



Board of Trustees Executive Committee Meeting

BOT approved 11.17.2021

MEETING MINUTES

Wednesday, August 11, 2021

4:00 PM – 5:00 PM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Chair Cliff Otto called the meeting to order at 4:01 p.m.

II. Roll Call

Kris Wharton called the roll: Chair Cliff Otto, Vice Chair Mark Bostick, Committee Chair Earl Sasser, Committee Chair Gary Wendt, and Committee Chair Bob Stork were present (Quorum).

Other trustees present: None

Staff present: President Randy Avent, Provost Terry Parker, Ms. Gina DeIulio, Mr. Alex Landback, Mrs. Kris Wharton, Ms. Melaine Schmiz, and Ms. Lydia Guzman

III. Public Comment

There were no requests for public comment.

IV. Approval of the May 25, 2021 Minutes

Trustee Earl Sasser made a motion to approve the May 25, 2021 minutes. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

V. Ratification of MOU between the University and UFF re: Post-COVID 19 Impact for Fall 2021 and Spring 2022 semesters

Provost Parker explained the MOU between the University and the United Faculty of Florida (UFF) which offers a one-year delay for mandatory faculty reviews due to COVID impact. This is a one-time, irrevocable opt-in offer, and all opt-ins will be in place by the end of spring 2022. Both parties support this optional delay, and this exchange is consistent with Florida Poly's sister institutions in the SUS and across the nation.

Trustee Bob Stork made a motion to approve the ratification of the MOU between Florida Polytechnic University and the United Faculty of Florida regarding the post-COVID-19 Impact for Fall 2021 and Spring 2022 semesters. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

VI. Ratification of Collective Bargaining Agreement between the University and UFF for 2021-2024

Provost Parker provided an overview of the new Collective Bargaining Agreement (CBA) with the United Faculty of Florida (UFF) which was submitted for ratification by this committee. Provost Parker stated the CBA is fully renegotiated every three years; all 28 articles and four appendices from the existing CBA were reviewed, discussed, and, if necessary, revised over the past 12 months. The following five articles in the CBA were unchanged from the existing CBA: Consultation; Management Rights; Intellectual Property; Florida Polytechnic University Regulations and Policies; and Severability.

Sixteen articles had minor changes: Recognition; UFF Privileges; Assignment of Responsibilities; Leaves; Benefits; Payroll Deduction; Office Space; Layoff; Travel; Access to Documents; Maintenance of Benefits; Other Employee Rights; Miscellaneous Provisions; Amendment and Duration; Totality of Agreement; and Definitions.

Provost Parker stated seven articles had more significant revisions and provided a brief summary of those changes:

1. Academic Freedom: Provided the University with the authority to issue grades in courses under very unique circumstances, e.g., if a faculty member fails to assign grades after a certain period of time at the end of a semester.
2. Appointment and Promotion: Florida Poly's system for appointment and promotion contains elements that mirror the tenure process, but this is not a tenure system. Changes to this article included a significant and logical reconfiguration of the entire article structure including implementation of a formal reappointment and promotion process for Instructor, Wellness Counselor, and Assistant Librarian, and ability for severance buyouts, within limits of Florida law, at the University's discretion.
3. Performance Evaluations: A formal process to create performance improvement plans, and a non-binding promotion assessment by department chairs were added.
4. Coaching, Discipline, and Job Abandonment: Established that coaching and letters of counseling are not discipline, and the purpose of such actions is only to provide minor, corrective guidance. Also created was a better-defined process for discipline and termination for cause as well as language regarding circumstances for job abandonment.
5. Grievance and Arbitration: The University maintained important existing language while adding efficiency improvements, created an informal resolution process, and added language that states the filing of grievance does not prevent the University from proceeding with action being grieved.
6. Salaries: A formal raise scale tied to performance evaluations was added. It also restructured salary floors for various ranks based on national data sources.
7. Professional Development and Sabbatical Leave: The primary addition to this article states the University will not provide professional development funds to faculty who have been non-reappointed.

This contract is effective from September 1, 2021, to August 31, 2024.

Provost Parker responded to a question from Trustee Bob Stork by stating some of the additional language incorporated throughout the agreement was not necessarily a direct response to prior issues but was intended to proactively fill gaps in the contract that

address plausible situations that may potentially occur. Trustee Earl Sasser inquired which article was most important for the faculty, to which Provost Parker replied Salaries as well as Appointment and Promotion. Mr. Alex Landback confirmed for Trustee Sasser that a no-strike, no lock-out provision is standard in these agreements per Florida law.

Trustee Earl Sasser made a motion to approve the ratification of the Collective Bargaining Agreement between Florida Polytechnic University and the United Faculty of Florida for 2021-2024. Trustee Gary Wendt seconded the motion; a vote was taken, and the motion passed unanimously.

VII. Closing Remarks and Adjournment

Trustees expressed their appreciation to Provost Parker and Mr. Landback for their hard work on the two items presented today.

Chair Otto noted that the September 15 Board meeting will now be held virtually instead of in-person. It is his hope that the November Board meeting will be in-person.

With no further business to conduct, Chair Otto adjourned the meeting at 4:29 p.m.