

LLPC Meeting Notes 9/5/2012

July 12 Special Meetings Notes

Attendance: Jane Collins, Brian Vaughan, Bret Vlach, Lydia Zepeda, John Newton, Rolf Rodefeld, Kimberly Nolet, Diane Turner, Everett Mitchell (new liason with the Chancellor)

Agenda:

1. Chair
2. Approval of Minutes

1. Lydia willing to serve again as chair, but if someone is willing to step up, she can step down. Lydia nominated by Jane Collins and John Newton, will continue to be Chair of LLPC.

2. Approval of the Minutes: Change to “he believes” before “to abruptly end the agreement would result in no money going to the workers” on the July 12, 2012 meeting notes

3. PT Kizone Lawsuit

-Got the paper copy from the firm representing the ex-PT Kizone workers, requesting they can participate in the lawsuit with the University

-Chancellor sought a ruling from the Dane County court regarding contract with Adidas
-Adidas gave a response after getting a 30 day period. They answered with standard stuff, answering each paragraph and denying certain facts leading to more substantive allegations. They laid out a series of defenses, etc. Basically said they won't respond except to give their address.

-Written questions, requests for documents, etc. will come to the University. May include LLPC but more likely from trademark licensing program and administration. And we'll see what happens with the labor union's letter. The judge will have to make a decision in favor or not in favor of workers intervening.

-Advantage of having them participate: have access to information the UW doesn't. Downside is prolonging the dispute because Adidas can/will resist and try to avoid having unions becoming party to the lawsuits. Could establish a precedent of other labor unions becoming part of these lawsuits so Adidas will resist.

-If the union wants to participate, their desire to do so trumps the speed of the case. We should work closely with workers. Since the dispute is about their payment, their role is vital.

-This union representing the workers. 2 unions, the more local tried to cut a deal with Green Textile. This union seeking to join the lawsuit are at a district level, the broader union. In this case, there were two unions taking different positions, but this one, which worked with the settlement with the Dallas Cowboys suggests their interests and the UW's are aligned.

-The goals are similar, but their bottomline might be different, according to Brian Vaughan. He says the unions are focused on seeking damages to get the money for the workers while the UW is trying to see the contractual obligations of Adidas and then enforce it. If the UW gets the judge's declaration to do so, the University will cut the

contract, etc. But pursuing damages and the amounts themselves and directing them to individuals doesn't seem likely to occur in a declaratory judgment like this. The judge of the case is Albert.

-Attorney General's office: they have spoken with the attorneys representing the union. They just had an initial discussion about joining up with the lawsuit in Dane County yesterday. No agreement reached yet.

-DOJ is our attorney representing the Board of Regents. Consultation between the two ultimately makes the decision about the union's role in the lawsuit.

-They have some demonstrated proof of getting money in the hands of workers previously.

-Would it make a difference if this committee were to take a position on the inclusion of the union? DOJ would like our opinion

-Jane Collins moves to issue a letter to the DOJ and ccing the Board of Regents, the Chancellor, and the law firm. Passes unanimously. Chair Zepeda will draft a letter this afternoon and email it to the committee by the end of the day.

4. Governing document

-last year, we thought we were done with this after making a change. All of a sudden, Chair Zepeda got another document with significant changes to the committee, such as term limits, changing structure, name, and purpose of the committee.

-Chair Zepeda will meet with the University Committee after sharing a draft of the governing document with changes suggested by the University Committee. She will meet with University Committee on the 10th of September.

-Jane Collins suggests the Chair tell UC that the LLPC could not make any statement without knowing the intentions or reasons for changes suggested. Chair Zepeda has tried to get clarification in the past. The profound misunderstanding of the history and charge of the LLPC renders it impossible for the committee to respond to the suggested changes of the University Committee.

-There has been a history of developing the code and writers for the LLPC. Diane, Rolf and Jane have been important resources in understanding the codes structure of the LLPC.

-If anyone wants to come with Lydia Zepeda on September 10th they should come. It will probably be in the late afternoon. John Newton will be contacted by Chair Zepeda to also attend the meeting with the University Committee.

-Until we get a governing document that is appropriate, we can rely on the de facto one.

-Chair Zepeda has sought UC clarification but no response has come from Secretary of the Faculty David Musolf or former chair Brad Barham. She sent emails to David Musolf on 7/6/12, 7/16/12 and 8/13/12 and to Brad Barham on 7/10/12 and 8/13/12 so far, no response from them (as of September 5th)

5. DSP

-2 east coast schools recently adopted the DSP (one is Rutgers, the other is Georgetown). All the other universities that vowed to adopt it before it was caught up in the legal system have yet to adopt it. The main problem with DSP was implementation, so before we move forward, we should have an open consulting process with legal counsel and Cindy to discuss implementation.

- Lingran will contact the LLPC regarding other schools that have adopted the DSP
- We have already discussed and are generally supportive of the DSP. Cindy is in contact with licensees. And the WRC with has been in contact with licensees regarding DSP.
- If we ask for comments by the next meeting, licensees are welcome to attend the meeting or send in their comments.
- Ask the WRC for any comments about implementation. At this point, Alta Gracia is the only factory, really. (there will be an article in the Alumni News interviewing Zepeda)
- Lingran will ask her contacts at Georgetown and Rutgers about implementation at those schools and any deviations.

6. Meeting Schedule

- John's director, Hanaha Carey, has problems with him taking time off for these meetings. His supervisor, Peter Vanderveer is willing to compromise and let him take time off if we meet during his lunch. Chair Zepeda has explained the history of shared governance to her.
- Move meetings to Human Ecology building because it's closer for both
- No Monday, and no Tuesday/Thursday. Meeting from 12 to 1 and John Newton will make it work. Anna Carrie is the director at John
- So meetings on Wednesday at noon. On the first Wednesdays of the month. October 3, November 7, and December 5th. Meetings will be at Human Ecology.