

University of Virginia General Faculty Council (GFC)**Minutes: June 13, 2000 12:30-2:00 PM, Room 389 Newcomb Hall**

Members Present: Mary Abouzeid, Frank Butros, Chuck Callaghan, Donal Day, Patricia Foley, Brad Holland, William Keene, Aaron Laushway, Maurice Lipper, Barbara Millar, Jane Penner, Jan Redick, Max Salinas, Betsy Tucker

Members Absent: Joe Gieck, Ellie Wilson

Others Present: Alex Johnson and Kathy Reed (Provost's Office), Joyce Pastors

The meeting was chaired by Patricia Foley

1. Minutes of the May 9, 2000 meeting were approved.
2. The following newly elected members of the General Faculty Council were introduced and welcomed: Mary Abouzeid (Other Schools), Donal Day (Arts and Sciences), and Charles Callaghan (Administration).
3. Report from the Chair: Patricia Foley put before Council the concern of having non-Council persons on the gen-fac mailing list, as sensitive information should be communicated to Council members only. Following general discussion, it was agreed to limit the list to Council members, but to include other individuals in certain mailings when appropriate.

Patricia Foley is preparing information about the General Faculty Council to be included in the 250 packets which the Provost's Office will distribute to new faculty members.

In response to Patricia Foley's request for volunteers to peruse two UVA publications for articles/issues which are of interest to the general faculty, Aaron Laushway and Jane Penner agreed to be responsible for *The Cavalier Daily* and *Inside UVA*, respectively.

4. A proposed change in the wording of the by-laws to accommodate the election of Council Members At-Large was discussed. Joe Gieck, By-Laws Chair, had submitted suggested changes. Discussion of the existing by-laws language revealed that provision for at-large members is implicit, and thus no changes are required.
5. Jan Redick reminded council members of the reception to welcome incoming members and to thank outgoing members. The reception is to be held in the garden of Pavilion VIII on Thursday, June 22, 2000 from 3:30 – 5:00 PM. (Rainsite is The South Meeting Room, Newcomb Hall. Jan will advise council members by e-mail before noon on June 22 if the rainsite will be used.)
6. Policy on the General Faculty—Open discussion with Alex Johnson and Kathy Reed, Office of the Provost

Alex Johnson opened the discussion by giving a brief history of the evolution of the Policy on the General Faculty, stating that the most recent revision was initiated by the Provost's Office following a lawsuit brought against UVA concerning a termination issue. Mr. Johnson and Ms. Reed stated that the Policy on the General Faculty is ultimately a "provostial" document and any changes have to be approved by both the General Faculty Council and the Provost's Office. When the December 15, 1999 draft version was completed, following combined efforts of Jane Penner, Joyce Pastors, Alex Johnson, and Kathy Reed, the Provost's Office circulated the document to a "laundry list" of faculty members across

grounds. According to Alex Johnson, this document received very positive comments. The General Faculty Council, however, still had outstanding issues with the document. The purpose of the immediate discussion was to address these concerns.

Performance evaluations. Language in the document states that supervisors of general faculty are to perform annual evaluations, and that these "should" be in writing. There was general discussion and sentiment on the part of some Council members that the language should be stronger, and the word "must" be substituted for "should." Alex Johnson explained that changing the wording to "must" placed the University in the position of having to enforce a mandated policy. This situation, he explained, would have two undesirable results: (1) the evaluation process would degenerate to the completion of meaningless check-lists, and (2) employees could and would bring lawsuits against the University when supervisors did not perform the required evaluations. Alex and Kathy went on to say that while other documents on grounds (such as the Faculty Handbook) do state clearly that evaluations are to be performed, there is no accompanying language that states they "must" be performed. Both Alex and Kathy stressed that the Provost's Office wishes to have meaningful evaluations and that, in a professional setting, it is "good practice" for the supervisor to perform same. Alex Johnson further stated that an employee who has not received appropriate evaluations, and who faces termination that he/she feels is wrongful, is in a very strong legal position and could expect a successful outcome in a grievance procedure.

Expectation of Continued Employment. Concern about some of the language in this section of the document was discussed by council members, with participation by Alex Johnson and Kathy Reed. The most pressing concern involved the fate of general faculty members following the "substantial six-year review." Current policy provides for only two possible outcomes following this six-year review: 1) expectation of continued employment, or 2) notice of non-reappointment. Council members agreed that a third option should be added: 3) re-appointment without the expectation of continued employment. Further discussion concerned the question of what happens in the event that the substantial six-year evaluation is not performed by the supervisor. It was agreed that the language should be tightened to assure the following: a general faculty member who has served for six years, and has had no substantial evaluation, automatically has the expectation of continued employment (within the confines of his/her employment contract period). Following general discussion, Alex Johnson agreed that this entire section should be redrafted, and he will pursue this.

Standards of Notice. Council members expressed concern that the draft document is confusing with regard to the timing of notice of non-reappointment vis-a-vis an employee's contract period. Alex Johnson clarified that in no way can an employee's contract period be shortened by notice of non-reappointment, but he agreed that the language in the document can be improved. He will redraft this section.

Other issues. A number of other issues in the draft document of concern to Council members, and which were listed in a recent communication to Alex Johnson from Joyce Pastors, will be addressed by Alex and reflected in a new draft document, along with those changes indicated above. Bill Keene raised an issue concerning the universal eligibility of Research Faculty for paid temporary disability leave. Kathy Reed's response indicated that eligibility of Research Faculty for this leave may be dictated, in part, by the nature of their individual contracts, thereby suggesting that some general faculty may be ineligible. The issue was tabled for future discussion, pending results of a current study initiated by Gene Block concerning policies affecting Research Faculty.

7. The meeting was adjourned at 2:15 PM.

NEXT MEETING: June 11, 2000 12:30PM Room 481 Newcomb Hall

*******NOTE: CHANGE OF MEETING ROOM FOR THIS MEETING!!**

Submitted by: Jan Redick