

## IT'S TIME TO MOBILIZE FOR NEGOTIATIONS

### President's Report Nicholas C. Yovnello

Normally we do not reveal the results of membership negotiations surveys, but it is no secret that health benefits are a high priority item in this year's negotiations for a new contract. The Legislature and State Treasurer have publicly targeted employee health benefit for massive cuts before the start of negotiations. In fact, a group of legislators wanted to preempt negotiations and legislate reductions. But we stopped them.

By "we" I mean the united lobbying effort of New Jersey's major public employee unions. First, there was a press conference in Trenton held on November 27, 2006 where the national leaders of AFT, CWA and Firefighters (Larry



Gold, VP of AFT's Higher Education Division represented AFT president Ed McElroy) denounced the threat to public employee benefits and obtained pledges from many Legislators to oppose any legislation that would interfere with the negotiations process. Second, we launched a campaign asking members to contact their legislators to insist that they keep their hands off public employee benefits. We rallied in Trenton on December 11, 2006 bringing together over ten thousand public employees to defend our benefits and the integrity of the bargaining process.

I wish to thank everyone who sent an e-mail, a letter or phoned their legislator. I also wish to extend a special thank you to the active AFT members and retirees who made the trek to Trenton and participated in the rally. Your actions were critical to the ultimate success of this phase of our battle to retain our health and pension benefits. Because of you, the Governor and a majority of legislators have agreed to defer any changes in benefits to the bargaining table.

Now our battle shifts to another terrain. Certain legislators, newspaper columnists and radio stations continue to depict our benefits as excessive. These attacks cast a pall over negotiations. While the Council's bargaining team has yet to receive the State's demands affecting our benefits, we have decided to take the offensive. Along with other major public employee unions, we are supporting a study titled *Good Medicine 2*, produced by the CWA. This is a revision of a proposal submitted to the Whitman administration when she was pushing for unrealistic cuts in benefits. *Good Medicine 2* presents a logical factual point-by-point response to shoddy research commissioned by the State. It also proposes a number of cost saving measures that will not negatively impact the quality of the current State Health Benefits Program.

Unfortunately, cogent arguments, logic and supporting documentation may not be enough to prevail in negotiations. Therefore, the Council will be calling on you to demonstrate your resolve not to become scapegoats for the State's economic ills. Here is what you can do:

- Union membership means union power. Recruit your colleagues who are not yet full dues paying members.
- Attend meetings of your Local and get involved by becoming a Department/Building representative or a member of your Local's strike committee. It is the strike commit-



Larry Gold, AFT's Director of Higher Education, addressing Trenton press conference

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# Upcoming NJ State Budget & Higher Ed

The State treasurer has indicated that, at best, we can expect a flat budget for higher education in FY 2008. Yet our own study *Flunking Out: New Jersey's Support for Higher Education Falls Short*, and a recent report by the National Conference of State Legislators, *Transforming Higher Education: National Imperative--State Responsibility* have clearly highlighted the chronic under-funding of higher education in New Jersey. The percentage of the state budget devoted to higher education is at a 25 year low! Is a flat budget the best we can do to stave off further cuts, rather than addressing the real problem? Adequate funding for operating budgets of our institutions is not just talk — it is a necessity.

AFT New Jersey, which unites the Council with New Jersey State Federation of Teachers, Health Professional Allied Employees and Rutgers AAUP-AFT, is mobilizing for a massive lobbying campaign for a budget that will reverse the decline in our State's support for public higher education. You can help by participating in the regional legislative breakfasts that AFT locals will be hosting around the state (see page 8).

Greater funding is one side of the coin. How the money is spent is the

other. Years ago, the now defunct Department of Higher Education oversaw spending. Now each President and their Board of Trustees do their own thing with minimal State interference.

The Council takes issue with the spending priorities of many of our institutions. Yes, we are aware of the lack of capacity, which causes NJ to lose approximately 50% of it college-age students to attend college in other states. Our first priority should be to ensure that we have the funds to maintain existing educational programs and to serve the existing student body. Do our faculty and students have the latest technology? Are our libraries able to fulfill both their traditional roles and to offer electronic databases to further strengthen academic research? Do our computer and science labs have the latest state-of-the-art equipment? Before embarking on new construction, have we attended to the ongoing maintenance needs of the physical plant and addressed the crisis in deferred maintenance?

