

**Special Meeting of the Board of Trustees  
October 12, 2007**

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# UNIVERSITY OF CINCINNATI

## Official Proceedings of the

### Two Hundred and Seventy-Fifth Meeting of the Board of Trustees

#### (A Special Meeting)

October 12, 2007

The Two Hundred and Seventy-Fifth Session of the Board of Trustees of the University of Cincinnati was opened at 1:45 p.m. on Friday, October 12, 2007, in the Tangeman University Center (TUC), Room 400 B&C, of the University of Cincinnati. Notice of this meeting was given in accordance with Section 121.22 of the Ohio Revised Code. The proceedings of the Board, when not otherwise provided for by its bylaws, are governed by *Robert's Rules of Order*.

Jeffrey L. Wyler, Chairperson of the Board of Trustees, presided. Mr. Wyler asked that roll be called.

#### **BOARD MEMBERS PRESENT:**

Anant R. Bhati, Jeffrey L. Wyler,  
H. C. Buck Niehoff, Gary Heiman,  
C. Francis Barrett, and Thomas H. Humes

#### **BOARD MEMBERS ABSENT:**

Phillip R. Cox, Sandra W. Heimann,  
and Margaret Buchanan

#### **ALSO PRESENT:**

Nancy L. Zimpher, President;  
Anthony J. Perzigian, Senior Vice President  
and Provost for Baccalaureate and  
Graduate Education;  
Monica Rimai, Senior Vice President for  
Administration and Finance;  
Gregory J. Vehr, Vice President for  
Governmental Relations and  
University Communications;

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**OCTOBER THE TWELFTH TWO THOUSAND AND SEVEN**

Mitchell D. McCrate, Interim General  
 Counsel;  
 Greg Hand, University of Cincinnati  
 Spokesperson;  
 Seth Vensil, Undergraduate Student  
 Trustee;  
 Ann Welsh, Faculty Representative;  
 Richard Harknett, Faculty Representative;  
 James Radley, Student Representative;  
 Heather A. Huff, Executive Assistant to the  
 Board of Trustees and University  
 President;  
 and the public

(Prior to the Board Committee Meeting and the Special Board Meeting, Chairperson Jeffrey L. Wyler, began the proceedings at approximately 1:36 p.m.)

Mr. Wyler:

Mr. Niehoff, it is a pleasure to see you, sir. I apologize for being late. The car down front, I thought that was mine and it will be available on our lot come Tuesday afternoon, if anybody wants to buy that. The first thing we have to do today is that we are going to have the Finance and Administration Committee Report. Mr. Heiman is the Chairperson, Dr. Bhati is the Vice Chairperson and Mr. Barrett serves on that Committee.

**THE BOARD COMMITTEE MEETING**

(Proceedings of the board committee meeting is contained in the respective committee meeting minutes, which are on file in the Office of the Board of Trustees.)

The committee meeting began at 1:37 p.m.; the meeting concluded at 1:45 p.m.

**THE SPECIAL MEETING OF THE BOARD OF TRUSTEES**

The Special Meeting of the Board of Trustees was convened at 1:45 p.m. and, as noted on the first page (page 47) of these minutes, roll call was taken.

Mr. Wyler:

I will now call the meeting of the Board of Trustees to order. This is the Two Hundred and Seventy-Fifth Session of the Board of Trustees of the University of Cincinnati.

Mr. Wyler:

At this time, the Board will consider a recommendation to approve the Nominations for Honorary Degree Awards. The nominees for the Honorary Degrees are: Earl H. Hamner, Jr., John E. Pepper and Malcolm H. Wiener.

**Non-Committee Recommendation**

**07.10.12.02 HONORARY DEGREE CANDIDATES**

It is recommended that the Board of Trustees approve the nominations of the individuals named below for the Honorary Degree Award. These nominations have been reviewed and recommended by the University of Cincinnati Honors Committee. Biographical sketches of the nominees are attached.\*

Nominees for the Honorary Degree

Earl H. Hamner, Jr.  
John E. Pepper  
Malcolm H. Wiener

Mr. Wyler:

Mr. Vehr, would you provide comments on this recommendation, please, sir?

Mr. Vehr:

It would be my honor, Mr. Chairman, members of the Board, and President Zimpher. On behalf of the Honors Committee, we place the following names that you just mentioned in nomination for Honorary Degrees. They are, as you mentioned, Mr. Earl Hamner, Jr., Mr. John Pepper, Dr. Malcolm Wiener. I would like to give you just a few comments on each, although knowing that each of you have received materials and background, I know that you have had an opportunity to learn more about them.

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\*Filed in the Office of the Board of Trustees

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Mr. Hamner is credited with probably best for people from a certain generation with the creation of “The Waltons”. He also did the animated version of “Charlotte’s Web” and has a number of numerous other credits in his background, including the “Twilight Zone”, which I know, Mr. Chairman, is one of your favorites.

Mr. Wyler:

That’s where I grew up.

Mr. Vehr:

Mr. John Pepper whom I think is well known in these areas as the former CEO of Procter & Gamble, as well as extremely involved in the community and, most importantly, his efforts towards the National Underground Railroad Freedom Center of which he is Chair of their Board.

