

## COUNCIL SPONSORED AFT NEW JERSEY CONFERENCE A SUCCESS

On October 3 and 4, 2008, over 120 activists from public employee AFT affiliates throughout the state gathered for a two day conference sponsored by the Council on the theme of **Building a Stronger Union**. Held at the unionized Hilton Hotel in East Brunswick, it was the first event of its kind in recent history. By all accounts, it was a great success.

AFT New Jersey is the umbrella organization for the Council, the New Jersey State Federation of Teachers (NJSFT), Health Professionals and Allied Employees (HPAE), Rutgers AAUP/AFT and the new Union of Rutgers Administrators (URA). Together AFT New Jersey represents over 40,000 workers. HPAE did not participate in the conference because of a scheduling conflict, but the other affiliates were well represented.

All Council locals sent members as did the two Rutgers based unions. Members from AFT county college locals from Camden, Mercer, Middlesex, Union and Sussex and K-12 locals from Perth Amboy and North Bergen were also in attendance. Dignitaries included Congressman Frank Pallone (CD-1), Assemblyman Joe Cryan (D-1), Chair of the NJ Democratic Party and Laurel Brennan, Secretary-Treasurer of the NJ AFL-CIO. They addressed the crowd on national and state political issues. John Ost, AFT Director of Political and Legislative Mobilization gave an overview on where polling stood in the important battleground states and dis-



cussed AFT strategies to elect the Obama/Biden ticket and a progressive Democratic Congress. Inspired by their talks, we collected 75 post cards in support of the Employee Free Choice Act now before Congress.

The conference was organized around workshops. Led by staffers and members as well as outside experts, they were designed to empower our collective membership in critical union

building tasks such as membership/COPE recruitment, effective communication with members, conducting union elections, managing our local's financial assets and improving our local union websites through the use of the latest



Congressman Frank Pallone

technology. The workshops also brought together members from specific AFT New Jersey constituencies to brainstorm on issues such as improving the working conditions of professional staff and adjunct/part-time faculty. Workshop participants came away with handouts to study and to share with members back on their campuses.

The two best attended workshops dealt with membership/COPE recruitment, led jointly by Council Staff Representative Mark Heter, AFT National Staff Representative Shaun Richman and AFT NJ State Political Organizer Amy Giovanetti; and Emergency Management Initiatives, led by Rutgers professor and AAUP/AFT activist Amy Bahruth and Rutgers employee and URA activist, Joyce Sagi, both experts in the field of occupational health and safety. In another well attended workshop, Adjunct and Faculty Open Forum, Steve Young discussed the implications of the new pension legislation that places our adjunct faculty in the alternate benefit plan. Other workshop leaders

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## CONFERENCE A SUCCESS

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included Debra Davis, Staff Representative, who led Communicating with Members, Steve Young, Managing Staff Representative who led Conducting Local Elections, Carol Itskowitz, Council bookkeeper and Muroki Mwaura, Council Treasurer, who led the Treasurers Workshop. There were two workshops designed for professional staff, one led by Dr. Vanessa Domine, a faculty member from Montclair State University and internal union VP who addressed new technology in the workplace and the other an open forum facilitated by Shari Selke, Council professional staff representative from William Paterson University. Stan Karp, director of the Secondary School Reform Project for NJ's Education Law Center conducted a workshop on proposals to reform high school education.



Dr. Vanessa Domine



The center piece of the conference was a two-part presentation by Mark Richard, called Building Power through Strategic Planning. Richard is a professor at Miami-Dade Community College where he serves as president of the AFT faculty union. He is also a practicing labor lawyer and has been a consultant to many unions across the nation.

