

TRANSCRIPT OF THE
UNITED FACULTY OF FLORIDA
NEGOTIATION MEETING

May 20th, 2015

Eastern Florida State College

Melbourne Campus

Melbourne, Florida

The transcript of the United Faculty of
Florida Negotiation Meeting taken before Jill Casey, Court
Reporter, held on the 20th day of May, 2015, commencing at
9:00 a.m.

RYAN REPORTING
REGISTERED PROFESSIONAL REPORTERS

1670 S. FISKE BOULEVARD
ROCKLEDGE, FLORIDA 32955
(321) 636-4450

1 DR. MIEDEMA: All right. Are we ready? We
2 have the agenda as proposed by the UFF and we'll
3 start with that agenda and then if we have time I
4 have things that I would like to also address, but
5 we'll start with agenda as presented here. So, I
6 will turn it over to you.

7 MS. SPENCER: Thank you. We want to respond to
8 the compensation offer that you made last week and I
9 want to start by saying that we began the
10 negotiations February 5th and we made clear from the
11 outset that an equitable compensation package was our
12 top priority. Wages have stagnated. Earning power
13 has declined in the face of cost of living increases
14 which you noted last week and the college's own
15 estimations of that are 3% a year. At the same time
16 faculty has delivered an outstanding record of
17 accomplishments at EFSC. Dr. Richey has said that
18 the faculty passion for teaching and high regard for
19 their students is a hallmark of what makes the
20 college truly great. Faculty leadership and work on
21 the QEP Scholar Program, the Academic Affairs
22 Council, the Tenure Professional Development Council
23 and their respective committees have strengthened the
24 college. They helped in our -- they were critical in
25 our successful reaffirmation of EFSC SACS and they

1 have strengthened the college.

2 We have the second highest graduation rate
3 among twenty-eight state colleges and the third
4 highest graduation rate in relationship to full time
5 enrollment. EFSC is twenty-sixth nationally among
6 similar colleges in award associate degrees. The
7 faculty developed programs and created courses for
8 EFSC's Bachelor's programs.

9 The work of the Academic Affairs Council and
10 the Tenure Professional Development Council have
11 continued productive and effective work which adds
12 value to our college. This year alone the AAC
13 updated faculty handbooks, established a review cycle
14 for future changes, recommended class caps, completed
15 a student attendance policy, initiated the pre-majors
16 concept, updated web communications, finalized course
17 material selection processes, developed late course
18 add procedures, passed hundreds of courses, addressed
19 book margin calculations, updated Diversity mission,
20 continued implementation and improvements to the
21 assessment cycle for our Gen Ed core, and led the
22 review, selection and implementation of the Canvas
23 system.

24 The TPDC this year alone this year alone
25 reviewed sabbatical leave requests, evaluated rank

1 change portfolios, made recommendations for
2 increasing student opinion survey participation
3 rates, developed a faculty development system for
4 integration into the online system, reviewed and made
5 recommendations for eleven tenure portfolios,
6 reviewed and analyzed option for and drafted
7 recommendations for a faculty e- portfolio system,
8 reviewed faculty workshop proposals, revised the
9 workshop for CTE, devised a new process for the
10 inaugural professional learning activities funding
11 program, subsequently reviewed funding requests
12 through that system, revised and updated web
13 communications, expanded committee membership,
14 integrated and coordinated with Faculty Mentoring
15 Committee and the Pathway Tenure Committee, devised a
16 system to ADPA funds to qualified faculty, created a
17 mock portfolio to support tenure candidates, reviewed
18 the CBA and made recommendations for improvement, and
19 edited the TPDC handbook pending CBA changes.

20 This is far from complete and does not include
21 the work done within the discipline clusters, as for
22 example with the development initiatives, and I
23 haven't even mentioned their work of the Honors
24 Council, faculty contributions to the CTE, support of
25 adjunct faculty, club and organizational

1 sponsorships, work through the Center for Service
2 Learning, the Office of Undergraduate Research, the
3 Institutional Review Board, and the campus Writing
4 Centers.

5 In addition to the work here, the full-time
6 faculty teach 45% of course offerings at the college.
7 When the college was asked how we design and achieve
8 excellence in student outcomes and position our
9 college to continue to improve on those outcomes in
10 the future this was the answer: The foundation or
11 core of student success at Eastern Florida State
12 College builds upon one powerful idea; that
13 collaboration and shared governance create the best
14 conditions for learning.

