



## 2007-2008 STATE OF THE UNION REPORT

### Council of NJ State College Locals - AFT

Nicholas C. Yovnello, President

I attended numerous meetings throughout the year with legislators, various state agencies, public employee unions and AFT National in my roll of representing the Council. I also answered numerous enquiries from our locals and members regarding ongoing issues affecting our members' well being and other issues of importance that concerned locals and members. Through these activities and those described below, my overarching goal has been to maintain and increase the Council's visibility and strength while maintaining our mission of protecting the rights and privileges of the employees we represent and act in solidarity with the labor movement.

#### **MEMBERSHIP**

Presently, our full-time/part-time membership is above 70% but it has been static for several years. If the Council is to weather the storm of additional budget cuts, not only for this year's budget, but also for next year's, we have to increase our membership base. An uptick in the full-time/part-time membership now will have a positive impact in state-wide negotiations later. We have only a year before we start preparing for negotiations on a new contract.

Happily, adjunct faculty membership went slightly over the 50% threshold this past spring. However, this is the year that we must certify to the State that more than 50% of the adjunct unit are full members. With an increasing number of new adjunct faculty on campuses this year, in addition to the regularly expected turnover from semester to semester we will need to mount a major membership campaign if we are to meet this requirement in time to maintain our agency fee status. I cannot overstate the need for the Locals to coordinate recruitment efforts with Council staff to mount an institutional wide campaign to increase adjunct faculty membership.

#### **COPE**

Simply put, we are not doing enough in this category. We must increase our COPE contributions if we want to advance our legislative agenda. We can start by encouraging adjunct faculty to sign a COPE card and contribute fifty cents per pay period; full-time members should be urged to contribute no less than five dollars a pay period. COPE money not only supports our

legislative initiatives, but also legislators who support those initiatives. Recent legislative victories on Paid Family Leave, the push to keep adjunct faculty in a State pension program and protecting health benefits in retirement are just a few examples of the why COPE contributions are important. Our annual COPE income averages less than \$5.00 per FTE member. There are delegates to the Council who are not on COPE check-off. We should all be setting an example for our membership. We cannot continue to fight for the critical issues important to our members without COPE—we have to make them think of COPE in terms of its relevance to their terms and conditions of employment and protecting our benefits.

COPE is not just about money. It's also about active participation in the political and legislative processes at the state and federal levels. We need to promote volunteerism among the membership for labor walks, phone banking and other GOTV (Get Out The Vote) efforts.

## **AFTNJ**

I took over the Chair position of AFT NJ this past year in our rotation of chair duties. This year, AFTNJ affiliates and representatives from National met to begin hammering out a more meaningful role in New Jersey's labor movement by looking at ways to increase our lobbying power, our visibility in NJ AFL-CIO, and working on improving our coordinated efforts in other arenas. We have total agreement on our overall goals but the process of building one identifiable state wide organization is slow because each unit is very protective of its autonomy and rightly so. Each affiliate has concerns about losing its identity within a single federation and there is a great deal of concern over the financial impact of supporting such an active state federation.

AFTNJ is now in its third year of absorbing the cost of the State Affiliate Political Organizer position. While National has committed to maintain at least a 50% shared responsibility for funding the position for a period of time, it gradually reduced its contribution to the position.

AFTNJ reached agreement on hiring Peter Guzzo's firm – NJTTP -to serve as its lobbyist. The reduction in AFT funding and hiring NJTTP made it necessary for AFTNJ to raise its dues. Financially, this decision should have close to a zero financial impact on the Council since the per-cap increase is close to the cost of the Council's contractual arrangement with Peter Guzzo. However, overall dues for AFTNJ will increase from ten cents to thirty-five cents with a one-time assessment of \$4,000.00. While these dues are normally a per cap assessment on locals by a state federations they are paid by the Council – not our locals.

AFTNJ dues are projected to reach a dollar in the future to cover the cost of an executive director and a common legal firm. Ultimately, the Council will benefit from shared resources and other services that are under exploration. A key service that I hope will become a reality in the not too distant future is a public relations campaign to promote AFTNJ and its affiliate

organizations. We have talked about the need for a media campaign but could not possibly afford to mount a proper one on our own.