Richard defines strategic planning as a tool for empowerment. The first step is to develop realistic priorities. The second is to set specific goals, both short and long term, which can be quantified. In order to achieve these goals, a strategy is required. Unions, he argued are as bad at "strategic thinking" as we are good at thinking up tactics. For example, before we picket, circulate petitions, write letters etc. we must do the hard research to determine why our goals are important and what it will take to achieve them, avoiding intellectual abstractions and quixotic causes. Other essential elements of strategic planning include establishing a time line, formulating appropriate messages to mobilize our members and the public (these messages, he insists, must be different) and marshaling the resources and discipline to see the campaign through. At every step, it is necessary to take stock of a few key elements: Are we building union power? Is the

issue we have chosen critical to our membership? How does it address our core mission? What will it take to win? Finally there must be accountability. For every major task, one person should be in charge with a target date for completion.

Richard eventually asked the entire assembly to select a few issues, divided the audience into smaller groups and asked the participants to tackle them using his paradigm. The issues chosen reflected both Council and AFT priorities, including combating the imposition of onerous class schedules at Kean, securing legislation to expand the scope of bargaining and advancing the FACE (Faculty and Career Excellence) campaign to restore full-time faculty to the classroom and provide equity to adjunct faculty. After 15 minutes of discussion, each group reported to the entire assembly and received feedback from Richard.

Two other critical topics were addressed in plenary sessions. Kevin McGovern, the Council's attorney, gave a primer on the issue of "negotiability" in NJ labor law and explained the difference between grievances and unfair practices. His advice should help us to more effectively navigate the policies and procedures of the Public Employment Relations Commission. Eric Richard, the lobbyist for the NJ AFL-CIO and Peter Guzzo, the Council lobbyist discussed the status of legislation affecting public employees and the unfriendly climate toward public employees in Trenton. However they noted that victories have been won, such as Paid Family Leave, card check legislation to facilitate union organizing and legislation against outsourcing government contracts. Further victories will depend on applying the lessons of "strategic planning" to our political action program, while working in concert with our allies in the NJ AFL-CIO.

Now more than ever AFT New Jersey will need to speak with a single voice in resisting cutbacks and defending our rights as union members and professionals. This conference made it possible for members of a host of AFT affiliates to exchange ideas and develop strategies to meet the challenges ahead. It was also a wonderful opportunity to socialize with colleagues, catch up with old friends and make new ones.



Stockton Faculty Band

music of the Richard Stockton College Faculty Band, comprised of union activists, who brought down the house with an assortment of rock and blues standards. To order their CD go to <http://cdbaby.com/cd/stocktonfaculty>. You won't be disappointed.

A 50-50 raffle raised \$250 for the AFT New Jersey COPE fund.

Finally, there was outstanding entertainment. On Friday night the room rocked to the dance

**President's Report**  
Nicholas C. Yovnello



**"NEW JERSEY COLLEGE PROMISE" FAILS TO DELIVER**

The New Jersey Association of State College and Universities (NJASCU) recently announced a new initiative, the New Jersey College Promise. The nine presidents will be working together to convince the legislature and the governor that their institutions must be given higher priority in the budgetary process. The Council of NJ State College Locals found out about this new initiative when we contacted the NJASCU to inform them of our position on an unrelated piece of legislation, i.e. our efforts to amend the bill that would provide financing for out-of-state institutions. (It remains a mystery why the presidents had not taken a position against this bill.)

The Council has a long history of lobbying for greater funding for public higher education. We agree that the institutions have been underfunded by past governors and legislators alike. We have testified before Senate and Assembly budget committees for more operating funds and for the legislature to return to the formula under the defunct Board of Higher Education, which required the State to fund 2/3 of higher education costs. So why didn't they invite the Council's participation at the inception of their initiative?

The answer can be found by reviewing the website [www.njcollegepromise.com](http://www.njcollegepromise.com). There the presidents decry the legislative push for more oversight and accountability as "political interference". Down playing the findings in the recent State Committee on Investigation (SCI) report that highlighted serious operational and financial improprieties at all of NJ's public higher education institutions, the presidents urge opposition to any "political interference" through legislation that would limit their autonomy. They believe that they have already implemented better accountability practices that address the concerns raised in the SCI report. However, we do not agree with this position and believe that stronger measures must be taken in Trenton to ensure stricter accountability.

