

Special Meeting
UNI Faculty Senate #1788
Feb. 13, 2017 (3:31-4:23 p.m.)
Scholar Space (Room 301), Rod Library
SUMMARY MINUTES

Courtesy Announcements

1. Call for Press Identification: Christinia **Crippes**, *Waterloo/Cedar Falls Courier*
2. Comments from Senate Chair **Gould**

Consideration of Calendar Items for Docketing

1310 Resolution in Support of Chapter 20

**** (Swan/Walter)** Docketed at Head of Order <https://uni.edu/senate/current-year/current-and-pending-business/resolution-support-chapter-20>

Consideration of Docketed Items

1319/1210 Resolution in Support of Chapter 20

**** (Zeitz/Cooley) Passed. One abstention.** <https://uni.edu/senate/current-year/current-and-pending-business/resolution-support-chapter-20>

Adjournment: Gould/Walter

Next Meeting:

Monday, February 27, 2017

at 3:30 p.m.

Rod Library, Scholar Space (LIB 301)

Full transcript of 27 pages with 2 addenda follows.

**FULL TRANSCRIPT of the
UNI Faculty Senate Meeting #1788
February 13, 2017 (3:31 – 4:23 p.m.)
Scholar Space (Room 301), Rod Library**

Present: Senators Ann **Bradfield**, John **Burnight**, Russ **Campbell**, Seong-in **Choi**, , Jennifer **Cooley**, Lou **Fenech**, Chair Gretchen **Gould**, David **Hakes**, Tom **Hesse**, Bill **Koch**, Ramona **McNeal**, Amy **Petersen**, Joel **Pike**, Jeremy **Schraffenberger**, Gloria **Stafford**, Secretary Jesse **Swan**, Vice-Chair Michael **Walter**, Leigh **Zeitz**. Faculty Chair Tim **Kidd**.

Not Present: Senators Steve **O’Kane** and Nicole **Skaar**, Provost Jim **Wohlpert**, Associate Provosts Nancy **Cobb** and Kavita **Dhanwada**.

Guests: Carissa **Froyum**, Becky **Hawbaker**, Scott **Peters**.

Gould: Okay, I’m going to call the meeting to order. Welcome. Thank you for coming for this special meeting. The first thing I want to do is to put out a call for Press Identification.

Crippes: Hi, Christinia **Crippes** of the *Waterloo Cedar Falls Courier*.

Gould: Okay, thank you. Thank you for all of you coming today to consider this resolution in support of chapter 20 legislation that is being voted on soon—very soon. We have a couple of guests in the room as well to participate in the conversation with us: Scott **Peters**, who is past Faculty Chair as well as past Chair of Faculty Senate and Carissa **Froyum** from United Faculty. So I hope we have a constructive conversation. The first thing we have to do is docket this item, so do I have a motion to docket this resolution in support of chapter 20?

Campbell: Do we have a draft resolution, or are we talking of developing one?

Gould: There was one on the petition that was submitted by Faculty Chair **Kidd**.

Walter: Should we read it Gretchen (**Gould**)?

Swan: We could.

Pike: Maybe we could check and see how many people have already read it.

Gould: How many people have already read it?

Campbell: I probably read it about a week or whenever it was sent out.

Gould: So do I still need to read it?

Walter: Russ (**Campbell**) you have that in front of you.

Swan: Do we want to change it now, because when it goes into the docket--- presumably we would put it into the docket at the head of the order to act on immediately, and we would be able to just pass it then if change it now, instead of changing it then?

Campbell: It makes more sense to discuss it first.

Swan: We could discuss it now and change it now and then put that perfected resolution in the docket to pass right away. We could do that.

Zeitz: Six of one, half dozen of another: Why don't we just talk about it now, work on it, and then we can move on? One of the things I don't want to happen is I don't want things to get stuck on process.

Gould: Right. Absolutely.

Zeitz: Let's get it done and get it over with.

Swan: Let's do that.

Gould: Okay. Discussion?

Campbell: I do not want a resolution that says, "We want this because it's good for us." I don't want to a resolution that says "we need it," because there are two other Regents universities that do not have unions, and they are presumably doing well, at least in the eyes of most or many legislators, maybe better than we're doing because we don't have a union. I think there are other ways we can address it. One of the comments mentioned---We are responsible---I'm building on what it said—We are responsible for supplying teachers for the K-12 schools in Iowa, and attracting people to work in those schools requires a good working environment and if you get rid chapter 20, in particular if you give the States [power] to unilaterally withdraw health care, essentially cutting their salaries by \$10,000 or more thousand dollars, they are not going to want to work in the State of Iowa. I think we should focus it not on 'we need it for UNI,' but 'we need it for the State of Iowa.' My second point I wanted to make is I think we want to focus on academic freedom. People don't know what tenure means. It means academic freedom, and our contract only gives us, and I think Jesse (**Swan**) will agree, it gives us less than the industry standard is for tenure and academic freedom.

