



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING**

Friday, March 24, 2017

1:00 pm **approximate start time*

Florida International University
Modesto A. Maidique Campus
Ronald Reagan Presidential House
10777 SW 16 Street, Miami, FL 33165

AGENDA

1. **Call to Order and Chair's Remarks** **Chair Claudia Puig**

2. **Action Item**
 - BT1. **Ratification of the revised 2015-2018 Collective Bargaining Agreement between The Florida International University Board of Trustees and The United Faculty of Florida (UFF) – FIU Chapter*** **Kenneth G. Furton**

3. **New Business** (*If any*) **Claudia Puig**

4. **Concluding Remarks and Adjournment** **Claudia Puig**

**pending ratification by the United Faculty of Florida – FIU Chapter*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

March 24, 2017

Subject: Ratification of the revised 2015-2018 Collective Bargaining Agreement between The Florida International University Board of Trustees and The United Faculty of Florida (UFF) – FIU Chapter

Proposed Board Action:

Ratify the revised 2015-2018 Collective Bargaining Agreement between the Florida International University Board of Trustees (BOT) and the United Faculty of Florida (UFF) – FIU Chapter. Amendments have been made to the following sections:

- Article 3: UFF Chapter Privileges
 - Article 11: Salaries
 - Appendix A: Position Classification in the Bargaining Unit
 - Appendix G: Promotions
-

Background information:

At FIU, 67% of the faculty are in-unit faculty members who are governed by the Collective Bargaining Agreement.

Representatives of the BOT and the UFF have engaged in collective bargaining negotiations to discuss the terms and conditions of employment that will govern personnel who fall within the bargaining unit represented by the UFF. The bargaining teams have reached an agreement on revisions to the terms of the currently in-force 2015-2018 BOT-UFF Collective Bargaining Agreement running through July 1, 2018.

Florida Board of Governors Regulation 1.001(5)(b) provides that each board of trustees shall act as the sole public employer with regard to all public employees of its university for the purposes of collective bargaining, and shall serve as the legislative body for the resolution of impasses with regard to collective bargaining matters.

Supporting Documentation: BOT-UFF Term Sheet
Changes to 2015-2018 Collective Bargaining Agreement as per FIU-UFF agreement from 2/22/17

Facilitator/Presenter: Kenneth G. Furton

Pending ratification by the United Faculty of Florida – FIU Chapter

BOT-UFF TERM SHEET

Term:	2015-2018 (amendments)
Articles & Policies:	The following four articles and policies of the collective bargaining agreement were revised as outlined below: UFF chapter privileges, salaries, appendix A: position classification in the bargaining unit, appendix G: promotions.
UFF Chapter Privileges	<ul style="list-style-type: none"> • Revised language to reflect new legal developments regarding released time.
Salaries	<ul style="list-style-type: none"> • Effective January 14, 2017 all eligible faculty members who have been continuously employed as of July 1, 2016 and rated “satisfactory” or above in their last annual evaluation will receive a one percent (1.00%) retention increase to their base salary, with a minimum increase of \$800. • Effective January 14, 2017 and pursuant to the merit policies of each unit one-half of one percent (0.50%) merit increase to the base is to be awarded to those faculty members selected for the merit increase. The fund available for this increase is based on the salaries of the unit faculty members employed prior to July 1, 2016. • Deleted the award of “Distinguished University Professor” from Article 11.2, 2015-2018 Convocation Awards because such designation was established as a new article 11.11, as noted below. • Adjusted promotion increases from 10% to 12% increase for promotion to Associate Professor (and similar), and from 12% to 14% increase for promotion to Professor (and similar). • Added to the promotion increases the new working titles noted in Appendix A below. • Added a provision that those promoted at the beginning of the 2016-2017 academic year will receive an additional 2.00% increase to their base salary prior to the last promotion. • Created a new Article 11.11, Distinguished University Professor, for future awardees at the Full Professor level to receive a \$5,000 base salary increase.
Appendix A: Position Classification in the Bargaining Unit	<ul style="list-style-type: none"> • Added working titles “Research Professor,” “Research Associate Professor,” and “Research Assistant Professor” to be used for the job codes 9160, 9161, and 9162, respectively.
Appendix G: Promotions	<ul style="list-style-type: none"> • Added the new working titles for job codes 9160, 9161, and 9162 in “(1) Eligibility,” and “(3) Promotion Criteria and Procedures,” to reflect the change made in Appendix A.

