



FORDHAM UNIVERSITY

THE JESUIT UNIVERSITY OF NEW YORK

Faculty Senate

Joseph M. McShane, S.J., Hon. President	William Baumgarth	Judith Jones	Berish Rubin
Micki McGee, President	Fran Blumberg	Eve Keller	Aditya Saharia
Andrew H. Clark, Vice President	Martin Chase, S.J.	Winnie Kung	Henry Schwalbenberg
Christopher GoGwilt, Secretary	Jeffrey Colon	Mark Mattson	Grace M. Vernon
	Edward Dubrovsky	Matthew M. McGowan	Sarah Zimmerman
	Marcia Flicker	Patricio Meneses	
	Ralf Hepp	Haim Mozes	
	Janna C. Heyman	Diane Rodriguez	

Faculty Senate Meeting September 8, 2017

Excused: Senators Rev Martin Chase, S.J., Janna Heyman, Matthew McGowan, Diane Rodriguez, Aditya Saharia

Meeting: 12th Floor Lounge, Lincoln Center Campus.

1. Call to Order

The meeting was called to order by Senate President Micki McGee at 11:40 a.m. in the 12th Floor Lounge at the Lincoln Center campus.

2. Invocation

Senator Baumgarth delivered the invocation.

3. Election of a new Senate Secretary

Senator Clark nominated Chris GoGwilt for Senate Secretary, seconded by Berish Rubin. Vote by acclamation.

4. Report from the University President, Fr. Joseph M. McShane

Fr. McShane's presentation addressed four matters:

- I) last year and the way forward
- II) DACA
- III) status of students in Houston area and in Florida
- IV) faculty development/professional development pre- and post- tenure

I) Reiterating what he said at Convocation the day before, the President began by acknowledging everything that had happened last year, especially the no-confidence vote. He underscored what he said the day that vote was taken: although he was disappointed, the no-confidence vote in no way diminished his regard for faculty and everything they do and that sentiment has not lessened in the months following. It has been a bruising and painful time for all and the President has reflected on what he can learn and what he can do to begin the process of healing – or, to use the language preferred by Senate President, the process of reconciliation. Members of faculty and the Senate felt that he had not listened to their

concerns. He was deeply sorry about this, and has expressed this sense of apology in the email sent out the day before Convocation.

The following things are central: 1) a lack of communication; and, 2) a question about money and the budget (healthcare being connected with this). What he proposes to do to address these is the following:

i) on communication generally, to be more robust and more regular in communications coming from the President's Office and the Provost's Office;

ii) he has directed the CFO Martha Hirst to hold budget fora at both campuses each semester so that budget matters could be more widely shared, discussed, and understood; and related to this, the University Budget Planning committee will resume its meetings. The University Budget Planning Committee includes 6 faculty members and 6 administrative staff members.

iii) on budget, to address the problem that strategic planning is often driven by budget, rather than the other way round, Fr. McShane has set up a Budget Task Force (which has already begun its work), to be co-chaired by Stephen Freedman and Martha Hirst (and whose membership has yet fully to be determined, although Senator Schwalbenberg is currently serving as a member). Fr. McShane has asked the Task Force to do the following:

- review the annual reports (identifying needs, desires, and strategic initiatives)
- develop a process driven by the annual reports to develop timetable, trigger moments, stakeholders at each of the trigger moments
- immediately connect with the University Budget Planning Committee
- be honest in action, transparent, and communicate with great regularity
- identify ways to generate additional funds and create a Strategic Initiative Fund

Fr. McShane has asked the Budget Task Force to complete its work and submit its report and proposals by the end of December.

In response to this part of the presentation, one Senator asked about the wisdom of using the annual reports as a starting point. In response, Fr. McShane noted that the form of the reports has changed, and that they are more revelatory than in past years, but acknowledged that there are still gaps and this is one of the things the Task Force and CUSP will need to assess.

