



## CIVIL LIBERTIES UNDER ATTACK AT KEAN UNIVERSITY

**L**amponing public officials in the US is a tradition that goes back to the birth of our republic. However if you are suspected of trying it at Kean University, you can expect a state criminal investigator to come knocking on your door.

This was the experience of Bert Wailoo, professor in the Accounting Department. In early August, two investigators from the New Jersey Division of Criminal Justice visited him at his home. They questioned him for about 30 minutes about two anonymous e-mails that circulated throughout the Kean campus in April 2004, criticizing President Dawood Farahi for acting like a dictator. One was a parody of the Spike Jones WWII classic, *Der Fuehrer's Face*.

Wailoo denies that he had authored the e-mails. He was apparently interrogated because in the past he has writ-

ten satiric missives attacking the Kean administration, although in those instances he always signed his writings. Wailoo states that the investigators told him their purpose was to look into unauthorized use of campus e-mail and that they would be contacting other Kean employees.

Of course unauthorized use of campus e-mail is hardly an offense that warrants a criminal investigation. Furthermore neither e-mail message contained anything that could be remotely construed as threatening. They were both clearly expressions of free speech.

If you were also interrogated by state investigators or Kean University management for exercising your First Amendment rights, please contact the Council immediately. We will turn the matter over to the Council's attorney for review. — • —

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### PRESIDENT'S MESSAGE

by Nicholas C. Yovnelo

### The Political Scene, State and Federal

**I** had expected to devote this column to politics at the national level but circumstances dictate that I first comment on events at the state level.

AFT, and its New Jersey affiliates including the Council, endorsed McGreevey in both of his election bids. Our endorsement was based on his legislative record, the pledges he made to improve the lives of working families in New Jersey and his comments to the Council leadership regarding public sector bargaining and funding for public higher education. While no candidate is perfect, I believe that under the McGreevey administration, we made significant strides and had a good shot at attaining more legislation to benefit our members and their families. Now we face a period of uncertainty,

# GET ON THE BUS FOR KERRY



The NJ AFL-CIO is urging all NJ union activists to contribute one day of their time before Election Day to visiting Pennsylvania union members on behalf of John Kerry, the Democratic candidate for President. Pennsylvania, a swing state with many electoral votes, may hold the key to the November election.

On Saturday, September 18, 2004, the Council expects two buses to leave from North Jersey and South Jersey, respectively, filled with volunteers from the three major campus unions, AFT, CWA and IFPTE. North Jersey unionists are asked to converge at MSU and South Jersey unionists at Rowan. Departure times are 7 AM from MSU and 8: 15 AM from Rowan. As more details become available, they will be posted on our website [www.cnjscl.org](http://www.cnjscl.org)

Upon arrival at a union hall in Pennsylvania at about 9 AM (North Jersey bus goes to Wilkes-Barre, South Jersey bus to the Philadelphia area,) Pennsylvania unionists will

be there to greet you. They will provide a snack, instructions and street maps and transport you to a neighborhood with union households. Along with a partner, you will be asked to knock on the doors of union households, talk to them about where Kerry and Bush stand on issues critical to the labor movement and hand them a flyer. If no one is home, you just leave the flyer. Two to three hours later, you will be picked up and taken back to the union hall where you will be served lunch and thanked heartily for your efforts. Your bus will be waiting to drive you back to your starting point.

Volunteers for September 18 or a future date closer to the election are urged to contact the council at 908-964-8476 and speak to Bennett Muraskin or e-mail him at [muraskin@cnjscl.org](mailto:muraskin@cnjscl.org)

How important to you is the outcome of the Presidential election? Good. Now please volunteer. — • —

## You & Your PERSONNEL FILE

### Article XXIX Revisited

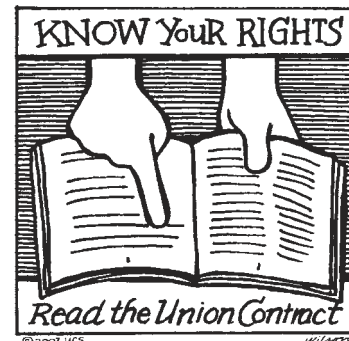
In previous editions of the *VOICE*, the Council staff have written about Article XXIX of the full-time Agreement, "Personnel Files" because we often find that employees do not know about the provisions of Article XXIX or how important they are to your employment. Throughout the nine State Colleges and Universities it is among the most regularly cited contract violation in grievances that the Union files. The reason for this is that all too often supervisors, faculty committees and sometimes department chairs do not properly handle documents concerning personnel actions.

This article is an updated piece on the importance of knowing your rights under Article XXIX.

### Article XXIX guarantees you:

- the right to place documents in your file. Management cannot refuse to put in items you want in your personnel file;

- the right to insist that all documents it places in your file be signed — with one exception: student evaluations;
- the right to receive documents relating to personnel actions immediately;
- the right to respond;
- the right to get copies of your file at reasonable cost;
- the right to review your file "upon application;"
- the right to exclude letters regarding one's hiring from subsequent evaluations;
- the right to have a union representative accompany you when you review your file;
- the limitation of who has access to your personnel file;
- the right to request that the Administration remove materials from your file.



### Elements of Article XXIX Clarified

#### Unsigned/anonymous documents

When an employee finds an unsigned document or documents in his or her personnel file the Union has always been able to get them removed until and/or unless they are signed. This restriction on unsigned documents affords an employee protection from anonymous documents

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## Your Personnel File

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to which he/she could not possibly respond. More often than not the Union has found that management cannot pursue a matter either because the complainant does not want to sign a document or has left the institution.

### Timely transmission of personnel documents to employees

When an institution fails in fulfilling its obligation to immediately transmit personnel documents to employees, especially when a deadline to respond exists, the Union has been able to negotiate an extension of a response deadline because of the institution's initial failure to be timely with its personnel procedures. The Union has always insisted that a "reasonable" time to respond should be determined by the seriousness of the matter and/or the employee's needs, not by management's convenience.