Finally, National's ACE (Activists for Congressional Education) program is one of the primary responsibilities of the SAPO position. The Council locals need to provide more support for this program since its goal is to influence national legislation. We should be encouraging our members to participate in order to provide a stable and dependable working group engaged in statewide legislative lobbying.

### **AFT NATIONAL**

As a member of AFT Higher Educational Policy Council, I have been able to make National aware of the Council's concerns on: (1) being more proactive about meeting the needs of our academic/professional employees; (2) increasing efforts to address adjunct faculty concerns and the problems associated with running the two stand alone adjunct faculty locals and our combined locals; and (3) how to better demonstrate the Higher Education PPC commitment to membership diversity. To these ends, I have served on the Professional Staff Advisory Committee, the Part-time/Adjunct Advisory Committee and the Political Action and Academic Staffing subcommittees.

It has been the goal of Marco Lacatena, Don Silberman and myself to have AFT recognize the Council as an official body entitled to delegate status at the national convention. The Council's dedication to helping National achieve its goals is well documented in that it has, over the years, committed staff and volunteers to a number of its nationwide organizing campaigns. Moreover, National has relied on Council countless times to provide advice to constituent groups around the country about various issues such as organizing campaigns or providing contract advice on professional staff agreements, etc. With delegate status at the convention, the Council would be in a better overall position to increase our influence with National, thereby better serving the interests of the Locals affiliated with the Council.

Finally, National has undertaken a national organizing campaign aimed at graduate/teaching assistants, mid-level administrators, part-time librarians and professional staff, and other titles that institutions use to avoid including them in existing certified bargaining units. Theoretically, if the Council were to engage in this organizing effort, we would most likely consider mid-level administrators in a third bargaining unit.

### **FINANCES**

Although many businesses and entities are experiencing financial difficulties and downturns during this economic upheaval, the Council is in a financially sound position because we have always exercised and practiced fiduciary responsibility. The Council has again adopted a

positive and sound budget, as we do every year. Our reserves are healthy and we will continue to grow them. Council Treasurer Muroki Mwaura continues to keep all of our finances in extremely good order.

Fortunately, our overall reserve portfolio did not lose money, but it did not grow either. In light of the current investment and banking conditions, this is the best situation we, as an organization, could be in during these difficult economic times. We will continue with our current financial plan.

## **LEGISLATIVE**

In the legislative arena, the Council has a number of priorities, including expanding the scope of negotiations, restoring the ranks of full time faculty (FACE), proposing more oversight and authority for the Commission on Higher Education and implementing the recommendations of the State Commission of Investigation report on higher education.

For decades, the Council has been stymied in contract negotiations by court decisions that bar us from negotiating over many vital terms and conditions of employment such as the academic calendar, academic freedom, reappointment and promotion criteria, scheduling, transfers, assignment of non-classroom duties, seniority etc. Disagreements between state employee unions on strategy have stalled progress on “scope” legislation. Recently an agreement has been reached and there is now a bill in the Assembly, A-2590, sponsored by Assemblywoman Greenstein (D-14) that has unified labor support. Senator Van Drew also introduced a “scope” bill, S-1137, that will soon be reconciled with Greenstein’s and posted for a vote in the Senate Labor Committee. These bills are also a priority of the New Jersey AFL-CIO Public Employee Committee and will be aggressively pursued.

AFT National has launched a campaign called Faculty and College Excellence (FACE) whose goal is to achieve full equity in compensation for adjunct faculty members, ensure that 75 percent of undergraduate classes are taught by full-time tenured and tenure track faculty, and to ensure that qualified contingent faculty have the opportunity to move into such positions as they become available. Bill S-803, the Restoring the Ranks of Full Time Faculty Act, sponsored by Senator Sweeney (D-3) sets a five year time table for the realization of the last two objectives. We have yet to find a sponsor for a bill to require compensation equity for adjunct faculty, although there is a bill we initiated in the legislature, S-819 (Sweeney) that would make adjunct faculty eligible for unemployment insurance between semesters unless they receive an employment contract for the following semester.

