



FORDHAM UNIVERSITY

THE JESUIT UNIVERSITY OF NEW YORK

Faculty Senate

Joseph M. McShane, S.J., Hon. President	William Baumgarth	J. Patrick Hornbeck, II	Diane Rodriguez
Anne E. Fernald, President	Martin Chase, S.J.	Margo Jackson	Aditya Saharia
Berish Rubin, Vice President	Andrew H. Clark	Judith Jones	Henry Schwalbenberg
Aimee Cox, Secretary	James A. Cohen	Eve Keller	Falguni Sen
	G. Larry Farmer	Dorothy Klotz	Grace M. Vernon
	Christopher GoGwilt	Micki McGee	
	David D. Hamlin	Matthew M. McGowan	
	Janna C. Heyman	Harry Nasuti	

Faculty Senate Meeting April 7, 2017

Excused: Senators Chase, Cohen, Farmer, GoGwilt, Hamlin, Keller, Klotz, Schwalbenberg, Sen

Meeting: O'Hare Special Collections Room, 4th Floor, Walsh Library, Rose Hill Campus

1. Call to Order

The meeting was called to order by Senate President Anne E. Fernald at 12:40 p.m. in the O'Hare Special Collections Room, 4th Floor, Walsh Library, Rose Hill Campus

2. Invocation

Senator Janna Heyman delivered the invocation

3. Report from the Salary and Benefits Committee

Senator Clark, in his role as chair of the Faculty Salary and Benefits Committee, presented the committee's report. Senator Clark reviewed the actions taken to date to put pressure on the administration to negotiate towards an equitable health care proposal including some departments boycotting of the Spring Open House, the letter writing campaign to Fr. McShane, and coverage of the negotiations by *The Ram* and *The Observer*. These actions appear to have had some impact. Fr. McShane asked the University's Chief Counsel, Elaine Crosson, to meet with the Faculty Senate's lawyer. The current counter proposal will be delivered to the administration with a new salary proposal this evening.

Discussion ensued around the violation of the statutes in imposing last year's salary arrangement. Senator Clark indicated that, although the statutes had been violated, and the Hearing Committee had ruled that the actions violated the statutes, nonetheless, the administration refused to recognize the Hearing Committee's authority. He noted that the recourse for this and future violations might require legal action.

Senator McGee moved, seconded by Senator Cox to move to executive session. The motion passed.
Senator Rubin moved to come out of executive session, seconded by Senator Clark. The motion passed.

4. Discussion of Faculty Responses

The motion before the Senate was to adopt a statement expressing the Senate's disapproval of the University's violation of the statutes and the Senate's intent to pursue a full faculty vote of no confidence in the President of the University.

Discussion of the motion ensued. A Senator made a request to reframe the motion to focus on the violation of the statutes and omit the mission of the University and the agreement/disagreement about operational issues. Another Senator requested that comments from the Senate regarding the Senate's dissatisfaction with and lack of confidence in the administration be included in the motion. It was reiterated that in a vote of no confidence, a bill of particulars would be included. The Senate President requested that the Senate work to ensure faculty turnout at the next board meeting and complete a planned survey prior to the meeting to ensure the kind of input and attendance at the meeting that will make an impact.

A request was made for: 1) an explanation of the implications of a vote of no confidence; and, 2) clarification about whether

or not the Senate taking a position on the status of contingent faculty has any legal ramifications in supporting a community of interest to which the faculty could be made a part by association. It was agreed that as to the second question, the language the Senate has used to date does not give rise to that association.

A request for a friendly amendment was made to add clarity to the motion to include the word “upended” or “contravened.” The friendly amendment was accepted. Regarding the implications of a no confidence vote, the Senate President explained that doing so sends a message to the University, the Board of Trustees, and the public, and that it has implications for the future of the University President’s efficacy in the long term.

A friendly amendment was made to add language to the motion “to support those who deserve workplace representation.” The President asked the Senators to respond to an incoming message from legal counsel regarding recommended wording for the motion under discussion.

A Senator reiterated the concern about focusing on the statutes versus the administration’s actions/intent. He agreed to table those concerns. He further raised a recommendation to change the language from “calls upon” to “authorizes” so that the Senate President could act with the Senate’s approval in a way that would provide her the ability to conduct decision-making without having to come back to the Senate for approval. A motion was made to change the language to “authorize.” The motion was seconded. Discussion ensued. The Senate discussed this for some time and agreed the “calls upon” language was preferred. A motion was made to call the question on the amendment. It was seconded, and approved by a majority. A vote was called on the change to the amendment to include the word “authorize.” The motion to amend was rejected by a vote of 4 - 7 - 1.

Senator Clark moved, seconded by Senator Cox, to call the question on the original motion. A majority voted in favor of calling the question on the original motion:

Whereas Fordham University wishes to abandon the University's health care contract negotiated in 2014 and has pushed to have it replaced by a new health care plan that would result in significantly increased costs for faculty and staff and would threaten their health, well-being, and incomes;

Whereas the unilateral imposition of wage increases and the allocation of those increases in academic year 2016-2017 violated the University Statutes and overturned more than 30 years of historical precedent;

Whereas Fordham University has undermined the University's mission to be in service for others and to help those who deserve workplace representation by refusing to allow the contingent faculty to hold a democratic election to decide whether they want to be represented by a Union;

Whereas, the foregoing actions evidence a failure of leadership by the President of Fordham University;

The Faculty Senate calls on the Senate President to conduct a full-faculty electronic vote of no confidence in the President of Fordham University between 8 a.m. and 5 p.m. on Wednesday, April 19, 2017. Results will be announced immediately at 5 pm.

The motion was passed by a vote of 11 – 0 – 2.

5. Discussion of Open House

The Senate President reported on the attorney’s recommendation to write a letter to the Chairs of Arts & Sciences indicating that in light of recent progress in the negotiations with the administration, the Senate is recommending that faculty not protest at the upcoming Open House. Discussion ensued. The Senate agreed that no letter was necessary.

6. Senate President’s Comments

The Senate President reminded the Senate about upcoming elections, and that her term as Senate President was coming to an end. The Senate President indicated that she would not be returning to the Senate next year, and that she wanted to provide as much lead time for the Senate to make a decision about the Senate Presidency and the Executive Committee participation as soon as possible. Discussion ensued.

The meeting was adjourned by Senate President Anne E. Fernald at 2:43 p.m.

Respectfully submitted by Aimee Meredith Cox, Secretary