

Minutes*

**Faculty Consultative Committee
June 4, 1992**

Present: Thomas Scott (chair), Mario Bognanno, Amos Deinard, Judith Garrard, Paul Holm, Norman Kerr, Stanford Lehmborg, Benjamin Liu, Karen Seashore Louis, Burton Shapiro, Charles Speaks, James VanAlstine, Shirley Zimmerman

Guests: Associate Vice President Carol Carrier, Senior Vice President E. F. Infante

1. Report of the Chair

Professor Scott convened the meeting at 12:30 and enumerated briefly the items that Senior Vice President Infante wished to take up with the Committee. He also reviewed the status of issues that will be coming from Senate and Assembly committees and who has been appointed as chair for next year. Among the issues of primary interest are these:

- The policies and procedures for dealing with faculty honors (such as the naming of chairs) are, in the view of some on the All-University Honors Committee, not well organized; the faculty of the committee have been asked to constitute themselves as a subcommittee to make recommendations to clarify the policies. The policies and procedures for naming buildings, by comparison, seem to be reasonably well established and clear.
- The Committee should hear from the Judicial Committee about cases of faculty denied tenure for cause; it should also consider the policy implications of possible out-of-court settlements in sexual harassment cases.
- There have been much greater problems in getting faculty to serve as chairs of committees for next year, and particularly women; it is not clear why this is so.

2. Discussion with Senior Vice President Infante

Merger of Personnel Offices: Professor Scott next welcomed Dr. Infante to the meeting; the first item of discussion was a proposal to merge the Personnel Office and that part of Academic Affairs that deals with personnel matters (Carol Carrier's area of responsibility). Dr. Infante distributed a report and explained that Dr. Carrier and Roger Forrester, Director of Personnel, had of their own accord concluded that there could be improvements in the human resources units of the University and led conversations on how to accomplish them. They made use of an advisory committee drawn from public and private sector organizations and also used a consulting firm to develop recommendations. Those recommendations were reviewed and slightly modified by Senior Vice Presidents Erickson and Infante and are now presented to the Committee for discussion and advice.

Three points are important, Dr. Infante said: one, that carefully bringing the two offices together permits the University to move in the direction of closing down the building at 1919 University; two, that

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the promotion and tenure process will be kept as a separate track, and three, that while the two separate offices reported to separate vice presidents, the new combined office would report jointly to the two Senior Vice Presidents.

Dr. Carrier then explained the benefits that would accrue from merging the two offices. One will be an improvement in the data bases (such as for issuing paychecks), but more important will be much-enhanced problem-solving and support for the units. There will be a team approach to human resource services, so that under an Assistant Vice President for Human Resources there will be personnel teams for the health sciences, for the arts, sciences, and engineering, for IAFHE, etc., with people who understand and respect the traditions of each area. The idea is to develop a "proactive" organization to help units.

Dr. Carrier said, in response to an inquiry, that there will be fewer managers in the new organization, and some will have rearranged portfolios; in the short run, however, there will not be great financial savings. Over time, perhaps, there will be. As far as a comparison with other organizations, such as corporations, the University is on the low side in terms of the number of individuals in the human resource function (about 100 FTEs).

One Committee member inquired if there would be any rethinking of forms and procedures; the amount of time it takes to fill out personnel forms is "shocking." Dr. Carrier concurred, and said that one of the first tasks will be to reconsider the JEQ, which has been the source of considerable irritation and takes too much time. Much, she said, can also be done electronically--rather than have to route a document for seven signatures.

There were questions about where Equal Opportunity and personnel aspects of the legal counsel's office will fit into the hiring process that departments use; both Drs. Carrier and Infante assured the Committee that the expertise in these offices would be available and that the human resource teams would consider them part of their effort. Dr. Infante pointed out that one of the consultant's recommendations had been that the Equal Employment Opportunity/Affirmative Action office be moved into the new Human Resources unit; they decided against that change because the EEO office should maintain an independent status. They also rejected placing payroll in the new unit--again, because they want an activist unit while payroll tends to be more of a process. Communication with the EEO office, and the General Counsel's office, is constant and excellent, Dr. Carrier assured the Committee.

By "activist," what is meant is "developing" employees--faculty (e.g., faculty development), new department chairs, other administrators, civil service staff, TA training, etc--service to the entire range of University employees. The expected outcome, Dr. Carrier said--which should justify any disruption--would be a better articulated curriculum to meet the needs of all employees to enable them to perform their jobs--whatever they are--more effectively. Such programs, up to now, have been piecemeal.

There was further discussion of whether or not EEO and the legal functions should be separated from the human resource unit; it was pointed out that there is a compelling argument for the INDEPENDENCE of the EEO office, and no one wants to split up the lawyers so they're in every unit. Some Committee members accepted these views.

