



Legislative Outreach & Higher Education Tenure Legislation

President's Report Tim Haresign



One of the core principles of our Union is the commitment to provide high quality education to the students who attend our institutions. This commitment informs all the decisions we make as a Union and stands as a sharp rebuttal to those who would caricature Unions as bodies simply serving the narrow self-interest of their members. This is an important message for us to reinforce, especially in New Jersey where our current governor has again and again made clear his dislike of unions and his desire to weaken or dismantle them.

Our recent and ongoing work with members of the legislature on a bill to change the tenure law in the state provides a clear example of how our commitment to quality education guides the positions we take. For a number of years there has been a push by some of the college/university presidents to change the state tenure law to make the date for the granting of tenure the first day of the 7th year of service, as opposed to the current law which requires that tenure be granted on the first day of the 6th year of service. In January 2012, Assemblywoman Pamela Lampitt introduced a Bill that would make such a change to the law, using language mostly influenced by the college/university presidents.

In determining whether or not to support the bill, our Union had to weigh two competing interests. Being awarded tenure requires demonstrating excellence at the highest levels in teaching, scholarship, and service. On the one hand, an extra year to demonstrate the requisite achievements might allow for a fairer determination of who deserves tenure. On the other hand, prolonging the time to tenure increases the period in which a faculty member is working without the protection that ensures full academic freedom. There are good arguments to made for both positions and there was much discussion within the Council about the merits of supporting or opposing the change to the law and in the end, a decision was made not to oppose the change.

The problem came with the second part of the bill, which was a provision suggested by the institutions' presidents that would allow the board of trustees (BOT) of an institution to grant immediate tenure to any new hire who had previously received tenure at another institution. This language raised a number of red flags for us. First, it eliminated any role for faculty in the tenure process in these circumstances, eliminating those who are in the best position to judge if a potential faculty member is well suited to provide the quality education our students deserve. Second, since institutions vary in their missions and expectations the qualities that may have led to tenure at one institution may not be the qualities that would result in tenure at a different institution. Finally, we were concerned that the language in the bill did not apply only to those entering into full-time faculty positions. There is a growing trend for people occupying administrative positions to be granted tenure, usually at the highest academic rank. There are many problems with such a practice. This is especially the case when the award is made without an honest and vigorous peer review system that ensures anyone holding a tenured position has been vetted as an excellent scholar and a quality teacher for students at that institution.

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SOLIDARITY SHOULD NOT BE JUST A
WORD.
IT IS OUR ACTIONS
THAT GIVE IT TRUE MEANING.

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LEGISLATIVE OUTREACH- TENURE LEGISLATION

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We made these concerns known to key legislators involved in the higher education issues including the sponsor - Assemblywoman Lampitt. The presidents countered that they needed this provision to attract "high quality" faculty (an assertion that makes us wonder how they feel about the quality of the all the faculty they have previously attracted). We attempted to work out compromises such as limiting the transfer of tenure to only those coming into full-time faculty roles, and to insist that faculty have a decisive role in the determination of whether or not such transfers would be granted. The presidents refused to compromise on these issues and were especially insistent that this transfer of tenure was crucial for recruiting administrators.

If you examine this issue from a purely selfish point of view, a case could be made that it is in our interest to more quickly swell the ranks of tenured faculty. However, we are more concerned that the tenure process be both rigorous and fair. We know that the integrity of this process is a vital component to ensuring a high quality education for our students. In the end that is the message we were able to convey to the legislators and the provision on transferable tenure was dropped from the final version of the bill, which

has now been passed by the Assembly and awaits action in the Senate Higher Education Committee and full Senate. We are very grateful to the legislators who took the time to meet with us and listen to our point of view, especially Assemblywoman Lampitt, Senator Loretta Weinberg, and Assemblywoman Celeste Reily and the members of her higher education committee. The Bill received strong bipartisan support in passing the Assembly and we don't foresee opposition in the Senate.

The negotiations on this bill took an enormous amount of time spent talking directly with legislators. I worked closely with Sue Tardi on this in her role as Exec. V.P for higher ed. for AFTNJ. Together we took the lead in discussing this with legislators and negotiating (indirectly) with the college/university presidents. But we didn't work alone. Some of the others who had important discussions with legislators include Bill Sullivan, Karen Siefiring, Sara Harnick, Steve Young, Donna Chiera, and Pete Guzzo. All this could be seen as simply the story of a successful lobbying effort. But I think the bigger take-away is that this was that when we come together and stick to our message of promoting quality education, we can be effective agents of change in New Jersey.

