

MSU Administrative Professional Association MEA/NEA
Executive Board Meeting Minutes
March 11, 2008

Call to order

Meeting called to order by Chairperson Leo Sell at 2:17pm

Board members present: Jean Chisnell, Ramiro Gonzales, Ann Hancock, Maurice Koffman, Sean Leahy, Sharon Nichols, Cynthia Schneider, Leo Sell, Vikki Tormala, Rachel Zakhem; and John VanDyken, UniServ Director

Board members excused: Vivian Leung, Gary Mell, Deb Porter

Board members absent:

Association members present: Mike Kramizeh, Danny Layne, Mike Ramirez

Approval of agenda: Moved by Leo and seconded by Ann. Agenda approved unanimously with note that member concerns will be raised prior to going into Executive Session.

Approval of minutes: Motion made by Ramiro and seconded by Cynthia to approve the February minutes as proposed; motion passed unanimously.

Executive Board Officer:

Reports

President's Report: Written report provided. Due to the extent of issues to address on the agenda, Chair Sell did not elaborate beyond Board inquires. We discussed the issue that federal funding was cut to the Cyclotron and therefore there will be 3 layoffs there.

Treasurer's Report: An annual financial statement for 06/07 year was handed out. Sharon made a motion to have the annual APA financial statement posted to the website, seconded by Ramiro. A friendly amendment to the motion was made to have an indication placed on the bottom of the statement noting the Board's prior decision to have a reduction of the savings account and that the document shall not be posted until this indicator is complete. Motion passed unanimously.

A written report was submitted. Report was the 2008 first quarter report of the APA finances. During discussion of this document, the feel of the Board was to reinforce the issue that all quarterly financial statements require Board approval before publishing to the website. Motion to allow posting of the first quarter report on the APA website made by Sharon and seconded by Cynthia. Motion passed unanimously.

Committee Report: Communications committee: Chair Schneider mentioned she met with MEA Communications Consultant about formulating a communications plan for the APA. She is in the process of identifying who makes up our membership, their job functions and desires. **Elections committee:** One of the members appointed to the Nominations and Elections Committee, Ken Galbraith, was nominated (1 year term) during the nominations period and intends to accept the nomination for the upcoming March Board and delegate election. Therefore he resigned from the Nominations and Elections Committee. Deb Porter had recruited two additional members to assist her beyond the committee reflected in the January minutes. Chair Sell then appointed one of those individuals to replace Ken, that being Milo Woodard.

UniServ Report: Written report provided. Mr. Van Dyken mentioned attendance at the NEA ESP Conference. Mention was made that a few Board members are attending the upcoming Higher Ed conference at the end of the month and others will be attending the state ESP in the first week in April. John clarified the contract has now been finalized and we are waiting on the signature pages. Once those are completed, the contract will be published and again as we previously decided the APA will disseminate the contract as an electronic communication to the membership; limited hard copies will be printed and available for those wanting a physical copy.

An update was provided by Maury Koffman that the APA now has a unit membership to NCHE and he is still looking into MAHE affiliation and associated concerns.

Members Comments and Concerns

1. Mike K raised concern that there is a lack of clarity on specific issues. He stated he has not received the Occasional to date. He was not happy with the framework the initiatives were displayed in the newsletter. He feels it is not clear what is going on in the Association. He feels the news letter is not sufficient to indicate the current state of our union. He feels the issues ongoing are very serious and they are not being properly addressed in the news letter. He has some concerns that the initiatives may not be properly adjudicated in our process. He feels this is unfair because it clearly constitutes a voice of the membership and therefore attention should be mandatory. He would like to see an addition or supplement about the status of the initiatives and where we are in the process of union. He understands there was a TRO for any election activity. His concern is that we are now in "limbo until this mess gets sorted out." He wants to make sure there is not delay in the processing of the initiatives. He feels the issues within the association are an embarrassment and need to be cleaned up.
2. Mike Ramirez asked about the status of the initiatives and if the Board would provide an update. Chair Sell responded that we will be going into executive session, pending a motion and approval, to discuss the initiatives. He also stated this is now a legal question and something we need to discuss in executive session. Mike stated he finds it disturbing we don't have any area reps. He thinks it is important to have area reps. He wanted to know if there is any progress in this. Maury responded that this is a work in progress and that we have to define what the responsibilities are of an area rep and how to get them on page once identified. Mike asked if the agenda was available before the start of meetings. Chair Sell replied that since this is a private body the agenda is for the body of the Board and that the Board could at a later time pass a motion to have it available first. Mike requested in the future the agenda be made in advance.
3. Danny Layne echoed the opinion of the announcement of the initiatives as displayed in the Occasional. He reflected on the January 2006 minutes about the availability of the annual financial statement at the annual membership meeting. He also noted that in the same minutes that Chair Sell stated a move from mail voting would require a change in the Bylaws. He wanted to note that this is different than what was stated at the MEA Board of Reference. Chair Sell responded that it was an opinion at the time (referencing the 2006 minutes). There was also a question of how much the new electronic voting system is costing us. How much attorney fees are. Chair Sell responded that no APA money is spent on attorney fees for the issues Danny Layne and the APA Watch Group are taking to court and that the MEA covers those costs for our local.
4. Chair Sell made the offer to member Danny Layne to consider his most recent election challenge. Danny informed the body he was not prepared. For the record, we will have to schedule at the next executive Board meeting or a special meeting to hear this appeal. Danny requested a hearing to be able to elaborate on the issues conveyed in his written appeal.

New Business

1. Motion made by Sean to move into Executive Session, seconded by Jean. Motion passed and moved into executive session at 3:08pm.

Executive Session

1. The Board reconvened from executive session at 5:04pm and reported the Board considered recent petitioning activity. The four petition referendums address subject matters including designation of an APA “President’s Slot,” recall of the APA Executive Board, assignment of union dues and changing union paydays.
2. During the executive session, the following issues and deficiencies were identified regarding the petitions as submitted:
 - a. The petition referendums were not submitted in the original. The failure to provide original petition referendums prevents the Executive Board from validating signatures and other written markings on the document and from deciphering the true intent of the signers.
 - b. The petition referendum language is deficient for the following reasons:
 - i. Petition referendums 1 and 3 propose to amend the APA constitution and Bylaws. Petition referendums 1 and 3 fail to offer a copy of the specific proposed amended language. The failure to offer a copy of the proposed amendment language prevents the membership from making an informed decision on the matters and prevents the ultimate implementation of the petition referendums if they are adopted by the membership.
 - ii. Petition referendum 2 fails to identify by name the Executive Board members subject to recall. Petition referendum 2 fails to provide specific alleged grounds for the just cause recall of each named Executive Board member. The membership is entitled to be advised of the names of the Executive Board members subject to recall and the alleged just cause grounds for recalling each named Executive Board member.
 - iii. Petition referendum 4 invokes a mandatory subject of bargaining. Petition referendum 4 is vague and ambiguous in its language regarding “work(ing)” with the Employer.
 - c. There are two distinct and separate versions of petition referendum 2 that were presented for review. It is not clear which version of petition referendum 2 is sought to be presented for membership consideration. Because the versions of petition referendum 2 are different, the signatures obtained under each version cannot be counted as a combined total.
3. A motion was made by Jean and seconded by Ann to find the petitions on all four initiatives invalid due to the issues and deficiencies so noted. Motion passed unanimously.

Motion to adjourn by Maury, seconded by Vikki; motion passed unanimously.
Meeting adjourned at 5:12pm

Submitted by Maurice Koffman, APA Secretary
March 11, 2008