New classrooms are fine, but will the colleges/universities continue to hire adjunct faculty rather than full-time faculty to fill them? Due to excessive reliance on adjunct faculty, the staffing of some of our senior institutions is

starting to resemble that of a community college instead of a university. The institutions should be putting qualified adjunct faculty on regular part-time or full-time lines. How long will tuition and fees be allowed to rise before students with low and moderate incomes are priced out of a higher education? At the same time that student retention rates are faltering, Kean University has done away with its full time academic advisors. So our message to the Legislature is not just that the State must provide greater funding. It must also impose much stricter accountability on the presidents and boards of trustees.

The Council and your Local's lobbying efforts for these and other important issues are funded from COPE contributions - not membership dues. Please sign up for a COPE payroll deduction. A \$5.00 per pay period contribution will go a long way to boost our influence in Trenton, in the Legislature and in the Governor's office.

Please count on attending the Legislative Breakfast on your campus. We cannot expect the Legislators to act on our issues if we do not show them that we are ready and willing to speak up for ourselves.

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## IT'S TIME TO MOBILIZE

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tee that will be responsible for coordinating activities that range from letter writing, campus demonstrations, Trenton demonstrations and possibly the ultimate weapon, to support your leadership at the State negotiations table.

While health benefits are a key issue, your response to the Council's negotiations survey has identified a number of other items that must be satisfactorily addressed at

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this set of negotiations. The Council and your local union leaders will keep you fully informed of our bargaining demands, the State's position and our progress in negotiations through local membership meetings, newsletters, bulletins and postings on the Council website.

Stay tuned and be prepared to act. — • —

### NOT A MEMBER YET? BECOME INVOLVED!

Make **your** voice heard in the workplace by joining the union today. Occupational Liability Insurance comes with membership!

Visit your local office for a membership card or visit the council's website ([www.cnjscl.org](http://www.cnjscl.org)) for membership information.

# Your Union at Work for You!

## Payroll Errors Caught in WPUNJ Promotions

Last year, the local negotiator from the William Paterson local (1796), Linda Gazzillo-Diaz received a range adjustment that took effect on September 1<sup>st</sup>. Like any good union person, she checked the contract to see if the University properly calculated her salary increase. It had not. Just to make sure her calculations were correct, Linda called the Council office, and indeed, she was right. Armed with the proper contract article and calculations, Linda brought the matter to the attention of WPU's human resource office and after waiting for more than a week and a half, she did not get a response regarding the proper adjustments. She then went to the Local's president, Susanna Tardi who went straight to the University president to let him know that HR had done nothing to remedy its error. The problem was then quickly corrected. In the meantime, the Local put out a notice to members who had been either reclassified or promoted to let them know they should check their pay increases for mistakes in calculations. All in all, the Union found seventeen errors and helped the harmed members make the correct calculations so they could inform HR.

As an aside to the William Paterson story, a couple of years ago, the Union helped eleven Montclair full-time members and one full-time Kean member who had been promoted and found themselves in the exact same predicament with their pay increases. Unlike William Paterson's unresponsive human resource office, the Montclair and Kean administra-

tion admitted they made mistakes and fixed the errors without much ado.

Paterson's recalcitrance prompted the Council to write a VOICE article (October 2006) about how to properly calculate pay adjustments after a reclassification or promotion. Then, only a few weeks ago, an NJCU member called the Council office to confirm her calculations because she too had not received the correct salary increase in September 2006 for her promotion to Associate Professor. She brought the matter to HR's attention and in this instance someone from payroll told her that *she* had miscalculated her increase. The newly promoted professor asked the Union to intervene, which it did by letter to the University president's office. A couple of days later, the Union and the member received notice of the correction and an apology for the error.

This is not the first time that the Union has had to step in and sort out HR mistakes and it probably will not be the last.

