

MINUTES OF SPECIAL MEETING

of

BOARD OF TRUSTEES

of

YOUNGSTOWN STATE UNIVERSITY

Tod Administration Building  
Friday, May 25, 1984

Pursuant to a call by the Acting President, dated May 15, 1984, and to Notices sent by the Secretary of the Board by certified mail on May 17, 1984 to each Trustee, copies of which precede these Minutes (with copies to the Acting President of the University, the Presidents of the YSU Chapter of the OEA and YSU Chapter of OCSEA, to Alan R. Kretzer, Special Counsel to the Attorney General of Ohio, to the Legal Services Officer of the University and to the Executive Director of the YSU Alumni Association) a special meeting (ninety-seventh) of the Board of Trustees of Youngstown State University convened at 5:30 p.m. on Friday, May 25, 1984 in the Board Room in the Tod Administration Building.

Seven Trustees were present at the meeting, to-wit: Paul M. Dutton, Dr. John F. Geletka, Edgar Giddens, William J. Lyden, Mrs. Emily P. Mackall, William G. Mittler, and Frank C. Watson. Earl W. Brauning and Dr. Earnest Perry were absent.

Also present were Dr. Neil D. Humphrey, Acting President, Dr. Bernard T. Gillis, Provost, Dr. Taylor Alderman, Vice President Personnel Services, Edmund J. Salata, Dean Administrative Services, Dr. Lawrence E. Looby, Associate Vice President Public Services, Dr. Charles A. McBriarty, Associate Vice President, Student Services, Philip A. Snyder, Director University Relations, Alan R. Kretzer, Special Counsel to the Attorney General of Ohio, Franklin S. Bennett, Secretary to the Board of Trustees, and Patricia D. Martin, Secretary to the President. Also present were approximately 15 other persons, including deans, members of the faculty, and members of the news media.

Frank C. Watson, Chairman of the Board, presided.

ITEM I - Proof of Notice of Meeting

An Affidavit of the Secretary to the Board was available, with official post office forms attached, which showed that copies of the Acting President's call of the special meeting dated May 15, 1984 and the Secretary's Notice of the meeting dated May 17, 1984 were mailed by certified mail to each Trustee and the Acting President on May 17, 1984 and by regular mail to the Presidents of the YSU Chapters of OEA and OCSEA, Theodore R. Cubbison, Legal Services Officer, Attorney Alan R. Kretzer, and to the Executive Director of the Alumni Association; that the Acting President and seven Trustees received their Notices on May 18, 1984. One Trustee received his Notice May 21, 1984 and one Trustee received her Notice May 25, 1984.

EXECUTIVE SESSION

The Trustees retired into Executive Session at approximately 5:32 p.m. for about thirty-five minutes, after a Motion duly made, seconded and carried for the purpose of considering matters relating to the employment of personnel before returning to the open meeting in the Board Room.

ITEM II - Report of the Personnel Relations Committee

Mr. Dutton reported that the Committee was recommending three Resolutions for adoption by the Board. He then read and moved for adoption the following Resolution:

a. Resolution Concerning President

WHEREAS, the Board of Trustees of Youngstown State University did, on March 24, 1984, by Resolution 1984-58 designate Neil D. Humphrey as President effective July 1, 1984; and

WHEREAS, John J. Coffelt has now accepted a disability retirement granted by the State Teachers Retirement Association which becomes effective June 1, 1984.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Youngstown State University does hereby change the effective date of the designation of Neil D.

Humphrey as President of Youngstown State University to June 1, 1984.

The Motion was seconded by Mrs. Mackall and, after discussion, received the affirmative vote of all Trustees present. The Chairman declared the Motion carried and the Resolution adopted.

Mr. Dutton then read and moved for adoption the following Resolution:

b. Resolution Authorizing the Signing of Checks

WHEREAS, the authorized signatures for YR 1984-80 Youngstown State University on all bank checks have been John J. Coffelt and Neil D. Humphrey; and

WHEREAS, effective June 1, 1984, John J. Coffelt will no longer be an employee of Youngstown State University.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does authorize Controller Richard L. Glunt and President Neil D. Humphrey to cosign all Youngstown State University bank checks effective June 1, 1984.

