I. Call to order in Faculty/Staff Dining Room at 3:15 p.m.

II. Minutes of Senate meeting, October 10, 1972

III. Business Items

1. Supplementary Employment Statement by Executive Committee -- recommend Senate approval. See Attachment 1.


3. Request for postponement of Second Reading of Bylaws Changes relative to Professional Responsibility Committee.

IV. Discussion/Information Items

1. President Kennedy's response to Guidelines for Student Evaluation.

   "... I have noted that the Academic Senate's recommendation suggests that the guidelines be implemented on a trial basis, with the stipulation that they be reviewed on an appropriate date by the Personnel Policies Committee. This recommendation is consistent with the ad hoc committee's recommendation to me and, in accordance with their recommendation, I plan to appoint a universitywide ad hoc committee which will review each school's evaluation program(s) at the conclusion of this first year's cycle. That committee will include Academic Senate representatives who will be in a position to accept recommendations from the Senate's Personnel Policies Committee. ...

2. Barbara Weber is heading a subcommittee to study guidelines for faculty evaluation of department heads and deans.


4. Clarification will be forthcoming immediately on Item #1 of Faculty Evaluation Form 109.
Attachment 1.

We believe new regulations on Supplementary Income as proposed by C. Mansel Keene of the Chancellor's staff are unnecessary inasmuch as present faculty procedures are adequate to deal with this subject. The responsibility is imposed upon each of us as a professional to exercise discretion and common sense in setting professionally appropriate limits to his/her total employment context. There is little evidence to suggest the need for additional regulations on this campus and we object to the imposition of a system-wide set of guidelines on all faculty.
The Personnel Policies Committee recommends to the Executive Committee that the following be placed on the agenda of the Academic Senate.

The Academic Senate recommends to the president that faculty ranks at Cal Poly, San Luis Obispo, be retitled to the traditional academic ranks with the understanding that schools and/or departments which currently use vocational ranks may retain the vocational title.* The proposed rank structure is as follows:

- **The presently used budget/pray designation will be continued and that the vocational ranks are used in the schools of Agriculture, Engineering and Architecture, and the departments of Graphic Communications, Business Administration, Journalism and Home Economics.**

Movement to the revised ranks would not result in loss of salary since the salary ranges would be comparable to the existing scale.

Recommended by a vote of

- 9 Yes
- 0 No
- 0 Abstain
TO: Local Senate/Council Chairmen
FROM: Charles C. Adams, Chairman
Academic Senate CSUC
SUBJECT: Document on Collective Negotiation

The attached policy statement on Collective Negotiation was adopted by the Academic Senate CSUC on October 6, 1972. The fourteen items were discussed and voted on individually. A roll call vote on the entire document recorded only one abstention and no nays. A related resolution called for distribution of the document to the faculty. We are therefore requesting your assistance in duplicating and distributing the statement to the faculty on your campus.

Thank you for your help. If you have any questions regarding the statement, please contact us.

CCA:kc
Attachment
cc: Systemwide Academic Senators
This report presents a series of resolutions for consideration by the Academic Senate CSUC, covering the elements of collective negotiation discussed in the Subcommittee's report of March 2, 1972, entitled "Models for Collective Negotiation." In preparing the resolutions, the Subcommittee has been guided by the responses from members of the Senate and from others to the questionnaire distributed at the March meeting of the Senate. Where the Subcommittee's recommendations do not coincide with the preponderance of replies to the questionnaire, this fact is noted, and reasons for the departure are cited.

In most instances, the resolutions presented below deal with matters which will ultimately be decided either by legislation or by the rulings of an administrative agency pursuant to the terms of legislation. By taking positions on these matters, the Senate will be defining its views as to what should or should not be included in such legislation or administrative rulings.

APPROVED BY THE ACADEMIC SENATE CSUC OCTOBER 6, 1972
NOTE:
The resolutions which follow should be considered seriatim. Be it resolved by the Academic Senate CSUC:

1. The outcome of collective negotiation by the faculty should be a legally binding contract, subject, if need be, to legislative approval of certain provisions.

2. The State of California, as the employers, should be represented in negotiations by agents with appropriate authority, depending on the nature of items to be negotiated. The Governor or his designees should be involved where budgetary support will be required. The Trustees of The California State University and Colleges should be involved on issues related to their authority.

   (NOTE: The Subcommittee's recommendation here agrees with the views of those who chose alternative 2b on the questionnaire. A plurality of those responding favored this alternative. If both the Governor and the Trustees are involved in negotiations, their representatives could participate in negotiations from the beginning; or, alternatively, negotiations could be conducted first with the Trustees, and then with the Governor. The Subcommittee does not wish to recommend a choice between these two alternatives at this time.)

