

Minutes*

Faculty Consultative Committee
Thursday, August 18, 2011
1:00 – 3:00
238A Morrill Hall

- Present: Walt Jacobs (chair pro tem), Linda Bearinger, Avner Ben-Ner, Elizabeth Boyle, Thomas Brothen, Carol Chomsky, Chris Cramer [by telephone], Caroline Hayes, James Pacala, George Sheets, Kathryn VandenBosch
- Absent: None counted for a summer meeting
- Guests: Nancy Carpenter, Shawn Curley (outgoing Committee members); Provost E. Thomas Sullivan; Professor Janet Thomas (Committee on Equity, Access, and Diversity)
- Other: Jon Steadland (Office of the President); Assistant Vice President Sharon Reich Paulsen (Office of the Provost)

[In these minutes: (1) gender-equity study, with Provost Sullivan; (2) matters for the Senate]

1. Gender-Equity Study Discussion with Provost Sullivan

Professor Jacobs convened the meeting at 1:00 and welcomed Provost Sullivan to discuss the gender-equity study prepared and submitted by a consultant in June.

Provost Sullivan provided background on the genesis of the study, initiated as a result of a study conducted by the Women's Faculty Cabinet (WFC) suggesting there was a gender gap in faculty salaries. He met with WFC, reviewed the literature about salary inequities, set up a steering committee (that included Professors Cramer and VandenBosch from this Committee and representatives from the WFC), and then hired an external consultant (the steering committee interviewed the candidates). He hired Professor Murray Clayton, from the University of Wisconsin, in part because he had participated in a similar study at Wisconsin, both on the analysis and the remedy sides. Professor Clayton visited the campus, reached agreement on the data set, and provided a report.

Provost Sullivan provided for the minutes a summary of Professor Clayton's report:

I received today a report from an independent consultant regarding a statistical analysis of faculty salaries by gender on the Twin Cities campus. The report is the result of a process begun by the Women's Faculty Cabinet, which presented to me in May 2010 an analysis that indicated the existence of a gap between male and female faculty salaries on the Twin Cities campus. I shared the WFC report with the University's Office of Institutional Research and the Office of Human Resources. Following consultation with these offices, and additional consultation with the WFC and with leadership of the Faculty Consultative Committee, I directed the Vice President for Human Resources to work in collaboration with leadership from the WFC and the FCC, the Office of Institutional Research, and the Office for Equity and Diversity, to hire an independent outside

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consultant to advise the University regarding best practice methodologies for performing a statistical analysis of gender equity in faculty salaries at a complex research university.

Vice President Carol Carrier formed an Executive Steering Committee consisting of herself, WFC officers Michele Goodwin and Patricia Frazier, FCC chair and vice chair Kathryn VandenBosch and Christopher Cramer, Institutional Research Director Peter Radcliffe, Office for Equity and Diversity Associate Vice President Kris Lockhart, and Associate Vice President and Chief of Staff to the Provost Sharon Reich Paulsen. The Steering Committee assisted in the selection of the consultant, drafted scope-of-work directions, and met with the consultant several times, both in person and through video conferencing. The consultant also met separately with the Women's Faculty Cabinet, with FCC, and with the Senate Finance and Planning Committee. The resulting report is attached.

The consultant found "evidence that male faculty are, overall, paid an average of 2.2% more than female faculty." The consultant further indicated that "[m]ore detailed analyses provide statistical evidence that this gap in salary is not evenly distributed across the schools/colleges nor is it evenly distributed across the ranks." The consultant noted that: "[t]hese conclusions do not identify specific individuals whose salary warrants adjustment. Further, these methods do not identify the causes of any gap in salary, and indeed, in some circumstances a gap in salary between male and female faculty might be justifiable based on merit or other information." The consultant emphasized that "no single statistical model can capture all of the complexities of the salary structure of a large institution like the University of Minnesota. As a result, several models were examined, each based on its own set of assumptions. . . . These analyses strongly support the overall conclusions." Among the limitations noted by the consultant are: (1) the analyses do not take merit into account; (2) the "results have very little to say about a given individual"; and (3) the results "cannot be considered to provide a proof that there is a gender gap in salary" (emphasis in original).