Zeitz: Could you explain that last part, I didn't quite catch that?

Campbell: They want to get rid of tenure here.

Zeitz: I understand that.

Campbell: We want tenure because we want academic freedom. It's been pointed out by several people that they don't appreciate what tenure really means. They just think it's a job for life. We can eliminate---with or without tenure---we can eliminate employees for a cause, and a contract does not give us more job security than a university that respects the industry standard for academic freedom. That's what I want to say. Our contract is not giving us something beyond what is expected in the industry, and I think most union members would agree with that.

Kidd: That's not true. The grievance procedure that we have at UNI is different than in most universities. It has additional protections for tenure related to how disciplinary actions are worked through between committees made up of faculty and administration. So I would disagree with that. Refer to the contract.

Schraffenberger: I was under the impression that we were talking about collective bargaining right now.

Kidd: We are.

Pike: The contract is the result of collective bargaining.

Schraffenberger: Sure. Is that the detailed response you want in this resolution before us right now?

Pike: Well if you look at what's being proposed in terms of changes, one of the things that would no longer be—that would be taken off the list of negotiable items, would be evaluation, including for tenure and post tenure assessment and so on. That's all going to be pulled. It's no longer going to be available for contract

negotiations. So to the extent that there are protections, including the grievance procedure, as a part of a collectively bargained contract, there's no assurance that that would continue. And I think, can I ask Senator **Campbell**, was your point that the contract that we do have in terms of tenure and the evaluation other than the grievance, doesn't provide any more protection than a non-union university that says we meet the AAUP?

Campbell: Right. That's essentially what I was saying is that we need tenure to attract people and our contract now maybe doesn't go much beyond that, but that can be discussed.

Kidd: Just a direct response: In 2012 the administration was going to let go I don't know how many people, and their justification was because they were closing down programs at Price Lab. Those terminations would have been done during the middle of the semester with the expectation that those faculty would somehow continue on and turn in their grades. The reason that did not continue was that they were in violation of the contract. So, when you have a university that's being run well, I don't think it's a problem. But what happens if you don't? That's a question.

Pike: I want to share something from my personal experience and make an observation. When I was in graduate school, I was a member of the first graduate student union that was formed, and again just sharing my experience, I had better health care and benefits as a graduate student than I did at my first academic position at the University of Illinois, which was not unionized. Again, that's just my observation. Two, I don't think that you can really say, "Gee, the other two

Regent universities that are not---that don't have unions are doing fine, and so do we really need one?" Because I don't think you can ignore the fact that our collectively bargained contract has an impact on the expectations for faculties at those two universities about what kind of the working conditions they would have. I'm not sure that you can go from no unions to and compare that to having one school that has a union with two that don't. I'm not sure. That would be my argument: What we bargain for in our master agreement has some impact on expectations at those two schools.

Schraffenberger: I don't disagree with either of what you're saying. I just wonder how it helps us in the discussion of what we're actually going to write in this resolution. I think a lot of what Tim (**Kidd**) wrote encompasses those questions. I think it's very well written. I just want to say that. And how detailed should it be?

Pike: Getting to the wording, I thought it was very well written too. Maybe I'm misunderstanding some of the things you've pointed out, but it might be nice to have a paragraph or some more explicit reference, at least that I remember, to I guess that faculty working conditions are student learning conditions; some reference to the impact that our academic freedom and grievance procedures will also be expected to have a positive impact on the student learning environment.

Cooley: I think the last few sentences in the first paragraph speak to that pretty well, and it's kind of nice to hear it stated in so many ways; in so many different ways that truth is being stated.

Hakes: I wrote an email earlier, and I want to make sure everyone's on the same page, that speaking with past chairs of this organization and past presidents of the union, they were very concerned about the Senate making a statement as opposed to us individually making a statements. As past practice, correctly or not, they said we had not, even though we may wish a statement, and there are other organizations on campus to make statements, including the union and so on. So I assume we're all on that page that we're going to make a statement. But when I spoke to the past presidents and chairs of this union and organization, they behaved as if there had been a firewall between the two. I'm just saying, while we don't endorse candidates, and this is such a touchy---this has everybody worked up--- there is no doubt, but we said "we'll do this, but we'll never go down the path of endorsing a candidate." What if in the next election, two candidates oppose each other and one publicly states, "Forget chapter 20. I'm for eliminated public sector unions. Eliminating them," and the other one is...Are we going to say, "In this case, now we'll..." I'm not sure. Maybe that's okay. It's a path that we're going down. Am I wrong? [Laughter about computer screen/mouse malfunction.] And the second half of my statement was if we do this, and I see everybody going in very different directions, who's our audience? Who's the audience? Every time I tried to put a word on a page, I'm trying to figure out who's my audience. Now, I wrote this small statement that one of the past presidents of the union helped me write, saying in the past there's been a firewall and that this is not Union Two meeting, okay? It's not. So, those sentences weren't just my own, and Senator **Swan** said maybe we should just say we support chapter 20 as it is. As soon as we start getting bigger and defining each piece, we all have a favorite part of chapter 20, and we're trying to decide who is

