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Board of Trustees Meeting Minutes 1978-11-09

Bowling Green State University

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November 9, 1978

BOWLING GREEN, OHIO

SPECIAL MEETING

Bowling Green, Ohio
November 9, 1978

Official notice having been given, the Board of Trustees met in the McFall Center Assembly Room, with the following members present: John Lipaj, Chairman; Albert Dyckes, Vice Chairman; H. Shad Hanna; Robert Lodwig; Frazier Beams, Jr.; Norman Rood; Robert Savage; and S. Arthur Spiegel. Charles Shanklin was not present due to schedule conflicts.

Also present were President Hollis Moore; Richard Edwards, Vice President and Secretary to the Board; David Roller, Faculty Representative, and Chair, Faculty Senate; Eyrond Collins, Secretary, Faculty Senate; Harbeth (Hobby) Emmanuel, Graduate Student Representative; Frank Aveni, Undergraduate Student Representative; Richard Eakin, Vice Provost for Institutional Planning and Student Affairs; Michael Ferrari, Provost and Executive Vice President; James Hof, Vice President for Public Services; Paul Russer, Assistant Vice President for Operations and Treasurer; George Postich, Vice President for Operations; Professor Ralph Wolfe, President, Bowling Green Faculty Association; Professors Lawrence Friedland and Joseph B. Perry, Jr., representatives of Bowling Green Faculty Association; members of the faculty; representatives of the press; and a number of observers.

Chairman Lipaj called the meeting to order at 11:05 a.m. The Board Secretary called the roll and a quorum was declared present.

MINUTES

No. 26-79 Mr. Spiegel moved and Mr. Savage seconded that the minutes of October 5, 1978, be approved as written. The motion carried.

FACILITIES COMMITTEE AND FINANCE COMMITTEE

The Chair announced that both the Facilities Committee and the Finance Committee met during the morning and that neither Committee would be reporting or making recommendations.

CONTINUING ITEMS

The Chair announced the next agenda item would be consideration of the request for a faculty election on the issue of collective bargaining.

President Moore made the following statement:

On May 11, 1978, representatives of the Bowling Green Faculty Association met with Mr. Richard Edwards, Vice President and Secretary to the Board of Trustees, to discuss the appropriate procedure for requesting Trustees' approval of a faculty collective bargaining election at Bowling Green State University. On June 9, 1978, I met with representatives of the Bowling Green Faculty Association at which time we discussed the same matter.

At the General Session of the faculty held on September 18, 1978, I stated that I would "do my best to guarantee full ventilation of the issues, equity and fairness in whatever procedures became appropriate, and most especially an expeditious resolution of the matter."

As a first step in that direction, this Board of Trustees in official session on October 5 board fourteen members of the faculty comment on factors pertaining to an assessment of the preference of Bowling Green faculty with respect to collective bargaining. Reflecting on that session, it is apparent that an election is favored by a significant number of faculty — in order to expedite the advent of collective bargaining on this campus, others in order to defeat the proposal and get it off of our collective agenda. The Faculty Senate on October 3 passed a resolution which supported the holding of such an election.

Under established policy of the State of Ohio, the Board of Trustees has broad authority to administer Bowling Green State University in the public trust. Consistent with public policy as expressed by the delegation-of-authority principle, and in the best tradition of academic governance, members of the academic community — administrative officers, University faculty, and students — today share in the decision-making process.

Ohio law is silent as to collective bargaining for public employees such as University faculty. Therefore, the Board of Trustees is free to pursue whatever procedures it prefers. It is under no legal obligation to hold an election. However, some precedence has been established: five other state universities in Ohio have held elections.

While a rational argument could be sustained for postponing any election on collective bargaining until there is a law to govern it (most especially a state-wide board or commission which would have powers of adjudication on certain controversial matters), a refusal to test the sentiment of the faculty would be out of character with the customary position taken by this Board of Trustees.

I therefore recommend a faculty-wide vote. Such a referendum should be for the sole purpose at this juncture of testing sentiments as to altering the system by which we presently arrive at our collective judgment on such important matters as salary and conditions of employment. In other words, should we replace existing committees and councils with formal negotiations? If so, we must utilize an exclusive bargaining agent, such as the local chapter of the American Association of University Professors or the local chapter of the Ohio Education Association or some other organization.

