



## PRESIDENT'S MESSAGE

*by Nicholas C. Yovnello*

# Buildup to negotiations continues



**Nicholas C. Yovnello**

A lot of activity has been going on behind the scenes since our last article on negotiations in October.

First, the staff tallied and analyzed the several hundred replies to the collective bargaining surveys that were received from members of each bargaining unit. The tallies, along with comments, were given to members of both the full-time/part-time and adjunct faculty bargaining teams so that they could take the replies into account as they worked on the demands.

Second, bargaining teams continued to meet, both during the week and on Saturdays. More meetings are scheduled for this month and January. The Council is scheduled to approve the demands at its January meeting. Once that is done, we'll summarize them for everyone.

The Union previously wrote to the State indicating that it wished to begin meeting during March. As in the past,

the first meeting will cover Ground Rules. Next, the Union will present its demands to the State's representatives.

The State will have its demands too. In the past they have reflected what the college/university presidents want in the form of new controls and give-backs. They always want more. They are resurrecting old issues such as parking and some are even making attacks on the Union as such. Their demands coupled with the budget shortfalls this year and next mean that 2003 will be a difficult year.

The Union will need your help in getting its demands across. We will be calling on you to lobby, to write letters and send e-mails to key legislators and the Governor. (See Article on CAPWIZ©, p. 1)

Our drive to get a fair contract will take time and effort, but it will be worth it.

# *Happy Holidays*



# Commission on higher education passes the buck

## Declines to support improvements in adjunct and part-time faculty pay and benefits

We have already reported on the passage of **A-459** and its enactment into law. **A-459** required the Commission on Higher Education to issue a report to the Senate and Assembly Education Committees providing data on adjunct faculty pay and benefits and to make a recommendation as to whether the Legislature should establish a minimum level of compensation. The Senate and Assembly Education Committees would then review the report in a joint public hearing.

By the Commission's own reckoning, the average compensation for the approximately 2800 adjunct faculty employed in our bargaining unit in AY 2001-2002 was under \$6000 and average benefits were around \$600. The report grossly inflates benefits by including legally mandated employer contributions for Workmen's Compensation, Unemployment Insurance, Temporary Disability Insurance, Medicare and Social Security, in addition to pension contributions, while ignoring employee payroll deductions for these government programs.

The Commission was set to approve its report and recommendations at a meeting at New Jersey City University on November 22. Ivan Steinberg, Vice President, representing Council, John DeBrizzi and Robert Arey representing the NJCU Local UNION and Kathleen Henderson, a NJCU adjunct and President of the Kean University Adjunct Faculty Federation Local 6024, strongly criticized the Commission's recommendations on the issue of minimum salary and health insurance. They noted that the Commission ducked the salary issue by simply saying no to a minimum salary and disgraced itself by declining to recommend that part-time employees received state-paid health benefits.

The Union's arguments apparently had some effect. On November 26, 2002, the Commission met by teleconference. This time the Commission changed from no minimum salary to urging the Legislature to "consider a broader analytical framework...to develop a rational long-term policy that would comprehen-

sively address the matter of fair compensation" based on a number of factors including a more detailed study of each institution's salary formula and comparison with other states' faculty compensation practices. It offered to work together with the Legislature "to develop these important lines of inquiry."

The Council had already provided the Commission with the AFT publication, *Standards of Good Practice in Employment of Part-time and Adjunct Faculty*. Donald Trucksess, President of Local 4277 at Edison, reminded the Commission members of this fact and urged the Commission to take AFT's standards and practices into account. He offered the Council's assistance to the Commission in gathering and analyzing additional information. For example, where salary is concerned, the Council can readily show that adjuncts in the CUNY system earn over 50% more than state college/university adjuncts do and receive health benefits after teaching for three consecutive semesters.

With respect to health benefits, the Commission made inconsistent recommendations. On one hand, it asserted that adjunct and part-time faculty should be treated the same as other part-time state employees and made reference to "the provision of minimum required state health benefits." On the other hand, it argued that "any additional benefits be determined by individual institutions and collective bargaining agreements." Donald Trucksess urged the Commission to explicitly endorse **S-988**. (See below). The Commission declined to do so.

The public hearings have yet to be scheduled. The Council plans to work closely with our adjunct and integrated locals to present witnesses and data to the Senate and Assembly Education Committees that will highlight the deplorable level of adjunct pay and benefits.

The point of this sorry story? The Commission of Higher Education won't stick its neck out for state college and university adjunct and part-time faculty.