The consultant's recommendations, based on his analysis, are: (1) "Develop a system for identifying and correcting cases where an individual's salary should be appropriately adjusted." Based on the consultant's experience at the University of Wisconsin, he offered specific suggestions regarding a possible process to use, noting that the process should be individualized and that "an across-the-board remedy whereby each female faculty member receives a salary adjustment of 2.2% is not recommended" (emphasis in original); (2) "Work to identify the causes of salary inequities, and develop policies to prevent their recurrence"; and (3) "Routinely monitor faculty salaries at the institutional level." More information regarding each of these recommendations is contained in the consultant's report.

He reviewed the report at length with Professor Clayton, Provost Sullivan told the Committee, and has asked for additional analysis on the question of whether the Minnesota salary data show any "bias" in the rank analysis.

Professor Curley recalled that Professor Oakes had raised questions about methodology when the Committee discussed the analysis last spring. Were those questions addressed? They were, early on, Provost Sullivan said. Each field has its own customary methods; in this case, the analysis was about labor and the University retained an expert who has done labor studies, so they concluded that they should use the accepted methods of the field.

Provost Sullivan reviewed briefly the remedies Professor Clayton recommended: (1) Develop a system for identifying and correcting cases where an individual's salary should be appropriately adjusted. (2) Work to identify the causes of salary inequities, and develop policies to prevent their recurrence. (3) Routinely monitor faculty salaries at the institutional level. Provost Sullivan said that he informed Professor Clayton that the University wished to retain him when it comes to adopting the remedies.

Professor VandenBosch, noting she served on the steering committee, observed that Provost Sullivan had sent a message to the deans about the study. She thought it was a good message but it did not include a point she thought essential: Professor Clayton included an evaluation of disciplines and an accounting for salaries across disciplines, a key difference from the initial study conducted by the WFC. People will be interested in those differences. What was the response from the deans, she asked?

Provost Sullivan said that as soon as he received the initial WFC study, he notified the deans that the issue would be examined and he asked them to do so within their colleges. He sent Professor Clayton's report to them and said he would follow up and asked for continued analysis of colleges and departments. He agreed with Professor VandenBosch's comment about "disciplines" being important in the study. It is likely the deans will be more involved at the remedy stage.

Professor Carpenter inquired whether the report had been sent to the coordinate-campus chancellors. Provost Sullivan pointed out that the study was only of faculty members on the Twin Cities campus, but Assistant Vice President Paulsen reported that it had been sent also to the chancellors.

As the study goes forward, Professor Pacala said, what will be key is how the Clayton report findings will be accepted vis-à-vis the WFC findings. He asked Provost Sullivan if he had any sense of how the Clayton report is viewed; is it seen as a valid analysis that should drive policy? Or is there a sense among at least some faculty that it is statistical mumbo-jumbo and the WFC's data mean more?

Provost Sullivan said that the Clayton study is careful about its limitations, which is the reason he has asked for follow-up analysis. He said, however, that he has received no negative response to Professor Clayton's analysis. Professor Hayes said that she has heard from the members of the WFC that they pretty uniformly accept the results of Professor Clayton's study. Professor Clayton had more resources available, more expertise, and used more variables (he used over 100 while the WFC study used 9). They believe Professor Clayton's report is more accurate and more fine-grained. Provost Sullivan said that the WFC was in the forefront, has been thoughtful in its study and analysis, and that it is important to go forward with consensus as much as possible in order to remedy any problems.

They do not see this as an "us versus them" situation, Professor Hayes said. Professor Clayton is a statistician and had the resources to do what the WFC could not. The WFC appreciates the support from Provost Sullivan and the work of Professor Clayton. The graphs from the WFC and Clayton studies are about the same; Professor Clayton took account of disciplinary differences that the WFC did not.

