AGENDA
UNIVERSITY OF SOUTHERN INDIANA
BOARD OF TRUSTEES
January 7, 1993

SECTION I - GENERAL AND ACADEMIC MATTERS
A. Approval of Minutes of November 5, 1992, Meeting
B. Establishment of Next Meeting Date, Time, Location
C. President's Report
D. Approval of Conditions for Cooperation Between Employee Organizations and the Administration of the University of Southern Indiana

SECTION II - FINANCIAL MATTERS
A. Report of the Finance Committee
B. Approval of Miscellaneous Fee
C. Approval of Budget Appropriations, Adjustments, and Transfers

SECTION III - PERSONNEL MATTERS
A. Approval of Personnel Action
SECTION I - GENERAL AND ACADEMIC MATTERS

A. APPROVAL OF MINUTES OF NOVEMBER 5, 1992, MEETING

B. ESTABLISHMENT OF NEXT MEETING DATE, TIME, LOCATION

C. PRESIDENT'S REPORT

D. APPROVAL OF CONDITIONS FOR COOPERATION BETWEEN EMPLOYEE ORGANIZATIONS AND THE ADMINISTRATION OF THE UNIVERSITY OF SOUTHERN INDIANA

The University of Southern Indiana has prepared a Policy on Conditions for Cooperation Between Employee Organizations and the Administration.

Approval of the procedure for the recognition of employee organizations included in the Policy on Conditions for Cooperation Between Employee Organizations and the Administration, Exhibit I-A is recommended.
SECTION II - FINANCIAL MATTERS

A. REPORT OF THE FINANCE COMMITTEE

The Board of Trustees Finance Committee met on November 25, 1992, to review and accept either original bids received on September 23, 1992, or rebids received on November 18, 1992, for the construction of the Health Professions Building. A summary follows of the bids which were accepted by the committee for this project:

Peyronnin Construction Co.
Evansville, Indiana
General construction & equipment $7,055,300
Alternate for faculty offices 52,500

Goedde Heating & Plumbing
Evansville, Indiana
Mechanical 3,173,400
Alternate for faculty offices 33,800

Sterling Boiler
Evansville, Indiana
Electrical - building 1,406,000
Alternate for faculty offices 27,818
Alternate for fiber optics 4,298

Process Chemical Piping
Mt. Vernon, Indiana
Electrical - power plant and tunnel 210,000

Johnson Controls
Indianapolis, Indiana
Temperature controls 308,000
Alternate for faculty offices 12,705

Thermal Balance
Newburgh, Indiana
Testing and balance 27,215
Alternate for faculty offices 1,415

B. APPROVAL OF MISCELLANEOUS FEE

Approval of the following miscellaneous fee is recommended.

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<th>Type of Fee</th>
<th>Current Fee</th>
<th>Proposed Fee</th>
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C. APPROVAL OF BUDGET APPROPRIATIONS, ADJUSTMENTS, AND TRANSFERS

Approval of the following Budget Appropriations, Adjustments, and Transfers is recommended.

1. Additional Appropriations

   From: Unappropriated Current Operating Funds
   To: 1-10170 USI Theatre Supplies & Expense $4,484
To: 1-16230 News & Information Services
    Supplies & Expense                  519
    Capital Outlay                      1,329

From: Unappropriated Designated Funds

To: 2-20000 Student Activities
    Supplies and Expense               1,138
To: 2-20700 Orientation Programs
    Supplies and Expense               8,536
    Repairs and Maintenance             100
To: 2-23100 Faculty Development Travel
    Supplies & Expense                  9,677
To: 3-30605 Athletics: Basketball-Women
    Supplies and Expense                4,130
To: 3-30607 Athletics: Softball-Women
    Supplies and Expense                 2,011
To: 3-30612 Athletics Tournament
    Supplies and Expense                  1,866
To: 3-30710 Soccer Grant-in-Aid
    Supplies and Expense                   7,000
To: 3-30810 School Age Program
    Supplies and Expense                  1,044
    Personal Services                    9,098

From: Unappropriated Restricted Funds

To: 4-46106 Posey County Redevelopment
    Commission Project
    Supplies & Expense                   2,500

2. Appropriation Transfer

From: 1-10170 USI Theatre
    Personal Services
To: 1-10170 USI Theatre
    Supplies & Expense                   1,953

From: 1-10200 School of Liberal Arts
    Capital Outlay
To: 1-10200 School of Liberal Arts
    Repairs & Maintenance                 1,000
From: 1-10330 Mathematics Supplies & Expense
To: 1-10300 School of Science & Engineering Technology Capital Outlay 965
To: 1-10330 Mathematics Capital Outlay 119

From: 1-10400 School of Nursing & Health Professions Supplies & Expense
To: 1-10400 School of Nursing & Health Professions Repairs & Maintenance 6,771

From: 1-10700 School of Business Student Wages
To: 1-10700 School of Business Supplies & Expense 1,131

From: 1-10800 School of Education and Human Services Personal Services
To: 1-10830 Physical Education Supplies & Expense 1,020

From: 1-14000 Student Services Capital Outlay
To: 1-14000 Student Services Personal Services 6,000

From: 1-15000 Physical Plant Supplies & Expense
To: 1-15000 Physical Plant Repairs & Maintenance Capital Outlay 100 1,000

From: 1-16220 University Relations Capital Outlay
To: 1-14001 Admissions Capital Outlay 2,979

From: 3-32020 Young Abe Lincoln 1992 Capital Outlay
To: 3-32020 Young Abe Lincoln 1992 Personal Services Supplies and Expense 9,572 7,186
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SECTION III - PERSONNEL MATTERS

A. APPROVAL OF PERSONNEL ACTION

Dr. Raymond L. Newnum will retire this spring from the I.U. School of Medicine.