Another priority issue for the NJASCU is removing the institutions from the state worker's compensation system in order to enable the colleges and universities to process claims. This would be an unmitigated disaster. The Human Resource offices on the campuses cannot always competently carry out their existing responsibilities. One example is that despite a clause in our Agreement requiring the colleges/universities to provide their employee roster and other pertinent information by a specific date each semester, many have not been able to make the deadline once in the past 10 years and the lists they supply are notoriously inaccurate. The Council handles many problems for our members due to errors and faulty advice given by the HR departments affecting employees' health and pension benefits. How can we trust the individual colleges/universities to take over the

function currently performed by experienced staff at the Department of Treasury's Risk Management Bureau or trust that they would be more cost effective or efficient? The answer is that we cannot and should not trust them.

The colleges/universities have an ambitious building program with the goal of stemming the flow of out-migration of NJ's college student population. It involves seeking voter approval for a \$ 2.7 billion higher education facilities bond. But our institutions already carry some of the highest debt load in the nation. Bond issues for new construction must take a back seat to securing adequate funding of the institutions' operating budgets and the hundreds of millions of dollars in deferred maintenance. What is the point of adding new buildings if some of the older ones are in serious need of upgrading and repair? In order to pay off their excess debt, institutions will be forced to further raise tuition and fees. How will this attract more new students — which is one of their goals? Expanding enrollments through expansion of facilities will not improve the quality of education. They continue to assign more courses to underpaid adjunct faculty and the proportion of full-time to adjunct faculty at some of the state colleges/universities is starting to resemble staffing at community colleges. It has reached the critical stage at Kean University, with over 850 adjuncts compared to 364 full-time faculty. Montclair State University is not far behind. Instead of advocating solely for more building programs to increase capacity, the presidents should join the AFT in its FACE (Faculty and College Excellence) campaign, which seeks funding to establish a staffing level of 75% full-time to 25% adjunct faculty within a reasonable period of time, with more opportunities for adjunct faculty to advance into full-time positions. A balanced program of new buildings while upgrading and repairing existing structures combined with increasing the numbers of full-time faculty will do more to attract increased new student enrollment.

These are two examples of why we cannot support the NJASCU's entire agenda, although we agree with them that current levels of higher education funding are inadequate. Whereas we see more central oversight as critical to proper governance and accountability, they see it as an impediment to their autonomy. They fail to grasp that without a greater measure of accountability to state government and taxpayers, the Legislature is reluctant to increase funding.

There is currently one bill that appears to have a chance of being enacted that provides for improved structure, financing and fiscal management for NJ higher education. It is Senate No. 1609, sponsored by Senators Raymond Lesniak (D-20) and Jim Whelan (D-2). We are seeking minor amendments to the bill that would give the NJ Commission on Higher Education even more oversight of the presidents and are hopeful that all or some of our suggestions will be incorporated. We will keep you informed regarding the progress that this bill makes over the next several months and may be asking you to write your legislators in support of S-1609. We urge you to become active in supporting increased funding for the operational budget and an amended Senate No. 1609.

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## IN MEMORIAM — BOB AREY

The Council is deeply saddened to report that Bob Arey passed away on Wednesday, October 16<sup>th</sup>. Bob was a founding member of the Council and has been a Jersey City local delegate since the 1970s. His wisdom and kindness will be profoundly missed by all of us who knew and worked with him.

Bob was involved in the very first Public Employment Relations Commission case concerning the representation of employees at the state colleges. The litigation over representation rights went on for four years and once the Council was certified in 1973, Bob was its first president and a driving force in negotiating a first contract. In February 1974, he had an integral role in the Council strike preparations in the face of resistance from the State to the Council's bargaining demands. The strike deadline was set for February, but agreement was finally reached in the eleventh hour. By that time, Bob had stepped down as president and became the Council's first staff representative and the only Council staff rep to sign a State-Union Agreement. Since then, he served as the New Jersey City University's AFT local president, and after he retired from the full-time faculty in 1996, he became an adjunct professor. He was a staunch advocate for organizing the adjunct faculty unit in the late 1990s. Not only did he serve as a local delegate to the Council, he was also a long standing, respected member of the Council's negotiating committee.