The Motion was seconded by Mr. Giddens and, after discussion, received the affirmative vote of all Trustees present. The Chairman declared the Motion carried and the Resolution adopted.

Mr. Dutton then stated that the Resolution he was about to move was the result of a Fact-Finder's recommendation and not a negotiated settlement. He further stated that under the new law six members of the Board would have to vote against the Resolution in order to reject the recommended settlement. He then read and moved for adoption the following Resolution:

c. Resolution to Ratify Fact-Finder's Recommended Settlement

WHEREAS, pursuant to Ohio Revised Code YR 1984-81 4117 and Resolution YR 1984-62 of the Board of Trustees of Youngstown State

University, the designated fact finder has submitted a Recommended Final Settlement concerning wage negotiations with the Youngstown State University Chapter of the Ohio Education Association specified in Article 3.3 of the 1982-86 Agreement between the University and the Association; and

WHEREAS, said Recommended Final Settlement has been reviewed by the Personnel Relations Committee of the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby accept and ratify said Recommended Final Settlement, appended hereto as Exhibit A.

The Motion was seconded by Mr. Mittler.

Mr. Lyden then commented on the problems of the residents of the Youngstown area and noted that many labor union members had given wage concessions to their employers or waived wage increases previously negotiated. He then moved that the Motion be amended by adding the following language:

"provided that there shall be no increase in either the Instructional Fee or the General Fee in either 1984-85 or 1985-86 and provided further that the University administration is directed to economize wherever possible to make this action feasible."

Mr. Lyden's Motion for amendment was seconded by Dr. Geletka who also commented on the plight of workers in the area and the low wage scale of teachers in the past.

After considerable discussion, it was determined that Mr. Lyden's Motion would be voted upon and it received the affirmative vote of all Trustees present. The Chairman declared the amendment Motion carried.

The Motion of Mr. Dutton, which was seconded by Mr. Mittler and amended by a Motion of Mr. Lyden, as seconded by Dr. Geletka, was then called for a vote. The Secretary

called the roll of the Trustees present and their votes were as follows:


Mr. Dutton - Yes  
Dr. Geletka - Yes  
Mr. Giddens - Yes  
Mr. Lyden - Yes  
Mrs. Mackall - Yes  
Mr. Mittler - Yes  
Mr. Watson - Yes

The Chairman declared the Motion carried and the Resolution as amended adopted.

There being no further business, on Motion duly made, the meeting was adjourned at 6:25 p.m.

  
\_\_\_\_\_  
Chairman

ATTEST:

  
Secretary to the Board  
of Trustees

JOHN E. DROTNING  
16205 SHAKER BLVD.  
SHAKER HEIGHTS, OHIO 44120  
216/295-0288

TO: Taylor Alderman, Stephen Hanzely, Thomas Shipka  
FROM: John E. Drotning  
DATE: May 20, 1984  
RE: Advisory Interest Factfinding

The Advisory Interest Award of 5/18/84 should be amended and corrected as follows:

- 1) Overload - 1985-86 overload should be \$500 (WH)
- 2) Salary Increase - 8% increase of each bargaining unit salary, subject to the ranges.
- 3) The maximum salary for Assistant in 1984-85 is 31,427, not 32,437.
- 4) The STRS pick up for 1985-86 shall begin 6/15/85.

Note:

In discussions with representatives of the parties on 5/20/84, the problems of a cap on Full Professors was raised. The question was discussed in bargaining and the Factfinder recognizes the limitations for Full Professors in 1984-85 but notes that the cap is eliminated in 1985-86 as a result of the STRS pick up.