### Requesting copies of your personnel file at reasonable cost

The Union has successfully challenged management's attempts to ask for more than the cost of paper and secretarial time when an employee

requests a copy of his or her entire personnel file.

### The right to review your file upon application

This is an important component of Article XXIX. The Council's staff reps have always advised members to review their personnel files at least once a year just to make sure that they are kept in order. However, for serious matters such as discipline or grievance investigations, it is important to have your local union representative or a Council staff member accompany you to review your file. Your union representative can be a witness as to the contents of your file should there be any dispute over missing, inappropriate or anonymous documents.

### Right to Respond

An employee's right to respond to personnel documents is arguably one of the most critical elements of Article XXIX. The Council staff cannot emphasize strongly enough that employees should never dismiss this right as meaningless or ineffective. For example, during the employee's retention and review process, the applicant has the right to respond to any negative comments from his or her supervisor *before* the next level of su-

pervisory review. An employee's dispassionate, well-written and well-argued challenge to negative evaluation comments concerning his or her performance does matter. In fact, a well-written response has often made the difference between non-reappointment and reappointment. Moreover, arbitrators have made it crystal clear that an employee's failure to respond to criticisms casts those criticisms "in stone." One final important point to remember is that arbitrators have absolutely rejected management's attempts to explain away its actions that may have deprived an employee of his or her right to respond.

### A Good Response

Employees are always surprised to find how difficult it is to craft a reasoned, dispassionate, well-argued and well-written response to management's criticisms. The grievance chairperson on your campus or a Council staff representative can help you write one. In fact, you should always consult with the union when you have to write a response to a negative review. It has years of experience in writing responses and can assist you in using your right to respond in the most effective manner possible. — • —

## Use the Council's Website to Research the Reclassification Process

Recently the Council staff has been answering questions from professional staff employees who are applying for reclassification to a different and/or higher State title. One of the first things the staff suggests to them is that they go to [www.cnjscl.org](http://www.cnjscl.org) and choose the "Professional Staff" menu item to research "Position Classification and Reclassification" information **before submitting their reclassification** documents to management. These two pages along with the accompanying pop-up pages for professional staff can greatly assist you before, during and even after the reclassification process.

Although several locals have negotiated procedures to expedite the procedural aspects of the reclassification process, the information contained in the Council's site explains the how-to elements of the procedure. For example, the site discusses who may apply and when reclassification is warranted, the types of reclassification, the difference between job specifications and job descriptions with tips on how to write job descriptions. Professional staff employees will also find model job descriptions for each of the generic titles and in general, will find reclassification sug-

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# Barbara Hoerner Retires

**S**enior Staff Representative **Barbara Hoerner** retired on June 30, 2004 after 26 years of service to the Council.

Barbara came to work for the Council on part-time basis to assist with membership recruitment during the AY 1978-79. During that period she made recruitment visits to every campus. Barbara had spent the previous two years as an Assistant Professor in the department of Administrative Studies (now the School of Business) at Glassboro State (Rowan University). She taught courses in collective bargaining and personnel management and was active in the local Union and served as a Council delegate. She was also a member of the Faculty Senate and the All-College Promotion Committee.

In fall 1980, when the Council faced a serious challenge by the NJEA to its representation of the state college unit, Barbara was hired as a temp to assist with the bargaining campaign. She was assigned to Trenton State College (The College of New Jersey) and still fondly remembers her daily visits to the campus. In fact, Barbara was on campus so frequently, that President Harold Eickhoff was convinced she was one of the College's new faculty. After the representation campaign ended, Barbara stayed on as a Council employee through the spring. She then had to choose between returning to Glassboro and staying with the



*Barbara received a standing ovation of appreciation from the Council delegates ...*

Council. Fortunately for us, she chose the Council.

In her ensuing years, Barbara handled scores of grievances, arbitrations and unfair practices. Her special assignments included working with the Librarians' Committee, Professional Staff Committee and the Health Care Committee. She is especially proud of the Title Reevaluation project she undertook in 1994 that resulted in a two-range increase for the librarians. Barbara was also much involved in all the strike preparations that went with each round of contract negotiations.

When Senior Staff Representative Tom Wirth retired in 2000, the Council promoted Barbara to Senior Staff Representative. She assumed Tom's duties as editor of the VOICE and office and staff coordinator until managing staff representative Steve Young was hired in 2003 in anticipation of Barbara's retirement. Young notes that "working

with Barbara during my transition period was a distinct pleasure and educational experience."

One of Barbara's final assignments was overseeing much of the preparation for the last contract, working closely with both bargaining teams.

Thus far into retirement, Barbara is pursuing several of her hobbies. She also plans to work part-time for Local 1904 (MSU) handling grievances.

Barbara thanks Dr. Rose Glassberg (past President of FORCE - Local 2373 and current President of the Rowan Retiree's Chapter), her Glassboro "mentor," who thought she would make a good staff rep and recommended that she apply for a staff position with the Council. She also thanks Tom Wirth for more than twenty years of guidance, inspiration and friendship. She feels very fortunate in having good colleagues, good "bosses", (Council Presidents Lacatena, Silberman, and Yovnello) and many wonderful people to work with in the locals.

Barbara received a standing ovation of appreciation from the Council delegates when she attended her last meeting this spring. "Hundreds of our members have been provided with top notch representation as a result of Barbara Hoerner's efforts during her years with the Council" stated Council President Nick Yovnello. "The Council thanks her for her tireless work and wishes her the very best in her retirement." — • —

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## Reclassification Process

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gestions and guidance that the College/University Human Resource offices do not provide.

**F**inally, the reclassification process is lengthy and difficult and as the Council's web site notes, sometimes as much as a year or two can elapse between



the initial request and the final approval or denial. The most important thing to remember when considering whether or not to request a reclassification is to do the research before starting the procedure. A fully detailed and well-written request can mean the difference between success and failure. — • —

# TWO LEGISLATIVE VICTORIES

## Millionaire's Tax Enacted

On June 21, 2004, Governor McGreevey signed the Millionaire's Tax into law. It raises the tax rate on individuals with gross incomes over \$500,000 per year and families with gross incomes over \$1,000,000 from 6.37% to 8.97%, retroactive to January 1, 2004. It is estimated that this tax increase will raise \$830 million in FY 2004. All the revenue will be re-



turned to the taxpayers in the form of increased property tax rebates, with tenants also receiving their share. Close to 2 million residents are expected to benefit.