Bob was born on June 14, 1928 in Portland Maine, growing up during the Depression. While his father moved about frequently working for the Civilian Conservation Corp (CCC), Bob and his brother remained in Portland with his mother and relatives. After graduating from Portland High School in 1945, he attended the University of Utah where he was enrolled in the Army Specialized Reserve Program. When he turned eighteen, he volunteered for the Army and spent one year in occupied Italy.

Ironically, while most of the industrialized United States was torn apart by labor strife of the 1930s, (there were nearly a million and a half striking workers nationwide), Bob did not know much about the labor movement except for a brief period when his father was involved in a failed organizing drive of the Portland Independent Musicians Association. It wasn't until after his Army discharge when he moved to San Francisco to be near his family that he became class conscious. Bob was a warehouse Teamster and a member of the Retail Clerks International Association but he wasn't particularly active at that time.

After attending the University of California at Berkeley and then Columbia University graduate school in the late 1950s, Bob stayed on at Columbia and worked in its library in the 1960s. He was drawn into radicalism during the 1968 Columbia student uprising, which erupted the spring of



that year over the University's racist development projects in Harlem and over its support of the U.S. involvement in Vietnam. Bob had a friend who was a Columbia alumni and a teacher in the NYC schools who wrote for United Federation of Teachers newspaper, *The New York Teacher*. Together, they became involved in two projects: one was the "Alumni for a New Columbia"; the other was the "Living Theater Productions" at the Fillmore East, which raised money for the student

strikers at Columbia.

It was also in 1968 that Bob met "his lovely Christine". While working for W.R. Grace Chemicals, which produced chemicals used by the U.S. military in Vietnam, Christine was volunteering with the Park River Independent Democrats on her lunch hour. Bob and Christine soon married and enjoyed a four decade romance built on love, mutual respect and an undying commitment to social justice.

Bob's relationship with the AFT began when he was a new faculty member at New Jersey City State College in 1967. For a full account of his AFT organizing efforts that led to the establishment of the Council, see the December 2007 VOICE on line at <http://cnjscl.org/Library/December%2007%20Voice.pdf>.

Bob will also be remembered for being the first male president of the Hudson County chapter of the National Organization for Women, editor of NOW's New Jersey newsletter and as a delegate to the NOW national conferences.

Perhaps one of the greatest testimonies to Bob's and Christine's contributions to the NJCU Local was the steady stream of past and present union brothers and sisters who paid their last respects. There were tears of course, but also, there were stories remembered — each one a tribute to a man who meant so much to them as a friend and colleague.

He will be sadly missed by all of us, but especially by his wife Christine Carmody-Arey, his son Howard and wife Mira and two goddaughters, Carrie C. Eliopoulos and Annie A. Lake.

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### NOT A MEMBER YET? BECOME INVOLVED!

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

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

# Sorting Out the Changed Pension Choices for Adjunct Faculty and Part-Time Instructors

Council legislative efforts have culminated in pension reform legislation, Chapter 89, Public Laws of 2008, recently passed by the State Legislature and signed into law by Governor Corzine on September 29, 2008. As a result, any adjunct faculty member or part-time instructor whose employment begins after October 31, 2008 is eligible to participate in the Alternate Benefits Program (ABP).

Among the reforms contained in that law was a change in the definition of "member" or "participant" under the ABP to include adjunct or part-time faculty. Effect November 1, 2008, any new adjunct faculty or a new part-time instructor entering service under a new employment agreement will be required to participate in the ABP and is no longer eligible to participate in the Public Employees' Retirement System (PERS). Additionally, any existing adjunct faculty member or a part-time instructor employed under an agreement which took effect prior to November 1, 2008 (i.e., the Agreements between the State of New Jersey and the Council covering Adjunct Faculty and Part-time Instructors) will become eligible to participate in the ABP once a new employment agreement is executed and the individual enters service under that agreement.