### Richard Stockton Employees Misclassified

Last summer, the Council staff literally stumbled upon a serious classification problem at Richard Stockton College. Council staff rep Debra Davis was making a routine inquiry about the number of part-time professional staff employed at Stockton and learned quite by accident that three part-

*(Continued on page 7)*

## Bi-partisan Commission Concludes New Jersey Shortchanging Public Higher Education.

Echoing the findings in *Flunking Out: New Jersey's Support for Higher Education Falls Short*, the report we commissioned from New Jersey Policy Perspective, a bi-partisan commission has concluded that New Jersey is shortchanging public higher education.

A report commissioned by the National Conference of State Legislators, called *Transforming Higher Education: National Imperative—State Responsibility* reveals that higher education is in a crisis and calls upon the states to fix it. The commission, composed of an equal number of Republicans and Democrats, including New Jersey Assemblyman Craig Stanley (D-27), spent 18 months studying trends and issues in higher education. The report criticizes state legislatures for funding higher educa-

tion "reactively" rather than "strategically," by cutting higher education in response to budget crunches and routinely shifting costs to students and parents through tuition increases.

The problems highlighted in the report include rising tuition, insufficient financial aid and student loan programs and cuts in higher education spending. In New Jersey, tuition rates are among the highest nationwide and the State is notoriously deficient in providing both annual funding and long term investment in infrastructure. The percentage of the total State budget devoted to higher education now stands at 5%. State appropriations for higher education peaked at nearly 10% in 1983, dipped to around 6% in the mid 90s, spiked in 1997 to over 8% and

are now at the lowest they have been in over two decades, due to this year's 6.2% budget cut.

Not mincing any words, Assemblyman Bill Baroni (R-14) commented, "This report does not surprise me. If anything, New Jersey can be held up as a state that has done everything wrong." Assemblyman Stanley, who also chairs the Assembly Education Committee, observed "There are many disturbing trends. It's up to the states to step up and make improvements."

But will this happen by itself? Only your efforts, as educators, unionists and public employees will make the difference.

Source: Star Ledger November 28, 2006. — • —

# Council Locals Join Over 10,000 Public Employees In Trenton Rally Telling Legislators To Keep Their Hands Off Pensions & Health Benefits

Over 10,000 New Jersey public employees rallied in front of the State House on Monday December 11, 2006 to send a message to the Legislature to keep their hands off our pensions and health benefits.

Sponsored by the New Jersey Education Association and the NJ State AFL-CIO, union leaders who addressed the crowd emphasized that the State should not try to resolve its fiscal problems on the backs of public employees. The chief rally cries, "We Are Not the Problem," "Back Off" and "Negotiate Don't Legislate," reflected the fact that public employees have earned their health and pension benefits, that they are not extravagant items in the State budget and that any proposed changes to these benefits should come only through the collective bargaining process.

Harold Schaitberger, President of the Professional Firefighters of New Jersey, referring to the State's failure to contribute a penny to state pensions over 7 years, roused the crowd by declaring "They want you to sacrifice for their failure to make pension contributions for the last several years running and this is plain unacceptable!"

Governor Corzine appeared to get the message even before the rally occurred. On Friday, December 8, he informed the Democratic legislative leadership that he would not support any measures that



Hands Off!



would affect the benefits of any public employees covered by collective bargaining agreements.

The Council's greatest concerns were proposals to force all new part-time employees (including adjunct faculty) into a defined contribution plan. Currently these employees are in PERS, a defined benefit plan. Although nearly all full-time employees the Council represents are already in a defined contribution plan called the Alternate Benefit Program, this plan provides for an 8% employer contribution whereas in the proposed new plan the employer contribution would be only 3%

In addition to Council AFT locals, a wide spectrum of public employee unions participated in the rally, including AFT affiliates, CWA, AFCSME, IFPTE, NJEA and police and firefighters unions.

For now, it appears that public employee unions have fended off legislation that would erode pension or health benefits. However, the State may very well seek to achieve the same ends at the

bargaining table, as negotiations begin to replace the agreements set to expire on June 30, 2007. Recalling the admonition "Be careful of what you wish for," we must be prepared for a tough season of bargaining ahead.