The driving force behind this campaign was the Fairness Alliance, a coalition of over 100 groups representing diverse constituencies, dedicated to a more equitable tax structure and improving the state's fiscal condition. The Council was a founding member and actively participated.

Under the slogan "Recapturing the Windfall" the Fairness Alliance waged an effective campaign showing that the wealthiest New Jerseyans benefited tremendously from a serious of federal and state income tax

cuts under President Bush and Governor Whitman. With a state budget gap running in the billions of dollars, a modest tax increase on millionaires, less than 1% of the state's population, was a sensible alternative to layoffs or cuts in state services.

At first the Governor and most legislators scoffed at this proposal, but after much lobbying and publicity, the proposal gained steam and finally made it to the top of the Governor's agenda. Although the Fairness Alliance originally sought to combine the tax increase with a tax decrease for the lower income brackets and also sought to craft the tax increase to raise even more money to plug the massive hole in the state budget, these elements were dropped in order to obtain the support of the Governor and the legislative leadership.

This is the first state income tax increase since the Florio debacle in the 1980s and reverses the trend set by the Whitman tax cuts that favored the wealthy.

## Fair and Clean Elections

In a small, but significant step to reduce the influence of big money in politics, Governor McGreevey signed a bill establishing "New Jersey Clean Elections Pilot Project" allowing candidates in two legislative districts to rely exclusively on public financing. The two districts have yet to be selected, but beginning in the 2005 General Assembly elections, candidates there can qualify for up to \$100,000 in public financing if they collect enough small donations from 1500 voters in

their district to prove they are viable. Candidates may still raise money the traditional way, but will forfeit their public funds to the clean election candidate.

The bill also created a Citizen's Clean Elections Commission to monitor the program.

State legislative races have become so expensive that only wealthy individuals or candidates with large donors have a legitimate shot at winning. Even incumbents spend more time fund raising than legislating. Legislators can easily become beholden to corporate contributors, while the average voter is shut out of the legislative process.

According to NJ Citizen Action Co-Chair and CWA Local 1081 President David H. Weiner, "We believe clean elections can reduce voter apathy and cynicism, lower the cost of campaigns, recruit new candidates from all walks of life and provide a viable alternative for candidates who do not want to ask for hand outs from special interests."

This victory is especially significant because the only two other states with public financing of elections, Maine and Arizona, adopted this reform due to ballot initiative. New Jersey is the first state where the legislature took the initiative. But this did not happen without a fight. New Jersey Citizen Action spearheaded the fair and clean elections campaign. The Council, as an active member of Citizen Action, played an important role. — • —

## NOT REGISTERED TO VOTE?

VISIT [WWW.CNJSCL.ORG](http://WWW.CNJSCL.ORG) TO REGISTER ONLINE

Click on: [Register To Vote Online With American Federation Of Teachers Voter Registration](#)

## President's Report

(Continued from page 1)

as Democrats and Republican candidates position themselves for the 2005 gubernatorial election.

There are some who may say that our experience with Governor McGreevey has been unsatisfactory. I disagree with that viewpoint. Given the economics of the State and the major deficits that he faced during his tenure in office, higher education and labor issues have fared fairly well. Under the McGreevey administration, adjuncts received access to state health benefits, the State Health Benefits Commission expanded to include two union representatives, taxes were raised on corporations and millionaires and domestic partners received legal recognition. This year's budget contains significant increases for public higher education and a student scholarship program at the community colleges that the Council hopes will be a blue print for the senior public institutions.

Our negotiations yielded substantial non-economic gains in the area of intellectual property rights and promotional opportunities for professional staff as well as significant improvements in salaries, in particular a 12<sup>th</sup> step for all full-time employees, and range upgrades for librarians and program assistants. Compare this to the situation in other states, where negotiations between higher ed unions and management have dragged on for years without a contract in sight.

The bottom line is that the governor was slowly making progress on meeting his campaign pledges to us and to the labor movement.

During this transition period in New Jersey state politics, the Council still has an urgent legislative agenda to pursue. Among the major bills that we would like to see enacted are those to expand the scope of negotiations, prevent the imposition of management's final contract proposal and mandate more state oversight of our college/university administrations. The Council will meet and work with the current legislative leadership and the acting governor to bring these bills to fruition. We will be asking you to support these efforts by responding to e-mail campaigns through the CAP WIZ program and other activities aimed at garnering legislative votes. The Council also plans to meet with potential candidates for governor of both parties and will make an endorsement based on their stance on our bread and butter issues. Your locals will be part of this process.

**C**urrent political developments in New Jersey cannot be permitted to distract us from the national arena. While all elections are important, it is not an exaggeration to say that the upcoming presidential election may be *the* election of our lifetime. You're probably aware that the American Federation of Teachers at its biannual convention and the NJ AFL-CIO at its June convention have endorsed John Kerry.

How does the upcoming Presidential election affect higher education?

President Bush's policies have reduced access to higher education by contributing to a 14 percent increase in college tuition in 2003. Pell grants are worth 10 percent less today than when Bush took office and they do not begin to match escalating college costs. Furthermore, the Bush administration attempted to change the rules affecting Pell grant eligibility that would block 84,000 potential students from receiving these grants. Senator Kerry, on the other hand, has consistently supported increases in Pell grants, loan forgiveness and HOPE scholarships. His College Opportunity Tax Credit proposal would make a college education more affordable for all Americans.

On labor issues, the two candidates are light years apart—on the right of workers to organize, on collective bargaining, overtime pay and outsourcing. For example, the Bush appointees on the National Labor Relations Board just reversed a past decision by ruling that graduate student teaching assistants do not have the right to organize. Whether the issue is the preservation of social security, health care or the privatization of public services, the choice could not be clearer.

