut started in September. Medora talked to Ryan Armsworthy and ColleenTremml about this question. According to them, starting in July is aligned with the handbook. With mutual agreement, benefit change can start in the middle of an academic year. In the past we've changed medical benefits mid-year. With the salary cuts, which does not require mutual agreement, the institution can decide to do it but will have to wait till the beginning of the next academic year. It was also pointed out that retirement plans has always been more flexible than the other benefit packages which allows faculty members to make changes from month to month. They did indicate that this is running so late they're not sure whether or not it will start in July. It might start in August. There are also administrative requirements that all employees across the university must be treated equally in terms of retirement contributions, with the same start date for faculty, staff, and administration.

- One of the questions raised in the TRT meeting with respect to folks who are retiring now is if they can be exempt from retirement cuts for the summer. Steve seemed to agree to it but didn't know if it was feasible at the legal level.
- Q: if the faculty don't approve this benefit cut then it won't be able to be applied to staff either?
- A: it seems so, because everybody at the University needed to be treated the same. The institution really needs the two million dollar temporary savings, and with this requirement they may be eager to get the faculty's cooperation.

3. Discussion of the Faculty Survey Results

- Brent has sent the survey results to the FC members in two different formats.
- There has been much discussion and disagreement about whether we should seek a higher tier of salary cut. The argument against this is that this suggestion, which originally seemed to target the vice presidents and others in the administration, will invariably involve faculty in Boler and thus creates a division among the faculty. When this idea was brought up in the work force group, the HR people were strongly against it. According to them, administrators tend to have very short tenure at a given school, three or four years on average, and faculty like to complain about their high turnover. This policy would only aggravate the issue. In addition, some of the VPs, senior leaders, and Boler faculty have already voluntarily given back a larger percentage of their income.
- In terms of medical benefit cut, it has been clarified that the 20% cut refers not to the copay, but to what we would be paying overall.
- The administration still views the short-term deficit and the long-term as a singular event but also recognizes that the faculty views them as two separate problems.
- More details on the HyFlex are coming out. Brent created a video that is being shown to incoming students about the instructional model. A frequently asked questions letter is being designed. There's a lot of work being done to not get bogged down in the most. We need to be aware that some of the ideas advocated by the HyFlex model, such as a total relax of student attendance is inconsistent with the John Carroll mindset. We should, however, expect a good proportion of students to be attending classes virtually and synchronously.
- Mark will post the survey data on canvas faculty business board.
- Q: with regard to the new proposal, it was suggested that we ought to see more information first but that impacts timing.
- A: Brent will try to set up a meeting with Steve early next week. Brent also invited faculty, especially the accounting faculty to look at the budget data.
- It was also pointed out that having an academic expertise in a business area does not make you an expert business person, and that it's not necessarily productive to have marketing faculty involved in marketing or accounting faculty involved in budget study.
- It was suggested that the retirement proposal should be moved quickly so we can look at the medical benefit cut next.

- Brent asked the FC members if we need another town hall meeting soon or would we prefer putting together a list of questions and request written answers. Some faculty members expressed preference for the written questions and answers option.
 - One of the questions to be put on the list is what parts of the endowment can and cannot be drawn to help out and why.
4. Discussion about legal counsel
- 72% of the faculty wants to seek out legal counsel. Several faculty members have independently recommended the same person who is good in AAUP and understands university laws well. The problem is how we would pay for this since we don't have a budget.
 - It is possible that some attorneys connected with AAUP may be willing to offer free counsel for 30-60 minutes, but the problem is what specific questions do we have for them? If we can decide what the attorney would be advising us on, we may be able to kick in money, which seems to be the only option.
 - Brent will contact the attorney that was recommended and ask how we would pay and exactly what we would be looking at.
 - One of the questions on which we need legal advice concerns involuntary removal of departments and faculty.
 - Steve has had a long discussion with Jeff Johansen about relevant parts of the Handbook, and the understanding is that the handbook does empower him to get rid of departments.
 - Several faculty members are convinced that some programs and maybe even departments will be cut regardless of the results of benefit cut negotiations. But AAUP specifies what happens to the faculty members even after departments are cut, and this may be where we need legal advice.
 - FC members voted (14 yes) to approve the exploration of seeking legal help.

FC members also voted to create a separate canvas course for adjunct faculty business.

The next faculty council meeting will be scheduled for 10am 6/19.