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NJ AFL-CIO President Charles Wowkanech addresses rally



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John Gallagher - Rowan University



## New and Interesting Local 1796 Agreements

Over the summer of '06, the negotiating team from Local 1796 negotiated two interesting local agreements for members who attend training sessions. One provides for compensation to learn the University's *Banner* computer system the other is compensation for employees who take an on-line instructional called *CITI: Course in the Protection of Human Research Subjects*.

The *Banner* Agreement covers all employees who do not use *Banner* as part of their regular duties (for example, faculty advisors). The compensation rate is .125 teaching credit hours at the overload rate for a two hour training session. The Union's negotiating team also made sure that the agreement provided retroactive compensation for employees who attended sessions before the Union put in a demand to negotiate.

The *CITI* Agreement provides compensation for employees who must take an online training that provides them with the information they need to comply with the University's policies on research involving human subjects. The compensation rate is the same as the *Banner* rate. The agreement does not cover those employees who are assigned alternate duties within load status (released time) to conduct research. Kudos to Local 1796! — • —

## William Paterson University Retirees Chapter Meets



WPUNJ Retiree Chapter members with L.1796 Pres. Tardi & Chapter Pres. Grier (2nd row - last two on right)

AFT Local 1796 hosted a meeting of the William Paterson University retiree's chapter on November 7, 2006 at WPU's David and Lorraine Cheng Library. The featured speaker was Council managing staff representative Steve Young, who spoke on the continuing attacks on retiree benefits both at the state and national level. A lively question-and-answer session followed and Young encouraged the chapter to increase its membership and to become involved with local 1796's, Council 's and AFT's lobbying efforts at the state and national levels. He also encouraged the chapter to consider a joint meeting at some point with other NJ State College/University AFT retirees groups. The attendees watched an excellent informational videotape titled "The Problems with the Medicare Drug Program and How to Fix Them". AFT Local 1796 President Susanna Tardi also addressed the group. In his closing remarks, Chapter President Reginald Grier updated the group on several upcoming conferences of interest to retirees. — • —

## Dierdre Glenn Paul Elected Council Executive Vice-President



At the Council's September 29, 2006 meeting, the Council elected Dr. Dierdre Glenn Paul, President of MSU Local 1904, to serve out the remainder of William Sullivan's (MSU) term of office. As Local 1904 President, she is also on the Council's Executive Committee and has been busy with more Council duties since assuming the Executive VP office. Also at its September meeting, the Council voted unanimously to approve a resolution to express its deep gratitude to Bill Sullivan for his dedication to and hard work on behalf of the Council, where he served in an official capacity for ten years. — • —

## Council Professional Staff Committee Sponsors 2<sup>nd</sup> Annual Professional Staff Conference at TESC

**A**fter the resounding success of the Council's first Professional Staff Conference in 2005, the Professional Staff Committee sponsored its 2<sup>nd</sup> Annual Conference this past October at the Thomas Edison College campus in Trenton. Ironically, like last year, it was a rainy day and yet the Committee happily reports that members from all State Colleges and Universities attended. Council staff Steve Young and Debra Davis and Professional Staff Committee Chairperson Iris DiMaio (WPU) were presenters.

Young started off the conference with an on-line tour of the Council's website, which has an updated link to Professional Staff local agreements, in addition to the usual links to the contract language that governs professional staff employment procedures, general information about the Professional Staff Committee and its accomplishments. Young then humorously segued into his presentation on upcoming contract negotiations by receiving a "phone call" from Governor Corzine about the State's budget shortfalls. His tone was serious however, when he was discussing the actual negotiating process in the context of New Jersey's budget crunch before moving on to an overview of contract proposals related to professional staff employment conditions. Young reminded conference attendees to check the website for updates about the state of our contract negotiations. He also commented that the Council's website can be bookmarked on their workplace computers since the State-Union Agreement is online for easy access and referring to it is a protected use of the Internet in the workplace.