15 Our first bargaining meeting, February 5th, we
16 shared our priorities and we said that equitable and
17 fair compensation was our top priority. You didn't
18 come back with an offer for us until April 2nd and in
19 that initial offer it was tendered with an expiration
20 date of one week. We offered a counter proposal two
21 weeks later when we did meet again. You offered no
22 response to our counter until May 13th. Your counter
23 offered an additional 1.5% over three years and came
24 not just with an expiration date of May 27th but an
25 ultimatum, take this or get nothing next year.

1 Though the parties of these negotiations are
2 legally bound to meet in good faith, we do not do so
3 simply as a matter of law. We meet you in good faith
4 and out of respect for confidence in our shared long
5 term goals. A professional and productive faculty
6 have provided a return on investment clearly
7 evidenced in the lives of our students, the health of
8 our college, and the value added to our community in
9 measurable ways too numerous to recount here.

10 Our counter to your increase of 1.5% over our
11 starting point is to reduce our proposal 1% our
12 initial proposal for a three year deal that would be
13 3-3-3. The difference between our positions now
14 stands at a dollar of \$352,000. As a percentage of
15 your personnel budget, that is just over half a
16 percent of your total. It is significantly less than
17 what the college budgets for senior management
18 termination benefits for eleven people and only
19 slightly more than the total salaries for an athletic
20 department which serves a hundred and eighteen
21 students while our two hundred and sixty-four faculty
22 members meet the needs of a significant portion of
23 thirty thousand students each year.

24 MR. PARKER: I don't think anyone would debate
25 the long list of accomplishments the entire team

1 who's half faculty and staff. We do credit our own
2 staff for doing a lot of heavy lifting on that stuff
3 as well. I've heard and appreciate that, but it has
4 been a great team effort for all the things that have
5 been done. No one would debate that. We're very
6 pleased with that and I think if money was, was
7 available, funding was, I think that those kinds of
8 numbers would make sense if the money was there.

9 This is not a personal thing. It's not an
10 emotional thing. It's just the fact that the dollars
11 are not there. That's the problem. So, in order to
12 create the dollars that we talked about we actually
13 have to cut places, cut services, cut people and
14 these are people doing good work by the way and it's
15 painful but we're willing to do that because it has
16 to be done and that's where we came up with the offer
17 that we gave you last week. It wasn't an offer as a
18 typical negotiation to say okay, here's an offer, now
19 let's hear your offer and go back and forth. We are
20 really coming to the end of the line as far as I
21 think cuts and services that we're able and willing
22 to do as much as we can as far as getting that number
23 up.

24 Years two and three are nerve-racking because
25 once you cut this year, you're really counting on new

1 revenue next year and the year after. If we had some
2 confidence that enrollment would go up, I think that
3 we would be in a better position to be a little bit
4 more openminded as far as years two and years three
5 but we don't have that confidence right now.
6 Enrollment is not going up, it's going the other way
7 and that's really the bread and butter of our
8 funding. So, we're concerned about that, we're
9 concerned about the legislative changes and some of
10 the funding that's coming our way and that's the
11 reason we have to contain our costs because in a
12 worst case scenario we're going to be cutting again
13 next year and the year after just to meet the numbers
14 that we gave you last week.

15 I do appreciate that you put a lot of thought
16 into this and, you know, you're trying to come up
17 with a number that works for everybody, just
18 understand that, you know, if we could do that
19 financially and not jeopardize the services of the
20 college to our students, you know, I think we would
21 be amenable to it, it's just the fact that the money
22 is not there. I recommend though that we would
23 caucus and just hear your offer to talk things
24 through and make sure that we're on the same page.

25 MS. SPENCER: Okay.

1 MR. PARKER: We may be able to come up with
2 something different but we have really pushed our
3 financial team pretty much as far as I think they can
4 be pushed. But I'd like to caucus and make sure that
5 we're correct in that.

6 MS. SPENCER: That would be fine.

7 DR. MIEDEMA: The only other thing I would like
8 to add to that is the fact that the reasons we did
9 not come up with a financial offer earlier on is
10 waiting on budget from the state. Since we did not
11 know that, we did not feel comfortable presenting
12 that back in February because we had no idea what our
13 budget was going to be. It wasn't that we were
14 trying to withhold that information.

