COUNCIL ON FACULTY WELFARE, DIVERSITY, AND ACADEMIC FREEDOM (CFW)
MINUTES
Tuesday, March 11, 2014
3:30 - 5:30 P.M.

I. CHAIR'S REPORT
Chair Saphores introduced the new Associated Students-UC Irvine representative, Joshua Yang, to the Council. The Council was also informed of the 3% cost of living increase for faculty, effective July 1, 2014, announced by the UC Office of the President.

II. CONSENT ITEMS
The minutes from January 14, 2014 were unanimously approved as amended.

III. SUBCOMMITTEE ON EMERITI AFFAIRS – Status Report
No Report

IV. FACULTY WELFARE ISSUES UNDER REVIEW
A. Retirement Counseling
   Issue
   The Council invited Director of Benefits and Workers’ Compensation and Disability Management Services, Susan Pihl, to discuss retirement counseling. UCOP previously funded Retirement Counseling at each campus. However, changes in the administration of Human Resource services have resulted in a transfer of that function to a systemwide Retirement Administration Service Center.
   Discussion
   Members strongly felt faculty and staff have benefit greatly from one-on-one counseling services and that a personal interface is highly necessary for situations such as challenging medical issues and irreversible retirement decisions. Members recommended the campus continue providing in-person benefits and retirement counseling and that there be two trained persons on staff to provide services.
   Action
   The Council’s comments will be forwarded to the Senate Cabinet chair for review.

B. Federal Regulations for Affirmative Action
   Issue
   Executive Order 11246 was signed into law by President Lyndon Johnson in 1965. The Order prohibits federal contractors who have contracts of $10,000 or more in one year from discriminating in employment decisions on the basis of race, color, religion, sex or national origin, disability and veteran status. It also requires federal contractors to take steps to ensure equal opportunity is provided in all aspects of their employment. Federal contractors who have at least 50 employees on staff and $50,000 or more in government contracts are required to develop written affirmative action plans and updated them annually. UC also has an affirmative action policy covering minorities and women, individuals with disabilities, and protected veterans. There are no changes to the section covering minorities and women. However the other two components will be changing.
   Discussion
   In general we measure compliance and progress, analyze employment procedures and employment actions to ensure the employment process does not discriminate against a qualified candidate based on the protected characteristics, and outline action-oriented programs to address disparities and ensure equal opportunity. With the new changes, additional reporting and changes to the information collected will be done for individuals with disabilities and protected veterans. The changes will go into effect starting March 24, 2014. This will result in changes to the applications demographic survey, as well as surveying of current employees. Pre-offer, the University will ask


about veteran and disability status. The goal is to incorporate it with the materials already in use. Handouts were shared showing the Council the prescribed form that must be used for disability. An additional handout was shared with a pre-offer invitation of self-identify created by UCOP fulfilling the federal regulation requirements.

In addition, starting March 24, UCI is required to start surveying current employees as their disability status may have changed during their time of employment. Furthermore, at least once every five years, federal contractors must resurvey their employees about their disability status. All employment ads must also include an EEO Clause specifying individuals with disabilities and protected veterans. For affirmative action reporting, federal regulations require a “utilization analysis” for individuals with disabilities with a goal of 7% by job group. For protected veterans, a hiring benchmark must be created and justified or the 8% national average (which could change) must be adopted. In addition, the total number of applicants and hires and the ratio of those compared to those with disabilities and protected veterans need to be reported.

Action
No action required.

V. UCI SENATE ISSUES UNDER REVIEW
None

VI. UC SENATE ISSUES UNDER REVIEW
A. UC Second Review of Senate Bylaw 55

Issue
The Council was asked to review and comment on the second round of revisions to Senate Bylaw 55. The revisions were in response to concerns raised during the first systemwide Senate review. The original proposal would allow a department or school in the health sciences to extend voting privileges on personnel matters, including rank and step, to non-Academic Senate members of the department upon a two-thirds vote of the department’s Senate faculty, and would require reconsideration after a year if requested by a Senate member of the department. Both proposals maintain these provisions but they add the requirement that the relevant Division or its Legislative Assembly must first allow departments or schools to consider the extension of voting rights; they also clarify that the vote to extend these privileges would be limited to faculty with the rank of Associate Professor and higher, and that votes of Senate and non-Senate faculty would be reported separately to CAP. The second proposal has the same provisions as the first one but it would extend the scope of the first proposal to departments and schools of any discipline.

Discussion
Members remained in favor of the goals of Bylaw 55 and preferred version two of the two proposals submitted for consideration. However, members thought that the revisions did not successfully clarify which parties are to receive voting privileges. Members thought that if the proposal is to move forward, two changes must be made. One is that “faculty members” be more clearly defined. For reference, the Council suggested using APM 220 sections 4 and 8 as an example that identifies positions in the professor series and other professor-like positions. Second, the Council recommended clarifying the last sentence in the first paragraph referring to “faculty . . . to vote on the cases in question”.

Action
The Council unanimously voted in support of version two submitted for consideration. The Council’s comments will be forwarded to the Senate Cabinet chair for review.
VII. STATUS REPORTS

Faculty Welfare Subcommittee – Jean-Daniel Saphores, Rep to UCFW
- The Governor has identified $50 million in one-time savings for UC. However the current budget does not include additional funding for UCRP, deferred maintenance, or other UC priorities.
- For the systemwide faculty salary study, a vendor was selected in January and the study is expected to be completed sometime this summer. Faculty remain concerned about the level of information that can be obtained and the schools used for comparison.
- APM 510 regarding recruitment limitations for inter-campus transfers was also discussed. Members strategized measures that can possibly be taken to maneuver around recruitment limitations.
- Systemwide plans to conduct a survey about the transition to the new healthcare plans.

Affirmative Action Subcommittee – TBD, Rep to UCAAD
No Report

Academic Freedom Subcommittee – Hugh Roberts, Rep to UCAF
No Report

Academic Personnel – Joan Tenma
The deadline for open enrollment and plan changes is March 31. Forms for reimbursement on flexible spending accounts must be in by April 15.

Equal Opportunity and Diversity Status Report – Gwen Kuhns Black
The sexual harassment and sexual violence policy changes went into effect February 25, 2014. OEOD is working to see what can be consolidated and it will be added to the OEOD website. The report on the Campus Climate Study is expected to be released at the Regents’ meeting the week of March 17. It will then be posted on the UCOP and UCI websites.

Human Resources Status Report on Benefits – Jeri Frederick

VIII. INFORMATION ITEMS

IX. NEW BUSINESS
None

X. ADJOURNMENT: 5:06 P.M.

Submitted by: Charlene Mandau
Attested by: Jean-Daniel Saphores