II. The Trump Administration's decision to rescind DACA is morally reprehensible, and can't be allowed to stand as the last word. Fr. McShane has written to the University community and more practical information will be forthcoming. He shares the anger and outrage from bishops and from the educational sector, noting, too, that this is a personal thing for him, as the grandson of immigrants. Fr. McShane emphasized a few points:

- he asked faculty to look out for students in classes, advisement groups, who are on edge, nervous, frightened, because of their DACA status; to reach out, and be kind to these students and refer them to Counseling Center, campus ministry, or Government affairs – to make sure their fears are calmed
- Fordham, because it's a school, falls into the category of "a sensitive location" – the handbooks of ICE and Homeland Security stipulate that no apprehensions should happen in sensitive locations (schools, places of worship, hospitals)
- although we know we have DACA students, we don't know how many we have; the University has not collected personal information, because we didn't want to be in possession of an archive

that could be subpoenaed and used against students and families

- we are seeking ways to protect students and families who may be affected by the current situation
- we are also seeking effective ways to reach and influence House and Senate representatives

In response to this issue, one Senator asked if Fordham plans to do what Columbia University is doing in offering pro bono legal assistance to students affected by the DACA decision. Fr. McShane responded that he will look into this.

Another Senator asked if it would be effective to work with other Jesuit schools. Fr. McShane responded by saying he was already doing this, having signed the AJCU petition, and also signing a letter to the White House Chief of Staff; and that he was planning to work with the Association of Catholic Colleges and Universities (ACCU) and the Commission on Independent Colleges & Universities (CICU).

III. Fr. McShane noted that there was outreach to families affected in Houston area, only a handful of whom had been severely affected. He noted, too, that they already have an email list of students whose families might be affected in the Caribbean islands, Puerto Rico, and Florida. The University will be taking up collections. One group we will not send contributions to is the Red Cross (since it has been remarkably ineffective in distribution) – instead, contributions will go to the Salvation Army, Catholic Charities, and local groups.

IV. Finally, Fr. McShane wanted to address the need for professional development assistance, especially to faculty post-tenure. Noting that we do pretty well, although unevenly, on professional development assistance to faculty pre-tenure, we need to develop a unified, consistent and comprehensive program for addressing how best to nurture academic careers of our scholars post-tenure. He would like to work with the Senate and Deans to develop such a program, noting that this cannot be a one-size-fits-all approach.

Following Fr. McShane's report, one Senator raised concerns about classroom changes, noting a lack of communication between Facilities and the Academic side, and requested that the Space Planning Committee formally be made active again to address the problems. The impact of the new Starbucks in Dealy Hall in terms of both reduction of classroom space and noise from the new enterprise was noted.

Another Senator asked about the process and timeframe for addressing complaints lodged against Chris Rogers, Assistant Vice President and Dean of Students at Rose Hill. Fr. McShane noted that the process was underway (conducted by Title IX Officer Anastasia Coleman) and hoped for a speedy resolution. In response to a further question about whether Title IX training for RA's had been adequately completed, Fr. McShane responded that he did not know. Another Senator asked about Dean Rogers' Title IX responsibilities, and Fr. McShane noted that those responsibilities had been shifted to someone else. A Senator requested that this news be communicated to the entire university community immediately. Fr. McShane said he would make sure it was communicated.

A Senator asked Fr. McShane whether the proposed new communications about the budget given by the Chief Financial Officer, would resemble in their style and substance those given by the previous CFO Mr. Lordan. Fr. McShane said he did not know but then asked if they should? The Senator responded absolutely not as Mr. Lordan's presentations were mere ideological presentations to paint their budget decisions and provided no transparent access into the actual budget.

One Senator requested that the President of the Senate set aside an hour at a future Senate meeting during which there can be a more full discussion with Fr. McShane of the events that took place last year that have demoralized the faculty and have generated a significant rift between the faculty and the Administration. This Senator noted that at today's meeting there was clearly not enough time to address

the various issues. The Senator further noted that the fixed 2.7% salary increase for the next three years could result in there being insufficient funds to provide merit for the faculty, which could have a negative impact on the research productivity of the faculty. There was a brief discussion of the conditions that suggest that there will be inadequate resources to enable the awarding of merit: (1) given that the yearly increase in the total salary pool set in the 2018-2020 contract is 2.7%; (2) given that merit pool consumes approximately 0.6%; (3) given that the 2017 increase in CPI is likely to be in excess of 2%, it is unclear whether there will be sufficient funds available to provide an across-the-board increase and still have sufficient funds available to fund the merit allocation.

