

**MINUTES OF SPECIAL MEETING
OF
BOARD OF TRUSTEES
OF
YOUNGSTOWN STATE UNIVERSITY**

Tod Administration Building
Friday, August 16, 2002

Pursuant to notice duly given, a special meeting (the two hundred thirty-sixth) of the Board of Trustees of Youngstown State University convened, immediately following the meeting of the Internal Affairs Committee, at 5:50 p.m. on Friday, August 16, 2002, in the in the Board Room in Tod Administration Building.

Eight trustees were present at the meeting, to-wit: Mr. Joseph S. Nohra, chairperson of the board, who presided, Mrs. Eugenia C. Atkinson, Dr. Chander M. Kohli, Mr. Larry E. Esterly, Mr. F. W. Knecht III, Dr. H. S. Wang, Mr. John L. Pogue, and Mr. Larry DeJane. Also present were student trustees Mr. Jeffrey J. Parks and Mr. Matthew Pastier. Absent was Mr. Charles B. Cushwa III.

Also present were: Dr. David C. Sweet, President, Mr. John Habat, Vice President - Administration, and Franklin S. Bennett, Jr., secretary to the board of trustees. Also present were approximately 10 persons, including deans, members of the faculty, students, administrators, and members of the news media.

The chairperson called the meeting to order.

ITEM I - PROOF OF NOTICE OF MEETING.

Evidence was available to establish that pursuant to Article II, Section 2, of the board's *Bylaws*; notice of the call for today's special meeting was timely provided to each of the trustees, the student trustees and to the president.

ITEM II - DISPOSITION OF MINUTES FOR REGULAR MEETING HELD JUNE 28, 2002.

Disposition of the minutes of the board's regular meeting held June 28, 2002 was deferred until the next regular meeting of the board.

ITEM III - REPORT OF THE INTERNAL AFFAIRS COMMITTEE.

The chairperson recognized Dr. Kohli, chairperson of the Internal Affairs Committee, who stated that the committee was recommending two resolutions for adoption by the board. On behalf of the committee, he then moved for adoption of the following resolution:

Resolution to Ratify
YSU-ACE Labor Agreement

YR 2003-01

WHEREAS, an *Agreement* for 2002-2003, 2003-2004, and 2004-2005 between Youngstown State University and the Youngstown State University Association of Classified Employees, an affiliate of the Ohio Education Association, has been negotiated; and

WHEREAS, the membership of the Youngstown State University Association of Classified Employees has ratified the proposed *Agreement*;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Youngstown State University that the *Agreement* between Youngstown State University and the Youngstown State University Association of Classified Employees for the period August 16, 2002, through August 15, 2005, is hereby ratified.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

On behalf of the committee, Dr. Kohli then moved for adoption of the following resolution:

Resolution Regarding Terms and Conditions
Of Employment for Classified Employees
Excluded from Collective Bargaining

YR 2003-02

WHEREAS, the Board of Trustees ratified a collective bargaining *Agreement* with the Youngstown State University Association of Classified Employees (YSU-ACE) for the three-year period August 16, 2002, through August 15, 2005, which defines wages and other terms and conditions of employment for classified employees in the bargaining unit; and

WHEREAS, it is deemed to be equitable and in the best interest of the University to extend the same provisions of the *Agreement* to classified employees excluded from collective bargaining; and

WHEREAS, these provisions are in the areas of wages, leaves, transfers and promotions, lay-off and recall, and insurance benefits;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Youngstown State University that pay increases specified in Article 3, as well as other terms and conditions of employment as stated in Articles 14, 15, 16, and 22 of the *Agreement* be extended to all classified employees excluded from collective bargaining, except for employees in the law enforcement field in the YSU Police Department, commencing August 16, 2002, and ending August 15, 2005.

Following discussion, the motion received the affirmative vote all trustees present. The chairperson declared the motion carried and the resolution adopted.

ITEM IV - REPORT OF THE TRUSTEESHIP COMMITTEE

The chairperson reported that the Trusteeship Committee was recommending that Article III of the *Bylaws of the Board of Trustees of Youngstown State University* be amended to create the Audit Subcommittee and Investment Subcommittee as permanent subcommittees of the board's Finance and Facilities Committee. The language of the proposed amendment was included with the board's agenda materials. Mr. Nohra stated that notice of the proposed amendment to the *Bylaws* was being given at today's meeting, and that action on the proposed amendment could be taken at any subsequent meeting of the board.

ITEM V - COMMUNICATIONS, MEMORIALS

The board considered no communications or memorials.