After a networking lunch break, Davis presented a session called **Know Your Grievance Procedure—What Professional Staff Need to Know**. She began with a review of the general grievance procedures by covering items such as the difference between what actually constitutes a grievance versus employer activity that is just plain unfair, but does not rise to the level of a grievable action. She strongly emphasized to members that they should take the time to review the grievance language regarding the timely filing of grievances. Davis advised members to contact their locals' grievance officers or the Council when dealing with filing close to a deadline. Her grievance presentation also included examples of grievances specific to professional staff re-appointment, reclassification, work assignments, improper salary calculations, discipline and performance based promotions. She concluded her presentation with a Q&A session so that conference attendees could discuss emerging grievance issues specific to their campuses. Above all, Davis stressed how important it is for members to contact the union whenever they think management has violated their contract rights.

Later in the afternoon, Davis and Iris DiMaio co-presented a session on effective communication skills related to talking to supervisors about job performance and career advancement. Davis's portion of the presentation was titled

**The Scoop on Talking to Your Supervisor**, which focused on the contractual aspects of talking to supervisors about career goals and job performance outside of the usual evaluation period. One of the most often asked questions she gets from professional staff and even from HR officers is whether or not it is a contract violation to have that kind of discussion with a supervisor before the formal retention process takes place (see related article in December 2004 VOICE). The short answer is yes — it's beneficial to professional staff to know their supervisor's assessment of their performance so they have the opportunity to correct any deficiencies before evaluations take place or before you apply for career development or merit based promotions. However, she added that it's a tricky situation in terms of initiating the talk, preparing for the talk and having it as well as dealing with the results of having a performance related discussion with a supervisor outside the evaluation cycle. Davis provided detailed advice on how to move through each of the phases she laid out. If you are interested in her presentation, you can call the Council office to request a copy of her PowerPoint presentation for your next local professional staff workshop or meeting.

DiMaio's part of the presentation was titled, **Effective Communication —Getting Your Point Across**, which focused on the art of effective communication skills and how to articulate your career goals to your supervisor so that there is understanding between the two of you. Interestingly, Iris emphasized that the art of effective communication also means there should be an awareness of the many non-verbal cues employees send out to supervisors during discussions about performance or career goals. Non-verbal cues, such as defiant, tense or angry body language, can often detract from the main message of promoting your accomplishments and goals— in other words, how you say what you want is as important as the words you use in your discussion. DiMaio ended her presentation with a lively Q & A session — as it turns out, many conference attendees admitted that they do have a very hard time expressing their career goals or job performance with their supervisors—even during the retention cycle. Iris's presentation is also available on PowerPoint. We hope you take advantage of this valuable resource for your next local meeting.

In her closing remarks to conference attendees, Iris encouraged members to hold local professional staff meetings in order to share information discussed at the conference. The Council has learned that shortly after the conference in October, the Kean University Local (AFT Local 2187) held a professional staff luncheon in November and discussed some of the topics presented at the Conference.

Finally, we want to send out a very warm thank you to the professional staff members of Local 4277 (TESC) for their

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# NEGOTIATIONS UPDATE

Although formal negotiations for the next contract did not formally begin until November 3<sup>rd</sup>, the Council and the Locals have been deeply involved in preparations for the first meeting between the Union's bargaining teams—full-time/part-time and adjunct faculty— and representatives of the State of New Jersey.

## Update

- The Council and your locals' negotiating teams have had only one official negotiating session thus far. This was a "meet & greet session" in November where the parties agreed on ground rules for the conduct of negotiations.

- The State has begun negotiations with CWA where the State put forward health & pension benefit proposals. The legislature has thus far backed off from acting on legislative proposals.

- As a part of the Property Tax Reform recommendations, the Legislative Committee on Public Employee Benefits Reform is recommended legislation that would drastically impact pension and health benefits. Our emphasis was focused on lobbying against legislation that would circumvent the collective bargaining process.

- The Council coordinated lobbying efforts with the



The Council's negotiating teams developing contract proposals

other public employee unions to successfully fight legislative attacks.

- The Council continues to meet with the leadership of the other public employee unions to get first hand information on the progress of their negotiations in order to evaluate the impact on our own negotiations and to develop a collective effort on common issues.

- Locals' negotiating teams/executive committee representatives pre-



pared preliminary demands in the spring to submit to the Council in June.