CHANGES TO 2015-2018 CBA AS PER FIU-UFF AGREEMENT FROM 2/22/17

Proposed changes to the 2015-2018 Collective Bargaining Agreement are listed below in red color – either as additions (underlined) or deletions (~~striketthrough~~). Page numbers (in blue) referenced in brackets are to the current 2015-2018 CBA, and given new additions/deletions, they may change in the future.

Article 3 UFF CHAPTER PRIVILEGES

3.4 (g) Released time shall be used for conducting UFF Chapter business at the University or State level and shall not be used for lobbying, ~~or~~ other political representation, or for any activities for which the use of released time is prohibited by State law.

(current CBA, p. 9)

Article 11 SALARIES

11.1 201~~65~~-201~~76~~ Salary Increases. The salary increases represented in 11.1(a) and (b) are derived from ~~eighteen point four percent (18.4%) of~~ the total performance funding that FIU received for the 201~~65~~-201~~76~~ performance outcomes.

(a) **201~~65~~-201~~76~~ Retention Increase.** ~~Effective on January 16, 2016, all eligible employees who were employed prior to July 1, 2015 and who are continuously employed through January 1, 2016 and are not in receipt of a notice of termination or non-reappointment shall receive a one percent (1.00%) retention increase to their base salaries.~~ Effective on January 14, 2017, all eligible employees who were employed prior to July 1, 2016 and who are continuously employed through January 1, 2017, are not in receipt of a notice of termination or non-reappointment, and who have received a minimum overall rating of “satisfactory” or better in their most recent annual evaluation shall receive a one percent (1.00%) retention increase to their base salaries, with a minimum increase of \$800.

(b) **201~~65~~-201~~76~~ Department Merit.** ~~The University shall provide merit pay funding totaling one percent (1.00%) with a minimum of \$750 awarded to each eligible faculty member, of the total bargaining unit base salary payroll, as it existed on the last full pay period of the 2014-2015 Academic Year on a pro rata basis to departments/units, as their base salary payroll existed on the last full pay period of the 2014-2015 Academic Year. The funds provided shall be distributed to employees within each department or academic unit consistent~~

~~with the criteria and procedures set forth in the BOT-UFF Policy concerning Employee Performance Evaluation and effective on January 16, 2016. If merit criteria apply to the entire college/school, the college/school is the unit. All employees are, or upon appointment will be, assigned to an existing department/unit. To be eligible the employee must have been continuously employed prior to July 1, 2015. The University shall provide merit pay funding totaling one-half of one percent (0.50%) of the total bargaining unit base salary payroll, as it existed on the last full pay period of the 2015-2016 Academic Year on a pro rata basis to departments/units, as their base salary payroll existed on the last full pay period of the 2015-2016 Academic Year. The funds provided shall be distributed to employees within each department or academic unit as a base salary increase consistent with the criteria and procedures set forth in the BOT-UFF Policy concerning Employee Performance Evaluation and effective on January 14, 2017. If merit criteria apply to the entire college/school, the college/school is the unit. All employees are, or upon appointment will be, assigned to an existing department/unit. To be eligible the employee must have been continuously employed prior to July 1, 2016.~~

11.2 2015-2018 Convocation Awards. At the annual Faculty Convocation the FIU Board of Trustees or designee may provide to employees one-time awards totaling no more than 0.16% of the total employee payroll as of the end of the prior Academic Year for special achievements, including awards for teaching, research, service, mentorship, librarianship and advising ~~and Distinguished University Professor~~, according to the selection procedures established by the Faculty Senate. No later than July 30 of each year, the University shall provide the local UFF chapter a listing of such awards showing the name and department of each employee given an award during the previous academic year and the amount and nature of the award.
(current CBA, p. 28)

11.4 Promotion Increases. Effective at the beginning of the academic year in which their promotions are effective, employees shall be awarded promotion increases as follows:

- (a) To Assistant University Librarian or Assistant Professor, a nine percent (9%) increase;
- (b) To Senior Lecturer, Senior Instructor, Research Associate, Associate Scholar/Scientist/Engineer (~~Research Associate Professor~~), Associate University Librarian, or Associate Professor, a ~~ten percent (10%)~~ twelve percent (12%) increase;
- (c) To University Lecturer, University Instructor, Scholar/Scientist/Engineer (~~Research Professor~~), University

Librarian, or Professor, a ~~twelve percent (12%)~~ fourteen percent (14%) increase.

