

PRESIDENT'S MESSAGE

by Nicholas C. Yovnello

The Union is facing many challenges between now and the end of AY 2002-2003: getting our endorsed candidates elected on November 5, advancing our legislative agenda in Trenton, and preparing for and entering into negotiations with the State.

Every year is election year in New Jersey. This year, who New Jerseyans elect may determine the balance of power in Washington. This year, the candidates we elect will definitely determine whether we will have representatives in Washington who are responsive to our needs. As the lead article in this edition of the VOICE explains, the Council has thoroughly reviewed what each candidate for Congress and Senate stands for and made endorsements based on what we as higher education professionals and union members need from our elected leaders. I urge you to carefully consider the records of the Council's endorsees and give every thought to voting for them. Do the federal elections impact on our daily working conditions? Definitely. The new Congress will take up reauthorization of the Higher Education Act and will be dealing with a harmful Supreme Court decision that several public universities have used to shield themselves from faculty suits involving violations of the copyright law.

A number of bills the Council has supported in the past still have to be pushed through the Legislature. Assemblywoman Weinberg's bill in support of Domestic Partners, the Family

Equality Act, is an important new item on the Council's legislative agenda. The Council still has to convince the Legislature and Governor to move on A-2574, the bill to expand the State Health Benefits Commission to include two union representatives. Its passage would finally give employees a voice in the State's health benefits decision making process. Other bills, such as those to increase the State's contribution to ABP by one percent and to create paid Family Leave are still awaiting action. The Council may be seeking your assistance by requesting you send emails or otherwise communicate your support for the above legislation to key legislators and the Governor. I cannot emphasize enough the importance of your voluntary COPE contributions to funding the direct and indirect costs the Council and your Local incur in lobbying for legislation and supporting legislators who sponsor bills that benefit all of us.

As you can see from the article on page two of this VOICE, preparations for negotiations are well under way. Surveys have been distributed and the results will shortly be tallied. I hope you have taken the time to fill out your copy of the survey and send it back to the Council office. Your views are important. We want to know what your main concerns are and what you hope to get from the next agreement with the State. Your bargaining team needs to know that is on the right track as it crafts our demands.

Negotiating a good contract prom-



Nicholas C. Yovnello

ises to be especially difficult, given New Jersey's fiscal woes. We will have to be very creative in order to counter the State's resistance to change and determination to take the easy way out and say "NO" to our every proposal.

We expect a lot of resistance from the Presidents to our economic demands. However, the Union leadership has noticed, and I hope you have too, that while the Presidents of the colleges/universities were complaining about budget cuts and pushing for double digit raises in tuition, some were adding to their administrative rosters and doling out to themselves and other administrators double-digit salary increases — some under the guise of "salary adjustments" — and cash bonuses.

The strength of the Union and your determination to support the Union's push for improved salaries and working conditions is gauged by the num-

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Council Endorses Candidates in Senate and Congressional Races

The Council has endorsed the following candidates for Senate and Congress:

SENATE: Frank Lautenberg (Democrat)

1st CD: Rob Andrews (D-Incumbent)
2nd CD: Frank LoBiondo (R-Incumbent)
3rd CD: no endorsement
4th CD: no endorsement
5th CD: Anne Sumers (D- Open Seat)
6th CD: Frank Pallone (D-Incumbent)
7th CD: Tim Carden (D-Challenger)

8th CD: William Pascrell (D-Incumbent)
9th CD: Steve Rothman (D-Incumbent)
10th CD: Donald Payne (D-Incumbent)
11th CD: no endorsement
12th CD: Rush Holt (D-Incumbent)
13th CD: Robert Menendez (D-Incumbent)

These endorsements originated with your Council Political Action Committee (PAC), chaired by Jon Erickson, Kean University. The PAC is made-up of representatives from each of the Council's eleven locals. The PAC, in recommending candidates for endorsement to the Council, considered several factors: the incumbents' voting records, responses to our Higher Education Questionnaire, the advice of our lobbyist Peter Guzzo and Council President Yovnello and the overall political situation in New Jersey. The full Council approved the PAC's recommendations at its September 27, 2002 meeting. Because Senator Torricelli dropped out of the

race for Senate after the Council meeting, the PAC was polled via email to ascertain its support for his replacement former Senator Frank Lautenberg. The PAC did not hesitate to approve the change. With the election drawing near, the Executive Committee, acting for the Council, adopted the PAC's recommendation to support Lautenberg for Senate.