5. Report from the Provost, Dr. Stephen Freedman

The Provost's presentation consisted of 4 items presented by Dr. Stephen Freedman and 2 items presented by Associate VP and Associate Chief Academic Officer, Dr. Jonathan Crystal. Before these presentations, Dr. Freedman welcomed the arrival of Dr. Tito Cruz, Dean of Graduate School of Religion and Religious Education, and reminded the Senate that Dr. Eva Badowska, Dean of GSAS, was officially beginning as interim Dean of Faculty of the Arts and Sciences and Associate Vice President; noting that he had recommended a 2-year appointment; and that Dean Badowska would be working closely with the Provost to examine and enhance the Arts and Sciences at Fordham.

The Provost also said he hoped to speak to the Senate at a future meeting about the partnership between online education vendor 2U and the Graduate School of Social Services and Graduate School of Education. He said that this partnership will have significant implications for these two schools and across the university and he would like to see an extension of interdisciplinary and inter-school initiatives.

The Provost spoke of four priorities that he will be addressing in a series of 9 town hall meetings in the coming weeks, and on which he sought feedback from the Senate:

- 1) enhancing and promoting research at Fordham, with three strong emphases
 - i) interdisciplinary research
 - ii) sponsored research
 - iii) faculty-student research
- 2) expanding our academic programs with four emphases
 - i) cross-disciplinary
 - ii) revenue generation
 - iii) greater emphasis on mission-driven decision making
 - iv) "market driven" (which is different from revenue-generation – rather, it has more to do with what students are most interested in)
- 3) faculty development with a focus on three main things:
 - i) pedagogy
 - ii) online and blended learning
 - iii) diversity

The third point is extremely important for the Provost office, now that we're about to hire a Chief Diversity Officer.

4) sustaining our globalization strategy in difficult circumstances. This has been a relatively good year for recruiting international students (something that is not true for many institutions; for some 30% of

institutions it has been a very rocky year for international recruitment). There's a need to examine our partnerships; to consider what New York city means as an anchoring city; and what outreach efforts we can accomplish given our resources

Jonathan Crystal addressed two issues:

1) curricular diversity; 2) statutory revisions

1) Dr. Crystal wanted to discuss one of the Diversity Task Force's recommendations on enhancing curriculum: the 1-credit first year experience course with a significant diversity component. The charge is for this to be developed in collaboration with Academic Affairs, Student Affairs, and Mission Integration and Planning. After some preliminary discussion, the plan is to put together a Task Force of faculty, students, and administrators (including the incoming Chief Diversity Officer) to come up with a proposal to pilot for Fall 2018. There is agreement that faculty have primary responsibility for the curriculum. Any proposal the Task Force comes up with will be submitted through the normal channels for approval. But there are significant challenges with respect to content, costs, and personnel. The Task Force will be charged with, among other things, looking at what other institutions do.

2) statutory revision proposals --

i) With respect to the changes to the Lecturer statutes approved by the Senate last year, there has been ongoing discussion between the Administration and SEIU (Service Employees International Union) over the terms of conditions of employment for contingent faculty. While optimistic that there will be an agreement, the University has made a decision to hold off on seeking approval for the statutory revisions approved by the Senate last year since they also address these issues. Nonetheless, even although the revisions have not yet been approved, the Provost's Office will continue to make the appointment process easier for departments; and hasn't been holding up appointments for departments unable to meet the current statutory deadlines.

ii) On the Faculty Fellowship banking revisions approved by the Senate last year, the Provost's Office has received feedback that the Board of Trustees will need additional information before the revisions can be approved. Various questions need to be addressed — e.g. How many faculty will this affect? What is the justification for the retroactive clause? What are the fiscal implications? How will faculty be replaced? Will this increase reliance on part-time instructors? Are these factors taken into consideration when approving faculty fellowships? Are there any limits to awarding fellowships? Dr. Crystal noted that there has been a significant rise in applications since he began at the Provost's office, from 57 in 2011 to 94 last year. Though optimistic that, with data and analysis, the proposal could be approved, he did not want to have the proposed revisions rejected by the Board.