15 And also typically when we do negotiations, we
16 always hold compensation until the end so we can do
17 the other articles first. So, on those premises,
18 based on those two things, that's how we've
19 structured our discussion, not that we wanted to not
20 address compensation and not that we don't recognize
21 and value what the faculty have contributed because
22 there's been a lot of work that's been done this past
23 year and the last several years. We just honestly
24 did not know where we were going to stand budget wise
25 and we still don't so we would like to have a chance

1 to sit and talk about that.

2 MS. SPENCER: All right. I appreciate that but
3 we did start the discussions earlier so that you
4 would be able to take that into account in the
5 budgeting process. The first offer that you made to
6 us was tendered understanding that you didn't have
7 your appropriations from the state and you said that
8 was money that you had available based on what you
9 already had in the budget.

10 DR. MIEDEMA: I didn't say it was available, I
11 said it could be made available.

12 MS. SPENCER: Okay.

13 DR. MIEDEMA: By the process that we're going
14 through now.

15 MS. SPENCER: Okay.

16 DR. MIEDEMA: Yeah, we could make it available
17 and that's as much as we felt at that time we could
18 make available by doing cuts in services and staffing
19 and what we needed to do in order to have it coming
20 because we just don't have the assurance that it's
21 there. But let's have that conversation and we'll be
22 back. And we have twenty minutes?

23 MS. SPENCER: One thing to think about while
24 you caucus to consider, giving the uncertainties that
25 you stated what kind -- what you'd be willing to do

1 as far as a one year package if that was something
2 that would ease your mind as far as risk goes.

3 MR. PARKER: I don't think that we have a one
4 year package on the table. The only reason that we
5 would have -- be able to do anything is that we have
6 some reasonable expectation of what the expenditures
7 are going to be in year two, year three. To make a
8 variety of cuts, I don't know how many people we're
9 talking about but a bunch in services and programs,
10 things that we like. To cut those things and not
11 know what the cost containment is for year two, year
12 three is probably not fair for that initial group of
13 people that go out. So, that's why this is hooked
14 into a three year deal, it's got to be -- there's a
15 lot of pain involved in this process for us.

16 It's unfortunate because we really do wish
17 enrollment was up, we do wish more revenues were
18 coming in, this should be the time. We've already
19 been through a lot over the last decade, this should
20 be a good time where things start getting healthier,
21 they're just not yet and so it's unfortunate for all
22 of us that it has to be so tough, but that's the
23 reality of it. But it would be very unfortunate if
24 we cut everything for a one year deal and then not
25 know the future and get ourselves in a real situation

1 next year. So, these numbers are hitched to the fact
2 it's a three year deal. A one year deal, you know,
3 we can be, we would be a completely different
4 conversation. And I think quite frankly because
5 we're talking three year deal, that's where all the
6 effort and emphasis has been on and now we're running
7 out of time, you know, we're at the twelfth hour now
8 so.

9 MS. SPENCER: Okay. Just a thought.

10 MR. PARKER: But I appreciate everything you
11 said.

12 DR. MIEDEMA: Thank you.

13 (Thereupon, a recess was taken in the meeting.)

14 MR. PARKER: We're ready to start if you are.

15 MS. SPENCER: Sure.

16 MR. PARKER: Okay. Unfortunately we have to
17 decline your offer, we just do not have the financial
18 capabilities to make that happen. We're still at our
19 previously revised and increased offer of 2.5%, 2%
20 and 2% for a total of 6.5% over three years. We know
21 it's getting very late in the process, we know, we've
22 told you we think we've done our very best we can but
23 the team believes that we owe it to you to go back
24 again and spend this next week looking at every
25 conceivable possible thing we can to see if we can

1 possibly revise that offer upwards. I caution though
2 that I don't want to get hopes up that that can
3 happen because what we've been through we feel pretty
4 confident we're about as far as we can go, but I do
5 agree that everybody in this room is worth the
6 effort. So, we're going to take another week and we
7 are going to try to do everything we can to try to
8 find additional funds to try to revise that three
9 year 6.5% offer upwards and we're going to have some
10 serious questions about years two and three because
11 those are the years that really concern us because we
12 have so many unknowns in those years, but again, we
13 think it's worth the effort.

