

## UUP Executive Board - Meeting Minutes

### **Meeting Information**

**Meeting Date/Time:** 9.10.20 at 12:00 - 1:00 p.m.

**Meeting Purpose:** Meeting of the Executive Board UUP SB West Chapter

**Meeting Location:** Virtually with Zoom

**Note Taker(s):** Jackie Donnelly

**Chapter Attendees** (voting members\*): Steven Adelson, Abena Asare, Dominique Barone, Diane Bello\*, Alissa Betz, Richard Burton, Paula Di-Pasquale-Alvarez\*, Jackie Donnelly\*, James Doyle, Josh Dubnau, David Ecker, Crystal Fleming\*, Tiffany Friedman, Nancy Gaugler, Jeffrey Heinz\*, Shoshana Hershkowitz\*, Odaliz Hernandez, Jennifer Jokinen\*, Nick Koridis\*, Ken Lindblom, Pam Matzner, Charles McAteer\*, Liz Montegary\*, Kevin Moriarty, Joseph Pierce, Laura Pellizzi, Joe Simonetti, Andrew Solar-Greco, Francesca Spedalieri\*, Diana Tischler, Jason Torre, Colleen Walsh, Frederick Walter, Lisa Willis, Judith Wishnia\*, Charles Wrigley\*, Martha Zadok, Michael Zweig\*

**1 - Call to Order** - Ed Quinn, Chapter President(CP) calls the meeting to order.

**2 - Adopt Agenda** - A call is made to adopt today's agenda; adopted with the following changes:

- Josh Dubnau requests that item # 8 move to # 4
- Andrew Solar-Greco requests that item # 9 move to # 6

### **3 - Steven Adelson from the Center for Civic Justice**

Steven Adelson provides an overview of the Center for Civic Justice (CCJ) - now located in the SB Union. States that CCJ continues to work hard to make sure the campus community are engaged in elections. CCJ has helped over 3,000 grads and undergrads to register or update voting info. Focusing on student displacement and accurate address reflection - currently 1,300 students are registered voters on campus. Encourages everyone to visit [www.stonybrook.edu/vote](http://www.stonybrook.edu/vote) for voter assistance. CCJ also helps with absentee ballots. Always looking for feedback on how to get information to students. Want as many to be engaged in elections. There is an on-campus voting location, those registered on campus can vote there. Hosting an event for faculty and staff on Sept. 24th on voter engagement.

#### **4 - Change in Executive Board Voting Members**

Josh Dubnau - We have members of the e-board who have been voting for months and in a unilateral move, our chapter president emailed us that as of August 26th, as per Statewide (SW) interpretation, the composition of our voting members would be changing from 17 to 15. This decision was not discussed with the executive board and does not take into account past practice and precedent. If we look at past practice within the current year, these members have been voting for months. Reviews chapter history in detail, and outlines several changes in chapter composition, specifically officers stepping down in the past, and questions whether or not those stepping into elected positions lost their ability to vote. Jackie Donnelly, the Chapter Secretary and Jeff Heinz, the Chapter Vice President for Academics (VPA) have had numerous votes up until August 26th, and again, according to past practice, Francesca Spedalieri would move up as the next ranked academic delegate.

Jeff Heinz - Questions this new interpretation of the bylaws, and inquires as to why the consequence of losing a vote was not made clear much earlier when decisions were being made. If this information was known ahead of time, it may have influenced his decision to become VPA because it would have meant the disenfranchisement of an academic delegate (in this case Judith Wishinia). Unfair to change the rules in the middle of the term and affirms that if this interpretation is in fact correct, it should take effect as of June 1, 2021.

Charlie - Has this question/interpretation been brought to statewide for its clarification?

Ed Quinn - Confirms. This came by way of the UUP SW secretary-treasurer. I don't know what past presidents or past e-boards have done, but this was given to me around the same date of August 26th and I was told this is the way we need to operate as a chapter. SW has said an elected official is elected by members, not by the executive board. People have resigned as delegates, and SW was looking at our seated delegates for the upcoming DA. I was informed that this is how we have to practice, and when I was made aware, I let everyone else know.

Josh - Questions the timing of this change and how it coincides with actions taken by the E-board to investigate the CP. Asserts that SW should not regulate how individual chapters choose their voting members. Our bylaws are different from other chapters, our Eboard should be making this decision. Past practice has legal standing here. Each chapter should have autonomy to make this decision.