Discussion

Following these presentations, Senators raised a number of questions. First there was a discussion of the hiring of the Chief Diversity Officer. Noting that faculty participants in the search had singled out one candidate above all the others, one Senator asked the Provost whether there are sufficient funds to bring that candidate; and urged that we do everything in our power, to make sure we get the best candidate. In response the Provost, noting his appreciation of feedback, said that the discernment process is continuing, no decision has been made, but he anticipates that a decision should be reached within the next 2-3 weeks. It was noted later that the faculty who had met with the candidates, and who had deliberated afterwards, had concluded that if the top candidate could not be persuaded to accept the position, that they recommended to the chair of the Search Committee that the search be reopened.

One Senator asked, in the context of the Provost's emphasis on diversity, whether something could be done to address the financial situation of students potentially affected by the DACA decision. The Provost noted there had been discussions related to this, and that Jonathan Crystal would reach out to the Deans to explore the possibilities.

Another Senator posed a question about the first year seminar proposal, urging the Provost to include students on the task force, and voicing concern about the role of Student Affairs/Life in the formation of this curricular matter.

Again on the matter of Student Life, but now about the reporting of sexual abuse, the same Senator noted that 3 different students have reported to that senator that they would not report sexual abuse to the Office of Student Life. In more than 1 year, apparently the University is reporting that there have been zero sexual assaults on campus -- is this credible? The President of the Senate thanked the Senator for raising this crucial and disturbing issue, and the Provost also expressed his wish to learn more on the issue, and voiced his concern, too.

One Senator raised the question of the status of non-tenure full-time faculty at Fordham, noting AAUP sanctions against another university for the failure to provide appropriate safeguards and guidance. The Provost noted the concern and need to pay closer attention to the grievance structure for full-time non-tenure faculty.

A question was also raised about Fordham's ability, at present, to buck the trend against international enrollment, and the Provost noted the need for care and concern for the future.

6. Follow up on issues from last year, ongoing challenges and the year ahead

Before turning to the main item on the agenda, Senate President Micki McGee announced the completion of the Executive Committee, with the addition of Winnie Kung (GSS) as an at-large member of the Executive Committee, alongside the officers and at-large committee member already in place. And since the first special meeting in May, two new Senators have joined – Edward Dubrovsky, and Sarah Zimmerman to fill vacant positions, including the loss of former Senator Nasuti (due to scheduling issues).

The Senate President then introduced the question of follow up on issues from last year. The question to consider is what we wish to see, or need to see, to have any path forward for what the University President calls healing, and what the Senate President calls reconciliation. We have heard what Fr. McShane's plan is (fora, more communication, transparency). What do we need to move forward?

One Senator, repeating a request for more time (at a later meeting) to address the issues, spoke for many faculty members who believe there was no justification for a change in the 2014 healthcare agreement; that members of Salary & Benefits were held hostage by the administration's insistence on the change; and that the administration has in effect stolen many thousands of dollars per faculty member through bullying tactics and through violation of the statutes, and a refusal to accept the verdict of the Hearing Committee that ruled the administration had violated the statutes. The only way to make up for this theft would be for the administration to give back what has been stolen. Even to accept some kind of truce would require addressing the fact that the statutes were violated in the 2016 salary imposition. It would be necessary, too, for the administration to acknowledge its misrepresentation of those who faculty in the negotiation process. Making matters even worse, the current agreement sets a cap on salary increases that, in essence, threatens to make it impossible for us to offer merit going forward. In light of all this,

there seems little room for talking about mending fences.

In a wide-ranging discussion, a number of points were reiterated by different members of the Senate, notably:

- *deep dissatisfaction with changes made to the existing healthcare agreement, and outrage at the lack of credible justification for such a change;
- *outrage at the Administration's refusal to acknowledge and address their violation of the statutes;
- *the need for a public apology to the Senate and to the Salary & Benefits Committee for the misinformation disseminated by the President, by the Board of Trustees, and by the University spokesperson
- *concern that the cost-cutting measures of the three-year salary and benefits agreement will make merit difficult, if not impossible, and so undercut efforts to sustain Fordham's research productivity

Some Senators were skeptical any apology would be forthcoming, or any clear acknowledgment of the statutory violation.

