

FACULTY SENATE EXECUTIVE COMMITTEE

Tuesday, 30 January 2024
4:00 p.m. – Via Zoom

ACTION MINUTES

MEMBERS PRESENT: Julia Albarracin, Chair; Everett Hamner, Vice Chair; Denise Gravitt, Secretary

ALSO PRESENT: Mark Mossman, Interim Provost; Jeremy Robinett, Parliamentarian; Annette Hamm, Faculty Senate Office Manager

GUEST: Cassandra Standberry, Executive Director, Human Resources

1. *Ad Hoc Committee on Anti-Bullying Policies* (Cassandra Standberry, Chair)

Ms. Standberry said she has had an amazing team to work with, and they have a wealth of knowledge. She presented the Executive Committee with a draft policy on anti-bullying and a grievance form. She plans to add some definitions to the draft policy before it comes back to the Executive Committee for final review.

Chair Albarracin asked if bullying has to be pervasive and whether it is the same intensity as harassment. She wonders if the words pervasive and persistent need to be in the definition. Senator Gravitt asked if there needs to be a definition of microaggressions, such as dismissing someone's ideas or concerns in meetings or making someone feel unworthy. She said this kind of behavior can make an employee not want to come to work, but calling it hostile makes it sound violent rather than subtle with a cumulative impact. Senator Gravitt thinks the types of bullying, such as physical, emotional, verbal, etc., need to be included in the definitions.

Ms. Standberry said there is also work underway on a Civility in the Workplace policy, which may address some of these concerns. She thinks some things, such as types of bullying, can be covered in training offered by the Office of Human Resources after these policies are implemented. She wants to get the top leadership to support these new policies and for WIU employees to be strongly encouraged to attend these trainings.

Senator Gravitt asked what will happen if a group of colleagues are collectively causing an employee to be bullied. Ms. Standberry responded there are many different scenarios, and she thinks the Civility in the Workplace policy will address some of these. She thinks there should be various levels of disciplinary action, including suspension and demotion. She stressed this is not in place yet, but what the committee has prepared should be a good start toward holding people accountable.

Parliamentarian Robinett asked if this could be worked into online training already in place for things related to sexual harassment. Ms. Standberry responded that it could be eventually, but since this will be a new policy, she would like for it to be stand-alone initially and offered through multiple training opportunities. She hopes to get as many employees trained on the new policy as possible and make the training mandatory for leaders. She hopes to include actual scenarios during the training.

Ms. Standberry told ExCo members that there will be a grievance form used for this process that will very specifically document what kinds of issues are being experienced, provide supporting documentation, and give the employee the opportunity to say what remedy they would like to see. Ms. Standberry said, once in place, the campus community needs to be made aware the new policy exists because sometimes that can help deter behavior.

Senator Gravitt asked if the policy would address bullying off-campus or only at work. Ms. Standberry replied it cannot address bullying in employees' personal lives because that would be more than Human Resources could handle. She noted, for instance, that cyberbullying on employees' personal email accounts will not be addressed, but a bogus email to a WIU email account could be. She anticipates some bullying events may have to get law enforcement and the courts involved.

Ms. Standberry said her committee proposes that grievances be filed within ten days of the employee knowing, or when they should have known, of the issue being grieved. She said this was originally set at 30 days but was changed to ten. She explained that if an employee has an issue, such as a performance

evaluation they do not agree with, they have ten days from that date to grieve it. Senator Gravitt said this raises questions about whether an employee cannot file a grievance outside of the ten-day period or what the employee should do if an issue occurs during the summer months. Ms. Standberry reiterated that there are so many scenarios that they cannot all be addressed and will have to be considered on a case-by-case basis. Chair Albarracin asked if the time period could be extended to two weeks. Ms. Standberry said she would like the Executive Committee to email her all their proposed changes to the policy and grievance form so that she can take them back to the full committee.

Ms. Standberry explained the committee proposes a three-step process; at each step, the employee will meet with a “respondent” who will review the details of the grievance and propose a resolution. If the employee accepts the resolution at any step, the grievance is considered addressed, but the employee can choose to continue proceeding to the next step until they reach step 3, at which point the process is concluded, even if the employee still does not agree to the proposed solution.

Senator Hamner remarked he has heard quite a few complaints from faculty recently as he has gathered ideas for the BOT retreat, and there are many things that seem to fall into a gray area with these types of efforts. He suspects a grievance could be both founded and unfounded, for instance, and wonders if there is room for a middle ground response. Ms. Standberry responded this would be possible because, for instance, an employee may have several grievances, and leadership may grant part of their request but not provide relief for the rest.

Senator Hamner stressed it will be important to get things right in the additional documentation training so that employees can understand better through examples what raises to the level of appropriate use of a written resolution effort and what may not. He said that Ms. Standberry’s hypothetical example of an employee who does not agree with their performance evaluation may not rise to the level of filing a bullying grievance. He thinks it is important to establish where those lines exist because he can imagine some abuses, along with people needing very much to express real concerns and wanting to be enabled to do so.

Senator Gravitt asked what assurances employees will have that there will be no retaliation for filing a grievance against a direct supervisor or someone reviewing their future portfolio. Ms. Standberry responded she cannot guarantee there will be no retaliation; the most important aspect for her is accountability. She thinks the upper leadership at WIU will need to get on board with this process first and be prepared to address any occurrences of retaliation. Senator Gravitt asked if the grievance forms will be anonymous; Ms. Standberry responded they will not. She explained that although Human Resources does not share anything about employee grievances, the leadership will need to know because they serve the role as “respondents” at each step.