Approval of emeritus status is recommended.

Raymond L. Newnum, Director Emeritus of Evansville Center, I.U. School of Medicine and Professor Emeritus of Medicine.
UNIVERSITY OF SOUTHERN INDIANA

CONDITIONS FOR COOPERATION BETWEEN EMPLOYEE ORGANIZATIONS AND THE ADMINISTRATION

WHEREAS, it is the policy of the Trustees of the University of Southern Indiana to receive and consider suggestions and advice from staff employees of the University in the formulation of policies and the solution of problems affecting the general welfare and working conditions of staff employees; and

WHEREAS, the rights of staff employees independently to associate themselves together, whether that association is known as a union or by some other name, is recognized in Indiana, and according to Indiana Attorney General Opinion Number 25, 1968, and practice within the state, there is no legal bar to their collective presentation of their employment interests to the public officials charged with the duty of fixing the terms of employment; and

WHEREAS, subject to law and the paramount requirements of public service, the interests of the University are served by provisions for orderly methods and procedures for the collective presentation of employee-employment interests, if employees so desire; and

WHEREAS, effective employee organization and management cooperation in the University requires a clear understanding of the respective rights and obligations of employee organizations, administration, and Trustees;

NOW THEREFORE, the Trustees of the University adopt the following procedures for the recognition of employee organizations and the consideration of collective presentation of their views, suggestions, and employment interests. These provisions shall not be construed as the relinquishment by the Trustees of their obligations, responsibilities, and authorities, conferred upon them by the people of the state through legislative statutes to act in final judgment on the management of institutional affairs in the public interests, nor as a recognition by the Trustees of any right to strike by employees of the University or of any right to take any other concerted action to impede or to threaten to impede, the Trustees or administrative officials in the operation of the University.

Section 1 (a) Staff employees of the University shall have the right, freely and without fear of penalty or reprisal, to form, join and assist any lawful employee organization, or to refrain from any such activity.

(b) For the purposes of this policy, the rights described in this section do not extend to administrators, supervisors, professional employees, faculty, student employees, confidential employees, administrative assistants, security guards, or casual employees.

Section 2 (a) The term "employee organization" shall mean any lawful association, labor organization, federation, or brotherhood having as a primary purpose the improvement of working conditions among University employees, but such term shall not include any organization (1) which asserts the right to strike against the State of Indiana or any agency thereof, or to assist or participate in any such strike;
or which imposes a duty or obligation to conduct, assist or participate in any such strike; or (2) which advocates the overthrow of the constitutional form of government in the United States; or (3) which discriminates with regard to the terms or conditions of membership because of race, color, sex, age, religion, national origin, handicap, or Vietnam Era veteran; or (4) which is subject to corrupt influences.

(b) The term "appropriate staff unit" means any unit agreed to by the University and an employee organization entitled to formal recognition and seeking exclusive recognition in accordance with the terms of this policy. In the event of a disagreement between officials of the University and the employee organization concerning the nature of an appropriate staff unit for purposes of determining whether an employee organization is entitled to exclusive recognition, either party may seek the assistance of a qualified arbitrator with either legal or NLRB experience from a panel provided by the American Arbitration Association selected and compensated according to methods prescribed in the Voluntary Labor Arbitration Rules. The arbitrator shall recommend to the President an appropriate unit on the basis of a community of interest based on geographical factors or occupational factors or other factors deemed under the circumstances appropriate. But no staff unit shall be recognized or established solely on the basis of the extent to which employees within the proposed unit have organized. The unit should be as broad as possible to reduce the cost of administering the relationship and to prevent proliferation of units. The President, after consideration of the recommendations of the arbitrator, shall designate an appropriate staff unit subject to the approval of the Board of Trustees. The President shall also establish the election procedures.

Section 3 (a) University officials shall accord exclusive recognition to employee organizations which request such recognition in conformity with the requirements specified in Section 4 hereof except that no recognition shall be accorded to any employee organization which the Trustees consider to be subject to corrupt influences or influences opposed to basic democratic principles or is not an employee organization as defined in Section 2(a).

(b) Recognition of an employee organization shall continue so long as such organization satisfies the criteria of this policy applicable to such recognition. Nothing in this section shall require the University to determine whether an organization should become or continue to be recognized as exclusive representative of the employees in any unit within 12 months after a prior determination of exclusive status with respect to such union has been made pursuant to the provisions of this policy.