- Beginning in June and continuing into the fall, the Council has held a number of negotiation workshops to generate bargaining demands. Additional demands were added from locals throughout this process.

- The Council's membership survey was concluded on November 17th and the respective unit negotiating teams have reviewed the results for inclusion into our proposals.

- In mid-January, the negotiating teams met to finalize bargaining proposals to present to the Full Council for adoption on February 2nd.

- Formal negotiations with an exchange of bargaining proposals will begin on February 16, 2007.

- It is important for unit members to demonstrate their support for our efforts to protect health benefits, pensions and the negotiations by helping to build membership and by participating in demonstrations, email and other activities that will be held to support the collective bargaining process.

Further updates will be placed on the Council's web site at <http://cnjscl.org> as more information becomes available.

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## Professional Staff Conference

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assistance with hosting the conference. Once again, congratulations and thanks to the Committee members for your hard work in making the 2<sup>nd</sup> Annual Professional Staff Conference a success! We look forward to next year's conference and to your continued participation that makes these events a valuable resource to professional staff members.

To see who your Professional Staff Committee representatives are visit [www.cnjscl.org](http://www.cnjscl.org).

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## Union at Work for You!

(Continued from page 3)

time professional staff who teach as part of their regularly assigned duties were *misclassified*. The Council filed an Unfair Practice Charge regarding side issues related to the matter and after months of working closely with SFT (Local 2275) president Mike Frank, the Union successfully negotiated a settlement agreement that provides reclassification from PSSIV to PSSII for the three affected professional staff. The best part of this story is that the Union gained two new members who, unfortunately, found out the hard way that the Union works for them.

So remember, the Union is here for you!

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February 2007

Published on behalf of the AFT Locals in the New Jersey State Colleges and Universities by the Council of New Jersey State College Locals, AFT/AFL-CIO.

Member: Union Communication Services, Inc.; AFT Communications Network.

## NEW MEMBER ASSISTANCE SERVICE AVAILABLE

If you need assistance with stress, mental health problems or substance abuse that is affecting your job performance—or if anyone in your family is experiencing similar problems--help is available from Healthcare Assistance with Member Support (HCAMS).

Some of you may be familiar with the Employee Advisory Service (EAS) which employers use to assist employees with the types of problems described above. HCAMS is a superior alternative because it acts as your advocate, which is something that EAS cannot do. As a union-friendly and employee-friendly organization, it will assist you in obtaining the health care you need, while protecting your rights on the job.

HCAMS is your personal referral service. It will counsel you and refer you to competent professionals that will accept your insurance. Should you miss time at work, it will further assist you in avoiding discipline and navigating fitness for duty exams.

You are encouraged to call 1-888-828-7826 if you have one or more of the following problems:

- Drug and alcohol dependence
- Stress related conditions
- Sleeplessness
- Uncontrollable anger
- Difficulties in concentrating
- Disciplinary issues relating to health
- Adolescent problems
- Other relationship issues

In sum, HCAMS can help you deal with a myriad of problems—at the work place and at home. It can help you access treatment, obtain medical documentation, avoid disciplinary problems and to advocate for your right to health benefits, disability, family leave or sick leave.

Call for a confidential consultation. Ask for Terry Livorsi.

THIS IS A FREE SERVICE AVAILABLE TO THE ENTIRE BARGAINING UNIT—and yet another good reason to join the UNION.

## SICK AND TIRED OF COLLEGE/UNIVERSITY BUDGET CUTS??

### Attend a legislative breakfast.

AFT New Jersey has launched a state-wide campaign to increase higher education funding in the next State budget. Legislative breakfasts have been scheduled on our campuses where union members will have an opportunity to discuss the need for greater funding (and more accountability) directly with area legislators.

WILLIAM PATERSON UNIVERSITY

MARCH 21, 2007

HOBART HALL

8 AM -10 AM

NEW JERSEY CITY UNIVERSITY

APRIL 24, 2007

HEPURN HALL 202

8 AM --10 AM

Additional breakfasts will be held at Montclair State University and Rowan University. *Please contact your local union office for dates & details.*