the audience that we think that we're going to actually influence here, and how confusing do we want it to be? That depends on your audience. This can get very confusing for the audience that you might be trying to have an effect on, and Senator **Swan**'s statement was extremely short saying maybe we should say "For us and other public employees, leave it alone." As soon as we doing subjective statements about the history of unions and so forth, those are really not defensible statements necessarily. Those are very much opinion. They may be correct, but they're very much opinion, and it's not an opinion if we objectively state that we're in support of leaving chapter 20 as it stands. And that's still getting into it a little bit, but at least it's a little bit restrained and not shrill. I don't know if we're going to do ourselves good. Or, thinking about our audience as we're trying to define and how everything that's in the contract and everything--- Maybe not, I'm just posing that.

Peters: In response to the hypothetical about a candidate in the future, keep in mind that State law prevents any public employee from specifically favoring a particular candidate in an election, or a particular ballot issue in an election. So that would actually be illegal. Now, of course, said candidate got elected and was then was in the General Assembly and introduced a bill, at that point it is a matter of public debate, then academic freedom guarantees our ability to speak on. So that is...We are free to speak on this issue and I would say that we as individual faculty members should be speaking on this issue and others, and I would hope that the Senate does. The scope of the resolution is obviously up to the Senators. As I look at that statement, basically there's one paragraph that talks about chapter 20 and its benefits at UNI. And there's one paragraph that talks about

more broadly the benefits of collective bargaining. And it seems like there's a pretty good way if you wanted to limit it specifically to UNI, that you could axe that second paragraph, and just make the statement center on UNI. But presumably you've all have looked at it more than I have. In terms of the broader issue though, this particular bill is not about Higher Ed in particular. It's broader than that obviously. We know there was other legislation introduced this year about Higher Ed. We know that legislation--- it doesn't appear to be going anywhere this year, but that doesn't mean it won't come back. We know that higher Ed is being devalued in our State. Literally, devalued, in the sense of defunded, privatized. We know our students are suffering from it, and I think that we're all obliged to speak up about it and so I think the collective bargaining issue---it is unusual for the Senate to take a stand on something like this, I agree. Though, in the past when I was Senate Chair, we did have a couple of resolutions where we endorsed certain bargaining positions that United Faculty took in bargaining. So it might be unusual, but I would say the times are unusual, and now's the time I think for the faculty to speak very clearly and with one voice about defending the University. And places where we see the University's effectiveness being harmed, we need to speak up and we need to get in the habit of speaking up. I'll stop there.

Pike: I have a question about your answer to the hypothetical: Could you endorse a position without endorsing a candidate? So in your hypothetical, could you say, "We support public unions," without endorsing a candidate?

Peters: Sure. The only state law issue is in the course of an election. But yeah, like in the course of an election for example, I could write an Op-Ed if candidates are

debating something. I could write an Op-Ed as a faculty member weighing in on an issue that's being discussed, but I wouldn't be able to say, "Vote for Candidate A."

Kidd: Just a minor correction, Scott. I think we're not allowed to lobby for particular legislation, as well, as a public employee.

Peters: Well, lobbying's a whole separate issue. Lobbying is like being registered and stuff.

Kidd: I'm not sure exactly what that encompasses, so I thought that if you took position on a particular bill which is being passed or not...

Peters: No. That's not lobbying.

Pike: You can't do it on public time, and you do have to report lobbying activity. Clearly if you can report it, you can't do it on public time.

Zeitz: I don't know what words we can use to change the point of view down there. I think what we need to do is we need to show that there's a movement where the group, where UNI is making a statement. I think making a one-sentence statement is not sufficient. We need substance in what we put forth. I think that what you wrote here is well done. I would change one word. I would change the word 'enshrined' to something like 'defined.' because I would think that they were thinking that we're a little uppity. It's down at the bottom, right before chapter 20 'enshrined in chapter 20.' I think that this gets the point across. It's says that we started out and it became law in '74. It's supported people in the

middle class. It's actually going to be causing a lot of problems if you do that sort of thing. The other side of this is that we do have the fire departments, we have the teachers, we have everybody else that is also going to be affected by this. And I think what it really boils down to is, it boils down to us making a statement, but making a statement of substance.

