

Minutes*

**Faculty Consultative Committee
December 1, 1988**

Present: Mark Brenner (chair), Warren Ibele, M. Kathleen Price, Burton Shapiro, W. Phillips Shively, Michael Steffes, James VanAlstine

Guests: Acting Provost and Acting Vice President Shirley M. Clark, Associate Vice President Edward Foster, Gayle Grika (Footnote), Maureen Smith (Brief), Associate Vice President William Thomas

1. Report of the Chair

Professor Brenner commented that the presidential search had clearly been a success. He reported that he sat with the Search Advisory Committee when it interviewed the three candidates in closed session. The questions that FCC had developed were distributed to the members of the Search Advisory Committee and were used as reference points for many of the questions addressed to the candidates. Professor Brenner also observed that in his judgment the Board of Regents had done an outstanding job in the interviews and that it was one of their finest hours.

2. Partnership Exemptions

Professor VanAlstine reported on behalf of the ad hoc subcommittee that had been appointed to develop a draft policy for granting exemptions from search requirements for the partner of a faculty member being recruited by the University. He began by pointing out that the subcommittee had changed the title and terminology from "spousal exemption" to "partnership"--while there were problems with defining partner, the term spouse also carried with it possible legal problems. Provost Clark was troubled by the use of the term partner; Professor Price reported that they had used the term on the advice of Patricia Mullen, EEO Director. Ms. Mullen had advised the subcommittee to look to the future, beyond the consent decree, when there would be a need for diversity; this wording would include gays and lesbians and perhaps other protected classes.

The thrust of the recommended policy is that it not be mathematical and not tie the hands of the departments. The use of partnership exemptions should be seen as extraordinary; the better way to approach spouses or partners is through networking: Dealing with other colleges in the area and with the local business community. Further, Professor Price added, this policy should be considered in conjunction with plans being developed by Professor Janet Spector which would ensure that the "receiving" department (i.e., "receiving" the spouse) is actually measuring the excellence of the spouse/partner.

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One Committee member inquired if the policy could be used to permit the hiring of professional or occupational partners; the Committee concluded that it should not be. If, while recruiting someone for a PUF chair, for example, the candidate wishes to bring in an associate, that is a matter which would be dealt with on a case-by-case basis in the hiring process. The Committee decided that this policy should be labelled, before any final adoption, in such a way that it is clear it addresses only affectional or marital partners (this wording would also preclude the requirement of examining whether or not a marriage is affectionate).

The Committee also suggested that the policy be amended to include hiring at lower professorial levels; given that President Hasselmo has spoken favorably of the "target of opportunity" method of recruiting faculty, it is possible that seeking women and minorities would be enhanced by the exemptions permitted under this policy.

The Committee took notice that action on this policy was required fairly soon inasmuch as no exemptions are now being granted, by agreement with the class. It was agreed that the draft would be forwarded simultaneously to FACW, EEOWC, SCFA, the Office of Equal Opportunity, and the Office of the General Counsel for review. How any final policy will be put in place will depend on understandings with the Special Masters and whether or not the policy will require approval by the Senate. The Committee did decide, however, that it wished to have all responses back no later than the middle of January.

3. Discussion of the Physical Plant Audit

Professor Brenner welcomed Associate Vice Presidents Edward Foster and William Thomas to the meeting and explained that even though various presentations about the audit and changes in Physical Plant have been made, the Committee is also interested in the subject and would like to understand what has been happening.

Mr. Thomas began by commenting that in some ways Physical Plant is the core of the University and that it is a state of mind rather than a department--unless they can get their work done, the faculty, staff and students cannot do theirs. There are, on the Twin Cities campus, about 18,000,000 square feet for which they are responsible; of that, 6,000,000 are located in the hospital, which is a fairly autonomous and distinct operation. Mr. Thomas, in conversation with members of the Committee, made the following points:

- There are three heating plants for the TC campus, 2 in Minneapolis and 1 in St. Paul, which are not connected and which cannot be combined; the problems with these plants dwarf everything else in the audit report (and these problems were not dealt with in the report).
- Physical Plant has 1400 employees (some in outstate locations) and is the most heavily unionized unit of the University; they have 20 different union contracts plus civil service rules plus P/A rules to deal with, which leads to problems of jurisdiction as well as of cost and rate.
- The physical plant of the campus is very old; the average age of the buildings is 60 years

(which means they were built when Coolidge was president) and they are difficult to maintain.