EXHIBIT A

In the Matter of Factfinding

between

Youngstown State University

and

Youngstown State University Faculty Association  
OEA

Advisory Interest Arbitration

Advisory Interest Arbitrator: John E. Drotning

Agenda Item C.3.  
Exhibit A

I) Hearing

The undersigned Factfinder conducted Hearings on May 7, 1984 and May 13, 1984 at Kilcawley Center, Youngstown State University in Youngstown, Ohio. Appearing for the Faculty Association were: Mr. Steve Hanzely, Mr. Thomas Shipka, Mr. Floyd Barger, Mr. Sid Roberts, Mr. Bud Abram, and Mr. Howard Mettee. Appearing for the University were: Mr. Taylor Alderman, Mr. Gary Pielemeier, and Associate Provost Sally Hotchkiss.

The Factfinder, under the terms of the Agreement on Conflict Resolution as signed by the chief negotiations for both parties, operated as a mediator on May 7, 1984 and, in accordance with this agreement, his role as a mediator reverted to that of factfinder after May 12, 1984. Therefore, at the meeting of May 13, 1984, the undersigned Factfinder heard additional arguments with respect to the positions of the parties and adjourned the meeting in order to issue fact-finding recommendations.



## II) Positions of the Parties

### A) Faculty Association

The Association indicated that it had several goals. First, was to arrive at salary levels which the University can afford and which are reasonable and reflect the productivity of the faculty. Second, the Association wanted to work out agreements which would reduce the impact of inflation on academic salaries during the decade of the seventies. Third, the Association pointed out the disparity between the average salary at Youngstown State and the best paid faculty in Ohio and noted that this increased more than \$7000 at the full rank since the mid-seventies. Fourth, the Association wanted to raise salary minimums which would put YSU in a more competitive situation within the marketplace. Fifth, the Association wanted to remove the artificial restraint on the maximum salaries of the full professors. And finally, it wanted to renegotiate the overload pay formula to a more equitable level.

The Association pointed out that the tuition and fees at Youngstown State are the lowest in Ohio and this has been a consistent state of affairs ever since the University joined the State system. The Association asserted that the University is solvent and that the defeats of issues 2 and 3 in the Fall of 1983 resulted in twenty percent (20%) increase in State appropriations between last year and this year. The Association also

argues that the YSU faculty are some of the most productive in Ohio.

The Association points out that for nearly eight years it battled with the Administration over what has been termed "the Ph.D. instructor" issue. It notes the Association is pleased that the new President-elect Humphrey has altered that practice, but it asserts that the starting salaries for Ph.D. level instructors is simply so low as to make Youngstown State non-competitive. This, in turn, continues the Association, leads to high turnover.

The Association also notes that it put its money where its mouth is when it took out two full paged ads in area newspaper in an attempt to convince voters to defeat issues 2 and 3. This took \$4000 and many hours of time to prepare and it demonstrates that the Association wants to work with the Administration in order to help achieve the goals of the University.

B) University

The Administration asserts that the salary increases it has offered professors is proper and defensible. Moreover, the University argues that the position taken by the union, at least early in the negotiations, is far in excess of what the general agreements have been in 1984.

The University notes that its positions on overload and

effective date of the STRS pick-up is more than reasonable in light of the other settlements.

The University also points out that Youngstown is in a highly depressed area and settlements in excess of generally accepted norms could produce negative feedback from the community.

### III) Discussion

The neutral, upon entering the scene, learned that the formal position of the Association was as follows:

PAY INCREASES: 1984-1985		PAY INCREASES: 1985-1986		COST/PERCENTAGES: 1984-1985    1985-1986		SALARY RANGES: 1984-1985		SALARY RANGES: 1985-1986		OVERLOAD: 1984-1985		OVERLOAD: 1985-1986	
PROF	2,100	4,000	10.52%										
ASSOC	1,300	3,200	1,254,800	24.63%									
ASST	1,400	2,700		1,614,462									
INST	900	2,300											
PLUS STRS "TICK-UP"													
							32,000 - NONE	33,000 - NONE		2.5% of			
							27,000 - 34,815	28,000 - 38,015		salary 38th	(SAME)		
							22,000 - 29,325	24,000 - 32,025		to 4th WK			
							19,000 - 23,325	20,000 - 25,525					

This amounted to 25.17% increases over the period 1984-1986.