On page 7 you will find a comparison of George Bush's and John Kerry's records on the economy. I urge you to look at all of the facts in this election and ignore the sound bites. Analyze issues, compare the candidates, do your research and make your decision. Make your vote count in this crucial election — • —

## NEW AGREEMENTS NOW AVAILABLE

The 2003-07 Agreements Full-Time & Adjunct Faculty have been printed and are now available from your local campus union.

## NOT A MEMBER YET?

Make your voice heard in the workplace by joining the union today.

Visit your local office for a membership card or visit the council's website for membership information.

# National Budget Priorities

## What's at stake Nov. 2: National Budget Priorities



**John Kerry**

- ✓ Kerry supports tax breaks for the middle class. He proposes new health care and college tuition tax credits for working families funded by rolling back Bush's tax cuts for the nation's wealthiest 1 percent. ([www.johnkerry.com](http://www.johnkerry.com))
- ✓ John Kerry will fully fund Head Start, create a new National Education Trust Fund, expand health care coverage and fully fund federal affordable housing programs. ([www.johnkerry.com](http://www.johnkerry.com))
- ✓ John Kerry will cut the federal deficit in half in four years by rolling back tax cuts for the wealthiest, ending corporate welfare and restoring fiscal discipline. ([www.johnkerry.com](http://www.johnkerry.com))
- ✓ Will meet America's domestic priorities such as rebuilding the nation's schools and highways and providing health care for families and education for their children. ([www.johnkerry.com](http://www.johnkerry.com))
- ✓ Will help states end their fiscal crises by investing \$25 billion a year in vital programs such as education, public safety and health services, creating jobs and strengthening services to working families. ([www.johnkerry.com](http://www.johnkerry.com))



**George W. Bush**

- ✗ His 2001–2003 tax cuts benefit mostly the wealthiest — over the next 10 years, 50 percent of the tax cuts will go to those making more than \$1 million, the nation's richest 1 percent. (Citizens for Tax Justice, 1/8/03)
- ✗ Bush plans to cut funding for education, the Homeland Security Department, Head Start, nutrition programs for women, infants and children and home ownership, job training, medical research and science programs in fiscal year 2006. (The Washington Post, 5/27/04)
- ✗ Bush's tax cuts for the wealthy and economic policies have contributed to the largest federal budget deficit in the nation's history, even though Bush inherited a more than \$230 billion budget surplus when he took office in 2001. (Center on Budget and Policy Priorities, 2/1/04)
- ✗ Is spending billions to rebuild Iraq's roads and schools while neglecting America's domestic priorities. (S. 1689 and H.R. 3289)
- ✗ President Bush's economic policies, budget choices and massive tax cuts for the wealthy have fueled the worst state fiscal crises since World War II. Many states and cities have been forced to slash services, close offices and lay off workers. (Center on Budget and Policy Priorities; National Conference of State Legislatures)

### The Bush Record

- Under President George W. Bush's tax cuts, millionaires received an average tax break of \$136,398. The middle 20 percent of taxpayers got \$652. (Center on Budget and Policy Priorities)
- Bush's tax cuts have caused 37 percent of the state budget deficits across the country. Over the past three years, states have struggled to close budget deficits totaling almost \$200 billion. (Center on Budget and Policy Priorities; National Conference of State Legislators)
- The Bush tax cut lowered taxes on income from investments—which benefits primarily the wealthiest — two-and-a-half times more than the tax cut on earnings. (Institute on Taxation and Economic Policy)

Learn the issues,  
Check the records and



How you vote is a personal decision, but after researching the candidates' records, **your union and the AFL-CIO have endorsed John Kerry for U.S. president.** For more information, visit [www.votenov2.com](http://www.votenov2.com).

# Navigating the Council's Website at [www.cnjscl.org](http://www.cnjscl.org)

Many times over the last couple of years, the Council staff has steered members to the CNJSCL web site for useful information about our FT/PT and Adjunct Faculty Agreements, Union news and the goings on in New Jersey's political arena around higher education. Too often, however, the staff is surprised to learn that most members still do not know about the site or that if members have visited [www.cnjscl.org](http://www.cnjscl.org), they could not find information specific to their employment related problems or queries. That is why this *VOICE* issue features a Council web site tutorial. To view all menu items on the site, be sure to set your browser to allow Pop-ups for this web site

## Overview

When you log on to the Council's web site, on the left side of the home page you will find menu items that link you to information about your Union and the terms and conditions of your employment at New Jersey's nine state colleges and universities.



time/Part-time and Adjunct Units. You can even download the new Agreements in PDF versions. This feature is

especially useful until you can pick up the new Full-time Agreement at your local union office.

Are you a professional staff employee applying for a reclassification? The Council's "Professional Staff" link provides you with the information you need to get you through the difficult and oftentimes daunting reclassification process.

Have you ever wondered about the relevant New Jersey statute that affects tenure and multi-year contracts? That's right, the Council's site provides you with the statute language that defines tenure and sets out the conditions under which you earn **tenure and multi-year** contracts. Click on "**Tenure and Multi-Year Information.**"

"Adjunct Faculty Information" provides you with all the latest updates regarding the new language in the recently 2003-2007 Agreement. Adjunct faculty can also find links to national adjunct faculty groups and all the latest updates on adjunct faculty participation in the State Health Benefit Program.

Did you know that Librarians moved a step closer to faculty status in our new Agreement? To stay informed about all things related to Librarians' issues — from changes in Librarians' titles, Librarian committee members and useful links to Librarian organizations — check the **Librarians'** link.



Do you have a grievance? The "**Grievance Information**" menu could be the most useful item on the Council's site. Anyone who has ever filed a grievance knows that it can be a confusing and arduous procedure. Yet, it is without a doubt the most useful tool the Union has in protecting your employment rights.