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BILL ALLOWING TRANSITION TO RETIREMENT BECOMES LAW

At long last the bill that will allow the renegotiation of "transition to retirement" programs has been signed into law as P.L. 2013 c. 120. It was jointly supported by the Council and the State colleges/universities.

Transition to retirement programs allow faculty who officially retire to work an additional academic year on a part-time basis. It allows faculty to ease into retirement while providing the institution and its students the benefit of their experience and expertise.

The Council negotiated a state-wide program in the 2007-2011 Master Agreement, which went into effect in fall 2008. It applied to full-time tenured faculty at least 55 years old with a minimum of 10 years service at one of our campuses. Eligible faculty were required to submit a request to the ad-

ministration along with a plan outlining the courses they wished to teach or non-teaching duties they wished to undertake. The Provost would then decide whether to approve the request, after receiving recommendations from the appropriate Department Chairpersons and/or Dean. This decision was not grievable.

Local unions were free to negotiate their own programs that exceeded the standards set forth in the Master Agreement. Many did.

In 2010, these programs were nullified by the Office of Employee Relations based on a Division of Pensions and Benefits ruling that faculty in the Alternate Benefit Plan (APB) could not receive retirement benefits while continuing to work for their respective institutions. With the enactment of this new law, faculty who "transition to re-

tirement," may collect their APB retirement benefits while doing so.

So what happens now? First the Division of Pensions and Benefits must issue new regulations to implement the new law. Then the locals are free to request local negotiations to establish or re-establish their transition to retirement programs. The Council will certainly make a demand to negotiate a new transition to retirement program upon expiration of the current agreement in June 2015.

The Council wishes to thank the sponsors of the bill, Samuel Thompson (R-12), Sandra Cunningham (D-31) and Linda Greenstein (D-14) in the Senate and Thomas Giblin (D-34), Celeste Riley (D-3), Connie Wagner (D-38) and Craig Coughlin (D-19) in the Assembly.

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De-Mystifying Salary Increases When Receiving Promotions/Range Adjustments - Updated

The process of correctly calculating your new salary when you receive a promotion/range adjustment may seem a little confusing. However, we urge you to follow through the process below to ensure that you are placed in the correct range and step and paid accordingly. After you make your own calculations, if you feel your HR/Payroll department has made an error, please notify your local immediately.



motion from range 18 to range 21 under a new PSS III title effective July 1, 2014. On April 1 her current annual salary is \$54,651.76. She will move up to step 7 on July 1, 2014 absent the promotion.

Using the Annual Salary Schedule for 12 month employees, her salary at step 7 on July 1, 2014 would be \$57,831.81. Add

one increment of \$2,223.65 to this amount and the new total is \$60,055.46.

Go to the Range 21 salary for July 1, 2014 and find the salary that is equal to or greater than \$60,055.46. In this instance, there is no salary equal to that amount so the next highest salary is \$61,810.84 at step 5. This is the new step and salary for Sandy Milagros. She received an annual salary increase of \$7,1159.08 over her old range 18, step 6 position.

Example #2:

It's April 30, 2014. Thomas Excalibur is an Associate Professor at range 26, step 8. He received notice of his range adjustment from range 26 to range 28 effective September 1, 2014. His annual salary on April 30, 2014 is \$87,227.28.



Go to the Annual Salary Schedule for 10 month employees for his effective September 1, 2014 date. That salary would be \$88,753.76 if he had not received a range adjustment. Add one increment at range 21 of \$3,288.24 to this amount and the new total is \$92,042.

Go to range 28 for September 1, 2014 and find the salary that is equal to or greater than \$92,042. In this instance, there is no salary equal to that amount. The next highest salary is \$94,228.87 at Step 7. Thomas Excalibur, on September 1, 2014 is on range 28 at step 7. He received an annual salary increase of \$7,001.59 over his old range 26, step 8 position.

