

Union loses vote; Hanley sues AQ

Rob Cullivan/Catholic Courier

A dramatic week at Aquinas Institute in Rochester ended with the narrow defeat of a proposed teachers union and news that the former president was suing the school.

Meanwhile, Robert B. Wegman of Wegmans Food Markets Inc., announced that he would continue to withhold a \$10 million gift to the school until he and his wife, Peggy, "are certain that all of the issues at Aquinas have been resolved to the satisfaction of all of the parties."

Aquinas announced Oct. 9 that Wegman was delaying his gift to the school pending the outcome of a vote by teachers to join a union. "Had we known of the dissension that existed, we would have delayed the announcement of the gift until all issues were resolved," Wegman's statement read.

On the afternoon of Nov. 14, the school's full-time faculty and department chairs voted 32 to 29 against the formation of a union, which would have been affiliated with New York State United Teachers. All eligible faculty members voted. The union movement was reportedly rooted in faculty members' desire for a greater voice in school affairs, and in fears of being fired without notice.

At a press conference following the vote, Michael R. Daley, the school's senior administrator, said he was pleased with the faculty's decision, and pledged to cooperate with the faculty to resolve the issues that had led the teachers to consider unionization. He noted

that the board will add a faculty representative, and that the school plans to develop a formal process for removing faculty employees and addressing their grievances.

"At the very least, we'll take the surprises and ambiguity out," he said.

A member of the school's board of trustees, Daley was appointed to the interim position in October after the school announced that Patrick Hanley, the school's president, was leaving to "pursue other interests." In a lawsuit filed Nov. 8, Hanley said he actually had been fired. The lawsuit also states that earlier this year Aquinas also fired the school's principal, Vilma Goetting, an action that outraged several teachers and led to the union movement. When contacted by the *Catholic Courier*, Goetting confirmed that she had been fired, although the school never stated so.

Even though the union lost, "clearly one vote for the union is someone who distrusts myself and the board of trustees," Daley said. "I want to win and earn the respect and trust of all."

"This board needed a wake-up call, and the faculty gave it to us," he added.

Union organizer James B. Shook, an English teacher at Aquinas, pledged to work with the school's board and administration.

"The faculty ... has made their voice heard," he said. "We respect and accept the decision of the faculty ... We will continue to do all we can to ensure the success of our students."

Shook said he didn't know what effect the withholding of the Wegman donation may have had on the vote.

Shook declined to comment on Hanley's lawsuit, but Daley said he was "confused" by it since the school was still paying Hanley his salary. Hanley's suit contends that



Karin von Voigtlander/Catholic Courier

A proposal for a teachers union at Aquinas Institute was defeated Nov. 14.

Aquinas made him "a scapegoat with respect to several embarrassing issues, including the recent unionization drive by its faculty and the threat by Robert Wegman to withdraw" his gift.

Hanley's suit stated that he had recommended firing Goetting because, among other things, she had failed to notify him in a timely fashion of allegations that a priest who formerly worked at the school had sexually abused a student. Daley said the priest in question has been dead for 20 years, that the alleged incident took place some 30 years before that, and that it involved "spanking," and not sexual abuse.

Goetting declined to comment on Hanley's lawsuit at length. However, she did say she felt the suit "did not state the entire truth" about the alleged abuse incident, and stressed that it happened long before she even worked for the school.

"I think it was a gross misrepresentation," she said of Hanley's characterization of the incident.

The lawsuit states that Goetting was fired June 19, and that the faculty was upset because she was told to clean out her office and leave school that day, although she had worked at the school for 22 years. However, Hanley's lawsuit stressed that the decision to fire Goetting, which he had recommended, was carried out by board members.

Upset over Goetting's firing, the faculty met and threatened a walk-out, the lawsuit alleges, and union activity began shortly thereafter. The majority of the faculty signed a petition that called for a contract for all that would deal with such issues as "grievance, discipline, termination and sanctions," according to the lawsuit.

Hanley's suit also stated that the school offered him six months' severance pay when he was fired, but that his attorneys contacted the school and informed Aquinas that

Hanley's contract entitled him to full salary and benefits through June 30, 2004. The school subsequently reinstated Hanley's salary and benefits, according to the suit, but has never declared officially that he is entitled to both.

According to the lawsuit, although the school agreed over the summer to make contract revisions that affected all faculty members, the teachers nonetheless sought union representation in September and asked that the Aquinas Faculty Association be accepted as their representative. On Sept. 25, the lawsuit contends, Hanley and James Leo, chairman of the board of trustees, met with Wegman, who the lawsuit alleges told them to tell the faculty "they would not be getting my money" if the faculty unionized.

Hanley's lawsuit contends that although he did not fire Goetting, and despite his efforts to resolve contract issues, the board blamed him for "faculty unrest and unionization efforts." He was "summarily fired without justification" and Aquinas, through its board members and employees, disseminated "false and misleading information" to the public and to the news media about his departure, according to the lawsuit.

Hanley's suit stated that he wants Aquinas to declare that he is entitled to receive his full salary and benefits. In addition to punitive damages, the suit calls for Hanley to be awarded damages for "breach of contract, emotional distress, reduced earning capacity and injury to reputation."

Hanley's lawyer, Mark J. Moretti, declined comment on the lawsuit, but Daley released a brief statement addressing it.

"An initial reading reveals gross factual inaccuracies that the Institute expects to address aggressively (in court)," Daley said in the statement.

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