Campbell: I thought that we were allowed to do anything as an individual, including endorsing a candidate, we just aren't allowed to do it using University resources...

Kidd: That's true.

Campbell: ...or claim that the University is endorsing it. Making it clear that as an individual, I am endorsing this candidate.

Peters: I was thinking about what the Senate could do. It would be inappropriate and probably illegal for the Senate to pass a resolution endorsing any particular candidate in an election.

Campbell: You were saying as State employees.

Hakes: And if this were a ballot initiative, it would also be...

Peters: Correct.

Gould: Any other comments, discussion?

Schraffenberger: I think the first question we have to ask before we proceed with any changes we want to make is the big question, that Senator **Hakes** asks. First, do we want to say something succinct, apolitical more or less, or do we---and I think this is what Dr. **Kidd** has done, is provide some historical context and

acknowledging the context that we're currently in. So once we answer that question, then I think we can proceed. I'm in favor of the larger, contextual explanation for what we're currently experiencing, as I suspect many of us in the room are, but if that's a genuine topic for debate, that's number one what we need to decide. And then we can get into the weeds and talking enshrined. Bill (**Koch**) and I teach writing so we'll get right in there. Is there a sense though, among us that we prefer something more like this larger contextualization of the question, or something less political?

Walter: My sense from my department is 'yes.' I've had people read this, and I've had a lot of different remarks which will be entered into the minutes. I won't bother to read them right now because I think we're having a great discussion. Context, the way it's written out is just fine.

Swan: I really like the way Senator **Schraffenberger** has concentrated our attention now after we've had a little time to speak freely. It's my sense that the senators generally prefer the longer statement. I like long statements. I'm going to vote for whatever we put up to support the current chapter 20, oppose any of the changes going on. The only thing that I want to say on the side to that, is I don't know how to represent colleagues who don't feel this way. Who think that this body is made up of people who are very similar, but don't represent them. Again, I guess that's just a problem, right? They're not here. They're not operating, yet I know that they do exist. I know they don't like many of the specifics, but at the same time, they're not---I don't know what to say---they're not caring enough to voice it. And as I say, I'd don't know what I'm supposed to do. I know what I think. I know that I I want even stronger statements than we

typically make, and stronger actions than we typically take. So that's the only pause that I have, is how to represent colleagues feel very differently from me and from things that I hear in this room. But again, I don't think there's much we can do about that, because we are the ones who do have to make the decision.

Zeitz: I think that's how the system runs. They elect us. Then we vote the way in which we feel best works.

Kidd: This was distributed to the campus.

Swan: He's agreeing with you.

Zeitz: I'm agreeing with you completely. What I'm saying is, the way the system runs, if we feel as a body that this is okay, or that after you've done some work on it Senator **Schraffenberger**, if we feel that this is okay, then we move along. I understand what you're saying about the people who don't like the idea, but that's not how the system runs.

Pike: I appreciated one of the comments you had earlier about how this affects more than just UNI. I like the broader statement that supports collective bargaining for all public sector employees. The other thing that is always kind of an issue in terms of representing the people whose voices aren't heard, on the other hand, I have to ask, if their voice isn't being heard, why isn't it? Why aren't they looking to serve on the Faculty Senate, to become more active? If they're choosing not to, then...If it's because no one will elect them, then that's a different story.

Choi: I agree with people. I think it is very hard to be apolitical in this kind of matter. Writing a resolution itself is a political behavior, a political action already. We want to be heard, and there is a message we want to deliver. So therefore, if we are too cautious, to be politically neutral, then it will--- I'm afraid the message will be too broad and people will not listen. We can make it toned down by changing some wording later, but I think it would be better to make it political.

Campbell: As I reread this now, I would probably tone it down a little bit more still, but I think it's fine that it's not focusing on us because I don't want to send out a petition that says, "We need collective bargaining in order to get a decent salary," when they're just saying, "You're overpaid." That doesn't sound nice. But here there are scholars of labor at this University campus, and to look at the perspective and remark that indeed it has worked quite well at UNI, as well as in general helping the middle class. It is an appropriate statement to make. Like I said before, I don't want as statement that says, "We want chapter 20 because we have exploited it." That does not sound good.

Walter: I promised that I wasn't going to read this, but I lied. This is very short and the context is that my colleagues in Biology have read this, and gave their comments back to me. So, just one. [He reads statement] "For the record, I abhor the idea of eliminating or even substantially reducing collective bargaining rights. It is patently un-American. I feel that we are at a crossroads of social direction and future generations will not look back on this era kindly. We must resist these negative ideals with the strongest resolve." Jeff **Tamplin**, Professor of Biology. It's shorter, but it gets to the point. This is a general statement. It is time to dig in our heels.