(c) Recognition shall not preclude any employee or group of employees regardless of employee organization membership, from bringing matters of personal concern to the attention of appropriate officials in accordance with applicable rule, regulations, or established policy, or from choosing his/her own representative in a grievance or arbitration proceeding, so long as that representative is not another employee organization or a person directly or indirectly related to another employee organization. The term "another employee organization" shall mean with respect to an employee of an appropriate staff unit, any employee organization other than the employee organization recognized as the exclusive representative for employees in such appropriate staff unit.
Section 4  (a) Administrative officials shall recognize an eligible employee organization as the exclusive representative of the regularly employed staff employees of an appropriate staff unit when such employee organization has been elected by a vote of an uncoerced majority of the regular staff employees in the unit as their representative.

(b) When an employee organization has been recognized as the exclusive representative of employees of an appropriate staff unit, it shall be entitled to the following privileges:

1. To speak on behalf of all employees and shall be responsible for representing the interests of all such employees without discrimination and without regard to employee organization membership;

2. To be given the opportunity upon request of the employee to be represented at discussions between administrative officials or their representative and employees or employee representatives concerning grievances, personnel policies and practices, or other matters affecting general working conditions of employees;

3. To call, and be represented on, an equal representation committee meeting with administrative officials or their representatives for the purpose of negotiating joint written recommendations to the Trustees of the University on matters of personnel policy and working conditions, but such privilege shall not be construed to extend to such areas of discretion and policy as the mission of the University, its budget including wages and salaries, its organization and assignment of its personnel, the technology of performing its work or other management rights; and

4. To have organizational membership dues collected by paycheck withholding upon signed written request of employee conforming to law.

Section 5  (a) An equal representation committee shall consist of equal representatives of the employee staff which shall be called the "staff panel," and of the administrative officials which shall be called the "administrative panel." A presiding chairperson-secretary for all such committees shall be designated by the Trustees of the University who shall be nonvoting.

(b) Equal representation committee meetings will be called by the designated chairperson upon receipt of a written request, setting forth the agenda proposal, from an appropriate officer of any employee organization given exclusive recognition for employee representation, or from the President of the University.

(c) When agreement is reached by an equal representation committee on a recommendation to the Trustees of the University, it may be submitted to the Trustees in the form of a memorandum of understanding on recommendation, signed by both panels of the committee.

(d) In the event the committee shall not be able to agree on matters of recommendation to the Trustees, the originating panel may make written recommendation to the Trustees witnessed by the opposing panel, together with the written recommendation of the opposing panel witnessed by the origination panel. Such a split in recommendations of the committee shall be made only after full vote of all members to the effect that agreement cannot be reached.
(e) Other formal rules and conditions of equal representation committee operations may be established from time as necessary by such committee recommendation to the Trustees of the University.

Section 6  
(a) Administrative officials retain the right and responsibility (1) to direct employees of the University; (2) to hire, promote, transfer, assign, and retain employees in positions, and to suspend, demote, discharge, or take other disciplinary action against employees; (3) to relieve employees from duties because of lack of work or for other legitimate reasons; (4) to maintain the efficiency of the operations entrusted to them; (5) to determine the methods, means and personnel by which such operations are to be conducted; (6) to take whatever actions may be necessary to carry out the mission of the University; and (7) to take any other action necessary to the orderly, efficient, economic operation of the University.

(b) It is the intent of the Trustees that this management's rights clause be construed broadly.

Section 7  
Administrative procedures for the handling of employee grievances shall contain the following provisions and conditions:

(a) Any grievance and arbitration procedure shall extend only to the interpretation or application of University policy and not to changes in or proposed changes in University policy;

(b) The aggrieved employee or employees shall have the right to have a representative of his/her or their own choosing speak for their interests provided the chosen representative is not either directly or indirectly a representative of another employee organization or a person directly or indirectly related to another employee organization as provided in Section 3(c) hereof; and

(c) Procedures established may include provisions for the arbitration of grievances, which shall be advisory in nature with any decision or recommendations subject to the approval of the President of the University and shall be invoked only with the approval of the individual employee or employees concerned.

Section 8  
Solicitation of membership, dues, or other internal employee organization business shall be conducted during the non-duty hours of the employees concerned. Officially requested or approved consultations and meetings between management officials and representatives of recognized employee organizations shall, whenever practical, be conducted on official time, but the President of the University may require that such meetings, including equal representation committees, be conducted during the non-duty hours of the employee organization representatives involved.

Section 9  
A person separated from employment for knowingly violating the preceding conditions may subsequently be appointed or reappointed, employed or reemployed but only upon the following conditions: (1) such person shall be on probation for a period of two years following such appointment or reappointment, employment or reemployment, during which period he/she shall serve at the pleasure of the appointing officer or body without recourse to grievance procedures; and (2) such person shall be considered a completely new employee for purposes of vacation allowance, sick leave accrual, and other benefits related to length of service, except retirement benefits as established from time to time by law.

Section 10  
The Trustees reserve the right to modify or revoke this policy at any time.