ITEM VI - UNFINISHED BUSINESS

The board considered no unfinished business.

ITEM VII - NEW BUSINESS

The board considered no new business.

ITEM VIII - TIME AND PLACE OF UPCOMING REGULAR MEETINGS

Mr. Nohra stated that the next regular meeting of the Board of Trustees would take place at 3:00 p.m. on Tuesday, September 24, 2002.

ITEM IX - RECESS

Upon motion made by Mr. Esterly and seconded by Dr. Kohli, the board unanimously voted to recess the meeting until 4:30 p.m. on Monday, August 19, 2002, or immediately following the conclusion of the meeting of the board's Internal Affairs Committee, whichever occurs later. The meeting will resume in the Board Room in Tod Hall.

ITEM X - RESUMPTION OF RECESSED MEETING

The meeting resumed at 6:05 p.m. on Monday, August 19, 2002 in the Board Room in Tod Hall. Eight trustees were present, with Mr. Cushwa absent. Also absent were student trustees Parks and Pastier.

ITEM XI - RECESS

Upon motion made by Mr. Esterly and seconded by Dr. Kohli, board unanimously voted to recess the meeting until 12:30 p.m. on Tuesday, August 20, 2002, or immediately following the conclusion of the meeting of the board's Internal Affairs Committee, whichever occurs later. The meeting will resume in the Board Room in Tod Hall.

ITEM XII - RESUMPTION OF RECESSED MEETING

The meeting resumed at 1:30 p.m. on Tuesday, August 20, 2002 in the Board Room in Tod Hall. Seven trustees were present, with Mr. Cushwa and Dr. Wang absent. Also present were student trustees Parks and Pastier.

ITEM XIII - REPORT OF THE INTERNAL AFFAIRS COMMITTEE.

The chairperson recognized Dr. Kohli, chairperson of the Internal Affairs Committee, who stated that the committee was recommending one resolution for adoption by the board. On behalf of the committee, he then moved for adoption of the following resolution:

Resolution to Reject
YSU-OEA Fact-Finder's Report
And Accept Tentative Agreement

YR 2003-03

WHEREAS, Youngstown State University is proud of its faculty and of the contributions they make to teaching, scholarship and service; and

WHEREAS, the dedication of faculty is a fundamental strength and attribute of this University; and

WHEREAS, the University desires to encourage the continued academic excellence of its faculty inside and outside the classroom by offering a fair compensation package; and

WHEREAS, the existing contract between Youngstown State University and the YSU-OEA, which represents faculty employees, expires August 21, 2002; and

WHEREAS, the University received a Report and Recommendations from Fact-Finder Robert Stein on August 16, 2002, which addressed nine issues that were not resolved during negotiations with the YSU-OEA; and

WHEREAS, pursuant to an agreement between the University and the YSU-OEA, either side may accept or reject the Fact-Finder's report in its entirety by a majority vote of its membership; and

WHEREAS, the University has carefully reviewed and considered the recommendations of the Fact-Finder and concluded that most of his recommendations are generally acceptable; and

WHEREAS, accepting the Fact-Finder's recommendation on salary increases, however, would have an adverse impact on the University's financial situation; and

WHEREAS, the University desires to provide fair and competitive salaries to its dedicated faculty, but is subject to significant budgetary constraints due to reductions in State Share of Instruction; and

WHEREAS, the University seeks to reach a new collective bargaining agreement with its faculty, but with salary increases that are achievable within the University's financial resources;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Youngstown State University that the August 16, 2002, Fact-Finder's Report and Recommendations is hereby rejected; and

BE IT FURTHER RESOLVED, that the Board of Trustees of Youngstown State University accepts the signed tentative agreement reached with the Chief Negotiator of the YSU-OEA and approved by the YSU-OEA negotiating team and directs the University Administration to present a complete collective bargaining agreement to the Board of Trustees for approval, subject to ratification by the membership of the YSU-OEA.

Following discussion, the motion received the affirmative vote of five trustees, with Mr. Nohra and Mr. Knecht opposed. The chairperson declared the motion carried and the resolution adopted.

ITEM XIV - NOTICE OF SPECIAL MEETING

The chairperson announced that he was calling a special meeting of the board to take place at 5:00 p.m., Friday, August 23, 2002 in the Board Room in Tod Hall for the purpose of considering and/or acting upon the YSU-OEA collective bargaining agreement.

ITEM XV - ADJOURNMENT

Upon motion duly made and seconded, the meeting was adjourned at 1:35 p.m.

Chairperson

ATTEST:

Secretary to the Board of Trustees