My own views on collective bargaining are well-known. I do not favor such a pattern of decision-making at this University. However, I believe it is important that we determine an accurate indication of the preferences of our permanent faculty. The question is a critical one, and I cannot overemphasize the importance of extreme care and thoughtful preparation of all details pertaining to such an election.

It is therefore my recommendation that:

1. The Board of Trustees authorize an election to be held over a two-day period between January 27 and February 2 on the question: "Do you favor collective bargaining at
Bowling Green State University through an exclusive agent which represents the faculty?"

2. Voting be limited to all full-time faculty who at the time of the election hold tenure or probationary contracts at the ranks of Instructor, Assistant Professor, Associate Professor or Professor.

3. Voting include the faculty at Firelands as well as at the main campus.

4. Should a majority of those voting check "yes," a second election be held for the purpose of determining the preferred agent, although an option will still be presented in that subsequent election for "no agent."

5. Details and procedures pertaining to the election—such as voting places, absentee ballot regulations, monitors, etc.—be determined and communicated to the faculty by a committee of six persons, three members of the faculty to be appointed by the Senate Executive Committee, and three representatives of the administration to be appointed by the Provost.

6. A list of all eligible voters be constructed by this committee, and arrangements for vote counting be made and distributed following approval by the Provost.

7. The results of the election be made known promptly to the President and the Board of Trustees.

Mr. Dyckes moved and Mr. Savage seconded that President Moore's seven-point recommendation be adopted and that the faculty proceed with an election to determine whether a majority favor collective bargaining at Bowling Green State University.

Following the call for comment and discussion, Mr. Reams stated that "it is obvious to those who are in the audience that we bring the matter to the people who have the most at stake" and supported the proposed election to determine the depth of interest at Bowling Green, based on President Moore's guidelines. In addition, he urged that the Board move as rapidly as possible on the issue so that other problems and issues might be considered.

Mr. Dyckes commented on the number of statements heard at the October 5 meeting, both pro and con, concerning collective bargaining and all were in favor of disposing of the issue at an early date.

Ms. Collins, representing the Faculty Senate, called attention to the resolution adopted by the Senate earlier and the "negotiation by representatives of the Board of Trustees and the Faculty Senate" of the conditions of the election.

Dr. Wolfe said that he could not support the recommendation as the faculty had not been involved in developing the procedures outlined by President Moore.

Mr. Spiegel said that he had given considerable thought to the subject and the considerations going into Dr. Moore's recommendation. He said he recognized that every point in the President's statement could be debated but that the major issue is "to decide whether collective bargaining is going to be on board or not." He described the points given as fair and suggested they be presented to the university community.

Mr. Ludwig commended President Moore for an outstanding report which incorporates those points discussed at the October 5 meeting.

Mr. Hanna shared the sentiments expressed in the seven points given by Dr. Moore and described the statement as an "excellent job." He spoke of his review of the statements given at the last meeting, the written statements submitted as well as those articles appearing in the newspapers, indicated a reluctance to agree that there is need for such a drastic step and questioned whether collective bargaining would achieve what the faculty anticipate it will achieve. However, he expressed support for the steps outlined by President Moore.

Mr. Rood said that in the absence of legislation a major concession has been made by President Moore in recommending that an election be held and believed it timely to get on with the vote.

Following a call for the question, the Board Secretary called the roll with the following results: Voting "yes"—Mr. Dyckes, Mr. Lipaj, Mr. Ludwig, Mr. Reams, Mr. Rood, Mr. Savage, Mr. Spiegel; voting "no"—Mr. Hanna. The motion was declared approved by seven affirmative votes.

ANNOUNCEMENTS

Chairman Lipaj said the next meeting is scheduled for Saturday, December 9, the day of the Fall Quarter Commencement, with the November 16 meeting date being cancelled.

MISCELLANEOUS AND INFORMATIONAL MATERIAL

The following material was available for handout to members (forwarded to member not present by mail):

- CBA Report (College of Business Administration)
- Research & Development Newsletter—November, 1978
- HPA News Letter (Health Planning Association of Northwest Ohio) Trustees Lipaj and Dyckes only
- Athletics: Ice House Fever, BGSU; Soccer schedule; Women's Volleyball; Cross Country

ADJOURNMENT

Motion for adjournment was made by Mr. Spiegel, seconded by Mr. Savage, with all members present concurring, and the meeting was adjourned at 11:23 a.m.

President

Secretary