- (d) Those employees mentioned under (b) and (c) who received a promotion increase at the beginning of academic year 2016-2017 shall receive an additional two percent (2%) increase to their base salary as of January 14, 2017 calculated on the salary of August 19, 2016, prior to the application of the promotion increase of Fall 2016.

(current CBA, p. 29)

11.11 Distinguished University Professor. The Provost shall designate up to five Distinguished University Professors each year and the individuals selected will each receive a \$5,000 base salary adjustment as part of the annual salary increase process in the academic year following their selection as Distinguished University Professors. The Provost, in accordance with the university governance process and subject to consultation with UFF, shall determine the criteria and procedures.

(current CBA, p. 30)

APPENDIX A

POSITION CLASSIFICATION IN THE BARGAINING UNIT

INCLUDED:

All full time and regular part-time employees in the following classifications:

- 9001 - Professor
- 9002 - Associate Professor
- 9003 - Assistant Professor
- 9024 - University Instructor
- 9014 - Senior Instructor
- 9004 - Instructor
- 9025 - University Lecturer
- 9015 - Senior Lecturer
- 9005 - Lecturer
- 9006 - Graduate Research Professor
- 9007 - Distinguished Service Professor
- 9009 - Eminent Scholar
- 9053 - University Librarian
- 9054 - Associate University Librarian
- 9055 - Assistant University Librarian
- 9056 - Instructor Librarian

- 9120 - Associate in
- 9121 - Assistant in
- 9126 - Program Director
- 9160 - Scholar/Scientist/Engineer (Research Professor)
- 9161 - Associate Scholar/Scientist/Engineer (Research Associate Professor)
- 9162 - Assistant Scholar/Scientist/Engineer (Research Assistant Professor)
- 9166 - Research Associate
- 9178 - Instructional Specialist

And employees with the following Administrative Titles: Associate Chair (C2), Assistant Chair (C3).

EXCLUDED:

C1 - chairpersons, deans, associate deans, assistant deans, directors, and all administrators above them, all employees of the school of law, all employees of the College of Medicine, chairman of the faculty senate serving on the board of trustees, managerial and confidential employees, and all other employees of The Board of Trustees of the Florida International University.
(current CBA, p. 37)

**BOT-UFF POLICY
PROMOTIONS**

Procedures:

(1) Eligibility: Employees classified as Instructor, Lecturer, Senior Instructor, Senior Lecturer, Instructor Librarian, Assistant University Librarian, Associate University Librarian, Assistant Scholar/Scientist/Engineer (Research Assistant Professor), Associate Scholar/Scientist/Engineer (Research Associate Professor), Assistant Professor, Associate Professor, Research Associate, Senior Research Associate, Instructional Specialist, and Senior Instructional Specialist shall be eligible to apply for promotion. Employees appointed with the modifiers "Clinical" or "Professional Practice" shall be eligible for promotion. Employees appointed with the modifier "Visiting" shall not be eligible for promotion.

(...)

(3) Promotion Criteria and Procedures.

(a) Each college/school and/or department/unit, as its faculty deem appropriate, subject to the approval of the Dean/Director and Provost, shall adopt its own promotion criteria and procedures, consistent with University-wide criteria and procedures, and reflecting the particular mission and disciplinary requirements specific to the academic unit. Policies on the promotion process must include a poll by secret ballot of the members of the employee's department/unit concerning the employee's promotion application, in accordance with criteria for voting set out by the employee's department/unit. Such criteria and procedures, as appropriate to the academic unit, shall provide for promotion to Senior Lecturer, Senior Instructor, University Lecturer, University Instructor, Assistant University Librarian, Associate University Librarian, University Librarian, Associate Scholar/Scientist/Engineer (Research Associate Professor), Scholar/Scientist/Engineer (Research Professor), Associate Professor, Professor, Research Associate, Senior Research Associate, Instructional Specialist, and Senior Instructional Specialist. In the event that through the University's Strategic Planning process there is a recommendation different than the process defined in this policy, the parties agree to renegotiate this policy without the use of a reopener.

(current CBA, pp. 70-71)