One Senator argued our energies should be focused on engaging in the budget planning process, taking up the University President's call for faculty involvement, but documenting cases where faculty consultation was circumvented.

In other matters discussed on the main agenda item:

One Senator voiced grave concern about the nature of the Trustees' involvement in proposed changes to the statutes.

Another Senator voiced grave concern about the President's proposed introduction of a "strategic initiative fund" suggesting that any surplus in the budget might be siphoned off to go to strategic initiatives; as happened in the past with the capital campaign fund, where budget surpluses disappeared and went to pay for the future of the Law School building.

A number of Senators reiterated outrage about the unjustified change in healthcare, and the costs this will incur. It was noted, too, that these cuts are being compounded by cuts to the academic budget (lack of funds, lower travel budgets, a freeze on the hiring of support staff).

Repeatedly, discussion returned to the question of merit. There was a running (unresolved) debate about how and when calculations of the rate of inflation would affect the cap on salary raises included in the Salary & Benefits agreement. A number of Senators voiced the need to warn faculty that there might not be sufficient funds to allow for merit awards next year. Senators expressed concern about the wasted labor involved in debating merit norms and filing for merit. The Senate President, noting the importance of this discussion, and suggesting it be referred to Salary & Benefits, emphasized that there are several kinds of labor involved in filing for merit: departmental revision of norms, due in October; and individual applications for merit, at the beginning of the calendar year. Some of the work takes place before the Senate's October meeting, as merit norms are due by October 31st, thus there was some urgency about communicating to department chairs that revisions to merit norms may not prove useful in a year when merit might not be available.

There was also a call for the creation of a Task Force to address the whole question of online/hybrid learning raised by the Provost's discussion of the University's partnership with 2U. A number of Senators spoke of their concern about the nature, scope, and implications of this partnership, not only for GSSS and GSE, but as a potential model for the whole university. A number of faculty repeatedly questioned

the suitability of the narrow-minded profit model of the company 2U, whether proper business practices were followed before signing the contract, whether there was appropriate faculty consultation in a matter as important as the choice of learning management system that impacts curricula and pedagogy, and whether the company was suited at all to the academic mission of the university.

There was some discussion about whether this might be taken up by the Technology Committee. It was noted that the question of online/hybrid learning went far beyond the issues of Technology, affecting issues of personnel, curriculum, and Intellectual Property.

On the question of online/hybrid learning, a motion emerged, following an adjournment in the meeting, and following a motion to extend the meeting by 10 minutes (moved by Senator Mozes, seconded by Senator Baumgarth, and unanimously approved).

Motion to form an Interdisciplinary Task Force on Online / Hybrid Learning

The Senate approved the following motion by Senator Flicker, seconded by Senator Vernon:

The Faculty Senate directs the Executive Committee to constitute an interdisciplinary task force on online / hybrid education to cover topics including but not limited to pedagogical efficacy, intellectual property, modes of delivery, faculty responsibility and recompense, and alignment with the Jesuit mission of the University. The task force will report back to the Faculty Senate by the end of the calendar year.

The motion passed unanimously by a vote of 18 - 0 - 0

7. Report from the Committee on Salary & Benefits - Professor Andrew Clark, Chair, Faculty Committee on Salary and Benefits

Senator Clark's presentation consisted of 4 parts:

- 1) a request that his August 15, 2017 letter to faculty on healthcare changes be included in the Minutes as an appendix
- 2) an update on the hardship fund; the administration trying to propose plan based on tax return filing, which would cause considerable complications
- 3) with open enrollment coming up, the recommendation is that, if one is currently on the Enhanced plan, one should switch to the Enhanced standard plan – it will be essentially the same; it will just cost more money in terms of out-of-pocket costs, higher deductibles and a higher out-of-pocket maximum, higher co-pays, and new in network co-insurance
- 4) although Senator Clark reported that UHC was being responsive to him, there remain some issues, especially concerning mental health claims and **Human Resources, which is still at times not able to resolve faculty's problems requiring the Chair of Salary & Benefits to escalate and get these issues resolved directly through UHC**
- 5) on phased retirement, there remains an important conflict of timing between what the statutes say and what has been done in practice: the Statutes state that one gives up tenure and its responsibilities immediately after electing phased retirement while the practice has been to let people to continue to serve as tenured faculty until the end of the academic year. The Handbook Committee is being asked to take this matter up, and to propose clearer language for the statutes. Senator Clark will relay the details of this matter to the Handbook Committee for their consideration.