**AFT Member Benefits** is a direct link the National AFT Plus Member Benefits page. You will find a host of information about the "Benefits of Belonging" ranging from financial services to travel and hotel discounts.

Are you a political junky or only peripherally interested in politics? The **Political Action** pages provides members with the Union's legislative activities, information about COPE and a user-friendly way to contact your legislative representatives at the State and National levels.

Do you need contact information for your local newspapers, official State web sites or for National AFT? You

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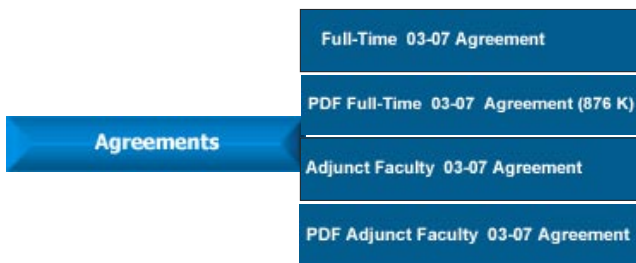


can find those links and others on the Council's "Useful Links" page.

ONE OF THE MOST POPULAR MENU ITEMS on the Council's web site is the one linking members to the Full-time/Part-time and Adjunct Faculty Agreements. This section highlights some of the features of those menu items.

### Selecting the Agreements options

When you roll your mouse over the Agreement menu you will be presented with a mouse rollover that looks like this:



It is important to remember that regardless of which Agreement you picked on the roll-over, the Agreement pages are independently set-up so that you can stay on the Council's web site should you decide to close out that page and go somewhere else in the site. In fact, this is the case with all of the pop-up pages.

Let's say that you need information about the fall 2004 adjunct salary rate so you chose the Adjunct Faculty – 03-07 Agreement on the rollover selection. Below is a portion of what will appear on your screen from that selection. From there you can select the hyper-linked, or underlined, Salary Table that takes you to a pop-up page of the "Adjunct Faculty Salary Table 2003-2007."

### Adjunct Faculty Agreement – July 1, 2003 to June 30, 2007

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(Click on an Article to go to that section of the Agreement)

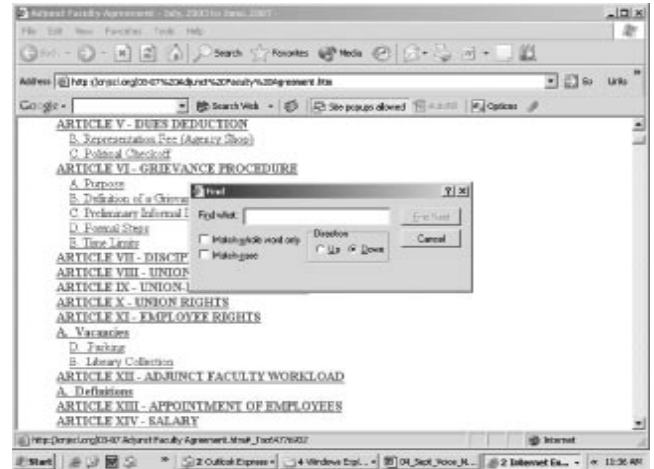
[Salary Table](#)

[PREAMBLE](#)

### ARTICLE I - RECOGNITION AND DEFINITION OF TERMS

What if you wanted to read the contract language that defines your institution's responsibilities regarding adjunct faculty salaries? There are a couple of ways to find that language. Perhaps you noticed the helpful hint im-

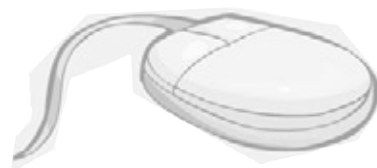
mediately under the Table of Contents: Click on an Article to go to that section of the Agreement. This is obviously easy enough if you know which Article number contains the salary language. However, if you don't know the article number, you can do a quick Find on this page under Edit in the Tool bar section of your browser (see below). In this example, you would type in Salary, select "Find Next" until the browser brings up Article XIV-Salary. The "Find" tool works the same way for not only the Full-Time 2003-2007 Agreement but also on all pages on your browser.



### Bookmark the web site

The Council's web site is your web site, created with your needs in mind. The Council's web master is continually enhancing the site in order to fulfill the Council's mission of protecting your rights and privileges as public employees in New Jersey's institutions of higher education. Whether you visit [www.cnjscl.org](http://www.cnjscl.org) only occasionally or you visit on a regular basis, please bookmark (add to Favorites) the site on your browser.

**Remember,  
your Union  
is only a  
click away!**



# OVER THE SUMMER

**NJ AFL-CIO Convention June 15-17, 2004**

## **The importance of electing John Kerry as President is emphasized**

In his keynote address to the Convention, NJ AFL-CIO President Charles Wowkanech said, "We are joined at this Convention by over 700 of our brothers and sisters in labor, representing 1,000 unions and one million members. We are many and we are diverse - but together we are, One State, One Voice, One Labor Movement ... Fighting to Make the Difference. Together, by developing innovative strategies that will continue to put the priorities of working men and women at the top of everyone's agenda, we continue to make a difference in the lives of so many." Wowkanech also said "Senator Kerry knows that America's future depends on our government's ability to keep jobs in America and our workforce employed. The anti-labor, anti-American worker policies enacted by the Administration of President Bush cannot continue and Senator Kerry has a vision to move our country forward.



Making health care affordable and accessible to more Americans and protecting workers' rights to organize are also issues that we believe will be faced head on when Senator Kerry goes to the White House. Over the past eight years we have shown New Jersey's politicians the importance of the Labor vote, this November



Newly appointed NJ Commissioner of Labor Kevin McCabe, Pres. Nick Yovnello & Ivan Steinberg (NJCU)

we are going to prove this on the national level." Speaking on the announced retirement of New Jersey Department of Labor Commissioner Al Kroll, President Wowkanech stated, "Whether one looks at the reorganization of the Department of Labor or the incredible record of job creation and training, New Jersey has made unprecedented strides towards implementing policies which are both pro-labor and pro-business under Commissioner Kroll's leadership."