The Alternate Benefit Program is a defined contribution plan that offers substantial opportunities for long-term tax-deferred investment. Six investment carriers are authorized to provide investment options and services in the ABP. The program allows members to direct their own retirement accounts while offering portability of accumulated contribution balances. The member and employer make regular tax-deferred contributions toward retirement savings. Members contribute 5% of base salary and employers contribute 8% of base salary. Under the voluntary 403(b) component of the program, members may make additional contributions on a tax-deferred basis.

A member is vested in the ABP when beginning the second year of employ-

ment at the member's institution of higher education or if the member has an existing qualified retirement account from a previous employer, the member is immediately vested. Once vested, all of the contributions and accumulations in the member's account belong to the member, and will provide benefits to the member when he or she is eligible to receive them. If a member leaves the institution of higher education prior to becoming vested, he or she will receive a refund of the "employee" contributions, including any investment gain or loss. The "employer" contributions will be returned to the employer.

Enrollment of adjunct faculty members and part-time instructors in the ABP should begin immediately upon the commencement of employment and *not* after the completion of 12-months or service as was the case for enrollment into PERS prior to this change in law.

***Adjunct Faculty Members and Part-time Instructors already enrolled in the PERS who enter into a new employment agreement after October 31, 2008, must choose to either:***

***A) Irrevocably waive their benefits under the ABP and continue their participation in the PERS, or***

***B) Irrevocably waive their benefits under the PERS and transfer their accumulated pension service, contributions and any available employer contributions under PERS to the ABP.*** What this means is that the employer's contribution will be transferred into your ABP account only after you have accrued ten years of non-concurrent service credit under a combination of PERS or TPAF and the ABP. Your contributions to PERS will transfer upon election of the ABP.

***Each Adjunct Faculty Member or Part-time Instructor participating in the PERS must make this election by completing an Election of Retirement Coverage form within 30 days following commencement of employment in the ABP eligible position.*** If you do not make an election to waive benefits under one of the two retirement sys-

tems, you will lose the right to have all retirement credit consolidated under one retirement account and you may lose those benefits which have not yet vested.

Members are encouraged to consider the options available to them, make their choice, and submit forms to your employer's HR department promptly. Looking ahead, we also suggest you photocopy these forms and put them away for safekeeping just in case you need them on retirement day. Adjunct faculty teaching on multiple campuses should file ABP Election of Retirement Coverage as necessary with each new employer.

For adjunct faculty members who are already vested in the PERS, or close to vesting in the PERS plan, you may wish to remain with PERS. If you feel you will be teaching as an Adjunct Faculty Member or Part-Time Instructor in the future, but have only been doing so for a brief period of time, seriously consider electing for the ABP, as the vesting in this plan is much sooner and you won't have to worry about achieving ten years of service to vest as in PERS. In any case, you are encouraged to review the above information, and apply it to your individual situation. Those who were hired in Fall 2007, Spring 2008 or Fall 2008 were not yet eligible for PERS and will have no decision to make. If they return in the Spring 2009 or later semesters, they will be considered new hires and will automatically be in the ABP.

There is one very important point to remember after you become vested in the ABP. If you decide you won't be teaching again for awhile and decide to move your accrued benefits from a the ABP to another retirement program such as a 401(k) or 403(b) plan outside of the ABP, you will be considered retired from the State for pension purposes. If you are employed by the State in any capacity at some future date, you will no longer be eligible for new pension benefits.

The Council's goal in working with legislators and the Governor's office

## STATE RULES RESTRICT POLITICAL ACTIVITY AND FREEDOM OF SPEECH ON CAMPUS - COUNCIL FIGHTS BACK

During the recent political season, many of our institutions issued directives to their employees restricting political activity on campus. The Council believes that they infringe on the First Amendment rights of faculty and other higher education professionals in the state college/university system. These directives are based on a document from the Office of Employee Relations which states as follows:

The posting of any election material of any kind in State offices or other workplaces is strictly prohibited. Equally, the distribution of election material in State office or other workplaces is also strictly prohibited. In general, no State employee may engage in any political activity during working hours. These prohibitions are found under various State contracts, N.J.S.A. 11A:2-23 and regulation N.J.A.C. 4A:10-1.2.