8. Committee Nominees: URC and Senate Committee, and Board of Trustees Committees

University Research Council Election

The Senate approved a slate of candidates for the University Research Council by a vote of 16 - 2 - 0.

There was a call for the Senate to go into Executive Session – the motion from Senator GoGwilt, seconded by Senator Baumgarth was approved unanimously.

When the Senate came out of Executive Session, there was a motion from Senator Vernon, seconded by Senator Rubin, to extend the meeting time. The motion passed unanimously.

Faculty Senate and Faculty on Board of Trustees Faculty Committee Election

The Senate approved a slate of candidates for Faculty Senate and Board of Trustees Committees by a vote of 18 - 0 - 0.

9. Other Business

Return of funds to Senate Fund donors.

Senator Vernon moved, seconded by Senator Baumgarth:

That the President of the Senate send out a letter to faculty who have contributed to the Senate fund offering refunds, but inviting faculty to waive refunds to support ongoing costs associated with protecting faculty salary and benefits.

The motion was approved by a vote of 18 - 0 - 0.

There was a brief discussion about whether the Committee on Student Life might expand its membership. The matter was proposed as a future agenda item, but it was noted that committees may avail themselves of ad hoc members on an informal basis.

By motion of Senator Flicker, seconded by Senator Rubin, the meeting was adjourned at 2:50 p.m.

Respectfully submitted by Chris GoGwilt, Secretary.



FORDHAM UNIVERSITY
THE JESUIT UNIVERSITY OF NEW YORK

FACULTY SENATE
COMMITTEE ON SALARY AND BENEFITS

August 15, 2017

Dear Colleagues,

I hope you have not been made anxious by the silence from the Faculty Salary and Benefits Committee. Please do not mistake the summer's quiet for apathy or lack of concern for the significant impact of the new healthcare plan. It came merely as a necessity after falling behind on too many other responsibilities during weeks of intensive negotiations and demonstrations in the Spring.

Although the University's President has assured the Fordham community that they would be informed on every aspect of the significant health care changes, we have yet to see any communication go to the university community on the specifics of Fordham's new healthcare plan. As this information is time sensitive—and crucial to some of you—we are providing what we know about the new health care coverage, as well as some background on the context of last year's salary and benefits negotiations.

1. Key aspects of the new healthcare plan:

Attached you will find a side-by-side comparison between the current UHC Enhanced PPO plan that we currently benefit from, the current UHC Standard Plan (that the administration wanted to push us all on to), and the new Fordham plan that will go in effect on January 1, 2018. The attached spreadsheet shows benefit changes, but there are some important points to underline:

What remains the same:

- 1) **Your doctors will not change.** The network is the same: UHC Choice Plus.
- 2) There have been no changes to the retirement health plan available to retired employees.
- 3) Out-of-network UCR rates (usual and customary rates) are the same as before, based on the 90th-percentile in the provider's zip code, and the co-insurance for out-of-network treatment also remains the same: 20%.
- 4) There is no requirement for pre-authorization, only pre-notification.
- 5) Fertility coverage from the Enhanced plan remains the same.
- 6) Your vision and dental plans, if you've elected them, will remain the same as in the past.

- 7) The Cigna International Health Coverage for faculty and staff conducting Fordham business abroad will remain the same.
- 8) The cost sharing progression articulated in the 2014 health care agreement will also remain in place, which means faculty will not pay 15% contributions until 2019 and will do so then, if and only if, salary raises are .6% above the previously agreed upon CPI for the NY Metropolitan area, December to December.
- 9) Faculty can still use PayFlex to put pre-tax dollars aside for medically related expenses.
- 10) Enrollment period will be in October as in the past with the new plan starting January 1, 2018. This was a significant victory given the administration's continual insistence that the new plan should start on July 1, 2017.

