

WICHITA STATE UNIVERSITY
UNCLASSIFIED PROFESSIONAL SENATE
Minutes - March 4, 1993

The Unclassified Professional Senate convened on March 4, 1993, at 8:30 a.m. in 425 Ahlberg Hall.

Members Present: Barbara Bowman, Frankie Brown, Tom Brock, Stephen Gladhart, Noah Hart, Bonnie Johnson, Nancy Kraemer, Don Nance, Jill Pletcher, Cathy Razook-Ellsworth, Jim Rogers, Amy Schafer, Mike Turner, Dale Valentine, Doug Vandersee

Members Absent: Barbara Mason, Janet Nickel

1. Approval of Prior Minutes

The minutes of the February 18, 1993, meeting were approved as submitted.

2. Reports

A. Senate President - D. Valentine

1. D. Valentine reported he has received calls from constituents who are still unclear about unclassified professional appointments and the UPS. He stated that the UPS must continue its efforts to familiarize its constituents with the Senate and its processes.
2. There has been no further action to date by the Regents on the Classified Senate's tuition waiver proposal. Ft. Hays and KSU are planning a "lobby day" in Topeka to promote tuition waiver for university employees. Kathy Davis, WSU Orientation Coordinator, has reported that the orientation fee will be reduced from \$25 to \$15 for WSU classified personnel.
3. The Faculty Senate is considering a draft procedure on dismissal for cause. The UPS will review this document after it has been finalized.

B. Support Committee - S. Gladhart

S. Gladhart presented the report of the Support Committee on recommended changes to the policies on dismissal without cause and consulting and outside work. The Senate considered the recommendations as follows:

1. Dismissal without Cause: The Support Committee recommended re-wording the section dealing with dismissal without cause for Regular status to eliminate possibility of differing interpretations of the statement's intent. For Provisional status, the Committee recommended changing the policy to permit termination without cause at any time with three months notice. S. Gladhart stated that he has some misgivings about the change in the policy for provisional appointments, but the Committee felt that providing more flexibility for termination of provisional appointments would be a trade-off for clarifying the statement on regular appointments. Senate members of the Committee who support the change said they believe the realities of the university's uncertain fiscal circumstances require that administration be allowed flexibility in personnel terminations to address late budget reductions. N. Kraemer expressed concern that the proposed change would negate the annual contract and place provisional appointees in unfair jeopardy in comparison to other university appointees. This section of the proposal will be discussed further at the next meeting.
2. Consulting and Outside Work: S. Gladhart stated that the Support Committee was concerned that the consulting policy for unclassified professionals be consistent and equitable compared to Regents and other university policies. The policy proposed by the Support Committee is based on the current WSU consulting policy for faculty. After discussion, the Senate supported developing a statement to the effect that the Board of Regents and WSU faculty policies on consulting and outside work also apply to unclassified professional personnel. This statement will be discussed further at the next meeting. D. Valentine said this issue illustrates the need for a combined handbook which cites common policies for all university employees as well as items specific to each appointment category.

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3. Dismissal with Cause: Although the Support Committee did not recommend change regarding this section of the policy, the consensus of the Senate was that the statement dealing with dismissal with cause should be changed to read, "Appointments may be terminated with just cause with one month's notice," followed by the next sentence as written. In addition, the Senate recommended moving these two sentences from the section on Regular appointments to the end of the appointment status section, so the statement will apply to all categories of unclassified professional appointment.

S. Gladhart will re-draft the proposal, incorporating the changes recommended by the Senate, for discussion at the next meeting.

3. Grievance Committee Issues - J. Rogers

J. Rogers distributed copies of a recent Grievance Committee action in which the Committee declined to provide a formal grievance hearing because the members believed that the parties involved had not exhausted attempts at informal resolution; in addition, the Committee outlined a two-step process which it required in this case to attempt informal resolution before a formal hearing would be provided. The Senate considered 1) whether the Grievance Committee had the authority to impose these conditions prior to consenting to a formal hearing; 2) whether the mediation requirement holds the parties in this case to standards not imposed in other cases; and 3) whether this action establishes a precedent which must be followed in all subsequent grievances.

Senators who had been present during the February 26 Grievance Committee meeting which led to this action stated that the decision had been made based on the circumstances of the specific case because the facts presented to the Committee indicated that one or both parties had not made bona fide efforts to resolve the dispute informally, as is mandated by the Grievance Policy. They stated that it is not the intention of the Committee that mediation be required in every grievance but that it become one option available to the Committee, to be employed as necessary dependent on individual review of each case. After discussion, the consensus of the Senate was that 1) the Committee does have authority based on the Grievance Policy to act as it did; 2) the requirement for an informal meeting and mediation if necessary appeared consistent with the circumstances of this case and imposed no inequitable standards on the parties involved; and 3) the Committee's action establishes the precedent that mediation is one option which may be required by the Grievance Committee prior to a formal hearing, but it is not mandated in every instance; the Committee may recommend action on each case based on its specific circumstances.

B. Bowman stated that the Neighborhood Justice Center, Inc., will provide mediators free of charge for cases such as these; therefore, payment would not be required from either the university or the grievant.

4. As May Occur

1. C. Razook-Ellsworth reported that Elaine Stearns will conduct a workshop on Total Quality Management on April 27 from 1:00-5:00 p.m., with a second session if enrollment warrants on May 4 at the same time. The location is yet to be determined. The sessions will be open to all university personnel.
2. F. Brown reported that Mary Herrin has agreed to provide information on the university budget for unclassified professionals in April and another session in May or after the legislature has finalized its allocations. The initial session will be incorporated as part of the April 21 general meeting.
3. The April 21 general meeting will be held from 3:30-5:00 p.m. to accommodate numerous agenda items.

5. Meeting Schedule

The next meeting of the Unclassified Professional Senate will be held on Thursday, March 18, 1993, at 8:30 a.m. in 425 Ahlberg Hall.

Meeting adjourned 10:30 a.m.