Swan: Since we're still working on this, and thinking about it, how can we with this statement take the "therefore as representatives of the faculty," and move that down to its own third paragraph, I suppose and put it in bold? Would that be okay? And "therefore as representatives of the faculty..."

Walter: After 'public good'?

Swan: After 'public good.' So I'd like to move that down to its own paragraph and put it in bold. As preparing it for--- in part because it's so long, and I want it to be clear to any casual observer, reader, that...there's the point, right?

Gould: I will fix that. This mouse is so touchy.

Swan: And then you'll put it in bold? Other discussion?

Zeitz: I have a questions about a sentence, and that has to do with "For Iowa to prosper," it's the third line of the second paragraph, towards the end. "For Iowa to prosper the State should support the right and freedom of all Iowans in both the private and public sector to choose whether to engage in collective bargaining or not." Now, isn't that what they're trying to do right now, is to choose whether...so aren't we basically saying that "You've got the right to do this?" It just hit me as I'm reading through this. That sentence, it says that they have the right to choose whether to engage in collective bargaining or not. Isn't that exactly the issue that we're dealing with right now? It's the last three words of that grayed out area. Last four words. Maybe six words.

Pike: I think it is.

Zeit: Are we basically saying, “yeah. Go ahead. It’s your choice whether you want to do this or not.”

Pike: No. They should support. This says that the State should support the right and freedom of all Iowans to choose whether to engage in collective bargaining or not.

Kidd: Yes.

Pike: All Iowans are making the choice.

Schraffenberger: Not the State.

Pike: So we should have the choice to engage in collective bargaining, and if we choose to engage in collective bargaining, we should not have the subjects about which we can bargain limited.

Zeit: What I’m saying is that would it be institutionally choosing? See what I’m saying? We just did this thing about our republic, where we elect people and people there elected people and now, I’m just saying that somebody could read that and say, “See, they’re saying we should be able to do this.”

Kidd: Then they’re not reading it correctly.

Zeit: Okay. It just stuck on me. Maybe to institutionally...

Campbell: How about all Iowa workers, instead of all Iowans?

Cooley: That’s a good point.

Zeitz: But it's still a matter of whether---of where that choice is being made.
We're talking...

Kidd: We have the choice to be in a union or not.

Zeitz: But we're talking about it being made locally, right?

Kidd: We have the choice to be in a union or not.

Pike: We have the right to form a union or not.

Kidd: Exactly.

Zeitz: But what I'm saying is the choice is being made locally. It's being made at this University. It's being made at Cedar Falls High School.

Kidd: I agree. My point is, that this is not something that the State can infringe upon.

Cooley: Why would you say that?

Kidd: Why would I say the State should infringe upon it?

Cooley: No, you should use the word infringe. Maybe it would be more direct if you worded it in a different way.

Kidd: Say "should support" instead of "should not infringe upon?"
[Voices of agreement]

Zeitz: The State should not infringe upon the right and freedom of all...good.
That's good.

Pike: The meaning of that sentence is actually broader than humans. This would also support for example, the right for farmers to form cooperatives and collectively bargain, which could be taken away or infringed...it's broader than just unions. It's the right---freedom to choose whether to engage in...

Zeitz: Does chapter 20 affect farmers?

Pike: It doesn't, but I'm saying this statement is a broad statement of support for the right of individuals to choose to collectively bargain.

Zeitz: Good. Okay.

Kidd: But does that change the structure?

Zeitz: "Shall not infringe upon the rights and freedoms of all Iowans in both the public and private sectors to choose whether to engage in..."

Walter: Collective bargaining, period. The 'not' is kind of redundant. The English consultants over here will agree with me.

Kidd: The State should infringe?

Cooley: No! That is the very end of the sentence.

Pike: Could we actually go back? I know we took it out once. Can we change that word 'enshrined'?

Kidd: That's up to you.

Campbell: Can we have a vote about 'defined' versus 'enshrined'?

Kidd: Yes.

Swan: Can we just take a straw vote on this enshrined and defined?

Pike: Let's talk about what the difference is.

Kidd: Sure.

Pike: Defined means that the rights that we have are defined in this law.

Enshrined means those rights exist and have been documented.

Kidd: That is my intent. My intent is 'enshrined' and not 'defined.'

Pike: Let's just be clear about the choice that we're making.

Kidd: I thought I was pretty clear with that word actually. The word is there because I believe that is a right; a human right, which is actually existing within the United Nations as defined. I'm not saying that all people will agree with that. I'm just saying that's my opinion. It's not something that the law gives, or should be taking away.