Passage of S-803 is unlikely due to the state’s and national financial crisis, but it is important to continue to raise consciousness in the Legislature regarding the alarming growth in the use of adjunct faculty, who are underpaid and lack benefits and job security.

Last year the State Commission of Investigation (SCI) issued a scathing report exposing and documenting a myriad of abuses in the financial management and governance of our state colleges and universities. Bill S-1609, sponsored by Senator Lesniak (D-20) addresses some of these abuses, but falls short in the area of accountability. We proposed amendments to strengthen the authority of the Commission of Higher Education over the decision making power of college/university boards of trustees as well as in a number of other areas.

## **AFFILIATIONS**

The Council is, of course, affiliated with the New Jersey State AFL-CIO. Along with other AFT affiliates, the Council is actively involved in its Public Employee Committee (PEC), which meets periodically to discuss issues affecting public employees in NJ and to co-ordinate political and legislative action. Most public employee unions in the State are represented on the PEC, including AFT, CWA, IFPTE and AFSCME.

There are three bills the Council considers priorities that are also priorities of the PEC. In addition to the “scope” bill cited above, these are A-1553/S-660, bills that would prohibit public employers from imposing their final contract proposal on public employee unions and A-263/S-872, bills that would increase the mileage reimbursement rate for State employee travel to the rate set by the IRS.

The PEC holds a seat on the State Health Benefits Commission. Our representative keeps us informed of proposed changes in the State Health Benefits Plan, fights for our interests and enables us to mobilize to pressure the Commission on key issues affecting our members.

## **LEGAL/ULP/GRIEVANCES/MEMBER ISSUES**

In the past year the Council has processed twenty grievances on various contract violations (e.g., Articles II, VII.E.4, XII.B.7, XIV - Adjunct Faculty). We presented three grievances at arbitration, filed a unit clarification petition, filed four unfair practice charges with PERC, one of which included a request for interim relief; and there is ongoing litigation in the Skoorka vs. KFT, Council and Kean University matter.

The Council has also answered and helped solve many health benefits issues for members and retirees as well as assisting members and locals on numerous contract issues in the past year.

## **NATIONAL CONVENTION**

This year’s convention was notable in that it included the election of new officers, including the installation of three women to the three highest offices in AFT: Randi Weingarten, President,

Antonia Cortese, Secretary-Treasurer and Loretta Johnson, Executive Vice-President. In addition, the AFT celebrated recent organizing successes and membership growth and there was a special order of business endorsing Senator Barack Obama for president of the United States.

A Council drafted resolution on Recommendations of AFT Nurse Faculty Shortage Task Force ,which was sponsored by the William Paterson and The College of NJ Locals was adopted by the full convention.

## **OUTSTANDING ISSUES**

The next legislative session may be the opportune time to move on getting the scope of negotiations legislation passed. We also have to get clarification on the pension reform bill regarding part-time and adjunct faculty. For example, we need to know how it will affect members who are not in PERS and are not considered new hires. Will they be enrolled in the ABP? Also, we need to know if the fall 2008 hires will be in ABP.

Obviously, the drastic downturn in the national and world's financial markets and the financial bailout situation has had an impact on New Jersey' ongoing fiscal crisis. The crisis has led to a decline in State revenues and the Governor is considering a 5% across-the-board layoff. Our goal is to protect our members as much as possible in the event of RIFs. In 2006, we worked with the NJ AFL-CIO & NJEA on a major campaign to counter the anti-public employee sentiment that was taking hold in New Jersey. The campaign involved ads in major newspapers, a huge mailing of postcards to NJ citizens and PSAs on radio & television. We coordinated numerous visits with legislators to educate them on the valuable services public employees provide. The campaign culminated in a huge public employee rally in Trenton at which elected officials of both parties and Governor Corzine advocating for our rights to negotiate fair deals on benefits through the collective bargaining process. It is becoming apparent that the financial difficulties the State faces may again require a similar unified campaign by NJ AFL-CIO public employee unions.

In conclusion, none of the activities described in this report would have been possible without the support and work of the Council's officers and the members of the Executive Council. Our labors continue to be a team effort and I thank them for their work. I would also like to thank Council staff for their dedication and hard work on behalf of the Council, our locals and our members in advancing our mission.