Dr. Malcolm Wiener is a Harvard Law School Graduate, attended Harvard and his Foundations have been a significant supporter of UC’s world renowned Department of Classics.

And, so with that, we place these names in nomination and hope for your support.

Mr. Wyler:

Thank you, sir.

Mr. Wyler:

May I have a motion to approve the recommendation?

Upon motion of Mr. Heiman, seconded by Mr. Humes, the Board of Trustees approved the Honorary Degree candidates by a unanimous voice vote.

Mr. Wyler:

Thank you. The recommendation is approved.

**Executive Session**

Mr. Wyler:

I will now call for an Executive Session. At the conclusion of the Executive Session today, the Board will reconvene to conduct further business.

May I have a motion to enter Executive Session for the purpose of preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment?

Upon motion of Mr. Barrett, seconded by Dr. Bhati, the Board voted to enter Executive Session by the following roll call vote:

**AYE:** Dr. Bhati, Mr. Wyler, Mr. Niehoff,  
Mr. Heiman, Mr. Barrett, Mr. Humes

**NAY:** None

**ABSENT:** Mr. Cox, Mrs. Heimann, Mrs. Buchanan

The Board prepared for, conducted, or reviewed negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Upon motion of Mr. Barrett, seconded by Dr. Bhati, the Executive Session adjourned at 2:02 p.m.

At 2:02 p.m., Mr. Wyler reconvened the proceedings.

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Mr. Wyler:

The special meeting of the Board of Trustees will now be reconvened. At this time the Board will consider the Tentative Collective Bargaining Agreement Between the University of Cincinnati and the American Association of University Professors (AAUP).

**07.10.12.01 TENTATIVE COLLECTIVE BARGAINING AGREEMENT  
 BETWEEN THE UNIVERSITY OF CINCINNATI AND THE  
 AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS  
 (AAUP)**

Synopsis: Approval is requested for the tentative Collective Bargaining Agreement between the University of Cincinnati and the American Association of University Professors (AAUP).

It is recommended that the Board of Trustees approve the attached\* tentative Collective Bargaining Agreement between the University of Cincinnati and the American Association of University Professors (AAUP).

The tentative agreement was ratified by the AAUP on October 4, 2007. If approved, the agreement would be in effect from September 1, 2007 until June 30, 2010.

Terms of the tentative agreement include salary increases, domestic partner benefits, exclusion from the bargaining unit of several hundred medical faculty, fair share fees, increased faculty contributions toward insurance premiums and cop-pays and limitations on tuition remission.

This tentative agreement represents a full, fair and equitable package for both the University and the AAUP, and it establishes the framework for a positive, productive labor-management relationship. Therefore, it is recommended that the Board of Trustees approve the tentative agreement between the University of Cincinnati and the AAUP.

Mr. Wyler:

May I have a motion to approve this recommendation?

Upon motion of Dr. Bhati, seconded by Mr. Heiman, the Board voted to approve the recommendation by the following roll call vote:

**Recommendation No. 07.10.12.01**

**AYE:** Dr. Bhati, Mr. Wyler, Mr. Niehoff, Mr. Heiman,  
 Mr. Barrett, and Mr. Humes

**NAY:** None

**ABSENT:** Mr. Cox, Mrs. Buchanan and Mrs. Heimann

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\*Filed in the Office of the Board of Trustees

Mr. Wyler:

On behalf of the University of Cincinnati Board of Trustees, I would like to commend the AAUP negotiating team, as well as the administration's negotiating team on the successful completion of a difficult process. Negotiating contracts are rarely, if ever, perfect but it is obvious that both sides in this had the University's best interest aligned and they have achieved an agreement by negotiating a mutually beneficial contract.

Not only is the AAUP contract important because it affects the largest number of people here at the University of Cincinnati but it affects the well being of our faculty who embody the core of our academic mission. A comment regarding this contract by an AAUP member bears repeating:

“On the whole, then, we believe this contract will preserve or improve salary levels relative to inflation; preserve excellent, affordable health care benefits; preserve faculty access to tuition remission and full tuition remission benefits at the undergraduate level and for almost all post-graduate programs for spouses, domestic partners, and dependents; provide a large number of other improvements in substance and in language; and establish a landmark new grievance procedure.”

Those are admirable goals and consistent with the intent of this Board of Trustees and we want to reward our faculty. At this time, we would like to formally execute the agreement. President Zimpher and Sally Dunn, AAUP President, would you please join us up here in the front and we will memorialize this and photographer champion extraordinaire, Lisa Ventre, will take the pictures.

Thank you, again, to Sally Dunn, to Karen Faaborg, and to your negotiating teams. There have been times in the last twenty years when these have been very, very difficult times and some of the conversations back and forth between the two units have



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not been pleasant. But for the last two negotiating sessions, Dr. Zimpher, we have to congratulate you for working with the faculty to make these things so much smoother.

This concludes our business for today. Our next regular board meeting will be held in the Russell C. Myers Alumni Center on Tuesday, November 27, 2007.

**Adjournment**

There being no further business before the Board, upon motion of Dr. Bhati, seconded by Mr. Humes, the meeting adjourned at 2:11 p.m.

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JEFFREY L. WYLER, CHAIRPERSON

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ANANT R. BHATI, SECRETARY