14 Please don't be disappointed if we come back
15 with the same offer next week, but we're going to try
16 to do more. With that, we do have to come to
17 consensus next week. We think we have to in order to
18 have time to get something in the budget in time for
19 salaries for next year. So, with that, we'll go back
20 to work on it and we'll try to bring something next
21 week. I would just ask that you come prepared next
22 week to make a final decision on that 6.5% three year
23 offer, 2.5%, 2% and 2% in a worst case scenario and
24 hopefully we can do a little bit better, but be
25 prepared to make a decision on that so we can get it

1 in the budget.

2 MS. SPENCER: Okay. Our counter's still on the
3 table but we'd like to take a ten minute caucus. I
4 know you just came in but we're going to do that.
5 Okay?

6 (Thereupon, a recess was taken in the meeting.)

7 MS. SPENCER: Well, we -- I'd like to propose
8 that we conclude the meeting right now so that it
9 gives both teams a chance to consider what's going
10 on, gives you a chance to do your work. I would like
11 to see some of the budget information that you come
12 up with, the proposed cuts which you've looked at if
13 you'd be willing to share that information so we can
14 better inform our faculty.

15 MR. PARKER: We're not going to share that.
16 That's management prerogative and it's going to be
17 flexible as we go through this process over the next
18 couple of months, so it's subject to change.

19 MS. SPENCER: So you won't share any of the
20 budget discussions that you've had with the --

21 MR. PARKER: No.

22 MS. SPENCER: All right. So, that's my
23 suggestion and then we'll poll our faculty and you do
24 some additional work and we'll see and I guess we'll
25 meet, if that's acceptable to you, May 27th.

1 MR. PARKER: Do you have a time?

2 MS. SPENCER: We prefer the afternoon if that's
3 possible on the 27th. Robert Lamb is teaching in the
4 mornings, we would like to -- and I mention to
5 faculty that we would try to alternate mornings and
6 afternoons to accommodate them.

7 MR. AKERS: You tentatively said noon?

8 MS. SPENCER: Yeah, would we meet at noon or do
9 we want to meet at 1:00? Is 1:00 o'clock better?
10 That gives you a chance to get lunch.

11 DR. MARSHALL: 2:00 even.

12 MS. SPENCER: Or 2:00 like we did before.

13 MR. PARKER: Whatever you --

14 DR. MIEDEMA: I think Sandy has a conflict in
15 the afternoon but the rest of you okay?

16 MS. SPENCER: And then all of this is tied up
17 together, the compensation package, the working
18 conditions, the hours, all that has to be looked at
19 together, so. So, that will give us time to consider
20 what you've done, you can do some work and see if
21 there's something you can do. That work for you?

22 DR. MIEDEMA: What time do you want to do it?

23 MS. SPENCER: 2:00 o'clock.

24 DR. MIEDEMA: 2:00 to 5:00.

25 MS. SPENCER: Yeah, let's say that. Thank you.

1 That May 27th? That's Wednesday, correct?

2 DR. MIEDEMA: Some of these things that we had
3 looked at the past several weeks that are minor
4 things, do we want to address those next week when we
5 meet also or do we want to focus just on this?

6 DR. MARSHALL: Can we send you a detailed
7 agenda on Monday?

8 DR. MIEDEMA: That will be perfect.

9 DR. MARSHALL: Okay.

10 DR. MIEDEMA: Because I sent to you last
11 week --

12 MS. SPENCER: Yeah.

13 DR. MIEDEMA: -- the list of the changes.

14 DR. MARSHALL: I can work from that.

15 MS. SPENCER: And we've been trying to collate.

16 DR. MIEDEMA: And what I tried to do is those
17 that required some discussion just to say
18 specifically needs discussion. If there's things
19 from our perspective that just needs a sentence or
20 two, I made that -- there was notes too so that we
21 can get through some of these articles so that we
22 don't take up your entire summer.

23 MS. SPENCER: One last thing about the one year
24 deal, I know you said you weren't interested in that,
25 but you might just consider that that might ease your

1 mind about some of the risks that you're facing. So,
2 just a thought.

3 DR. MIEDEMA: All set. Thank you for your
4 participation.)

5 (Thereupon, the meeting was concluded at 10:00
6 o'clock a.m.)

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STATE OF FLORIDA)
(SS:
COUNTY OF BREVARD)

I, JILL CASEY, Court Reporter and Notary
Public, certify that I was authorized to and did
stenographically report the UFF Negotiation Meeting and
that the transcript is a true and complete record of my
stenographic notes.

DATED this 25th day of May, 2015.

JILL CASEY
Court Reporter