To enhance our support of our endorsed candidates, the Council has joined forces with the other unions in the senior public higher education sector, the NJ State Conference of AAUP and the Rutgers Council of AAUP Chapters.

sion benefits and increasing state employee contributions to the State Health Benefits Plan. In sum, he was no friend of public employees. For-

rester declined to reply to our questionnaire. His website says nothing about labor issues or public higher education.

Three critical Congressional races: 5th, 7th and 12th districts

Ann Sumers

In the 5th Congressional district (northern Bergen, Passaic, Sussex and Warren Counties) Anne Sumers, a former union member, is running against Scott Garrett, a Republican State Assemblyman, to fill the seat currently occupied by Marge Roukema (R) who is not seeking re-election. Sumers has never held statewide office; however, she is a dynamic candidate who is committed to the improvement of public education and the preservation of Social Security and Medicare. In her response to our survey, she indicated support for increased federal funding of Pell grants, pay equity for adjunct faculty, high standards for distance education, support for ergonomics standards and the freedom of unions to engage in political communication.

Her opponent, Scott Garrett, is one of the few extreme right-wing legislators in Trenton. He has never voted with the Council on any important issue. He did not respond to our questionnaire, but his record is no secret. Garrett is anti-union, anti-public employee and anti-public higher education. His opinions are so far from the mainstream that Roukema declined to endorse him.

Because Garrett does not have the full backing of his constituency, the race for this open seat is very competitive. Your vote will definitely count. Our clout in this district is enhanced by the presence of Ramapo College and our Ramapo local. Anne Sumers' campaign can be reached at (201) 612-8450.

Tim Carden

The race in the 7th Congressional District (portions of Union, Middlesex, Somerset and Hunterdon Counties) is also very competitive. Carden, the former Commissioner of

Human Services, is facing the Republican incumbent Michael Ferguson. Carden responded positively to our questionnaire and his campaign material establishes his strong commitment

The Senate Race

Frank Lautenberg

During his three terms in the Senate, Lautenberg voted 100% with the AFT and 92% with the AFL-CIO. He was a leading advocate of increased federal funding for public higher education, a staunch supporter of collective bargaining and opposed legislation aimed at depriving unions of the right to participate in the political process. He consistently defended Social Security and Medicare. While in the Senate, Lautenberg showed himself to be a man of impeccable integrity who cared deeply about the issues that affect us as union members, higher education professionals and public em-

ployees. His election is critical to preserving a majority in the Senate if we are to resist the attacks of the right-wing and advance a progressive agenda.

Lautenberg will have a lot to do in the remaining days before the election; if you want to get involved in his campaign, call (201) 909 0309.

His opponent, Doug Forrester, served as Assistant New Jersey Treasurer and Director of the Division of Pensions and Benefits during the Kean Administration. As Director, Forrester proposed raising the retirement age of state employees, reducing state pen-

President's Message *(continued)*

ber of full dues paying members. Join the Union if you have not already done so. You can help us by keeping abreast of the issues and participating. Join COPE, vote on November 5, write to your state legislators in sup-

port of our bills, fill out your copy of the survey and support your bargaining team as we begin negotiations this coming February. Your support is critical to our success in the coming academic year.

Three critical Congressional races *(Continued from page 1)*

to preserving Social Security, a prescription drug plan under Medicare and a real patients' bill of rights. On the crucial issue of union representation in the public sector, he announced his opposition to the portion of the Homeland Security Bill in Congress that would strip over a hundred thousand federal employees of their civil service and bargaining rights. Ferguson did not respond to our questionnaire, but his record speaks for itself. He voted with the AFT just once in the last congressional session, opposing AFT positions on everything from increasing education funding, tax cuts for the wealthy, and public school

vouchers. His AFL-CIO voting record was a dismal 33%, and he supports the Bush administration's attack on the civil service protections and bargaining rights of federal employees.