The University, in response, offered a 6.7% settlement over the same period which was as follows:

PAY INCREASE: 1984-1985		PAY INCREASE: 1985-1986		COST/PERCENTAGE: 1984-1985 1985-1986		SALARY RANGES: 1984-1985		SALARY RANGES: 1985-1986		OVERLOAD: 1984-1985		OVERLOAD: 1985-1986	
PROF	1,275	1,275	3.46%	392,524	3.32%	21,500 - 41,448	21,500 - 42,277	365 (38th					
ASSOC	1,075	1,075			390,100	18,500 - 34,185	18,500 - 34,849	thru 40th				(SAME)	
ASST	875	875				17,000 - 28,790	17,000 - 29,366	WU; 315					
INST	700	700				15,000 - 22,874	15,000 - 23,331	thereafter)					

This, of course, meant that there was nearly 18.5% difference in the demand and offer over this period and, of course, this is enormously significant. With every 1% increase costing around \$100,000, it becomes clear that the difference of 18.5% can be translated into something close to \$2,000,000 between 1984 and 1986.

This Factfinder, acting in his capacity of a mediator on May 7, 1984, was able to narrow the differences significantly. In the discussions of May 7, 1984, the Faculty Association indicated that it had unofficially put forward a package would amount to 17.79% over two years and the University had proposed a counter which would cost about 16.58%. These are put forth as follows:

		PAY INCREASE: 1984-1985	PAY INCREASE: 1985-1986	COST/PERCENTAGE: 1984-1985    1985-1986		SALARY RANGES: 1984-1985	SALARY RANGES: 1985-1986	OVERLOAD: 1984-1985	OVERLOAD: 1985-1986
YSU-OPA	PROF	-0-	3,000	9.52%		25,000 - 41,635	28,500 - 44,635	450	600
UNOFF-	ASSOC	-0-	2,300	1,043,369	8.27%	22,000 - 34,415	25,500 - 36,415	(All WH)	(All WH)
ICIAL	ASST	-0-	1,900		938,949	19,500 - 29,125	22,000 - 30,925		
4-23	INST	-0-	1,500			17,500 - 23,325	20,000 - 24,725		
STRS "PICK-UP" IN LIEU OF RAISE									
YSU	PROF	2,400	-0-	7.06%		23,900 - 43,000		350	400
FED-	ASSOC	2,100	-0-	801,000	9.52%	21,600 - 35,900		(All WH)	(All WH)
POSED	ASST	1,800	-0-		1,145,041	18,000 - 29,900	(SAME)		
5-1	INST	1,500	-0-			15,000 - 24,900			
STRS "PICK-UP" IN LIEU OF RAISE									

Thus, the differences between the parties was now only 1.21% which, translated into dollars, is probably somewhere around \$150,000.

The Factfinder, observing the high degree of civility between the parties, expected at the end of the day that their negotiators would have no trouble resolving what appeared to be a minor difference. Unfortunately, the Factfinder erred and the parties were unable to successfully conclude the negotiations. The neutral was aware of a third position which occurred very late on May 7, 1984. At this point, what looked to be like a potential settlement really failed because the Faculty Association did not agree to the final positions as put forth by the neutral and, in any event, their alterations on certain aspects of the settlement could not be conveyed to

the Administration because, at that point in time, the parties had broken off negotiations, not as a result of ill feelings, but simply because the neutral expected that the minor differences would be worked out. Thus, on 5/13/84, the mediator qua factfinder was instructed to submit a report.

There is no argument with respect to ability to pay. Obviously, this is clearly evident from the respective positions of the parties at the close of the negotiations on May 7th. Therefore, this Factfinder must look at the other critical criteria put forth by both parties as a way of producing what he hopes is an acceptable recommendation.