## Progress in priority legislation

### CAPWIZ a lobbying asset

Recently, some of the Council's key bills have begun to move through the Legislature.

**S-988** (Turner), the bill that would allow our adjunct and regular part-time faculty the right to join the State Health Benefits Plan (NJ PLUS) at their own expense, was voted out of the Senate State Government Committee, with unanimous support, on October 24. It could have been detoured in the Senate Appropriations Committee, but Peter Guzzo, our lobbyist, was successful in having it referred directly to the Senate, where it awaits a vote. We anticipate that it will easily pass and from there, it would move to the Assembly where its prospects are also good.

Also on the health benefits front, **A-2574** (Greenstein) passed the As-

sembly on November 18, by a margin of 73 to 3 and has moved to the Senate, where it has been referred to the Senate State Government committee. This is the bill that would add two union designees to the State Health Benefits Commission, currently composed of the State Treasurer, the Commissioner of Banking and Insurance and the Commissioner of Personnel. The bill provides that the NJ AFL-CIO Public Employee Committee, of which the Council is a member, would select one individual to represent state employees on it. The NJEA would select the other to represent the local government sector.

Finally, **A-1987** (Asselta), a bill that would eliminate a gross unfairness insurance benefits, has been unanimously voted out of the Assembly

## Part-time and adjunct faculty eligible for PERS

What is PERS? It's the Public Employees' Retirement System. It's the biggest state retirement system covering nearly 300,000 state, county and municipal employees and retirees. It's the pension system that also covers adjunct and part-time faculty. PERS is quite different from the Alternate Benefit Plan (ABP), which covers full-time faculty and staff.

PERS is, in pension lingo, a defined benefit plan while ABP is a defined contribution plan. In brief, one's pension under PERS is based on a formula that provides a benefit based on salary and years of service while one's pension under ABP is determined by how much money is contributed to one's individual account and earnings.

How and when do you, as an adjunct or part-time faculty member, enroll? Your college/university HR department must enroll you at the beginning of your third consecutive semester. You contribute a percentage of your base salary (currently 3%) toward your pension. Each year the PERS actuary, after considering the employee contribution, determines the employer contribution needed to fund your benefits earned for that year.

### PERS' Retirement Benefit

For most PERS retirement types your benefit is "fixed" according to a formula that rewards lengthy service. The formula is:  $\text{Years}/55 \times \text{FAS} = \text{Maximum Allowance per Year}$ .

## Priority legislation *(continued from page 1)*

State Government Committee and sent to the Assembly Appropriations Committee. Specifically, it would end discrimination against members of the Alternate Benefit Program who remain employees after age 70 by abolishing the requirement that reduces the life insurance benefit from 3 and ½ times to ½ times the employees' base salary.

Some of our success in the legislative arena is directly attributed to a new tool called CAPWIZ©. It is a web-based subscription that links our member directly to their state legislators. When a bill comes up for an important vote, Council staff will write a legislative alert, approved by the Executive Board. This alert, which includes a draft letter to targeted legislators, will be posted on our website and sent to every unit member through his/her school e-mail address. The member can send the letter as is or personalize it. Either way, with a few clicks of the mouse, an e-mail arrives at the legislator's office asking for action. We have 5,500 unit members. Our lobbyist Peter Guzzo, who speaks to legislators on a regular basis, confirms that our use of CAPWIZ© has already made an impact in Trenton.

You will continue to receive legislative alerts asking for your action on various bills. Please take the time to read them and respond. Feel free to

call the Council office with any questions about this valuable tool.

How do you use CAPWIZ©? It's easy. Just click on the web address listed in the e-mail alert you receive. You'll go to the Legislative Action Center where you will see the bill or bills mentioned in the e-mail. For example, you'll see **A-2574** "Expand State Health Benefits Commission." Clicking on that will take you to a page that describes the bill. Another click takes you to the model letter and gives you information on the intended recipient. After you fill in the required fields (name, address and e-mail address), submit your message.

You can also use CAPWIZ© at anytime, whether or not you receive an alert from the Council. Just go to the Council's website at [www.cnjscl.org](http://www.cnjscl.org) and click on the Contact Your Elected Representative links until you reach the CAPWIZ© site.

Council President Yovnello had this to say about CAPWIZ©:

"CAPWIZ© gives our 5500 unit members an easy and convenient way to directly impact the legislative process. I urge you to respond to the Council's Legislative Alerts and use CAPWIZ© to communicate our issues to the Legislature."