3. Legislation should provide for the selection of an exclusive negotiating agent.

   (NOTE: Responses to the questionnaire reflected a fairly even division between those who favored alternative 3(a), an exclusive negotiating agent, and those who favored 3(c), a negotiating council, with faculty organizations represented in proportion to their membership size. The Subcommittee's preference for alternative (a) is based upon: (1) the awareness that there is a great deal of unhappiness with the provisions of the Winton Act, which embodies the formula of alternative (c); and (2) the belief that alternative (a) is more flexible, in that a council of allied organizations could be selected as an exclusive negotiating agent if the faculty so desired, while the formula of alternative (c) would rule out the possibility of selecting a single organization as an exclusive negotiating agent, regardless of the faculty's wishes.)
4. Legislation providing collective negotiating rights for employees of the State of California should specify the faculty of The California State University and Colleges as an appropriate negotiating unit.

(NOTE: This question was not included in the questionnaire. The statute adopted by Hawaii in 1970 established a precedent for such a step, and the Subcommittee's consideration of this issue leads us to the belief that it is a wise step. What constitutes "the faculty" would not be decided by such a provision of the law, of course; the details as to which positions would be included would remain to be worked out. In this connection, see the next resolution.)

5. For purposes of collective negotiation, the faculty should be interpreted as including department chairmen, professional librarians, and professional counsellors with academic rank.

(NOTE: The three categories indicated here are those which were favored most heavily in the responses to the questionnaire. It should be noted that the Subcommittee's recommendation is meant to be a positive affirmation of the desirability of including the three groups mentioned; it should not be taken as necessarily indicating the Senate's position with respect to other groups which may be proposed for inclusion later.)

6. There should be a single, systemwide negotiating unit for the faculty of The California State University and Colleges.

(NOTE: This was the overwhelming preference of those who responded to the questionnaire, as well as the preference of the Subcommittee. However, it may be noted that this position does not necessarily rule out local negotiations, provided they are supplementary to and not inconsistent with a systemwide agreement.)

7. The scope of negotiations should not be limited by law. Any subject of interest to the parties concerned should be open to negotiation.

(NOTE: Those who responded to the questionnaire were evenly divided on whether any limitations of the scope of negotiations should be by law or by voluntary action of the negotiating agent, in the event that limitations are required. In responding to another question, however, it seemed clear that most persons prefer that there be no limitation on the subjects that may be discussed. The Subcommittee concurs with that view.)
8. Impasse procedures provided by law should include:
   a) mediation;
   b) fact-finding; and
   c) arbitration.

9. There should be no generalized prohibition against strikes by public employees.

10. No strike should be undertaken by an agent representing the faculty unless a majority of those voting approves such action in a systemwide referendum.

11. Once a negotiating agent is chosen, other faculty organizations should continue to have the rights:

   a) to represent a faculty member in grievance or disciplinary matters, if requested to do so by the faculty member; and

   b) to payroll deduction privileges.

12. Once a negotiating agent is chosen, all faculty should be required to pay the standard rate of organizational dues to the agent. However, faculty members should have the option of indicating that they wish their payments to go to some (non-competing) purpose, fund, or organization, and the agent organization should then be obligated to transfer or assign the funds in accordance with such wishes.

   (NOTE: Almost half of those responding to item 14 on the questionnaire favored alternative (c), which is essentially the first sentence of the Subcommittee's recommendation. Most of the remaining number favored alternative (b), which specified a moral obligation to support the agent organization financially. The Subcommittee believes that the second sentence in its recommended position would allow those few faculty members who might have strong objections to an absolute requirement for payment of dues to specify an alternative (non-competing) use for the funds they contribute. We believe that such a provision, which is not without precedent, would be in the best interest of the faculty. What we are talking about here is an "agency shop" requirement, and it is to be voted that such a requirement, if absolute, may have a serious conflict with the principle of tenure: a person who refuses to pay required dues must be dismissed, even if the person has tenure. We believe there should be an alternative that provides a way to avoid such a serious problem.)
13. All faculty should be eligible to participate fully in the affairs of the agent representing the faculty.

(NOTE: This recommendation is closely connected to the preceding one. When the responses to the questionnaire's items 13 and 14 are considered carefully, it becomes evident that a large majority believes that: (a) all faculty who pay dues should have the right to participate; and (b) all faculty should pay dues. It follows that all faculty should have the right to participate, if all are required to pay dues as indicated in recommendation 12.)

14. Once a negotiating agent has been chosen, the Academic Senate CSUC should continue to exist as it has an effective role to play.

(NOTE: A number of those responding to the questionnaire indicated their belief that the Senate would have an effective role, indicated by alternatives (a) and (c) of item 15. The Subcommittee is less sanguine about such possibilities, but proposes the recommendation above as a reasonable position in any event.)

A final NOTE: One of the items on the questionnaire asked whether a negotiating agent should or should not be restricted in seeking representation on governance committees. Most of those responding felt that no restrictions should be placed on the negotiating agent in this respect, and the Subcommittee concurs with this view. Since no action is required, the Subcommittee has not prepared any statement of position on this question, but simply reports to the Senate the consensus of views expressed.