Swan: Instead, we say currently provided by? So for example, the right to negotiate health benefits. I don't think that's a human health benefit right—health benefits. But, that's provided by chapter 20 and that's what's being proposed to take out. I like and prefer 'enshrined' and I think it is appropriate. What I'm saying is chapter 20 does currently provide rights to UNI faculty that are being taken away. Currently provided, the proposal is to take them away. Currently enshrined in chapter 20, currently---what is the opposite? 'Deshrined?' Dethroned from chapter 20? Enshrined is fine.

Kidd: The intent. The intent is that I have a conservative point of view of government, in that rights are not granted by the government. Rights are taken away by the government. That's my point of view, and so I don't say the State is giving me the right. I'm saying the State is taking that right away with this law. So they can recognize that we have this right, or they can infringe upon it.

Campbell: I would personally like to have where that cursor is now, "which are" inserted maybe for clarification, or if you want "as defined" somehow, the rights of workers enshrined in chapter 20, I would defer to our professionals across the table. I would like either "which are enshrined" or "as defined."

Pike: In my limited understanding of the history of the labor movement, I don't believe that people waited until the law allowed them to collectively bargain. In fact, the labor movement, collective bargaining, and the violence that ensued was about trying to assert a right that people felt that they had, and the response was to limit or to crack down, so that the laws have generally been in recognition of those rights, rather than granting rights.

Zeitz: I'd like you to know that I do like the word 'enshrined,' but the thing was when I first read that, and I'm reading through this, and you're being very common person; you're being very straightforward and all that and then you hit 'enshrined' and it's like everything else is a \$2 word and it's a \$50 word. Like I said, it was just a ...I like it... It's just what kind of reaction we'd get from someone else reading it. I'm happy to go with it. That was just a point of view.

Walter: In view of the fact that people that I've spoken about with read this as it is, there is probably no great harm in making a couple of tweaks, I move that we vote on it right now, up or down.

Swan: So we're done? We like it? Now everybody's happy with it?

Campbell: I would like to have some comments from across the table, which are do you like that, do you not like that, which are?

Schraffenberger: I don't think adding a relative pronoun changes anything. That's my professional opinion. [Laughter]

Choi: That sentence, "acts to limit or reduce the right of workers will be determined for all lowans working in public sector." My opinion is that in order to persuade the audience, especially those of who have opposite opinions or disagree with us, I think we can make it more persuasive, saying it not only affects the public workers, but it also it also affects the bigger community. Eventually it will be detrimental to the larger community.

Campbell: Detrimental for all lowans.

Choi: Not only those working in the public sector.

Pike: I think our argument here is that specifically in chapter 20 it's public sector employees. I think part of the wording of the resolution is that it is important to the freedom of all lowans who work for the public sector, and that addresses that, and then we take it to the specific, which in this specific case. Does anyone want any synonyms for 'enshrined?'

Schraffenberger: I think Senator **Choi** makes a really good point here. To make it more persuasive, you can make it not just about us in the public sector, but others who enjoy our status, other workers in Iowa. And I suspect we could achieve that by adding after 'detrimental' something like 'not only for all Iowans who work in the public sector who work in service of the public good, but also all Iowans concerned with the welfare of our State. And that would add, not just people working, but people who are unemployed, or people who are just living their lives in our State.

Zeit: Is chapter 20 affecting private sector?

Schraffenberger: No, but the indirect...

Choi: Because we serve the public interest.

Schraffenberger: Because it's the public good.

Walter: It's a public institution. It's very broad, but I think there is an affect.

Zeit: You're going to say, "Working in both the public and private sector"?

Cooley: To be honest, one of the biggest problems I have with this is---I think that one of the outcomes of tampering with public employees' salaries and benefits--- is going to be an economic downturn in the State as a whole. If I make less money, I'm going to spend less money. So I think that making this direct connection between the public good and the private sector, we know that's how that works. We know about the 'trickle down' theory.

Zeit: We know that doesn't work. Reagan proved that

Cooley: Right. But there's something---if you start paying a large swath of the Iowa population less money, and they have fewer benefits, what could be a positive economic outcome from doing that?

Zeitz: Right. I'm just saying that the way I read it first, it was for workers in the public and private sector, and we have to be careful that everything we put in here is correct, otherwise they're basically going to shut it down, saying "What do they know?"

Pike: Or, could we move that thing on the public sector, and insert "the public good" up into the sentence? Would that make sense there? Because that is what is enshrined in chapter 20. It's not all worker's rights. It's public sector who work in the service of the public good. It's just a thought.

Walter: Actions to eliminate.