Three goals of the unit, one Committee member suggested, should be to be experts on what is proper and not proper to do, to provide special help in difficult searches, and to make the human resource

much more EFFICIENT and demand fewer FORMS. Dr. Carrier concurred, but observed that achieving those ends will not be easy; there are many processes around the institution that have been "locked in" for a long time and people are unwilling to change. They are trying, however.

Dr. Infante said he wanted to present the recommendation to the Board of Regents for information in July; it was agreed that it would be presented to the Committee on Faculty Affairs and then SCFA and FCC would consult and forward their reaction.

Internal Consulting: Dr. Infante reported that his office is in the midst of collecting information on "internal consulting" (for pay). It will be organized and then provided to FCC; he also intends to develop an issue paper on what has been occurring and what problems need to be addressed. There are a variety of practices, he told the Committee, some of which are considered troublesome by some; he, for example, is uneasy when he learns that a faculty member earns (additional) income from "internal consulting" in significant amounts. There is, Dr. Carrier observed, no easy way to "tag" such individuals through the payroll or other systems, even though one would think there would be.

Some have been of the view that there is already on the books a policy on internal consulting; Dr. Infante said they have been unable to identify any such policy. This question, he also clarified, does not extend to overload teaching through CEE (that is another matter to be examined) or to funding through research grants (as in the summer).

Committee members appeared to be of the view that if a policy is developed, internal consulting SHOULD be permitted under limited circumstances, because there are legitimate needs for it.

The issue will be brought back to the Committee.

Faculty Workload Statement: Dr. Infante asked for the help of the Committee in developing a statement on faculty workload; he would support an effort, but said it would be best if the statement were to come from the Committee. Concern was expressed about whether or not it is possible to develop a University-wide statement when conditions in the colleges are so different; how, for example, does one write a policy that covers both the College of Education and the School of Public Health?

What would be desirable, Dr. Infante said, would be development of a series of principles, from which each college could write its own appropriate policy. He emphasized, in response to a comment, that it must NOT be a myopic statement that focuses on teaching load. The statement authored by Virginia Gray earlier in the year was very good but was not, strictly speaking, a statement of principles; her document needs to be elevated.

The statement would serve both internal and external purposes, Professor Scott commented. There are wide variations in practice across the campus, and some faculty believe they work too hard while others work less. There is a sense there are variable expectations, which create inequities. A workload policy would give the administration a set of principles it could use. Externally, there are a variety of interested groups; perhaps most important is the legislature, which has asked for information on teaching. The University--the faculty--needs to make it clear that teaching is not the only job of the faculty.

Review of the Grievance Procedures: Questions about the proposed revisions have been raised by Mr. Rotenberg, the new General Counsel, and they are being considered now. It is to be hoped they can

be resolved by the end of the summer so that the revisions can be brought to the Senate for action at the Fall Quarter meeting.

Budgets and Buildings: Dr. Infante next took up the issue of the long-term financial commitments of the University, especially with respect to capital construction and the requirement that the University pay 1/3 of the debt service. The general issue of debt service, bonding limits, and buildings is troublesome and will be brought to the Committee on Finance and Planning in the autumn, after information has been assembled and organized.

Discussion also touched briefly on charging for space, something that Dr. Infante said must be considered in order that space not be considered a "free good" and that budgets be the result of conscious decisions. Concern about inequities in space allocation were expressed, and the possibility that charging for space would exacerbate those inequities. The related issue of the use and allocation of ICR funds was brought up; Dr. Infante agreed with the proposition that after the funds have been "taxed" for central support of research (ORTTA, computing, etc.), the funds should be returned to the units that generate them, if an all-funds, resources, and costs budget is implemented.

The Knighton Issue: Dr. Infante pointed out that there are three more articles coming that deal with the University and its relationships with the private sector. The overarching question, he said, is what is a reasonable and appropriate posture for the University to take with respect to the external community and relationships with it?

The University has taken a firm position, he said, that it is NOT just a teaching institution and is committed to research and service. Some of the most important and interesting things at the University happen at that border of interaction with the outside. The University should NOT take the position that it will do nothing that will raise conflict of interest questions; such conflicts WILL occur. The question is whether or not the University has an appropriate way to manage them.

There are two questions: Does the University have a policy? If so, is it implementing them? It is to respond to these questions, in part, that the position of Vice President for Research was created. But he will not say, he told the Committee, that there will be no conflicts; they will constantly exist, and in fact activities at the boundaries of the University are one way the University contributes to the intellectual life of the State.

Some people, Dr. Infante observed, cannot bring themselves to believe that it is not wrong to make money, especially if one is a public employee. A large number feel that in a public-private partnership, tax money is used to line private pockets. That is not a position he accepts, Dr. Infante said, although if one is prepared to argue that poverty has its own rewards. . . .

This incident should be used as an opportunity to consider whether or not the University has the right procedures to deal with relationships with industry, suggested one Committee member; the system will be complicated, articles such as the one in the newspaper cannot be prevented; and there will always be questions at the margin. Several Committee members also expressed concern about the appropriateness of some of the language in the letter recently sent to the health sciences faculty concerning the article.