This is a swing district where a progressive Democrat like Carden has an excellent chance against a conservative Republican like Ferguson, who only won his last election by a margin of 52 to 48%. Our clout in this district is enhanced by the presence of Kean University and our two Kean locals. To assist in the Carden campaign, contact Wendy Howell at (908) 317-9470.

Rush Holt

Holt is seeking a third term. His district cuts a swath through Monmouth, Middlesex, Mercer, Somerset and Hunterdon Counties. His 100% AFT and AFL-CIO voting record is matched by his positive response to our survey and his proven leadership in Congress on our issues. His Republican opponent, DeForest "Buster" Soaries, opposes pay equity for adjunct faculty, favors public school vouchers and state immunity from lawsuits brought by state employees. He favors "paycheck protection" legislation. Holt, on the other hand, cor-

rectly identifies "paycheck protection" as "an effort to stifle the voice of labor in the political process." The choice in this election could not be clearer. Despite his two-term status, Holt's re-election cannot be taken for granted. He barely won his two elections. Our clout in this district is enhanced by the presence of the The College of New Jersey and our CNJ local. To find out how you can support his re-election, contact the Council office or John Shea at the State AFL-CIO (see below) or call the Holt campaign at (609) 695-0003.

Support endorsed candidates

The Council encourages you to show your support for Lautenberg, Summers and Holt by volunteering for "labor-to-labor walks" sponsored by the State AFL-CIO, which will take place every Saturday up to the election. They begin at various Union halls around the State and run from 9 AM to Noon. Pairs of walkers visit the homes of union members, drop off AFL-CIO campaign literature, and talk about the

importance of supporting labor-endorsed candidates. Those unable to participate in the walks can make phone calls. Contact the Council office (908) 964-8476 or John Shea at the State AFL-CIO (609) 989-8734, for more information.

What is at stake in this election? Nothing less than the control of the Senate and the House of Representatives.

AFT-Africa AIDS Campaign: A Union to Union Response

Sparked by the AIDS crisis in Africa and the high rate of infection among African teachers, the AFT has organized a "union-to-union" campaign of assistance. Working directly with teacher unions in sub-Saharan African countries, AFT has created HIV/AIDS training programs for African teachers. The goal of the program is to create a network of trained HIV/AIDS peer-educators and counselors throughout sub-Saharan Africa who can teach AIDS prevention to both teachers and their students.

In order to fund the AFT-Africa AIDS campaign, the AFT is raising funds from among AFT members through the sale of ribbon pins. Details about the pins and how you can purchase them are outlined on the AFT's website at www.aft.org/africa_aids. Please help the AFT fight the AIDS pandemic.

Coming up: Negotiations

Although negotiations for the next contract do not begin until February 2003, the Council and the locals are already deeply involved in preparations for the first meeting between the Union's bargaining teams —full-time/part-time and adjunct faculty —and representatives of the State of New Jersey.

Here's what the Council and the Locals have done already:

Summer 2002 – Senior Staff Representative Barbara Hoerner wrote the first draft of the demands for both the full-time, part-time and adjunct faculty units. These drafts were based on suggestions from the Locals, a study of other contracts in higher education and the State, previous demands and consultation with the Council's Professional Staff and Librarians' Committees.

August 2002 – The first drafts were presented to the Executive Committee of the Council for review.

September 2002 – Bargaining teams were formed. The adjunct team held two meetings to review its demands.

October 2002 – The Council distributed collective bargaining surveys to all unit members. All unit members should take the time to fill out the surveys and return them as soon as possible. The surveys will help us refine our demands and make sure that no key issues were overlooked by the teams. Team meetings continued.

Future preparations include:

November 2002 – Bargaining teams will continue to work on demands.

December 2002 – Council will finalize demands.

January 2003 – Staff will gather data in support of demands. This includes salary analysis.

February 2003 – Negotiations with the State will begin. Ground rules will be established and a tentative schedule of negotiating sessions set.