Gould: One line up.

Pike: Yes. It's earlier in that line. It says "The rights of workers." And instead of workers, you could put "workers in the public sector who work in service of the public good."

Walter: Maybe "The rights of those working in the public sector."

Pike: Am I making sense there, Tim (**Kidd**)?

Burnight: "The rights of public sector workers enshrined in chapter 20 of the Iowa state code would be detrimental to the public good"?

Gould: So, is everybody happy?

Zeitz: Delirious.

Swan: Since everyone is happy with this as it's crafted now, and so I move to place this resolution in the docket, at the head of the docket for action immediately today.

Gould: Senator **Swan** has moved and Vice-Chair **Walter** has seconded that we move this to the docket. That would be Docket #1210, to take immediate action today on approving this resolution. All in favor say, "aye," all opposed, "nay," abstain, "aye." [One abstention] Motion passes. Thank you.

Swan: So now we can discuss passing it or just vote again and pass it.

Gould: Okay. Do you guys want... I have paper here if you guys want to do a written vote. But we can do voice vote or whatever's easiest.

Zeitz: We have to move to accept this, correct? And then we have discussion. So moved.

Gould: Moved by Senator **Zeitz**, do we have a second? Seconded by Senator **Cooley**. So all in favor of approving the resolution, please say, "aye," all opposed, "nay," abstain, "aye." [One abstention] Motion passes.

Zeitz: I have a question. How will this be delivered?

Gould: I was planning to transmit to be delivered in a packet with the other resolutions from the Graduate Council and the P&S Council. Joe **Gorton** is down at Des Moines, so I was going to transmit this to be delivered.

Zeitz: Do we have a Faculty Senate stationery or something like that? Is this something we're going to hand to somebody or is it going to be digital?

Gould: It's probably going to be digital because I know that the timing's really tight down there. I think I have the logo for the Faculty Senate letterhead on my computer. I can check. Kathy has it. Any other discussion?

Hawbaker: May I make a comment? I'm Becky **Hawbaker**, Vice President of United Faculty. On behalf of United Faculty, I want to thank the Faculty Senate for taking this up and in particular to Gretchen (**Gould**) and Tim (**Kidd**) for responding so quickly to this. At this time, I think it is critical for the Faculty Senate and the faculty union to stand in unity against changes to chapter 20 yes, but tomorrow, next year, next month---whatever comes from here on out. And I want to thank the Senate for standing not only for the faculty union, but for AFSME, for the thousands of graduates of our teacher education program who are teaching in Iowa; for all public unions, so thank you very much for taking this action.

Walter: I just want to point out that we just had a really nice, meaningful, important conversation in here, and I found that very pleasant. If anybody want to hang out as we break up, please stick around. This kind of conversation makes serving on this body a lot more attractive.

Zeitz: Yes, it does.

Gould: So with that, I move to adjourn.

Walter: I second that.

Campbell: You can't move to adjourn, can you?

Gould: Yes. I have the right as Chair. I just learned that.

Respectfully Submitted,

Kathy Sundstedt
Administrative Assistant/Transcriptionist
UNI Faculty Senate

Comments Received from Faculty on Chapter 20 Senate Resolution

- Yes! Of course we are in favor of collective bargaining! I hope the senate passes such a resolution. (Elizabeth Sutton, Associate Professor of Art)
- I support this. Thanks for doing this. (Helen Harton, Professor of Psychology)
- I'm in favor of this resolution. (Doug Shaw, Professor of Mathematics)
- For the record, I abhor the idea of eliminating (or even substantially reducing) collective bargaining rights. It is patently un-American. I fear that we are at a crossroads of social directional, and future generations will not look back on this era kindly. We must resist these negative ideals with the strongest resolve. (Jeff Tamplin, Professor of Biology)
- The Iowa legislature with Republicans now holding majorities in the senate as well as the house, has just advanced two bills) that would take away public employees' right to collective bargaining (Iowa Code Chapter 20) and eliminate tenure at public universities (Senate File 41). It seems some legislators are using that sentiment that does seem to be out there that college professors are freeloaders on public funds who don't work hard and have lifetime security via tenure. This is a form of scape-goating of the "elite academics". Why are they resented so?

