



FORDHAM UNIVERSITY

THE JESUIT UNIVERSITY OF NEW YORK

Faculty Senate

Joseph M. McShane, S.J., Hon. President

William Baumgarth

Janna C. Heyman

Harry Nasuti

Anne E. Fernald, President

Martin Chase, S.J.

J. Patrick Hornbeck, II

Diane Rodriguez

Berish Rubin, Vice President

Andrew H. Clark

Margo Jackson

Aditya Saharia

Aimee Cox, Secretary

James A. Cohen

Judith Jones

Henry Schwalbenberg

G. Larry Farmer

Eve Keller

Falguni Sen

Christopher GoGwilt

Dorothy Klotz

Grace M. Vernon

David D. Hamlin

Micki McGee

Hugh C. Hansen

Matthew M. McGowan

Excused: Senators Cox, Farmer, Jackson, Schwalbenberg, and Sen

Meeting: South Lounge, Lowenstein Hall, Plaza Level, Lincoln Center Campus

Guests: Beth Margolis, Esq., Professor James Kim, Professor Patricio Meneses

1. Call to Order

The meeting was called to order by Senate President Anne E. Fernald at 12:41 p.m. in the South Lounge, Lowenstein Hall, Plaza Level, Lincoln Center Campus.

2. Invocation

Senator Christopher GoGwilt delivered the invocation.

3. Approval of the Minutes of the Meeting of December 9, 2016

Senator Vernon moved, and Senator Jones seconded, the approval of the minutes from the December 9, 2016 meeting. The motion carried (15-0-1).

4. Report on Governor's proposed budget

Senate President Fernald noted that both Joseph M. McShane, S.J., President of the University, and Provost Stephen Freedman were traveling on University business and thus could not attend the meeting. Had Fr. McShane been present, he would have reported on the New York State Governor's proposal regarding state aid to students, but his travel precluded this presentation. In lieu of that report, President Fernald noted an emailed report from Father McShane she had circulated to the Senate prior to the meeting. She noted that the Governor's proposal could have an adverse affect on private colleges, but that the extent of the impact of the proposal, and what aspects of the proposal will be adopted by the State Legislature, remain to be seen.

Senate President Fernald also noted that Fr. McShane and Thomas Dunne, Fordham Vice President for Administration are lobbying in Albany for provisions to protect private colleges and that Fr. McShane will report on these efforts at the next Senate meeting. President Fernald will be attending a President's Cabinet Meeting on Monday and invited Senators to offer questions to be presented at that meeting. A Senator inquired if the Governor's proposal is out of the norm for such student aid proposals. The Senator also noted that the report from Fr. McShane indicated that this matter could affect salaries, and commented that if the impact of this proposal would have such dire implications, why would the University be discussing only the impact on salaries and not reconsidering the finances for other units of

the university, e.g. athletics, grounds, etc. A discussion ensued regarding the rhetorical strategies of juxtaposing this possible external risk only with salaries and the likelihood (or lack thereof) of the Governor's proposal passing, which pieces of that proposal might pass, and which were unlikely to pass. A Senator noted that if the Governor's proposal, in its entirety, were to pass, then the University would likely need to rethink its business model overall with faculty salaries only a small concern in the overall budgetary picture. One Senator noted that Fordham will not be affected to the same degree as will upstate private colleges, as Fordham serves a demographic that is more national and, in some cases, international, at this point.

5. Report from the Faculty Committee on Salary & Benefits

Senator Clark, in his role as chair of the Faculty Salary and Benefits Committee, presented the committee's report. Senator Clark began by recapping the standing healthcare proposal from the Administration, as detailed in the December minutes. He noted that the Administration's proposed to move all employees of the University to UHC's Standard PPO plan on July 1, 2017 would be damaging to faculty and staff. He noted that the Salary and Benefits Committee has prepared, in consultation with its legal counsel and insurance industry consultant, a counter proposal that he intended to submit to the University's legal counsel later that day.

The Faculty Salary and Benefits Committee's counter proposal is distinguished by the fact that it does not force any faculty member to move on to a lower value insurance plan; instead, the Salary and Benefit's Committee's counter proposal outlines a series of incentives to encourage faculty to examine how extensive their health care needs have been and offers incentives for moving from the Enhanced plan to lower cost plans or to a newly proposed HSA (Health Savings Plan). Any faculty member who elected to move from the Enhanced or the EPO plans to the Standard Plan, or to an HRA or to the proposed HSA plan would receive financial incentives.