Jason Torre - States that past practice does have SW reviewing bylaws and issuing directives to chapters. Discusses the situation surrounding him taking over the chapter presidency, and how the board questioned the validity of e-voting not outlined in the bylaws. Was brought to SW secretary-treasurer, governance committee, and a parliamentarian for review - it was determined we needed to revisit this appointment. SW determined a special election needed to take place due to vacated roles.

Fred Walter - If you look at our bylaws, these are elected officers by definition. They are defined by the position they are in, not how they got there. We have 7 elected officers, and 10 total ranked delegates - that gives you 17. We have 17 voting members. Bylaws state that we should have a parliamentarian, we do not have, so the E-board therefore should vote.

Crystal Fleming - For clarification, didn't we vote to move these individuals into vacant positions? If so, they were voted into these positions. Regarding the timing, why strict interpretation of the bylaws now? Why are the voting practices for the past years now coming into question?

Ed - That is not what I got from Statewide.

Crystal - What is your understanding as to why this interpretation is now being relayed to you? What led to you being informed now that our voting practices for years are incorrect.

Ed - SW was looking at the changes within our chapter and delegates moving into different positions for the upcoming DA. My interpretation before I got that information was the same as Fred's - I thought it just identified positions, and they were elected. The chapter has been working under this impression, but we happened to have two officers appointed by the board. I was just made aware of this in August.

Crystal - Prior to Aug 26th, your understanding was the same, so this is new information to you. If this is true, putting aside the politics and charges, your role should be to push back. Question why SW is upending our voting practices and voice objection to allowing SW to send notification and unilaterally upend years of past practice. Encourages CP to advocate for past practice.

Ed - Had conversation with SW secretary-treasurer about the voting members as we understood it before August, and SW said "this is the way it is" - do you want me to go back to SW? They

oversee the chapters and the bylaws. I am just as surprised at this interpretation. As CP, when I was informed of this, I had to inform everyone. SW is saying this, I can't argue this.

Dominique Barone - Asks the CP if he has shared his concerns with SW secretary-treasurer, and encourages him to do so if not. Questions the timing of this and asks why this is coming up now given the pending investigation, and if this came up in the conversation. Expresses that this move is divisive for the chapter.

Ed - I did not bring up the investigation, nor did the SW secretary-treasurer. I didn't think of it. It was about delegates at the DA.

Abena Asare - These changes have put our chapter at a standstill - taking the vote away from two people. We have to stand up for something in our chapter, let's allow everyone to have their vote, and if SW has an issue with it, let us create a process to resolve it with SW. We as a chapter have work to do, and should be able to say today, we want full voices heard. Let's let people vote and let's move ahead with our important work. We need to make a decision today.

Andrew Solar-Greco - As per June 2019 E-board meeting minutes, the board agreed all elected officers positions are voting members of the board. I propose that this board calls for an impartial person to interpret our bylaws. Proposes we look into notes from 2015-2017. Finally we proceed with current voting members "as is" and they continue to vote as they have been. All of this in a motion and that Ed sends a message to SW that the board is not in agreement with their interpretation and we need an impartial body to review. I ask for a parliamentarian to look into our chapter practices from 2015-2017.

Motion - Andrew. Seconded - Crystal.

Josh - Proposes that if the motion passes, that no action taken by this e-board prior to August 26th should be called into question. Votes were taken in good faith, and it should be inappropriate to call that into question while we wait for a parliamentarian to look into our bylaws.

Ed - Confirms he already reviewed votes prior to August 26th, and that if the newly disenfranchised vote (Chapter Secretary) were to hold, it would not make a difference in past votes.

Josh - Specifies his comment was mainly referencing the e-vote for the special committee, and that this should not be declared null and void. If the motion passes, that no action of this e-board taken prior to today should be discounted as per past practice.

Jeff - Puts forth the motion as a voting e-board member - the executive board shall consist of 17 voting members, including Jackie Donnelly and Francesca Spedalieri, until the bylaws and past practice are reviewed and we have a transparent discussion with SW. Seconded - Crystal.

Ken - Proposes an amendment to the motion - keep 17 members on all votes except Article 11.

Ed - Not possible - if you are a voting member, you are a voting member. You cannot separate out who can vote for what.

Ken - Withdraws proposed amendment.

Michael Zweig - Proposes an amendment to the motion - allow only the current 15 members to vote on this motion as it entails inviting the two contested members back to eligible voting status

Charlie - Voices agreement with amendment.