Dr. Infante concurred in part; if asked if the University has the right policies and procedures in

place, he said, he would have to express doubt that it does. One must also ask if disclosure is enough, which is what existing University policy requires. He and the President have carefully considered the matter, he told the Committee, and are satisfied that the policies in place were used; what might be in question, as is always the case, is whether or not correct judgments were made. It may be that mistakes were made, although he has no evidence that this is the case, and it may also be that the policies need to be further elaborated to be more appropriate. This elaboration has a critical history, and will continue.

There was debate about whether or not letters such as the one recently sent should be cleared by higher authorities; those administrators, directly and indirectly, report to Dr. Infante, it was noted. This is a UNIVERSITY, Dr. Infante emphasized, with a loose structure, and he does not expect to hear from deans and vice presidents on statements they intend to make. To expect statements to be cleared centrally, another Committee member argued, would mean the University could never hire another dean; where would such clearances stop?

Asked if he did not find something wrong or unethical about a faculty member getting rich because of relationships with private industry, Dr. Infante noted that after long deliberation the FACULTY established the patent policy--which provides that where income from a discovery is generated, 1/3 goes to the University, 1/3 to the department, and 1/3 to the faculty member. If he were to discover a real cold fusion technique, he pointed out, it would probably be worth about a billion dollars--and he would receive \$333 million. Would that be wrong? If it is, then changes to the policy presently in force are required.

Dr. Infante said that Vice President Petersen will take up the issues associated with the article and will bring them to the Committee. He also pointed out that he has a reputation for being somewhat puritanical on the subject; he did, he recalled, deal with a related matter in the Computer Science department for violations of the University's policies in this area.

Salaries and Equity: Dr. Infante was asked about the extent to which the administration is monitoring salary increases this year for the group of women who received increases as a result of the Rajender salary inequity adjustments. This is the second year of such increases, it was noted, inasmuch as there were no increases last year. Dr. Carrier reported that she has asked the President to monitor the salaries and provide a report and also said that they will be monitored on an ongoing basis.

Semesters: Very late though he was for his next meeting, and much though Dr. Infante tried to leave the meeting without discussing the question, Committee members laughingly would not let him escape without talking about semesters. There is a sense, he was told, that if the University is going to change to semesters, it should just do so; the question is IF it is going to make the change, how quickly will it occur and what associated issues will be the subject of discussion.

Dr. Infante said the issue does require thought. In his view, the University should not make the change unless all of the higher education systems in Minnesota agree to do so. The major reason for MAKING the change is that 80+% of higher education in the United States is now on semesters, and to the extent the University wishes to consider engaging in cooperative relationships with other institutions, being on a different calendar will present substantial difficulties. Moreover, even though the University is on a quarter system (except for the Law School and the Medical School), none of the campuses are on the SAME quarter system!

He has also considered other points, including the State Fair (which, he has concluded, is NOT a major problem). But this is a period of stress for the University; is the change worth adding MORE stress? Or is it the case that it takes a stressful situation to accomplish such changes? He also said he would want a commitment from the other systems to make the change; without that commitment, the University should not change, in his opinion.

Professor Scott then thanked Dr. Infante "for an interesting year." Dr. Infante expressed appreciation to the Committee and said that he had found the year "full of surprises."

3. Report of the Chair (continued)

Professor Scott then commented briefly on a few additional matters.

- Two members of the Committee have been asked to explore issues associated with a personnel question raised by a faculty member in one college.
- Agreement appears to have been reached on how the membership of the Committee should be structured vis-a-vis representation for the non-organized faculty on the Duluth campus. Professors Bognanno and VanAlstine visited the campus in late May and met with both the faculty and union officials; a bylaw to provide for Duluth representation agreeable to everyone will be drafted and presented to the Senate next Fall. The union made it VERY clear that they were satisfied with the present arrangements and do not want representation in the governance system. Both the Medical School faculty representatives and the union executives are prepared to come to the Senate meeting to express support for the arrangements (which include incorporating the non-unionized Duluth faculty in the Twin Cities health sciences for the purpose of nominating and electing FCC members and the creation of another faculty seat on the Committee specifically for the Duluth faculty which would be ex officio and non-voting). The issue of which budget or budgets would support the travel of the Duluth representative remains to be resolved.

Professor Scott thanked Professors Bognanno and VanAlstine for their efforts and time.

Professor Lehmborg then clarified a statement that he had made earlier in the year about a possible change to semesters. What the faculty do not want to discuss is WHETHER OR NOT to make the change--but they decidedly wish to be involved in the ancillary discussions about the impact of such a change on workload, sabbaticals and leaves, and so on.

Committee members then gave Professor Scott a round of applause for his service as chair. He, in turn, expressed thanks for support from an excellent Committee, and extended special thanks to those leaving: Professors Kerr, Lehmborg, Shapiro, and Striebel.

The meeting adjourned at 3:15.

-- Gary Engstrand