Therefore State employees posting or distributing campaign material in State offices or other workplaces, or otherwise engaging in political activities during working hours may be subject to discipline.

Our strategy to restore political freedom of expression on campus is two-fold. First, we are seeking legislation that would amend the existing laws/regulations by making a distinction between faculty/librarians/professional staff in higher education and other State employees, by arguing that college campuses should have a more permissive atmosphere toward political debate. Second, we are prepared to challenge the application of this directive in court.

Our State contract is silent on this issue. N.J.S.A. 11A:2-23 merely states that "A person holding a position in the career service or senior executive service shall not directly or indirectly use or seek to use the position to control or affect the political action of another person or engage in political activity during working hours." N.J.A.C. 4A:10-1.2 essentially says the same thing. Neither makes any reference to the posting or distribution of campaign materials in the workplace.

It goes without saying that State employees cannot engage in political activity during working hours, but there appears to be no basis in statute or regulation for barring State employees from posting or distributing campaign material at their workplaces in during non-working hours. In fact, any rule to the contrary would appear to be an infringement on our First Amendment right of free speech.

The Council believes that this freedom should extend to wearing of political campaign symbols such as buttons or T-shirts in or out of class, but you should know that there is legal precedent that found otherwise.

In Green Township Education Association v. Rowe, 328 N.J. Super 525 (2000), a case arising in the K-12 sector, the Appellate Division upheld the right of a school district to prohibit its teachers from wearing buttons to class reading "NJEA: Settle Now," a reference to an ongoing contract

dispute. The Court found that the mere act of wearing the button interfered with the teaching process. Although there was no showing of disruption in the classroom, the Court held that since "teachers serve as authority figures and their students are their captive audience," the school district's rule did not violate the teacher's First Amendment rights.

This case should not apply to the higher education sector. Institutions of higher education—and public colleges and universities in particular --- have traditionally served as a free marketplace of ideas and a laboratory for democracy. Candidates for political offices regularly campaign on college campuses. Class discussions on contemporary political issues are commonplace. The overwhelming majority of students are of voting age and eligible to serve in the military. Students are not captive audiences, but choose to attend college and are free to express their own political opinions on campus through rallies, leafleting etc. We are certainly not arguing that higher education faculty have the right to advocate for a political cause in the classroom unrelated to their role as educators, but they should be free to wear campaign buttons in or out of the classroom and to post or distribute campaign literature on campus during non-working hours.

Many employees regularly wear flag lapels, religious jewelry (crosses, Stars of David etc.) or special attire (headscarves, turbans, yarmulkes etc.) to work. Some of our members may wear AFT or other union pins to work. The State does not prohibit, nor should they prohibit such displays, unless there is persuasive evidence that they disrupt the educational process. The same standard should apply to political insignia.

This issue has arisen in other states. In New York City, the school chancellor announced that he would enforce a policy prohibiting teachers from wearing campaign buttons at work. AFT National President Weingarten defended the right of teachers "to express their opinions as citizens, political or otherwise, on their lapels" and the UFT filed suit to reverse the ban. In Illinois, the state ethics office announced a ban against employees wearing political campaign buttons on campus. The campus AAUP chapter denounced the rule for "its chilling effect on speech, interference with the educational process and its implicit castigation of normal practice during political campaigns." A few days later the University President rescinded the ban, with the caveat that buttons should not be worn while employees are "on duty."

Technically, N.J.S.A 11A and N.J.A.C.4A apply to civil service employees, not higher education faculty and other professionals, but it appears that our public institutions of higher education have drawn their policies restricting political expression on campus from these rules. Therefore, it may be necessary to craft legislation appropriate to the academic environment that would exempt faculty and other higher

# Faculty Grant Administrator Caught In “Catch-22” Situation With Grant Compensation

**D**uring the fall of 2007 and into the summer of 2008, the Council assisted a local member with a grievance related to a unilateral reduction in a faculty member’s summer 2007 salary for work on two state funded grants. What was supposed to have been a cut and dry grievance of a unilateral change in compensation turned into, literally, a federal case!