Interim Provost Mossman expressed his full support for the proposed policy and recalled he worked with former Senate Chair Bill Thompson when he proposed creating the ad hoc committee. He pointed out, however, that some of these discussions touch on the collective bargaining agreement, which is an entirely different set of protections and procedures that allows employees to grieve. He said that while they may be closely connected, it is important to make sure this is a distinct and different policy. Ms. Standberry pointed out that the grievance form asks if the employee is a member of a bargaining unit and the name of the unit. Interim Provost Mossman noted that a grievance in collective bargaining is very clearly outlined in the contract and deals with performance, retention, etc. He believes the anti-bullying policy will address retaliation, harassment, and other things which are properly handled by Human Resources rather than UPI.

Senator Hamner said he is very supportive of this effort, but he is trying to avoid confusion. He can foresee faculty wondering if information about their grievances will go into their permanent files. Interim Provost Mossman hopes that once the policy goes into practice things will become clearer. Parliamentarian Robinett asked if the policy should be vetted through other governance groups before coming to Faculty Senate for approval. Ms. Standberry said her intention is not to request approval from the bargaining units, but she will make sure the bargaining units, the president, and everyone else is aware of the new policy and processes. Interim Provost Mossman pointed out that civility is not found in the collective bargaining agreement. Parliamentarian Robinett said he is fine with giving Ms. Standberry some room to talk to the other groups before the final policy comes to Faculty Senate.

Ms. Standberry said she has made the Policy Review Committee aware of the work on the anti-bullying

policy, and they have agreed to help expedite it. She stressed that the new policy will need faculty buy-in. She has also spoken to Vice President Edwards and WIU attorney Torie Smith about the policy. Ms. Hamm observed that the normal process for committees of the Faculty Senate, such as this ad hoc committee, is to bring a final report to the full Senate, after which it is transmitted to the President for approval. She said the President may want to share the policy proposal with the Policy Review Committee or others, but the first step is approval by senators.

Ms. Standberry will make the changes in wording recommended by the Executive Committee and bring the proposal back for further consideration to the ExCo meeting of February 13. If ExCo then thinks the policy is ready to move forward, it will be on the Faculty Senate agenda for the meeting of February 20.

2. *Summer Bridge Program Task Force nominations from Senate Nominating Committee*

The Senate Nominating Committee chair considered responses from faculty interested in serving on the Summer Bridge Program Task Force and will nominate two faculty members at the Senate meeting of February 6. ExCo read an email from the SNC chair outlining the reasons for their selections. Chair Albarracin said it was brought to Interim Provost Mossman's attention by UPI President Patrick McGinty that the Memorandum of Understanding creating the new task force specifies four faculty representatives, not two, so Faculty Senate will get to appoint two and UPI will appoint the other two; the administration will also appoint four reps.

3. *Update on elections*

Ms. Hamm updated the Executive Committee on the petitions that have been received and verified already and others that she is expecting to receive before the deadline. She asked the members to pre-approve extending the deadline by one week for those elections that may still have vacant seats after the deadline for petitions is reached; the Executive Committee agreed to this. Ms. Hamm will send an update to the university community on February 3 about remaining seats and those faculty who have been declared elected.

4. *Quorum and Open Meetings Act discussion*

Parliamentarian Robinett spent a lot of time on the train to Chicago Friday and Saturday considering the question of Faculty Senate's quorum for meetings in light of changes to the Open Meetings Act post-Covid. He checked into the Act thoroughly and also considered what other institutions in the state and throughout higher education are doing in this regard. He thinks policies and procedures have not caught up to the reality of a post-Covid world, and there are exceptions needed and allowed in the current iteration of the Act. For this reason, he asked the Executive Committee for a little latitude as to how Faculty Senate handles this.

Parliamentarian Robinett explained that there are exceptions related to employment situation, such as faculty employed on the Quad Cities campus or child care requirements, that allow a person not attending in the physical room to be counted toward quorum *after* quorum is established in a meeting. He stated that there are four senators that meet these exceptions. Parliamentarian Robinett proposed to ExCo that because four of the 24 members are exempted, he would like to use 20 to establish a three-fifths quorum number, which means that 12 senators would be required to be physically present during each meeting. Members who attend via zoom could be counted once there are 12 senators in the Capitol Rooms for the meeting.

Chair Albarracin asked if it would be possible to use a system whereby senators could rotate who attends in person and who attends via zoom, besides those senators in the Quad Cities. She noted that with about two meetings per month, one senator could attend via zoom and another attend in person for each one, which might be a more organized system. Parliamentarian Robinett noted that there is nothing to enforce this or penalize senators who violate the schedule. Chair Albarracin said senators would have to be on the honor system.

After further discussion, the Executive Committee decided to adopt the 12-member quorum proposed by Parliamentarian Robinett.

5. *Guests for future meetings*

Guests proposed for future Faculty Senate meetings include Billy Clow, COFAC Dean, and Ted Renner, Facilities Management, to talk about the Performing Arts Center; Katy Valentin, Multicultural Center Director; Christopher Pynes, new Interim Director for Institutional Research and Planning; and Kristi Mindrup, Vice President for Quad Cities Campus Operations. President Huang will also meet with ExCo and Senate later in the semester.

6. The Executive Committee finalized the agenda for the Faculty Senate meeting of February 6, and the ExCo meeting adjourned at 5:31 p.m.

Respectfully submitted,

Annette Hamm, Faculty Senate Office Manager
and Recording Secretary