

Minutes*

**Senate Committee on Faculty Affairs
Tuesday, February 13, 2001
3:07 – 5:00
238A Morrill Hall**

Present: Richard Goldstein (chair), Avner Ben-Ner, Carole Bland, Robert Fahnhorst, Daniel Feeney, John Fossum, Darwin Hendel, Robert Jones, Cleon Melsa, James Perry, Tom Walsh, Carol Wells

Regrets: Joan Howland, Dwight Purdy, George Seltzer, Lisa Wersal

Absent: Josef Altholz, Carol Carrier, Larry Miller, Theodore Oegema, Wade Savage, Sheila Warness

[In these minutes: (1) pre-tax deductions for emeritus faculty hired back, medical reimbursement accounts; (2) phased/terminal retirement waivers; (3) faculty development task force; (4) impact of increase in part-time faculty]

1. Report of the Chair

Professor Goldstein convened the meeting at 3:07 and reported on several matters.

-- He is writing a letter to the President to report the Committee action (and FCC concurrence) requesting the same parking priority for probationary faculty that is provided to tenured faculty.

-- Emeritus faculty cannot set up medical reimbursement accounts or have payroll deduction for parking if they are brought back to work at the University. It is not clear there is anything the Committee can or should do. For medical reimbursement accounts it may be required that one be a regular full-time employee. In the case of parking, if one is not paid over nine months, deductions may not be possible.

Professor Walsh said the questions had been raised with him because both of these items can be paid with pre-tax dollars if they are paid through payroll deduction through the University. Payroll said it cannot be done for emeritus faculty. The medical expenses could be significant for retirees.

It was agreed the Committee would ask Human Resources about this.

-- On a related matter, Professor Goldstein said he found it bothersome that one must always predict medical expenses from January 1 to December 31 and there can be no carryover. Everyone knows that LensCrafters makes a lot of money on fancy sunglasses in December because of the balances in medical reimbursement accounts. The Committee should investigate whether one can carry a balance forward. In the past, any balances were distributed to all employees' accounts for the following year; now balances are used to help operate Employee Benefits.

* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Campus Assembly; none of the comments, conclusions, or actions reported in these minutes represent the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of Regents.

It was agreed that this is an issue that should be referred to the Interim Health Benefits Advisory Committee.

-- Tenure Subcommittee items include consideration of the post-tenure letter, a full report on the post-tenure review actions each department needed to take and the annual follow-up asking if any actions were taken.

The new chair of the Tenure Subcommittee is Professor William Garrard in Aerospace Engineering. There are also two new members, one from CLA (Denise Ones) and one from Law (Dale Carpenter).

2. Phased/Terminal Retirement Waivers

Professor Feeney reported on a meeting with the General Counsel about the waivers that faculty are asked to sign when they go on phased or terminal retirement, which prohibit legal action against the University. The documents appear quite ominous when read but as explained by the General Counsel, the intent is to get affairs cleaned up BEFORE anyone takes a phased or terminal retirement. The Retirement Subcommittee believes the waivers are user-unfriendly; the General Counsel agreed to review them and to make changes and add a preamble to more clearly explain their purpose.

In one case, a faculty member declined to sign the waiver, and go on phased retirement, because he was in a dispute with the University over a patent matter. The form may be modified in order to allow exceptions in the event there are unresolved issues at the time a faculty member would otherwise go on phased or terminal retirement. Often, Professor Feeney concluded, it is in the University's best interest that an individual retire. The waiver is from the date signed BACKWARD, not forward; one can sue over issues that arise AFTER the waiver has been signed and it does not sign away post-retirement rights.

Anyone who takes regular retirement is not required to sign a waiver. The reason, Professor Goldstein explained, is that in the case of phased or terminal retirement, the University is giving something to someone that other retirees do not receive (health care, retirement funds); it is understandable that the University, in providing this benefit, does not want to then face suits charging age discrimination. When one takes regular retirement, however, one can walk away and take one's money. In these cases, however, the University is providing extras.

The question of emeritus faculty use of the grievance policy is still being discussed with the President. The University administration is concerned that it will be flooded with a lot of frivolous complaints. However, the Committee had previously requested that the normal grievance procedure be used.

3. Faculty Development Task Force

Professor Bland reported that the Faculty Development Task Force is moving along. Its charge is to look at ways of facilitating research productivity. They are now interviewing highly productive departments or departments that have made significant increases in research productivity in order to identify practices that encourage it. Letters were sent to the deans asking them to identify highly productive departments and the task force has also piloted a survey of department heads and then

interviewed the same individuals. They are also conducting exit interviews of people who have left the University to inquire about the barriers to research.

Professor Bland said she hopes the result will be, by the end of the summer, preparation of an outstanding monograph outlining the practices in highly productive departments.

What definition of research is the task force using, Professor Feeney asked? There is a concern that great scholarly activities are only those associated with a lot of money. Professor Bland reported that the task force spent six months on this question and decided on “innovative and creative products in the public domain” and they are relying on the dean to identify which departments have the most innovative and creative departments; the task force is not identifying anything.

His concern is that there may not be agreement across administrators, Professor Feeney said; some may look only at the funds flowing through a department. Is there any parallel with the 7.12 statements required by the tenure code? The task force is looking at what the deans say and what information it has available (in the fine arts and to an extent in the social sciences, they must rely on the judgment of the dean). Some fields are comparable, Professor Goldstein observed; in other cases, it is difficult to judge quality.

4. Other Business

-- Vice Provost Robert Jones observed that the Committee has recommended a change in the administrative procedures for the Interim Faculty Development Leave Policy, not the Regents' Policy itself; that clarification should be made at the appropriate places.

The Committee unanimously approved a recommendation that the procedures be amended to extend another year.

-- Professor Bland reported that at the recent American Association of Higher Education (AAHE) meeting there was a major presentation by Professors Jack Schuster and Martin Finkelstein about a book they have coming out that looks at the profile of faculty work. Because of the increase in the number of part-time faculty, there is a striking shift in how faculty spend their time; when they are not regular faculty, there is much less time spent on research. This in turn has increased the demands on regular faculty for service.

Should the Committee track this issue? As the number of individuals on regular faculty appointments decreases the work capacity of the University decreases. This is a silent revolution but it is happening.

Professor Goldstein agreed the Committee needed to take cognizance of the changes because the University will be in trouble if it does not.

Professor Goldstein adjourned the meeting at 4:00.

-- Gary Engstrand