We hope these two examples give you a better idea of how to calculate Promotion/Range Adjustments. Please bear in mind that as a result of promotions/range adjustments, your anniversary date could change. For more information on that issue see Article XXII, pages 34-36 of the State-Union Agreement.

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Correctly Calculating Salary for Promotions or Range Adjustment in Four Easy Steps

1. Go to the Annual Salary Schedule in the State-Union Agreement and find your existing range and step *prior to the effective promotion or range adjustment date*. Note that you have to check the dates for 10-month or 12-month employees, as appropriate, on the salary charts. (The Annual Salary Schedule is also available on line at the Council's web site www.cnjscl.org. Click on the Agreements link.)
2. Next go to to the Annual Salary Schedule based on the effective date of your promotion. Find the salary in the range and step *you would have been on without your promotion or range adjustment*. Also be aware that you may be entitled to move up an additional step due to your anniversary date. Then look at the increment column (second from the left on the chart). Add the one step increment amount in your current range to that salary.) For anyone who is at step 12 and receives a promotion, the effect of adding an increment is a de facto step 13 for calculation purposes.
3. In that same Annual Salary Schedule (*the one based on your promotion date*) go to the new range you received as a result of your promotion.
4. Look for the salary step that is equal to or the next highest based on the calculation in #2 above. This will be your new step and salary in the range to which you have been promoted. **Remember, the key element is to do this calculation based on the effective date of your promotion – not on the date you were notified.**

What follows are two examples of the calculation process.

Example #1:

It's April 1, 2014. Sandy Milagros, a PSS IV professional staff member at step 6, range 18, received notice of her pro-

AFT COLLEAGUES *DO NOT* SUPERVISE EACH OTHER

Let's set the scene: A professional staff person works as a Department administrator. The Department Chairperson gives the professional his/her assignments and follows up to ensure that they are completed. When it is time for the professional staff person to apply for reappointment, it is the Department Chairperson who conducts the performance evaluation at the first level of review.

What is wrong with this picture? It is not uncommon for higher level professionals in the AFT unit to direct the work of lower level professionals in the same unit. This is permissible under the Agreement and labor law. The line is crossed, however, when an AFT unit employee formally participates in the process that determines whether another AFT employee is reappointed. In the case of professional staff on multi-year contracts under review for a contract renewal, this exclusionary rule is explicit: Article I.D of Appendix I states that:

"For purposes of this Article, the immediate supervisor shall be construed as that supervisory, management-level person not included in the State College/University negotiations unit who is first reached in the normal chain of command leading from the candidate."

In fact, the same principle applies for all professional staff. Your immediate supervisor cannot be another AFT unit employee. No exceptions. It is unfair to both of you.

There is a sound rationale for this prohibition. From the standpoint of a Department Chairperson, it is a conflict of interest to supervise employees in the same unit. What should happen if the Department Chairperson recommends that the contract of a professional staff person not be renewed—and that recommendation is contested through the grievance procedure? It is the Union's job to represent the griev-

ant. This could place Department Chairpersons in the firing line of their own Union.

The plight of the professional staff would even be worse. They have to worry about performing to the satisfaction of a fellow AFT member who has the power to affect their employment status. This might discourage their coming to the Union for assistance, whose officers may very well include



Department Chairpersons.

What happens in a workplace where the legitimate immediate supervisor; e.g. a Dean, does not have day-to-day contact with the professional staff person under his/her supervision?

In the case of professional staff on multi-year contracts going through their contract renewal process, there is the opportunity for input from fellow AFT unit employees. Article I.C. 3 of Appendix I provides that:

Each member of the professional staff who is eligible for a multi-year appointment or reappointment contract may be evaluated by employees, who may be in or out of the bargaining unit (emphasis added), who serve in a regular and continuing functional working relationship to the candidate. Employees serving in a functional working relationship shall be those

identified by the immediate supervisor of the candidate, after consultation with the candidate. The candidate's immediate supervisor shall request such identified employees to provide a written appraisal of the candidate's ability, performance, contributions and potential. Where the candidate and immediate supervisor, after consultation, disagree as to which employees serve in a functional working relationship to the candidate, the immediate supervisor and the candidate each will identify employees, if any who serve in a functional working relationship and the immediate supervisor will request written appraisals from all employees so identified.

This provision does not exist for professional staff on annual contracts, but there is nothing to prevent local negotiations or informal arrangements to address this issue.