V) Recommendations

There is some conflict in the data put forth by the Administration and the Faculty Association with respect to comparative salaries. As noted on Administration Exhibit #1, full professors are eight out of ten on a nine month salary basis, while associates and assistants are four out of ten and instructors rank 5th in terms of nine month salary. The nine month compensation rankings as opposed to salary rankings show that professors remain 8th out of 10th, but associates and assistants move to second place among ten state universities. Faculty Exhibit #1 is not at odds end with the University's in that it also puts YSU at 8th out 11 universities in the state system in 1983-84 and it notes that in 1981-82, YSU ranked 6th out of 11. This latter exhibit also notes that in 1983-84, YSU increase of 6.7% ranked last out of nine universities who reported increases. It is also true as noted in Faculty Exhibit #1 that the difference between the average salary at Cleveland State and Youngstown State has increased from about \$1700 to nearly a bit over \$2700 over the period of 1981-82 to 1983-84. This gap would have been larger if one compares Youngstown to University of Cincinnati. On the other side of the coin, that same Faculty exhibit shows that the favorable gap between YSU and the tenth lowest state university decreased from a bit over \$1600 in 1981-82 to only \$542 in 1983-84. In short, the data, as noted in Faculty Exhibit #2, do show that the increase in

salary dollars between 1981-82 and 1983-84 were the lowest for Youngstown relative to nine other state institutions.

In the absence of any ability to pay issues, it is clear that comparative salary information is critical in shaping the following recommendations:

For 1984-85:-

- 1) STRS "Paper" Pick Up (Salary Reduction)
- 2) Salary increase - 8% for all ranks
- 3) Salary Ranges

Professor	\$25925	-	\$43035
Associate	22156	-	36779
Assistant	18938	-	<del>22437</del> 31,437
Instructor	16180	-	26859

- 4) Overload \$400 (ALL WH)

For 1985-86:

- 1) STRS "Pick Up" in lieu of any raise *eff. June 16, 1985.*
- 2) Salary Increase - None because of STRS pick up
- 3) Salary Ranges

Professor	\$27227	-	\$45198
Associate	23271	-	38630
Assistant	19890	-	33017
Instructor:			
Ph.D.	17000	-	28220
No Ph.D.	16180	-	26859

4). Overload \$500 (ALL WH)

The purpose of this recommendation is twofold. First, it is an effort to make YSU more competitive in the academic labor market. This, in turn, will help it recruit a quality faculty which, in turn, will add value to this area of the

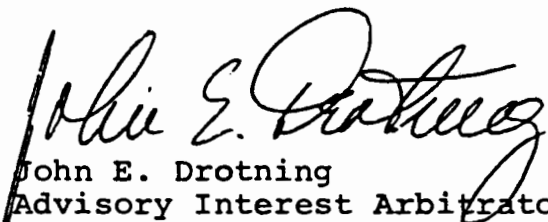
*Clarifications secured by  
telephone 5-20-84. Alderman*



State. The fact that YSU does not offer Ph.D. degrees does not render it a second class institution. There are a host of "Ph.D." universities who turn out "doctors" who will never produce scholarly works. Thus YSU, which prides itself on good teaching, may be far more likely to achieve its goals than insitutions in which the Ph.D. is the end all.

This leads to the second reason for this award. The fact that Youngstown had suffered a severe economic downturn in recent years is no reason to limit faculty increases at YSU. YSU is a resource which must be nourished; it must be cultivated because it is the major source of human capital so necessary for the future economic viability of northeast Ohio. For that reason alone, it makes sense to increase salary minima in order to recruit the talent necessary to contribution to the future of Youngstown and the regions surrounding it.

This report is respectfully submitted with the hope that it will be accepted by both parties.

  
John E. Drotning  
Advisory Interest Arbitrator



**YOUNGSTOWN STATE UNIVERSITY**

**YOUNGSTOWN, OHIO 44555**

May 25, 1984

TO: The Board of Trustees

FROM: Neil D. Humphrey, *N.D.H.*  
Acting President

RE: Faculty Acceptance of Recommended Settlement

I enclose the official certification from the YSU-OEA of the faculty vote of 219-14 accepting the Recommended Final Settlement issued by John E. Drotning, who served as Fact Finder in the negotiations concerning the wage reopener with the faculty this spring.