Professor Bearinger noted that four schools in the Academic Health Center (the Medical School, Veterinary Medicine, Dentistry, and Nursing) had been excluded from the study because of "differing salary structures," as stated in the report. She said she could understand why the Medical School was excluded, but it was not clear why the others were, particularly the School of Nursing, which, with few exceptions, does not have a differing salary structure. How might the dean of a school not included in the analysis relate to this report?

Provost Sullivan said that in many such salary studies, the medical school or academic health center is excluded because of variations in how they construct salaries (e.g., base plus clinical practice income). People who study salary equity issues believe they are so different that it is best to exclude them in order not to complicate the studies. As for the schools not included in the study, there could be a recommendation that those schools could also be asked to look at potential salary inequities. Provost Sullivan indicated that he would bring the question of inclusion of Nursing and perhaps other schools in the AHC back to the Steering Committee.

Professor Chomsky said that another reaction might be that the report is only statistical mumbo-jumbo and the difference is only 2%, so there might be a question if there is much inequity. For there to be progress in addressing the problem, there has to be buy-in to the existence of the problem, especially because decisions will be case-by-case. Does he get the sense, she asked the Provost, if there is a belief that the differences are real and a problem that needs to be addressed?

Provost Sullivan said he could only speak for himself. He told the WFC early on as well as after he received Professor Clayton's report that the WFC report and his own review of the literature led him to conclude that there is reasonable cause to believe there are problems. He continues to believe the analysis should go forward and they will take the next steps; if they find a problem, it will be addressed. Another point is that decisions are made at the local level with changing faculty and department heads/chairs: The average chair is in office for three years, which is a problem when one needs consistency and understanding over time. The University needs to be sure that things are being done right at the local level and that there are clear records.

With respect to Professor Oakes's view that the study should also look at specific individuals (because regression analysis delivers an average over a totality of data that may include relatively few directly-comparable individuals), Professor Cramer said, one can address that suggestion by saying that the WFC and Clayton studies provide the basis for an analysis of individual cases. Regression is not perfect but it provides the context for addressing individual cases: Is the salary appropriate or has there been discrimination? Outlier salaries compared to predictions from the regression analysis deserve scrutiny and attention to ensure that there is a legitimate basis for outlier status, e.g., exceptional merit (or the contrary). Provost Sullivan concurred and said that the data speak to averages, not individual cases, nor do they take into account merit. Provost Sullivan concurred and said that the data speak to averages, not individual cases, nor do they take into account merit. Professor Ben-Ner said he was new to the discussion, as an incoming Committee member, but agreed that it is imperative the University look at differences and why they arise. In some colleges there are male-dominated departments that represent higher-paying disciplines, a phenomenon that may reflect trends in academe rather than action at the University. To study differences in salaries, in labor economics one often looks at changes in salary, not levels, and the year-to-year differences in those changes.

Professor Hayes expanded on the point Professor VandenBosch had made about whether deans and department heads would take seriously a 2.2% difference. That is similar to the difference in elevation one would get if one averaged all the mountains and valleys on earth, she surmised; it will be important to emphasize the difference by rank. There are almost no differences at the assistant-professor level but there is a 4.1% difference at the full-professor level. The latter is the problem. And when one looks at the data by college, the differences can range up to 6-8%. So in some cases there are substantial differences.

Professor Jacobs commented that one of the recommendations from Professor Clayton is that if it is determined a remedy is needed, it not be across-the-board but instead dealt with on a case-by-case basis. In

the past, he observed, the Provost's office has provided funding for the remedy; would Provost Sullivan do so or would the colleges be expected to find the money?

Provost Sullivan pointed out that salary increases at the University are not across-the-board but are based on merit, market, equity, and compression. Second, it would be premature to speculate about funding for remedies to problems that have not been identified. If there are problems, he will make recommendations at that stage of the process; he agreed that it will be important to identify a source of funds to deal with any salary equity problems. The fact that the University is in a financially-constrained time should not be the response (that is, ignoring the problem). He said he is sure that President Kaler will address any problems that are identified.