Additional financial incentives would be in place to encourage faculty to move to the plans of their spouses, or to remove adult children from their Fordham insurance coverage. The Senate President noted that there is a stop-loss for subscribers on all of these plans, and that if the Faculty Salary and Benefit's counter proposal were to be accepted, the Senate's insurance consultant would be retained to consult with faculty on the most effective healthcare insurance planning for their specific situations. A question was asked about whether such voluntary plan moves would be reversible in subsequent open enrollments (or in the event qualifying events) and the Senate President answered in the affirmative.

Senator Clark noted that the proposal would include a multi-year salary proposal seeking a pay increase of 0.6% retroactive to July 1, 2016 (when the Administration imposed an unstatutory, non-negotiated salary decision) along with a pay increase of CPI +3.1% that would allow for faculty members to double purchasing power over the course of a 25-year career.

A discussion ensued regarding a variety of matters including pre-existing conditions in light of national discussions of eliminating the Affordable Care Act; the relative merits of frequent RFPs; and of how a migration of plan members who feel they can afford less robust coverage would affect that premiums of faculty who remain on the Enhanced Plan. There was a brief discussion of whether the Senate should vote to endorse this proposal but the consensus was that such a move was not needed.

Senator Clark noted that our current health insurance benefits are protected in the University Statutes as part of the 2014 Salary and Benefits Agreement that moved Fordham faculty to one insurance provider (United Healthcare) and that the Senate's legal counsel observes that we have an excellent case if a unilateral move is made to modify this standing agreement.

Another member of the Salary and Benefits Committee noted that the average cost for faculty of moving to the Standard Plan would be approximately \$5000 in increased out of pocket costs. He noted that in exchange of this cost shift, the Administration had offered a one-time payment of \$1000 per faculty member (that would not be included in base pay), along with a fund of \$250,000 to subsidize faculty members who experienced extraordinary additional costs in the first year of the new plan. That Senator noted that while the average out-of-pocket cost per faculty member would be approximately \$5000, some would pay less, but others could pay significantly more.

A Senator inquired when the details of these plans can be shared with faculty whom we represent, and Senator Clark reported that plans are in the works for meetings on all campuses to present the state of the current negotiations. In the Interim, Senator Clark recommended that the following points be noted in interim reports to faculty: 1) that the current health benefits are protected under the statutes; 2) that the Faculty Committee on Salary and Benefits have prepared and are submitting a robust counter-proposal that could save the University millions of dollars; and 3) that negotiations are ongoing.

There was a wide ranging discussion of strategy. Senator Clark noted that if the Administration were to move forward on its proposal of forcing a migration to the Standard Plan mid-year, that there would be an extraordinary open enrollment period starting May. When asked why healthcare was even under discussion given that there is already a contract in place, he noted that the Administration made a discussion of salary contingent upon a discussion of health insurance benefits.

Senator Clark also noted that the 2014 salary and benefits agreement has already saved the University many millions of dollars, and will continue to do so; that the Salary and Benefits counterproposal saves them money again. President Fernald commented that we are also saving the University more each year with the scheduled increased contributions to health insurance premium.

6. UTRC Election

The Senate President provided a brief account of the success of the electronic ballots, reporting that while the usual paper ballot voting rate hovers between 25-30%, recent electronic voting has doubled participation with response rates as follows: at Fordham College Rose Hill, a 63% response rate; at Fordham College Lincoln Center, a 67% response rate; at the Graduate School of Social Services, a 79% response rate; and at the Graduate School of Education, a 67% response rate. She noted also that this has greatly assisted the Senate Office, freeing staff time for other pressing work.

The vote taken on the UTRC nominees resulted in the election of Professor J. Patrick Hornbeck, II for the Graduate School of Religious Education; Professor Aimee Meredith Cox for Fordham College Lincoln Center; Professor Rose M. Perez for the Graduate School of Social Service; and Professor Yi Ding for the Graduate School of Education.

7. Discussion of Senate response to grievances

Senator Hornbeck moved, and Senator Cohen seconded, a motion that the Senate go into Executive Session with three guests present permitted to remain for the discussion. The motion carried 16-1-0. At 1:56 the Senate entered into Executive Session.

At 3:05 Senator Hamlin moved, and Senator Vernon seconded, a motion that the Senate come out of Executive Session. The motion carried 16-0-0.

8. Discussion of lecturer statutes

A document comparing the existing lecturer statutes with proposed changes to those statutes was circulated for review. The proposed lecture statutes discussion was postponed until the February 24, 2017 Senate Meeting.

By motion of Senator Hornbeck, seconded by Senator Clark, and by unanimous consent, the meeting was adjourned at 3:13 p.m.

Respectfully submitted by Micki McGee, Senate Executive Committee, Member-at-Large
substituting for Aimee Meredith Cox, Secretary