Here are the facts of the case:

Professor X administers two State sponsored grants; one since 1999 and the other since 2006. The Union’s investigation revealed that since Professor X has been working on both grants, she’s submitted supplemental summer salary forms for what amounted to a little less than ten percent of her annual salary per grant for the summer months of July and August. The granting authorities approved the budget narratives for each grant as did the College under the Dean’s signature on the supplemental pay forms. However, this past summer, Professor X received notice that the Office of Finance & Business reduced her *approved* summer supplemental salary by \$5,000 because it exceeded the allowable amount for summer compensation cited in the College’s “Grants Policies and Procedures Manual”. In turn, the Manual refers to the federal Office of Management and Budget (OMB) Circular #21, which provides federal guidelines for sponsored grants.

When the institution unilaterally changed Professor X’s 2007 summer salary, the Union filed a grievance on

and in the course of the investigation discovered that the OMB circular #21, while only a guideline, has been codified in the Federal Register-Rules and Regulations. The codification gives the OMB circular the status of a federal rule and must be strictly adhered to by administrators of *federally* funded grants. Even though Professor X administers NJ State sponsored grants, the State receives federal dollars and cites compliance with all OMB guidelines for grant management in its contract with the College.

So what happened? Two important facts have shaped this case: the first is that institution’s Office of Academic Grants and Sponsored Research did not have published guidelines for faculty grant administrators; in fact, only recently has the College posted a complete online manual for guidelines on grant administration. The second one is that the release of the State Committee of Investigation Report, with its scathing indictment of management’s out-of-control spending at our public institutions, has forced a much needed strict compliance on all things financial related to NJ’s colleges and universities. That means our institutions’ administrations are fretting about complying with financial rules and regulations *to the letter*.

Management’s sudden compliance with OMB rules means that faculty are going to have to make a decision about how many grants to administer given that no one will be allowed to earn

more than 100% of a full-time salary while administering a grant during the academic year (meaning, no overload whatsoever—especially when receiving released time for administering the grant). This renders moot our contract language in Article XX, which allows grant administrators to “receive compensation up to thirty percent (30%) of his or her base salary or \$18,000, whichever is greater.” Additionally, the OMB guidelines restrict summer compensation to one-tenth of the base salary rate whether administering one grant or multiple grants. However, when a grant involves funding from private sources, i.e. no funding whatsoever from state or federal monies, then our contract language in Article XX governs grant compensation.

This case had a favorable outcome. After the Union put forward a creative settlement proposal, Professor X received the salary she earned in the summer of 2007. However, be aware that the issue of grant administration, OMB guidelines and faculty compensation are cropping up at other institutions. It’s a thorny problem that is not going away anytime soon. Stay tuned for updates in future *VOICES*. In the meantime, all faculty who have been asked to seek grant funding or who already are administering grants should read the grant agreements and local policies on supplemental salary very carefully. And please — call your local if you have questions about your compensation. — • —

## COUNCIL FIGHTS BACK

(Continued from previous page)

education professionals (librarians and professional staff) from their reach.

The Council has initiated this process by writing to Assemblyman Patrick Diegnan, chairperson of the Assembly Higher Education Committee proposing such legislation.

## Pension Choices

(Continued from page 5)

was to preserve pension benefits for part-time and adjunct faculty. We are

not, nor do we purport to be your investment counselor or your tax accountant and urge you to seek that sort of advice from the proper source if it is necessary to your decision making.

As noted above, we were also prepared to mount a legal challenge to the rules. A faculty member from NJCU volunteered to be a test case, but even though she wore a political campaign button on campus, management did not take the bait.