**Motion/Vote - Confirm that the voting members of our E-board consists of 17 members as it was prior to August 26th and before SW informed us of their interpretation. Engage SW in a transparent discussion and investigate our own past practice. Maintain the 17 active voting members at least until a parliamentarian or some objective party reviews.**

**Motion Passes Unanimously**

**(Votes: "Yes" - Diane, Paula, Crystal, Jeff, Shoshana, Jennifer, Nick, Charlie, Liz, Ed, Judy, Chuck, Michael**

Announcements from the Chapter President:

- Dominique has resigned as Professional Grievance Office - we will look to fill that vacancy at an upcoming eBoard meeting.
- 2% increase due in July has been delayed to Sept. 30th. Depending on what happens with the budget, it may be delayed further than Sept 30th, When reinstated, it will be retroactive depending on your type of appointment. Members will be notified as soon as the Governor's office communicates this with UUP.
- Mandatory COVID testing for UUP employee testing is being negotiated,

## **5 - Approve previous EB Minutes**

A call is made to approve previous executive board minutes (July 31st). Jeff Heinz motions, Charlie McAteer seconded. Ed Quinn requests a change - states he noted at the beginning of the meeting that he had another meeting at 1pm and would need to leave promptly. With change noted, the notes are approved.

## **6 - Article 11 & Special Committee Vote**

Jeff - 9 of the 17 voting members of the e-board voted for the appointment of the members of the special committee. Need to address if the vote taken by email is affirmed. Chapter President has stated the vote is null and void as it would need to be taken in a meeting. Motion to affirm this vote. Seconded.

Michael - Proposes an Amendment - Allow mediation to take place first and hold the committee investigation. SW has provided a mediator as of today. Amendment seconded by Crystal.

Josh - Disagrees. Bylaws lay out and state that we have a democratic process in place on how to handle these kinds of issues, and that is Article 11. The board is a vital component of our chapter, but most of the day-to-day work is handled by the officers of the chapter leadership and the committees that they oversee, and right now many of us feel that we are unable to do the work for our members during a pandemic because of the actions and inactions of our chapter president. Mediation is welcomed, but not as the sole mechanism. Article 11 should be pursued in parallel. Jeff agrees.

Ed - Notes that UUP Statewide is not running mediation, it is being run through NYSUT

Jeff - Expresses concern that the mediation process as outlined in Fred Kowal's email only includes voting members, and therefore leaves many officers out of the process.

Ed - States he can put in request to SW that all officers are involved.

Crystal - Could it be that the Select Committee (SC) actively works with the mediator? If we move forward with SC, could it be that the mediator works with the SC? It would be great if a mediator could facilitate. It needs to move forward with mediation.

Ed - Unsure, says it will most likely be separate, but will ask.

Crystal - A mediator could help facilitate conversation and mediate the conflict. I don't think it makes sense to pause the SC, it needs to move forward with mediation.

Lisa Willis - That is what the mediator would do, it's a mutual, voluntary process.

Abena - Agrees and does not see an issue with the two processes happening in parallel. Article 11 will investigate the facts and focus on the past, while mediation will focus on communication and moving forward & look to the future.

Andrew - Points out that past practice of the e-board does support an e-vote. This body did decide in the amended bylaws that it is comfortable with e-votes and can bring this to the membership. Time is passing, it has been over a month since those who brought charges accepted mediation, and has concerns it took so long for a mediator to be assigned. Notes that the SC is a body of our peers and would be making a suggestion at the conclusion of the investigation, not a decision, that is up to the eBoard. Given the circumstances we are under we cannot wait.

Josh - Mediation attempts to bring mutual understanding. But the purpose of Article 11 is to investigate charges that potentially may lead to removal for cause. So unlike mediation, article 11 has behind it the potential of the removal of the chapter president. We don't know what the outcome will be, but a mediator will not suggest the removal of the president. These two processes each have their own merits, but they also are distinct and need to run in parallel.

**Motion/Vote - Postpone the special committee investigation until after mediation is concluded. Article 11 is set up, but will only be pursued if needed at that time.**

**Motion Fails: 8 - No, 4 - Yes, 1 - Abstain**

**(Votes: "No" - Crystal, Jeff, Nick, Liz, Judy, Jennifer, Shoshana, Jackie "Yes" - Diane, Paula, Charlie, Chuck, "Abstain" - Michael).**

**Motion/Vote - Affirm the vote taken over email to appoint the special committee for the Article 11 investigation.**

**Motion Passes Unanimously**

**(Votes: "Yes" - Diane, Paula, Crystal, Jeff, Shoshana, Jennifer, Nick, Charlie, Liz, Judy, Chuck, Michael, Jackie).**

President adjourns the meeting, and requests that all remaining agenda items be carried over to our next executive board meeting to be held on September 24th. Motion to adjourn - Mike, Seconded - Crystal.