A brief word on disciplinary action: For reasons that should be obvious, under no circumstances should AFT unit members exercise authority to discipline or recommend disciplinary action against another AFT unit member. Leave that to management.

Please note that AFT unit employees may be required to serve as immediate supervisors of employees in other negotiations units, e.g. Local 1031-CWA or Local 195-IFPTE. The Council urges such employees to scrupulously honor the terms of their Agreements.

If you are in a position where you are required to supervise a fellow AFT unit employee or where you are subject to the supervision of a fellow AFT unit employee, please contact your local or the Council immediately so that corrective action may be taken. This should not place you at risk, because labor and management have a mutual interest in clearly distinguishing supervisors from non-supervisors.

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COUNCIL OFFICERS ELECTED

Council elections were held at the April 5th meeting. Incumbents were returned to their offices unopposed with the exception of Executive Vice President, Adjunct Faculty Representative and Librarian Representative. Incumbents Bill Sullivan and Faye Robinson were re-elected Executive Vice President and Librarian Representative respectively.

NEW COUNCIL VICE PRESIDENT

Karen T. Sieftring, from Rowan University, is the newly elected Council Vice-President. Karen is a professional staff member who works as Assistant to the Dean for Student Advising in the Rohrer College of Business. She was the president of AFT Local 2373 from 2005 until 2013 when she successfully ran for the Council VP position.



Ms. Sieftring began at Rowan in 1982 when it was still known as Glassboro State College. She is well known on campus as she has served in various leadership roles including service to the Rowan University Senate and of course to the AFT. As a representative to the University Senate, Karen held elected positions such as Chairperson of the Tenure and Recontracting Committee, the Career Development Committee, Student Relations Committee and the Recruitment, Admissions and Retention Committee.

Karen has a well-established and notable history with the AFT. At Rowan then Glassboro State College, she became involved with the AFT only three days into her employment in 1982 when she joined the Strike Coordinating Committee. From then, she's served as the local's vice-president, grievance representative, membership chairperson and on the local's negotiating team. Karen is active in the broader labor community in New Jersey, serving as Vice-President to the Southern NJ Central Labor Council, AFL-CIO. Karen has been a Council delegate for more than a decade and has a proven leadership record with the National AFT. Over the years, she has been a presenter at numerous AFT confer-

ences and has served three times as a delegate to many AFT National Conventions.

Karen holds a Bachelor of Science in American Studies with a concentration in Women's Studies from Douglass College (1976) and a Masters of Arts in Student Personnel Services from Glassboro (Rowan) (1981). Karen is proud to have received her education from the public education system in New Jersey. She is keenly aware that our role is to "promote public higher education while remaining vigilant to attacks on all public education." She sees her role as the Council vice-president as an expansion on this theme saying that "the Council has always been about inclusiveness over elitism." She intends to tap into the wealth of expertise provided by our members in order to foster cooperation and solidarity among like-minded groups in New Jersey. To maintain the wealth of expertise each group brings to the table for New Jersey's public education, she will work to keep our unions as well as student and community groups strong in order to keep alive the opportunities and promise public education offers.

NEW COUNCIL ADJUNCT REPRESENTATIVE

Mary Monahan Wallace was elected as Council Adjunct Representative pursuing her two great passions, education and the labor movement.



Mary comes from a family of teachers, including her mother, husband, and daughter. It is a Wallace family belief that education is at once a top priority for this country and also one that is sadly undervalued and underfunded.

Mary taught for over 35 years at the K-12 level in Fairlawn and upon retiring 10 years ago became an adjunct at Montclair State University.

As an active member of her NJEA local Mary served on negotiation committees, grievance committees, as an association representative, and 13 years as an officer. For ten years Ms. Wallace served as president of her local, and remains a lifetime member of NJEA.

Immediately after becoming employed at Montclair in 2004, Mary joined AFT Local 6025. Within weeks she was a Council delegate and has served in that position for 9 years. Elected Vice President a year later, Mary and her fellow officers have revitalized Local 6025. Mary serves as chief ne-

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New Council Officers

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gotiator for the local and has served the on Adjunct Faculty Agreement Bargaining Committee for the last two negotiations with the State.