Most folks who feel negative toward higher education probably don't know how hard it is to get the education and training for doctoral degrees and post-doctoral research years, to cover all the diverse demands of teaching with a continually diversifying body of students, to provide service to professional societies, department, university and community, and to then carry on professional level research (and sometimes find ways to fund it) that will be critically peer-reviewed before being accepted (if it is) for publication. That published research drives invention, innovation and advances. It is not a collection of potentially biased, ideology-driven opinions or "facts". It is an evidence-supported body of accumulating knowledge that has withstood testing and criticism by experts. This career route breaks some and they don't make it after five years of trying. Furthermore, having tenure does not mean one cannot be dismissed. It does mean a professor cannot be dismissed for just expressing opinions that differ from those of members of the Board of Regents, legislators or the governor. And if that is taken away, critical voices will be suppressed because few will be willing to lose career and livelihood for speaking out. Where will freedom of expression in the world of ideas be? The world of ideas is important....consider the creative human urge that results in great art and music, biomedical advances, microcomputers and cellular phones, diplomatic planning to find peace, energy sources for the future... The truth is that our colleges and public universities have been supported in the past, free to inquire and critique, and they became shining examples around the world. Talented young people from all over the world come to them. You'd think there might be some pride in that.

Academia is part of the real world. We don't try to turn a profit. It is education, not business. We provide residence housing for young people who need a decent and affordable place to live while they are here to learn, and we have a campus police force. And if a student gets lost, hurt, despondent or needs some help of some kind, we help with a search, protection, a health center, counseling, advising.... Banks, bistros and big box stores don't do that. We care about our students and we work hard for them. When legislators try to make us operate like businesses by manipulating our searches, taking away tenure, cutting programs, abolishing our right to collective bargaining, and bridling our freedom to speak up on issues, they are attacking students whose financial burden is already shocking. As United Faculty aptly puts it: "faculty working conditions are student learning conditions".

But there seems to be a lot of resentment and anti-intellectualism about in our nation. I suspect that it is more because the corporate world has left workers out of their wealth building (workers who used to make a good living in the factories). They automated the work and found cheaper labor in foreign settings. Profits and corporate greed made use of and then abandoned a large segment of the middle class of America, but somehow many want to blame the academic "elite". It is unfair and short-sighted. Our tenure system and our right to bargain collectively have worked well. Please support higher education for our future in this increasingly challenging world. (Darrell Wiens, Professor of Biology)

- The Library Faculty Senate passed the following resolution unanimously on 2/13/17. "We support the University Faculty Senate passing a resolution in favor of retaining our collective bargaining rights."
- Trust is key to any good employer-employee relationship, whether that relationship involves a union or not. The most immediate effect that this bill would have, and in fact is already having, is to erode that trust. Since this proposal was even put forward, suspicions have been on the rise that the administration does not have the best interests in mind for our university or our students. If this bill passes, that erosion of trust will make future shared governance decisions much more difficult. (Kenneth Elgersma, Assistant Professor of Biology)
- I oppose pretty much everything this pending legislation proposes, but if I have to narrow my arguments to one point, I'd say this: It is especially important to remember that Iowa competes on a national playing field for the best university and public school employees. Kansas and Wisconsin have both hurt teachers in recent years, and in doing so, they have done long-term damage to their appeal as quality places to teach and their credibility as forward thinking societies. I stand with United Faculty and Iowa's public sector workers in opposing the proposed changes to collective bargaining practices, changes that would only serve to hobble the state for years to come in an inflexible (in the case of wage growth) and uncompetitive stance on our national playing field. (Theresa Spradling, Professor of Biology)

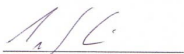
University Faculty Senate Resolution on Chapter 20

The Iowa Public Employment Relations Act became law in 1974. This law has given public sector employees in Iowa the right to collective bargaining for over forty years. Based on the National Labor Relations Act passed by Congress in 1935, this law empowers public sector employees, including UNI faculty, to negotiate with their employers in an equitable manner. The right to collective bargaining freed American workers from the unsafe working conditions, job instability, and long hours common to the 19th century and provided the environment which gave birth to the middle class, the backbone of the U.S. economy. At UNI, United Faculty has been instrumental in maintaining a healthy relationship with the university administration and providing the working conditions that enable faculty to focus solely on the true mission of the university: enabling students to reach their full potential and succeed in the competitive world that awaits them after graduation.

It is no coincidence that as membership in collective bargaining units throughout the United States has declined, so have the fortunes of most Americans. Iowa is no exception to the rule, facing the same issues of income inequality and reduced opportunity as the rest of the country. For Iowa to prosper, the state should not infringe upon the right and freedom of all Iowans, in both the private and public sector, to choose whether to engage in collective bargaining. Actions to eliminate or reduce the rights of public sector workers enshrined in chapter 20 of the Iowa state code would be detrimental to the public good of all Iowans.

Therefore, as representatives of the faculty of the University of Northern Iowa, we support the freedoms and rights protected for over forty years by chapter 20 of the Iowa code and oppose any actions that would infringe upon them.

Chair of the Faculty



Tim Kidd

Chair of University Faculty Senate



Gretchen B. Gould

February 13, 2017