### SALARY INCREASE COMING UP

The final salary increase under the current contracts will take effect in January and February

A 2.5% increase for full-time/part-time 12 month employees will take effect on or about January 1; full-time /part-time 10 month employees will see more money in their paychecks beginning in February.

The beginning of the semester will also see the per credit hour rate for adjunct faculty increase to \$700. The per credit hour rate is \$50 higher at Rowan and Montclair.

### Scholarships/Fellowships

#### Robert G. Porter Scholars Program Four-Year Postsecondary Scholarship

##### Program Eligibility:

- Must be an AFT member's dependent
- Graduating high school senior
- Pursuing a career in labor, education, health care or government service
- Parent or guardian must be an AFT member for at least one year
- No full- or part-time AFT staff, state or local, may apply

#### Albert Shanker Fellowship for Research in Education

The AFT and the Walter P. Reuther Library of Labor and Urban Affairs at Wayne State University (Detroit) are seeking applicants for the Albert Shanker Fellowship for Research in Education. This grant provides assistance for advanced graduate students and junior and senior faculty utilizing the AFT archives and the collections related to educational history housed at the Walter P. Reuther Library. Two grants of \$500 are awarded in support of research.

Find more information and forms at [www.aft.org](http://www.aft.org)

## PERS for part-time and adjunct faculty *(continued from page 1)*

Years = the number of years of credited service in PERS. FAS is Final Average Salary.

Years/55 is a ratio dependent on the number of years you have contributed to PERS. "Final Average Salary" is the sum of your best three years of contractual salary divided by 3. Then you divide the number of years of credited service by 55. The resulting percentage is multiplied by your FAS to give you your "maximum yearly pension." Dividing this figure by 12 will give you the maximum monthly benefit you will receive. This will be reduced if you choose one of the eight options that provide a monthly or lump sum benefit to your beneficiary upon your death after retirement.

### Retirement Types

#### Service

Qualifications: age 60 or older  
Benefit: Yrs/55 X FAS

#### Early

Qualifications: 25 or more years of service at any age  
Benefit: Yrs/55 X FAS = Annual maximum allowance – benefit reduced by ¼ of % (.0025) for each month under age 55.

#### Deferred

Qualifications: 10 or more years of service and under age 60  
Benefit: Yrs/55 X FAS = maximum allowance – benefit begins at age 60.

#### Veteran

Qualifications: at least 20 years of service at age 60 or older **or** at least 25 years of service at age 55 or older.

Benefit: 54.5% of highest year salary = maximum annual allowance.

Qualifications: at least 35 years of service and age 55 or older

Benefit: Yrs/55 X salary in last 12 months = maximum annual allowance.

#### Ordinary Disability

Qualifications: 10 years NJ service and total and permanent disability.

Benefit: 43.6% of FAS = maximum annual allowance.

#### Accidental Disability

Qualifications: active membership plus total and permanent disability as a direct result of a traumatic event that occurred while carrying out your regular or assigned job duties.

Benefit: 72.2% of salary at time of traumatic event = maximum annual allowance.

### PERS Features

**Vesting:** Occurs after 10 years of service or age 60, whichever comes first (you are entitled to collect a monthly retirement allowance beginning at age 60).

**Transfers:** You can continue to build on your PERS credit if you move to another public employer in New Jersey. If your new position is covered by a different pension plan administered by the NJ Division of Pensions and Benefits, you can transfer your service credit to most of those other retirement plans.

**Borrowing:** After three years of service, you can borrow up to ½ of your contributions and pay back the State at 4% per year.

**Purchasing service credit:** You may purchase credit for service rendered immediately before you enrolled in PERS, or service you previously had in a NJ administered pension plan or a through a public employer outside NJ (including federal government) or for military service or a leave of absence.

**Voluntary contributions:** May be made to Deferred Compensation or Supplemental Annuity Collective Trust (SACT) of set aside additional savings for retirement.

**Pre-retirement death benefit:** Your beneficiary receives your pension contributions plus interest.

**Life Insurance:** Before you retire, the State provides a noncontributory benefit equal to 1 ½ times base salary in the last 12 months of service. After you retire (if you have 10 years of PERS service), you receive paid-up Group Life Insurance equal to 3/16ths of your final year's salary.

The above is just an outline. As a PERS participant you have a member handbook that you should consult. No handbook? Go online to the Division of Pensions and Benefits website, [www.state.nj.us/treasury/pensions](http://www.state.nj.us/treasury/pensions) and look for the downloadable handbook. You will also find a retirement calculator on the website where you can estimate your eventual retirement allowance. Check out the Divi-

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