What will change:

- 1) In-network co-insurance. The most devastating addition to the new health care plan is a 5% in-network co-insurance. This means that in-network out-patient surgery and other procedures that once cost nothing will now include a new 5% co-insurance charge. This co-insurance will mean the in-network deductible and out-of-pocket maximums, the latter of which stays the same, will now become significant. If you have out-patient surgery or procedures in-network, you are much more likely now to hit your out-of-pocket maximum. However, we proposed and secured a financial safeguard: for in-network, in-patient hospitalization there is a \$250 co-pay, *but no additional co-insurance*.
- 2) Office visits and ER co-pays. Co-pays will go up to \$25 for primary care physicians, to \$50 for specialists, and \$100 for ER visits. These are significant changes from the \$10 primary care/specialist and \$35 ER visits that we currently enjoy in the Enhanced plan.
- 3) Other co-pays. As noted above, there will be an in-network, in-patient hospital co-pay of \$250. There will also be co-pays for any non-routine radiology and imaging. A new \$250 co-pay will be required for out-patient procedures like sonography, CT scans, or MRIs. Routine in-network annual preventative scans (e.g. mammography) will continue to be fully covered.
- 4) Deductibles. Deductibles will also increase. In-network deductibles will be \$250 (single) and \$500 (family). Out-of-network deductibles will increase to \$300 and \$600.
- 5) Out-of-pocket maximums. Along with the co-insurance, the out-of-pocket maximums will be significant, particularly for those who need medical services on a regular basis. We fought hard on this point, but the new out-of-pocket maxima are still much higher than we wanted or feel is morally right. In network, the amounts of \$2500/\$5000 will stay the same, but given the new co-insurance fees,

the higher deductibles, and increased co-pays will actually mean many will hit the maximum. Out-of-network maximums will increase to \$2500(single)/\$5000 (family).

- 6) Pharmaceuticals. Prescription co-pays will be \$10/\$25/\$50 (retail) for one-month quantities and \$20/\$50/\$100 (mail order) for three-month supplies. There are no new formularies or step therapies. Any medication your doctor prescribes should be covered.

The Add-ons:

- 1) HRA accounts. All faculty and staff will receive HRA accounts for the amount of \$400 single/\$800 family in each year of the first two years of the agreement. The money in the account is rolling for the three-year contract. In the final year of the agreement, faculty will only receive half the amount, \$200/\$400, and the funds must be spent by December 31, 2020. (The reduction in HRA accounts in the final year was a demand the administration's negotiating team made after we finalized our deal with them on Friday, April 28, 2017).
- 2) Hardship fund. \$250,000 will be set aside each year for faculty, and the funds will roll over until December 31, 2020. The Faculty Salary and Benefits Committee with our lawyer and health consultant will be preparing a document with the administration by no later than September 30, 2017 to establish policies and procedures for distributing monies from this fund for faculty affected by the health care plan changes.
- 3) Buy-outs. If you can get health insurance coverage under another policy, normally through your spouse or LDA, you may elect to opt-out of Fordham's insurance coverage and will be paid \$4000 (single)/\$8000 (family) yearly.

As you see, the overall features (types of coverage, network, etc.) of your insurance remain more or less the same, but your medical costs will rise. We calculate the average increase in out-of-pocket costs will be \$1100 a person — much better than the \$3400 average increase the administration had initially proposed—but many will experience much, much higher additional costs. Your premiums, however, will be lower and light users of the insurance plan may find that their actual costs decrease modestly.

Salary increases have been set at 2.7% for the next three years. While this may seem like a reasonable increase, do not let this number mislead you. Traditionally, the practice has been that approximately 0.6% of this amount is allocated to the 50% of faculty who receive merit. The remaining approximately 2.1% is divided up for faculty by rank based on the average salary at each rank.

This fall we may need to reassess whether to continue merit; if inflation continues to rise, then the 50% of the faculty receiving a 2.1% salary increase could experience a decline in purchasing power. Many among us believe that allowing a decline in real wages for any faculty would be inappropriate, thus the Faculty Senate may consider the modification or discontinuation of merit, depending on economic conditions overall.

Contingent faculty will receive across the board amount (2.7%) as a pure percentage of current salary. Non-union staff will receive a 2.7% pool, distributed, as usual, based on supervisors' assessments of individual job performance.