One interesting question that Professor Clayton posed was whether retention efforts cause salary differences, Professor VandenBosch said. There are no data on the question but there is a sense that retention offers could be a cause of problems in some colleges. It will be important to look at them in the future.

Professor Pacala agreed with Professor Hayes: The headline from the report is the 4.1% difference between men's and women's salaries at the full-professor level. In terms of schools in the Academic Health Center (he is from one of them), this has been a big issue for medical schools across the country. There are leaders in medicine who have examined the issue, one of whom is at Wisconsin; he suggested that Provost Sullivan could ask Professor Clayton about whether his colleague could advise the University of Minnesota.

Professor Hayes asked how, given the administrative transitions, a plan will be put in place. How will the recommendations be carried forward? Are there plans to do something now? Will there be another study? And how will the Academic Health Center be studied?

Provost Sullivan said that his intent, and he has told Professor Clayton this, was to obtain the statistics and the analysis by rank as well as advice on the next steps in identifying any remedies needed. That process will start soon. He said he intends to pursue these matters through the end of December, at which time he leaves office, and will try to make as much progress as possible before then. He will brief President Kaler and whoever becomes provost, and will make a report up to that time and will make recommendations built on the findings of Professor Clayton and the data during the remedy stage.

Even without studying the Academic Health Center, since the remedy is paying attention to salary discrepancies, Professor Chomsky said, that could be done in a unit without a study of that unit. It sets up a process. She also agreed that a focus on the 4.% shows the impact, but even 2.2%, compounded over years of service and reduced retirement benefits has a significant cumulative impact.

Professor Boyle said that Professor Clayton mentions a committee at Wisconsin that identifies when salaries may be out of line; that is a more appropriate mechanism than asking individuals to come forward. It is better not to base the evaluations on individual initiative.

Professor Jacobs thanked Provost Sullivan for joining the meeting.

2. Matters for the Senate

Professor Jacobs next asked Committee members to review the redrafted "Policy on Reorganization." Professor Cramer provided brief background information on why the policy is before the Committee (it's one of the last ones to migrate from the Senate website to the University Policy Library website). The policy came to everyone's attention when the changes to the Graduate School were proposed, and a small ad hoc subcommittee of this Committee was asked to revise the language to make it clearer.

The Committee discussed the content of the policy as well as how to proceed. The idea, Professor Chomsky said, is that it is a helpful foundation for consultation; it simply says that before certain kinds of unit reorganization takes place, there will be consultation with the appropriate groups. It is a joint statement with the administration, not confrontational. One residual issue is who "owns" the policy (all policies must have an owner responsible for it). Professor Cramer said that either an owner is identified—presumably the President, in this case—or it remains a "sense of the Senate" statement that will not be housed in the policy library.

Professor Jacobs suggested that the Committee take one last look at the redrafted language and then have a discussion with President Kaler and Chief of Staff Phenix. Professor Chomsky said that "speed matters" because one assumes that if there are to be reorganizations, they will come sooner rather than later, and it would be helpful to have the grounding of the policy. She also suggested that the title of the policy be changed to "Consultation on Reorganization" because that is its focus.

Professor Sheets commented that this is a policy the administration should support and use it to signal two things: One, there is likely to be reorganization, and two, it will only occur with appropriate consultation. The policy should come from both the President and this Committee.

The Committee turned next to three bylaw and rule amendments, which will remove the possibility that those who have assistant or associate dean appointments of less than one-third time may serve as voting members of Senate committees (simply cleaning up the line between faculty and administrators on committees), clean up language in one place that was confusing, and allow this Committee to make technical and non-substantive changes to the bylaws and rules (and present them to the Faculty Senate for information with the opportunity to overrule). The Committee approved them all unanimously.

Professor Cramer noted that in the near future the Committee will have to make a recommendation to the Faculty Senate about adding representation from the Rochester campus because it now has a sufficient number of faculty and faculty-like P&A staff to receive a seat in the Senate.

Professor Jacobs adjourned the meeting at 2:20.

-- Gary Engstrand