The Council will pursue this matter vigorously to vindicate our First Amendment rights on campus. We will keep you posted on future developments. — • —

For more detailed information on the Alternate Benefit Program and the six investment carriers visit <http://www.state.nj.us/treasury/pensions/abp1.htm>

New Jersey

# V O I C E

of Higher  
Education  
Labor

November 2008

Published on behalf of the AFT Locals in the New Jersey State Colleges and Universities by the  
Council of New Jersey State College Locals, AFT/AFL-CIO.  
Member: Union Communication Services, Inc.; AFT Communications Network.

## OUR TAKE ON THE ELECTION RESULTS

The extraordinary effort made by the labor movement in NJ to elect progressive candidates has yielded equally extraordinary results. New Jersey went for Democrat Barack Obama by a margin of 57% to 42% over Republican John McCain. Senator Frank Lautenberg was re-elected with 55% of the vote compared to 45% received by Dick Zimmer, his Republican rival. And in the highly contested 3<sup>rd</sup> Congressional District, State Senator John Adler won an open Congressional seat traditionally held by Republicans. The only major disappointment was Democrat Linda Stender's loss to Leonard Lance in the 7<sup>th</sup> Congressional District; however Lance has well-deserved reputation as a moderate Republican who is expected to establish a much better record on labor and education issues than Michael Ferguson, the Republican congressman he will be replacing in Washington.

The Council made endorsements in twelve out of thirteen Congressional contests in NJ and all but three were elected. In addition to John Adler (D-3), these are Congressmen Robert Andrews (D-1), Christopher Smith (D-2), Frank Pallone (D-6), William Pascrell (D-8), Steven Rothman (D-8), Donald Payne (D-10), Rush Holt (D-12) and Albio Sires (D-13).

Competing in the heavily Republican districts with entrenched incumbents, Democrat Dennis Shulman lost to Representative Scott Garrett in the 5<sup>th</sup> CD and Democrat Tom Wyka lost to Representative Rodney Frelinghuysen in the 11<sup>th</sup> CD. However Adler's victory increases the Democratic majority in NJ's Congressional delegation from 7-6 to 8-5 and contributes to the

expanded Democratic majority in the House. The State AFL-CIO also reports that 42 "labor candidates" i.e. union activists who participated in its Labor Candidates Program, were elected to county and local office.

The AFT, as you know, endorsed Barack Obama and poured vast resources into his campaign. What you may not know is that it deployed nearly 600 full-time campaign coordinators and 5,000 volunteers to assist affiliates and the AFL-CIO in membership education and get out the vote efforts for Obama and other endorsed candidates. The AFT made more than 4 million contacts with its members through phone calls, direct mail, workplace flyers and direct member-to-member contact. Here in New Jersey, AFT National Representative Shaun Richman, AFT New Jersey political organizer Amy Giovannetti and about a dozen volunteers worked on the campaign. We thank them for their hard work.

Commenting on the Obama victory, AFT President Randi Weingarten said "President-elect Obama faces considerable challenges—a severe economic crisis, a broken healthcare system, the needs of an aging population, enormous infrastructure strains and troops engaged in two wars. But he is well-equipped to lead our country, which is unparalleled in its ability and determination to face such challenges."

2008 will go down in history as a momentous event in overcoming racial prejudice and in choosing the politics of hope over the politics of fear. We should all be proud for being part of it.

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### Save Hundreds of Dollars on Your Home Heating Oil — Join New Jersey Citizen Action's Oil Group Today!

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 troubling times of high energy prices, it is something you can't afford not to do!

Plus, if you sign up and reference **Council of NJ State College Locals**, your first year of membership is free! That is an additional \$15-\$30 savings. Membership dues are usually \$30, \$15 for Senior Citizens (over the age of 60).

The Oil Group is a consumer buyer's organization that uses our bulk purchasing power to negotiate lower prices for home heating oil. "For over twenty years, our group has successfully secured oil at discounted prices from well-established, full service oil companies," stated Wende Nach-

man, Oil Group Director. "Our companies provide full 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 \$0.20 lesser 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.

Call for an Oil Group application or visit their website at [www.njcaoilgroup.com](http://www.njcaoilgroup.com)! Toll Free 1-800-464-8465 OR [www.njcaoilgroup.com](http://www.njcaoilgroup.com)