Bill Sullivan (MSU), Charles Wowkanech - (NJ AFL-CIO), Catherine Becker (MSU), Ivan Steinberg (NJCU), John Shea (NJ AFL-CIO-COPE), Arlene Schor (KUAFF) & Nick Yovnello

Council President Nick Yovnello, Catherine Becker (MSU), Bill Sullivan (MSU), Ivan Steinberg (NJCU), Jon Erickson (KU) Arlene Schor (KUAFF), Nick DiObilda (Rowan), Bonnie Wilson (Rowan) and Steve Young (Council) represented the Council at the Convention.



CNJSCS Staffers Steve Young, Bennett Muraskin and Barbara Hoerner traveled to Paramus with food and beverages to support and picket with our AFT healthcare affiliate, HPAE Local 5091, in its strike against the Bergen Regional Medical Center in Paramus.



Lobbying for Council's legislation with Assemblyman Craig Stanley. L to R: James Castiglione (KU), Debra Davis (Council), Assemblyman Stanley, Steve Young (Council) & Richard Katz (KU)

## AFT Convention - Washington D.C.- July 13-17, 2004

AFT convention delegates elected Edward J. McElroy as the AFT's new president, along with a new secretary-treasurer, executive vice president and a slate of 39 vice presidents.



Senator Kennedy addresses Convention commending Sandra Feldman

Antonia "Toni" Cortese (an New York AFT vice-president) as the AFT's executive vice-president.

### Delegates Approved AFT Constitutional Amendments

On July 15, Convention delegates approved several constitutional amendments that tighten affiliate and financial review requirements. For a full account of the delegates' activities and changes to AFT bylaws visit the AFT website at <http://www.aft.org/convention/index.htm> or see the September 2004 issue of *AFT ON CAMPUS*.

CNJSCL Locals' convention attendees were: Robert Arey (NJCU), Christine Carmody Arey (NJCU), Lori Block (Rowan), Roseann Conway (TCNJ), John DeBrizzi (NJCU), Nicholas DiObilda (Rowan), Ralph Edelbach (TCNJ), Eduoard Eloi (Ramapo), Rose Glassberg (Rowan Retirees), Dierdre Glenn Paul (MSU), Richard Grupenhoff (Rowan), Theresa Guerriere (NJCU), Kathleen Mary Henderson (KUAFF), Antoinette Jennings (Rowan), Alma Johnson-Laster (TESC), Lillian Kartischko (KUAFF), John Krimmel (TCNJ), Harold Lucias (Rowan), Alicia Malone (TESC), Mel



Bob Arey (NJCU) & Council VP Ivan Steinberg (NJCU) accepting Council's COPE award.



Moyer (Rowan-Retirees), Julie Peterson (Rowan), George Pierson (KUAFF), Faye Robinson (Rowan), Arlene Schor (KUAFF), Zelda Shuster (NJCU),

Karen Siefring (Rowan), Howard Singer (NJCU), Ivan Steinberg (NJCU), Ella Strattis (Rowan), John Tooker (KUAFF), Rubina Vohra (NJCU), and Steve Young (CNJSCL).

### Council Delegates Receive COPE Awards on Behalf of Locals & Council

Several Council Locals and the Council received COPE awards for increased COPE contributions.



NJCU Local 1839 accepting COPE award. L. to R. John DeBrizzi, Howard Singer, Ivan Steinberg, Theresa Guerriere, Christine Carmoday-Arey, Bob Arey, Zelda Shuster & Rubina Vohra



KUAFF Local 6024 accepting COPE award. L. to R. George Pierson, Kathleen Henderson, Arlene Schor & John Tooker

# KNOW YOUR UNION

## REPRESENTING THE MEMBERSHIP

**A**S THE BARGAINING AGENT for faculty, librarians, professional staff and adjuncts in two separate statewide bargaining units, each of which includes the four State Colleges and five State Universities, the Council represents you in all matters relating to terms and conditions of employment. The Council negotiates the agreements that define these terms and conditions, processes grievances and will assist you with problems relating to your employment whether or not you are a Union member.

The Council vigorously presents the views of the faculty, librarians, professional staff and adjunct faculty in policy discussions with the Commission on Higher Education, the Governor's Office and the Legislature on your behalf.

## GOVERNING BODIES

Elected delegates to the Council of New Jersey State College Locals meet four times a year to vote on pending matters and discuss issues of concern to each of the nine locals and the Council as a whole. Each Local Union has representation on the Council; the size of its delegation is based on membership strength. Sometimes delegations consist of elected union officers from a campus, but in many cases delegates are union activists who are not union officers but who have been chosen in local delegate elections. The Council has a President, two Vice-Presidents, a Secretary, a Treasurer, a Legislative Representative and Representatives for Professional Staff and Librarians. The Council's Executive committee, made up of all the Presidents of the Locals and Council officers, including the Legislative, Professional Staff and Librarian Representatives meets to oversee the work of the Union between meetings of the Council. A listing of Council Officers can be found on the back page of this issue

## COUNCIL OFFICES

The Council of New Jersey State College Locals (CNJSCL) maintains offices at 420 Chestnut Street, Union, New Jersey 07083. The CNJSCL phone number is (908) 964-8476. The office, the Council's service center, is convenient to both the Garden State Parkway and the New Jersey Turnpike.

In addition to the Council office, each AFT Local Union maintains an office and/or conference room facility on each campus.

## COUNCIL SERVICES

The Council maintains its own staff, who assist unit members with grievances, handle arbitrations and help

members resolve other employment-related problems. Much of the Council's day-to-day work involves responding to telephone inquiries from members of the bargaining unit. Scores of inquiries dealing with members' contractual rights, grievances and benefit matters such as pensions, health insurance, eyeglass discounts are answered each week. The Council office is also the focal point for inquiries and requests for information from state and federal agencies, the press, other AFT locals and labor organizations.

Informational material about AFT and Council special benefit and discount plans is available from the Council office. The Council staff is augmented by the many professionals at AFT headquarters in Washington, D.C.

