

UNIVERSITY OF WASHINGTON TACOMA
Faculty Assembly Faculty Affairs Lecturer Affairs (LA) Minutes
Wednesday, January 16, 2013
12:30-1:30 p.m.
CP 331

Attendance: Elizabeth 'Libi' Sundermann, Donald Chinn, Tarna Derby-McCurtain, Tom Diehm, Roseann Martinez, Linda Ishem
Excused: Joanne Clarke Dillman
Absent: Chris Demaske, Kenneth Meerdink

1. Minutes from 12.6.12 were approved.
2. The majority of meeting focused on discussion of the "federal policy" that UWS and UWT administration argues prevents lecturers not hired "competitively" from being eligible for multi-year contracts and promotion opportunities.
 - a. At this point, Katie Baird (chair of Executive Committee) has requested information in several discussions with assistant chancellor JW Harrington, Chancellor Deborah Friedman, Provost Ana Marie and Academic Human Resources which have resulted in verbal confirmation that this policy is in place but no proof in the form of written documentation in the UW system or from federal policies. Indeed, recent correspondence on this issue, from Katie Baird to Libi states that JW had a discussion with "Cheryl Cameron in the Provost's office, who verbally verified the information, but was not able to track down the specific federal law. She said she wasn't sure who on campus could."
 - b. Tarna investigated federal policy in this issue in both UW documents and in the federal system. Her notes are below.
 - c. Donald Chinn noted a similar problem with "policy" addressing principal investigators—he is gathering information and will report to us ASAP
 - i. Because these issues are key to the current problems with promotion and longer contracts for lecturers at UWT the committee agreed that they would focus on this issue in particular and make it a highlighted issue in their final report.
 - ii. Tarna agreed to continue to investigating the issue.
 - iii. The committee agrees that this issue must be kept active until actual documentation can be provided from administration or the issue is otherwise resolved
3. At the request of Katie Baird, as information on lecturer's positions was not available through UWT AHR, Libi asked committee members to ask their program administrators for information on lecturers in their department, including: rank, salary, years of service at UWT, and if they were on multi- or one-year contracts or term to term.
4. Roseann began investigation of a shared space for part-time lecturers at UWT follow models she has seen elsewhere. She will continue this investigation for possible recommendation in the final Lecturer Affairs proposal/report.

5. Libi noted a possible discrepancy in the letters sent out by JW Harrington to lecturers 12/12/12 notifying them, “in accordance with Section 24-41 C of the Faculty Code” that they are not reappointed at this time, despite recommendation of reappointment by their faculty and director, due to possible budget constraints. Libi suggested that the faculty code noted may be incorrect. She plans to notify her director, Larry Knopp.
 - a. The committee decided that Roseann will investigate Faculty Code as applies to lecturers, rather than “Develop a set of criteria for part-time, full-time and senior lecturers regarding contract renewal, promotion schemes and issues surrounding the academic freedom of non-tenured faculty to enhance teaching excellence” as the former was deemed too large and too broad a task for our purposes now.
6. Libi is going to start a listserv for lecturers and try to get each program to let new or returning lecturers know about it in their orientation so that they may participate.
7. Donald will report back to Faculty Affairs and continue that committee’s work.
8. Libi suggested five points to be included in LA’s final proposals/report but still open for discussion
 - a. “Federal policy issues”
 - b. Issues related to transparency in evaluations of lecturers following IAS’s Faculty Council’s lead.
 - c. Discussion of what the recently revised faculty code says about lecturer affairs
 - d. Proposals for a shared space for PT lecturers
 - e. A statement discussing university practices versus actual policy and recommendations for aligning those two based on actual policy and progressive changes in general faculty affairs.
9. In a conversation after most of Lecturer Affairs members had left, Libi, Roseann and Linda discussed that Linda could investigate issues of “scholarship” in UWT’s academic interdisciplinary academic community and how the work of lecturers can fit into a progressive meaning of “scholarship” that includes work such as community-based teaching and teaching and learning scholarship and other less traditional forms of “scholarship” e.g. publications in journals and monographs.

Tarna's notes on "federal policy" and UW lecturer hiring practices/promotion issues:

====Colleagues, I researched the university assertion that they cannot provide longer term contracts for lecturers, specifically full-time lecturers, the issue is the claim that according to federal law, they must do a nationwide search. I have not found anywhere in the code which says that, however, with more information, my search may be more successful. Here is what I have found; federal contract compliance is generally administered through the Department of Labor.

There is a variety of different contracts, and they have each have slightly different rules. If you have a single federal contract and more than 50 employees, you are subject to the rules.

According to the DOL, federal contractors must list all employment openings, except executive and senior management openings, positions filled from within the contractor's organization and positions lasting three days or less, with the appropriate state workforce agency job bank or the local employment service delivery system where the opening occurs. (41 C.F.R. § 60-250.5(a)(2); 41 C.F.R. § 60-300.5(a)(2).) This seems to indicate, that all of our positions would need to be advertised in some way. However, I do not know if somehow state and university positions would be exempted from this requirement.

Most of the hiring requirements for contractors seems to come down to Executive Order 11246 (Amended) as well as Affirmative Action Laws. This EO interprets those laws and states:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin."

I think, UWT simply has a policy to show compliance by having open nationwide searches. Given what I know, I could not find a legal requirement excluding the university from offering individuals who are lecturing, a longer-term contract. There is a requirement which states contractors must have a good faith program to hire minorities and women. They also cannot discriminate against veterans, people with disabilities, etc.

Finally, DOL Compliance has an office in Seattle. I have drafted a letter and have asked them for further clarification. ====