- Physical Plant seems always to get the blame when buildings are badly built; what happens is that a building is built and then handed to Physical Plant to maintain--often with no funding to do the maintenance. The problem arises in part because building committees often start with enough money but then make changes; in order to accommodate the changes, corners are cut elsewhere (so, for example, a cheap escalator is purchased, as in Williamson Hall; he said Physical Plant refuses to continue to make repairs on it because it is a piece of junk that by its construction and slope just grinds itself up). Solutions would be to include maintenance engineers on the building committees (who are not the same as construction engineers) and to have someone who can say "no" when the corners are being cut.
- Over the years Physical Plant came to be very defensive and rationalized the criticism; it provided the heat and light without problem but then when they installed a wall, at very high cost, all good will was wiped out. Physical Plant used to use maintenance people to do remodeling; the unions wanted that to be the practice but it didn't work out very well. When he took the job, he told the Provost it would take 3 years to get the situation remedied but that he would try to get it done in 2. Then the Eastcliff incident occurred and 15 auditors spend 5 months looking at Physical Plant; their report contained basically the same items that he had informed the Provost about after he had studied the unit upon taking responsibility for it. One difficulty with the auditor's report was that it said both that there was low morale and that the staff were overpaid and underworked; he said he was puzzled at how he was going to raise morale of people who he was told he should get rid of. Some of the longstanding problems he said he could not solve (for instance, asking the unions to take a pay cut, which could lead to a long strike against the University).
- There has been no mismanagement in Physical Plant to the extent that funds have been diverted or stolen, but costs have not been controlled as well as they should have been.
- Physical Plant has gotten out of the remodeling business; they made too many enemies so Mr. Thomas suggested they get out and stop taking the beating. Some outside contractors, since then, have not been good, and Physical Plant has been asked to get back into the business. They will do so after the first of the year, and will operate like an outside contractor. The only departments which are charged for regular maintenance are those which are self-supporting.
- The money available from the budget of Physical Plant for discretionary use has been grossly exaggerated. About 1/3 of it goes to utilities payments, about 1/3 to scheduled preventative maintenance on buildings that are 60 years old, and about 1/3 is used to supplement the maintenance budget. Two-thirds of the total budget goes to fixed costs; only 1/3 of it is discretionary--and that money must be earned (by, for example, selling steam). The legislature does not provide sufficient funds to do the needed work and there are no funds for new space, increased wage rates, depreciation reserves, or anything like furniture. The University has a \$200 million deferred maintenance problem, for which the

legislature has provided \$8 million (of which \$2 million was taken from the current operating budget of Physical Plant). There is no schedule for repainting--it is done on an "as needed" basis--nor is there money for carpeting (they will replace carpeting only if it is unsafe).

- The coal-fired heating plant the University purchased a few years ago is full of old and failing boilers. But there are multiple problems associated with finding an outside vendor for steam, switching from coal to gas, and the construction of new boilers.

Asked what one or two things he most wanted to do but could not because of University policy, and with which FCC could help him, Mr. Thomas said that more coordination between capacity (for heating, lighting, maintenance) and the construction of new space is most important. They can now better estimate the needs for new space but there are still no funds to operate the space and there are no discussions with Physical Plant on where the additional electricity and steam would come from. The other problem he suggested that FCC could help with is electricity consumption; without restrictions of some kind, the Twin Cities campus will have a brown-out in the near future. Dr. Foster observed that the legislature has not provided any run-ups on utility costs because it believes the University does not economize; Physical Plant cannot take any effective action without support from the faculty because its own recommendations are ignored when they cause inconvenience to academic programs. Mr. Thomas added that the most conservation could be achieved by faculty in the use of buildings; they can shut a building down for the weekend, but not if experiments in labs need to be maintained. Other small things have big up-front costs (such as a chiller building for air conditioning; the drain on power caused by window air conditioners is terrible).

Asked if there is any methodical way Physical Plant can receive feedback from the faculty, Mr. Thomas said there was not as much as he would like. He reported that he needed to seek more and will start a newsletter to deans, directors, and department heads to stimulate two-way conversation on the issues. He also intends to start quarterly meetings with administrative groups--and will ask each dean to send a representative, in order both to give him information and to receive it from him.

One Committee member commented that Physical Plant needed to have informed reaction from the faculty; the constraints on Physical Plant are not widely understood and the faculty must take responsibility for the areas where they work. Another suggested that one area great misunderstanding was that Physical Plant stopped remodeling; it would be important to explain the new way it will be done. Mr. Thomas agreed.

Mr. Thomas expressed appreciation to the Committee for the opportunity to meet with it and said he would make an effort to call on it in the future and to try to establish better communication with the faculty.

Report of the Chair, cont.

Professor Brenner distributed a draft report from the Regents Advisory Commission and said that reactions are needed by December 20; the report will be on the docket for the December 15 meeting of the Committee.

Committee members discussed issues which might be raised in the afternoon meeting with President Hasselmo.

There has, Professor Brenner reported, been a request from the P/A Committee for use of Footnote for information items, such as benefits for P/A appointees. It was agreed by the Committee that Footnote should not be broadened very much beyond its original scope or there would be a risk that the faculty would see it as just another bureaucratic trade organ rather than a publication for the faculty.

The Committee adjourned at 11:55.

-- Gary Engstrand

University of Minnesota