## GRIEVANCES AND ARBITRATION

One of the Council's most important activities is the assistance provided to locals and unit members in handling complaints, administrative appeals and grievances. The Council staff is responsible for the training and continuing education of grievance representatives on each campus. Council staff representatives handle arbitrations. They also assist members in making appeals to the Division of Civil Rights, Pension Boards and the State Health Benefits Commission.

## CONTRACT NEGOTIATIONS

The media attention and the heated pace of the finale of any labor-management contract negotiation do not reflect the year-round effort that goes into collective bargaining. Preparation for negotiations requires gathering and analysis of all manner of economic data relevant to the bargaining of an agreement. The Council also seeks the opinion of individual members via a collective bargaining survey as part of each re-negotiation of the agreements. The Council's bargaining team meets several times prior to the opening of negotiations to refine the demands of the members. In this way, demands reflect the needs and concerns of the faculty, professional staff, librarians and adjunct faculty who make up the Council's bargaining units.

## LEGISLATIVE AND POLITICAL ACTION

To accomplish our public policy goals, the Council and its constituent locals maintain close relationships with a wide variety of organizations and coalitions. These include other State-employee unions, the AFL-CIO, the Industrial Union Council, New Jersey Citizen Action and county central labor councils. The Council employs a consultant/

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*(Continued on next page)*

## KNOW YOUR UNION (Cont.)

lobbyist to assist in achieving legislative goals relating to the State Colleges and our working conditions.

### SEMINARS AND CONFERENCES

The Council seeks to educate and share ideas with unit members either in statewide meetings or in local meetings on each campus. In the past, the Council has sponsored special conferences on the state budget, grievance handling, retirement, membership recruitment, job reclassification and contract preparation. In the case of pressing statewide issues such as budget cuts or retrenchment, the Council communicates with the membership by means of special publications and meetings to "get the word out" to the largest audience possible in the shortest possible time.

### LEGAL COUNSEL

Unlike many unions, the Council utilizes its attorneys in an advisory capacity only and does not rely upon its lawyers for decision-making and policy matters. Not only



does the Council staff have more background and experience with the State-Union agreements than any lawyer would have, but also it is committed to train and guide union members to handle union problems. When complex legislation, court orders or legal research require expert opinion, the Council calls upon attorneys who are familiar with the evolution of the Council, its contracts and activities. Their experience in education and public sector labor law is extensive and invaluable to the Council.

### PUBLICATIONS

The Council publishes *The New Jersey Voice Of Higher Education*, which circulates to faculty, staff, and adjunct faculty at the State Colleges/Universities, selected community colleges and numerous leaders in higher education. Special editions of the *VOICE* are issued from time to time on such topics as new regulations, contract proposals and the State budget. To keep unit members up-to-date, the Council also issues flyers as developments occur. The Council is very concerned about important employment information reaching the general membership quickly.

Archival copies of each issue of the *Voice* are deposited with the Wisconsin State Historical Society labor collection and the Rutgers Labor Center library. The *Voice* is also available online in the Council's web site at [www.cnjscl.org](http://www.cnjscl.org). — • —

# Adjunct Faculty Information

### Health Benefits

Adjunct and part-time faculty enrolled in the Public Employees Retirement System (PERS) are eligible to join the State Health Benefits Plan (NJ Plus) by paying the entire premium. Until January 2004, these employees had no access to State Health benefits.

Those adjunct and part-time faculty who chose not to enroll in January 2004, but wish to enroll now, must do so during the annual Open Enrollment period, which will take place during the month of October.

The same window exists for adjunct and part-time faculty who have just joined PERS because they are employed for their third consecutive semester, or who expect to begin their third consecutive semester in January

2005. So, even if the fall semester is only your second consecutive semester working as a State college adjunct, but you anticipate working in the spring semester, you can still apply in October. If you work in the spring semester, your application will be accepted.

Please consider taking advantage this opportunity. The rates and other relevant information are posted on the Council's web site at [www.cnjscl.org](http://www.cnjscl.org).

### Pension Credit

Adjunct faculty should receive a full year of pension credit, just like full-time faculty, provided they work consecutive fall and spring semesters. However, it is not clear whether each of the campus payroll departments is

reporting adjunct service to the Division of Pensions in the proper manner because the Division of Pensions has yet to set forth an explicit policy in this regard.

All adjunct faculty receive an annual report from PERS that indicates pension service credit. Please examine these reports carefully and notify Bennett Muraskin at the Council - (908)964-8476 or [muraskin@cnjscl.org](mailto:muraskin@cnjscl.org) - if you have not received a full year of pension credit for every year you have worked consecutive fall and spring semesters. — • —



# THE PERILS OF OUTSOURCING

The following remarks were excerpted from a longer speech delivered by FORCE Local 2373 President Nicholas DiObilda to the Rowan Board of Trustees. At first glance, a discussion of crime on campus might not seem relevant to the issue of subcontracting or outsourcing, but as Nick points out, state government employees with decent wages and benefits are far more likely to have a stake in the institutions where they work, than low-paid contract employees who may be here today and gone tomorrow.



Safety and security in our workplace are essential — and not just for the obvious reasons. Long term employees, especially in a union environment, develop a sense of commitment to their co-workers. They essentially live on campus for 8 hours a day and come to treat their surroundings like home. Crime is a poison that breeds suspicion and fear. No one enjoys going to work where crime is a serious threat, or will remain at work any longer than absolutely necessary. But who poses the bigger danger? The petty thieves—or those narrow-minded, penny-pinching managers in our college administrations who subcontract good union jobs?

To resist the privatization of state services and the subcontracting of union jobs in public higher education, go to the Council web site, look up your legislator and contact him/her to ask for their support for Assembly bills 318 and 1908 and Senate bill 983.

...As I talked with my colleagues, the conversation eventually turned to crime on campus. Everyone of us shared stories about the thefts we knew about and how awful it was that people lost their credit cards, and how lucky they were that they didn't have to pay the big bills the thieves ran up.