2) Background on the negotiations of Fordham's new health care benefits

As you may know, the administration demanded changes in our health care benefits when we entered into negotiations last fall regarding AY2018 salaries. Faculty had made extensive concessions in our health care coverage, including the consolidation of all medical coverage with one carrier (UHC) and an increased faculty share of premium costs, in our 2014 agreement. We saved the University millions of dollars in that contract. That change barely had time to become a reality, and the new health care plan was still producing multiple problems as a consequence of UHC's initial poor service and violations of its contract with Fordham, when the Board and the administration announced that any discussion of salaries for AY2018 would be contingent on new reductions in health care benefits.

Thus, the Salary and Benefits Committee participated in the healthcare negotiation under twin threats made by the administration: 1) that if faculty did not agree to negotiate changes in the health benefits, the Board and administration would unilaterally impose whatever plan they chose; and, 2) that without healthcare cuts there would be no salary increases for the foreseeable future. We had expected that the administration would have the decency to respect the terms of our 2014 benefits agreement and negotiate honorably. But that was not the case.

Faced with this situation, the Committee worked tirelessly to maintain as much of the UHC Enhanced Plan as we could. We did so not merely in the interest of protecting the faculty, but also for the countless administrators and staff who have no job protections, and whose salary levels in most cases would have caused them to suffer even more greatly than faculty from these devastating cuts.

The year was not easy, to say the least. But what inspired us in this challenging work was the tremendous support we received from you, Fordham's incredible faculty. Your actions, along with those of students and some heroic administrators who broke with

ranks to donate to our legal fund and resist, made the difference. All of your efforts— writing letters to the Board and Administration; showing up for multiple peaceful demonstrations; contributing generously to the Senate’s legal fund; participating in the no-confidence vote in exceptional numbers; reducing your volunteerism for promotional events; speaking with the press; and expressing your concern and dismay in all appropriate venues— showed the administration that faculty and staff were not willing to back down easily. Your support empowered us to push back against the administration’s egregious cuts.

What we secured in the three-year salary and benefits agreement was not a victory. It was, we believe, the best contract we could negotiate given the bad faith negotiations on the part of the administration and their disregard for faculty.

Of particular and ongoing concern to us were the public accusations impugning the character of the dedicated members of the Salary and Benefits negotiating team. We remain appalled by the administration’s scandalous move to change the terms of the April 28th agreement over the subsequent weekend — Easter weekend, of all weekends. And we remain personally and professionally affronted at the Administration’s audacity in (1) claiming that it was the Faculty and Salary and Benefits negotiating team who had reneged on the April 28th deal (when, in fact, they had); and (2) then communicating this slanderous accusation on Monday, May 1 in a University and community-wide communication sent by Fordham’s Associate Vice President of Communications.

Believing that Father President McShane might exercise some moral authority to correct this false "news," the Chair of Faculty Salary and Benefits hand delivered documentation to the President that proved that the faculty negotiation committee had at no point and in no terms changed the handshake deal of April 28. Unfortunately, he chose not to take that path and instead issued a blanket letter of apology the day before Commencement that did nothing to modify the administration's misrepresentations regarding the negotiations. Given this situation, our faith in the administration has not been restored.

In his May 19th letter of apology, Father McShane praises the progress made in the salary and benefits negotiation and asks how we can move forward in what he calls the “healing process.” We are all interested in healing, but healing cannot begin unless honesty returns and unless the university's leadership can be trusted and respected.

The Executive Committee of the Faculty Salary and Benefits Committee and the Faculty Salary and Benefits Committee worked transparently and in good faith throughout last year’s contentious process. We have also fought each and every injustice, error, and misrepresentation, as well as any attempt to weaken contractually negotiated benefits

currently in place. We will continue to advocate for faculty, contingent faculty, students, and the staff members of the University, and to fight to preserve shared governance. And we will look to you for your continued support in the year ahead.

Sincerely,



Andrew H. Clark
Chair, Faculty Senate Committee on Salary and Benefits

Attachments:

Health Insurance Plans – Side-by-Side Comparison (pdf)
Salary and Benefits Memorandum of Agreement – 2017-2020 (pdf)

Note: these documents are also available on Google Drive at:
<https://drive.google.com/drive/folders/0B7h3bBIPWwcbSVkwMk1oOTB1U1k?usp=sharing>