*The Youngstown State University Chapter*

THE OHIO EDUCATION ASSOCIATION

631 WICK AVENUE  
YOUNGSTOWN, OHIO 44502

May 24, 1984

Mr. William Denihan, Acting Executive Director  
State Employment Relations Board  
34 N. High St.  
Columbus, Ohio 43215

Dear Mr. Denihan:

This letter is sent to report the results of the voting by the full-service faculty at Youngstown State University on a factfinder's recommended settlement.

The results are as follows:

Number eligible under the rules of SERB to vote: 405

Number required under the rules of SERB to reject the settlement: 243

Number actually voting: 233

Number voting to approve: 219

Number voting to reject: 14

I send this letter, therefore, to certify that the YSU-OEA, the exclusive bargaining agent for the full-service faculty with 9 month contracts, has approved the factfinder's recommended settlement.

Please find attached the official report of the YSU-OEA Elections Committee and poll watcher who conducted the balloting in full accord with SERB rules.

Sincerely,

Thomas A. Shipka, President  
YSU-OEA

cc: Dr. Taylor Alderman, Vice President for Personnel Services, YSU

*"Advocate of Faculty Rights"*

*The Youngstown State University Chapter* RECEIVED

THE OHIO EDUCATION ASSOCIATION  
631 WICK AVENUE  
YOUNGSTOWN, OHIO 44502

MAY 24 1984

May 24, 1984

V.P. PERSONNEL SERVICES

To: Dr. Taylor Alderman, Vice President - Personnel Services, YSU

*Thomas A. Shipka*  
From: Thomas A. Shipka, President, YSU-OEA

Re: Certification of Results of Voting on Factfinder's Recommended Settlement

Please find attached the official report of the YSU-OEA Elections Committee in the balloting which took place yesterday and today.

Based on this report, I hereby certify that the YSU-OEA approves the recommended settlement.

The balloting was conducted in full accord with applicable SERB rules and Ohio law.

cc: Mr. William Denihan, Acting Director, SERB

*"Advocate of Faculty Rights"*

# The Youngstown State University Chapter

THE OHIO EDUCATION ASSOCIATION

631 WICK AVENUE  
YOUNGSTOWN, OHIO 44502

May 24, 1984

We hereby certify the results in the YSU-OEA voting on the factfinder's recommended settlement as follows:

Number Eligible to vote: 405

Number required to reject the settlement: 243


Number actually voting: 233


Those voting to approve the settlement: 219

Those voting to reject the settlement: 14

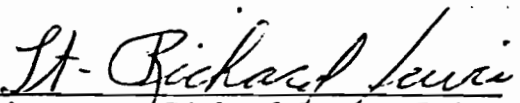
Challenged or invalid ballots: 0

Based upon the rules of the State Employment Relations Board, we hereby certify that the YSU-OEA has approved the factfinder's recommended settlement.

  
Dr. Friedrich W. Koknat, Chairperson, YSU-OEA Elections Committee

  
Jon M. Naberezny, Member, YSU-OEA Elections Committee

  
Mark Shutes, Member, YSU-OEA Elections Committee

  
Lieutenant Richard Lewis, Poll Watcher and Custodian of the Ballot Box

  
Linda Mettee, Secretarial Assistant to the YSU-OEA Elections Committee

MEMO TO: DR. DAVID C. GENAWAY

LIBRARIAN

FROM: FRANKLIN S. BENNETT  
Secretary to the Board of Trustees

*FSB*

DATE: June 15, 1984

SUBJECT: Minutes of Meeting of the Board  
of Trustees of Youngstown State  
University held April 27, 1984  
and  
Minutes of Special Meeting of the  
Board of Trustees held May 25, 1984

I am enclosing a xerox copy of the  
original Minutes of the Board of Trustees meetings referred to above.

The original Minutes were approved,  
signed and attested at today's meeting of the Board of Trustees.

F.S.B.

FSB:EVT

xc: Dr. Neil D. Humphrey, President  
Dr. Bernard T. Gillis, Provost  
Frank C. Watson, Chairman of the Board