My story didn't seem to compare because all I had stolen from me was some food out of my office. Maybe some other things are missing and when I clean up I will discover that the thief had more in mind than a regular snack. But I thought my story was interesting, because even though we had a hidden camera in the office, I caught the thief red handed. He was a member of the privatized custodial staff when the Robinson building was under contract.

Anyway, after I left the second meeting at which we discussed the thefts, I went back to my office to get ready for class. When it was time to leave for class I did a very unusual thing. I closed and locked my door. I never do that during the day because I want to let people know that I am nearby. Then I walked by a colleague's office and there

was her cell phone sitting in clear view on her desk, and she wasn't there. I felt that I should track her down and tell her not to leave such things in plain view.

As I left the office suite, I realized the real threat to campus safety. -That is- peace of mind and a sense of well being in a comfortable secure environment. We lose those when we believe there are thieves among us.

I am not done with this story.

I wheeled my cart of books down the hallway to the elevator and when I got on, there was our Rowan employed custodian, with his trash barrel on wheels, and his broom. I said "Hi M\_\_\_, move over." He did and then we got to talking on the ride to the next floor. His big concern is that in the next two weeks he has to get the building looking good for graduation ceremonies. And he will! He is so good at his job he could be the custodian of the White House. But President Bush probably already outsourced that job.

In all the time that Robinson Building was under contract, I never learned the names of the custodial crew because they were never there long enough. Should they have cared that I didn't learn their names? Maybe not. But

they didn't seem to take any special interest in anything or anybody or to even care about the condition of the building or what goes on inside it. To them it seemed just like another low paying job on the route to another low paying job.

In contrast, for our Rowan custodian, taking care of our building is a career. He is part of us.

That is why we object to privatization of custodial services or any other service performed by a real person. We want a dedicated, loyal and well-paid work force that is accountable to our own managers, -not a vendor.

I know people think there are cost savings for privatization but those savings may not be real. I have already commented on the non financial cost to our sense of well being. Consider also the true costs of managing those contracts and the fact that Rowan University bears the responsibility for the behavior of contracted workers. We want all regular full time workers to be a part of us and directly accountable to Rowan University. No regular full time job should be privatized. **These jobs need to be "insourced" — not outsourced.** — • —



# CHANGING OF THE GUARD AT STOCKTON

**D**avid Emmons has stepped down as President of the Stockton Federation of Teachers (SFT) after serving four productive terms. New President, Michael Frank, assumed office on July 1, 2004.

Emmons, an Associate Professor of Criminal Justice, became SFT President in September 2000. He first became involved in local union affairs in 1985 and has been active ever since. He served previously as Vice-President and Treasurer of the local, as well as a Council delegate.

Under his leadership, the SFT beat back a management attempt to create department chairs and negotiated a strong agreement for program heads and related faculty leadership posts. This agreement increased compensation from 50% to 300% and guaranteed these faculty a choice between compensation and release time. Dave is particularly proud of his role as Union President in the selection of the College President, Herman Saatkamp, and in improving on the SFT's tradition of sponsoring workshops to develop faculty pedagogy.

Frank describes Emmons as a wonderful President known for his eloquence and good humor, who cared deeply about all union members and worked mightily to address their concerns. He will continue to serve as a Council delegate.

Michael Frank, a Professor of Psychology, has been employed at Stockton for 27 years. His union activism dates back to the 80s, serving as SFT vice-president and on the



Dave Emmons & Michael Frank

local's negotiating committee. Mike also represented the SFT during the 2003 state-wide negotiations for the new master contract.

Frank's priorities as President include organizing a retiree chapter, negotiating for a refurbishment of faculty/staff offices and updating the local's computer system. He has also committed himself to bringing younger faculty and staff into union leadership.

The Council appreciates David Emmons' leadership and welcomes Michael Frank.

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## GOOD NEWS FOR RETIREES

**A**fter years of lobbying and waiting, the State Health Benefits Commission has finally created a Retiree Dental Plan through Aetna Insurance. All state and local government retirees will be eligible to join and enrollment should begin by October. The retiree will be responsible for the entire premium:

Single Retiree	\$31.72 per month
Retiree/Spouse	\$62.59 per month
Family	\$81.55 per month
Parent/Child	\$47.17 per month

The Council proposed a retiree dental plan to the Division of Pensions and Benefits over five years ago. Two years later, the State Health Benefits Commission agreed to create such a plan. Numerous attempts to get the Commission to move forward were ignored. Due to leg-

islation we initiated that placed two union representatives on the Commission, the Council recently gained a voice on that body. The Council wishes to thank Eric Richard, our state union representative on the Commission, for his efforts on our behalf.

Unfortunately, as we go to press, the Council does not know the terms of the plan; however we have received assurances from the State Health Benefits Commission that an announcement will be issued within the month. As soon as the Council receives it, we will place the relevant information on our web site at [www.cnjscl.org](http://www.cnjscl.org).

If you would like more information about retirement planning, contact the AFT National to request its excellent publication: *Retirement Planning* (Item# 11-0532) for \$3.

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September 2004

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## New Jersey Citizen Action Oil Group

### Save 10% - 30% on Home Heating Oil

New Jersey Citizen Action Oil Group is a project of New Jersey Citizen Action, the state's largest independent citizen watchdog coalition. The Oil Group was formed in 1983, to provide consumers with an alternative to the high cost of home heating fuel. The Oil Group uses group purchasing power to negotiate discount prices for our members. **AFT Members are eligible for this discount by virtue of their membership in Council AFT Locals.**

The Oil Group provides heating oil consumers with affordable FULL-SERVICE heating oil suppliers throughout the state.

All of Our Suppliers Offer:

- Full Service Contracts
- Budget Billing / COD / Monthly
- Automatic or Will Call Fill
- Tank Insurance

Keep your oil prices as low as possible in an uncertain energy economy. Explore your home heating oil options by calling NJ Citizen Action Oil Group at 800-464-8465 or pick up a membership application at your local union office.