ROWAN LOCAL 2373 ELECTS NEW PRESIDENT



Joseph Basso took office as President of FORCE (Federation of Rowan College Educators) on June 1, 2013, succeeding Karen Sieftring. Joe previously served as grievance chairperson for the local, first as an appointee and later as an elected capacity.

Joe has been a faculty member at Rowan since 2003. He is currently Associate Professor of Public Relations

and Advertising. He holds a PhD from Texas A & M University in Educational Public Relations and a J.D. from Widener School of Law (Wilmington, DE.) In addition to teaching, he

practices as a consultant in the areas of business writing and organizational planning.

Dr. Basso's first objective as president is to integrate the new group of our employees at Stratford Osteopathic Medicine (SOM) in the local and give them the opportunity to experience the many benefits of AFT membership. As Rowan develops into a research institution, Joe believes that the FORCE should play an integral role in the process. His vision is to build a cooperative relationship with the administration that would benefit the institution as well as the status and professional development of the faculty, librarians professional staff and adjunct faculty.

Joe believes that his biggest challenge is overcoming the resistance by some members of the administration to the principle of shared governance. An active, informed, and satisfied faculty and staff can be a tremendous asset to the institution. If the administration accepts the local as a partner rather than treating it as an adversary, he believes that Rowan has a bright future. Time will tell, but Joe remains optimistic.

Joe's roots at Rowan extend back into the 1980s. As a student at what was then known as Glassboro State College, he earned his Bachelor's and Master's degrees in Communications. Before joining the Rowan faculty, he worked in public relations for the Playboy Casino Hotel, the Casino Association of New Jersey and the Office of Atlantic City Mayor James L. Usry. Joe is married with three children, ages 16, 14 and 9.



Building Strength Through Community Outreach

AFT has encouraged locals throughout the U.S. to become more involved with their communities in an effort to build more strength and support for our union. The AFL-CIO has also encouraged more of these activities nationwide. Council President Tim Haresign expanded on this in April, 2013 and put forward a plan for the Council to build strength through community outreach that the Council Executive Committee has adopted and embraced. Montclair State University AFT Local 1904 has begun to implement more of these kinds of activities.

On Friday, July 26, 2013, a team from AFT Local 1904 volunteered at the Community Food Bank of New Jersey



(CFBNJ). The entire team found it to be a rewarding experience. Rich Wolfson, AFT Local 1904 President, said "I

thought it would simply be volunteering my help and instead I came out feeling wonderful about helping and seeing all the people working so hard to make New Jersey a better place to live." Many thanks are due to Krystal Woolston, Rich Wolfson, Bill Sullivan, Louise Davies, Deb Solomine, and Joann Pinto for spending a few hours helping out at the CFBNJ.

The AFT Local 1904's Outreach Committee has also been collecting donations of children's books for the Irvington Public Schools from September 3 to October 9th, 2013.

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Council Offers Local Workshops

In the spring semester, Council staff representative Debra Davis conducted professional staff workshops at Richard Stockton College, New Jersey City University and an abbreviated workshop for Kean professional staff during their spring luncheon meeting.

Each workshop consisted of three presentations geared for the new member, members interested in reclassification or promotion and a review of new contract language for professional staff in Article XVI.



Professional Staff Workshop at NJCU

The presentation for new members is titled, *Congratulations on Your Appointment! Now What?* It's aimed at helping newly appointed professional staff navigate the first two reappointment processes. Davis created this presentation after a particularly diffi-

cult non-reappointment case of a new member who breezed through the first reappointment— which was a rubber stamp process — but fell victim to the pitfalls of not quite understanding the process during the second year review.

The second presentation called simply, *Reclassification or Promotion, What's the Difference?* covers the criteria distinctions between the reclassification and promotion processes, and is meant for all professional staff — from the newly hired to the well seasoned employee who isn't sure which process is best suited for his/her pathway to career advancement.

The third presentation is called *Understanding Article XVI-Professional Staff*. This presentation covers the changes in to Article XVI related to the new language on compensation for **out-of-title work**. This

was a hard-fought for provision during negotiations and the Council hopes that the more members understand the language, the more it will be used to curtail job creep as more and more institutions try to do more with less on the backs of staff.

Davis tries to make the workshops fun in addition to being informative. She encourages interaction with the audience and if need be, she can tweak the presentations to best fit her audience. More importantly, since the locals encourage the long-time members to bring along a new colleague, the workshops bring folks into the 'union fold'. New members feel acknowledged by the Union and the workshop venue provides a safe environment where they can discuss emergent issues that the Union may not know exist. For example, had it not been for the workshops, we wouldn't have known that there are other employees performing AFT work at one particular campus who are being exploited under the guise of temporary, part-time workers—when they are neither temporary nor part-time! All in all, the workshops allow members to meet colleagues they may never meet otherwise and to build union solidarity.

The Council offers additional workshops on effective communication with supervisors, how to deal with bully bosses and mini-grievance workshops. Contact your Local if you would like to schedule a workshop for the spring semester.

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Community Outreach

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They found that books were needed for every grade level, particularly non-fiction. Graphic novels for older students are also needed. New books are preferred, but used books without tears or markings will be also gladly accepted and will be put to good use.

Those who needed help figuring out which books to donate were referred to the American Library Association's Association for Library Service to Chil-

dren (ALSC) which identifies the best in children's books each year: <http://www.ala.org/alsc/awards-grants/notalists/ncb/ncb-pastlists>.

Books were to be dropped off at the Technical Services Department in the MSU Library or brought to the September 11th and October 9th General Union Meetings.

Kudos to Local 1904 for their efforts.

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AFT Members Can Save Hundreds of Dollars on their Home Heating Oil!

If you heat your home or commercial property with oil, the NJCA Oil Group can save you up to 25% on the cost of oil. During these tough economic times, it is something you can't afford not to do!

Plus, if you join the Oil Group and reference the AFT, your first year of membership is free! That is an additional \$15-\$30 savings.

The Oil Group is a consumer buyer's organization that uses bulk purchasing power to negotiate lower prices for home heating oil.

"For over twenty five years, our Group has successfully secured oil at discounted prices from established, full service oil companies," stated Wende Nachman, Oil Group Director. "Our companies provide service contracts, credit options, budget billing and tank insurance," she added.

Members are guaranteed a fixed mark-up above wholesale prices for their heating oil purchases. Some suppliers even provide price-cap programs to further benefit members. Generally, the prices members receive are up to 25% less than average retail prices.

Currently there are thousands of members statewide. Buying oil through the group is very easy. After being assigned a supplier, members make arrangements for fuel delivery directly with the fuel company, but at the Oil Group price.

Please contact the Oil Group for more information about this program. Ask for an Oil Group application or visit their website at www.njcaoilgroup.com!

Toll Free 1-800-464-8465

Should Your Co-Worker Be In Our Bargaining Unit?

One of the most important duties the Union has is protecting the integrity of the bargaining unit. What does that mean?

Article I of the full-time/part-time and adjunct faculty Agreements defines the composition of the AFT bargaining unit. We call it "the Recognition Clause" and it's the Union's legal obligation to its members to protect the bargaining unit by 'policing' Article I. This means we have to make sure that anyone performing AFT unit work as defined in Article I is actually included in the bargaining unit.

Over the last couple of months, we've had a couple of cases come up where at least two institutions either have not included someone in the

unit upon hire or removed them from the unit after time. We need to know when these things happen so we can take appropriate, legal action and we are asking for your help. If you know someone who is performing the same work as you are but isn't in the AFT, ask that person to call the Council office at 908-974-8476 to speak to a staff representative so we can, at the very least, investigate. This is important because we cannot allow any institution to undermine the strength of our Union by leaving out employees who perform AFT work and we cannot allow anyone who performs AFT jobs and duties to work without earning the negotiated salaries and benefits that our Agreements provide.

IT'S ONLY FAIR!

NOW MORE THAN EVER, SIGN UP FOR COPE!

Our governor and his anti-union allies in the State Senate and Assembly constantly attack our contracts, wages, pensions and benefits. COPE (Committee for Political Education) funds your union's legislative efforts and supports candidates who support and promote issues important to you and your union. COPE contributions come through

payroll deductions – you set the amount you wish to contribute from your paycheck. COPE funds are needed more now than ever before to support legislators who will protect our bargaining rights and labor's agenda. Without a union-friendly legislature there will be no checks and balances. Ask your local (or call the Council at 908-964-8476) for a COPE card today!