Governor signs Assembly Bill-A459

Senate and Assembly Education Committees to study Adjunct and Part-time Faculty working conditions



Governor McGreevey (front center) signs A-459 as supporters look on. AFT representatives at the signing included Council President, Nicholas Yovnello (right front), NJ State Federation of Teachers President, Janet Cole (left front), Kean University Adjunct Faculty Federation-Local 6024 President, Kathleen Henderson (center rear). Representative Robert J. Smith (D-3), right of President Henderson, sponsored the bill.

On June 24, 2002 Governor McGreevey signed A-459, a bill that requires public colleges/universities and majority bargaining representatives such as the Council to report to the Commission on Higher Education (CHE) the number, positions and salaries of adjunct and part-time faculty. A-459 also requires the Commission to issue a report to the legislature summarizing the data and recommending whether a minimum salary and benefits for adjunct and part-time faculty should be established.

Assemblyman Robert J. Smith (D-3), the sponsor of the bill introduced it in October 2001 during *Campus Equity Week*, the nationwide effort to highlight the poor pay and working conditions of adjunct, part-time and non-tenure track faculty in institutions of higher learning.

After it submitted its data to the Commission, the Council sent a copy of the AFT's publication, *Standards of Good Practice in the Employment of Part-Time/Adjunct Faculty*, to each member of the Commission. In an accompanying letter, the Council urged the CHE to consider AFT's standards as it drafts its report to the Legislature.

To obtain a copy of *Standards of Good Practice*, call the Council office at (908) 964-8476.

Council's work on behalf of domestic partners continues

Breakthrough on Domestic Partner Legislation

The painstaking efforts of the Council and its Domestic Partner Committee to secure legal status for domestic partners are beginning to pay off. The Office of Legislative Services, at the request of Assemblywoman Loretta Weinberg (D-37), has drafted "The Family Equality Act." It should be introduced in the legislature by the end of the year.

Weinberg's bill would grant domestic partners legal status and thus provide them with the same benefits as a spouse under

The State Health Benefits Plan and all private insurance plans
All NJ public employee pension plans
The inheritance tax

The bill also guarantees domestic partners the right to hospital visitation and to make medical and legal decisions for an incapacitated partner. Although the bill does not entitle domestic partners to community property rights, it does give the courts jurisdiction in overseeing the termination of a domestic partnership and the division of property.

The Family Equality Coalition, which includes the Council, other public sector unions and a host of women's, gay and lesbian, civic and religious organizations,

has been working on this issue since the last negotiations. The Council, a founding member of the group, has worked to expand the coalition and to keep it moving forward. The group will soon be gearing up to secure passage of the bill and Governor McGreevey's signature.

Council to demand health benefits for domestic partners

The Council's fight for health benefits continues on another front. The Council will once again raise the issue of health benefits for domestic partners during negotiations for a new contract. Some colleges/universities already provide all wellness and other local institutional services to the domestic partners of their employees. We are demanding that all colleges/universities do the same.

**JOIN THE UNION
CALL (908) 964-8476**

Increase in health care costs on hold

By working together, State employee unions persuaded the McGreevey administration to postpone planned increases in some key health care costs.

If the Health Benefits Commission (HBC) had had its way, HMO members would face increases in several types of copayments beginning January 1, 2003. They would have seen their copayments for office visits to PCPs go from \$5 to \$10 and those for visits to specialists go from \$5 to \$20! Depending on the plan they participated in, Emergency Room visits would cost them \$50 instead of \$25 or \$35. Similar increases were being considered for the Traditional Plan and NJPLUS. Finally, retirees, most of whom are in the Traditional Plan, would have seen their out-of-pocket maximum raised from \$345 to \$1000 per year.

The HBC, composed of the designees of the State Treasurer, the Commissioner of Banking and Insurance and the Commissioner of Personnel, is the autonomous body with the power to regulate the State's Health Benefits Program (SHBP). The Whitman Administration took the position that it had no obligation to have the HBC honor contractual commitments the State made at the negotiating table. Therefore, changes to the SHBP recommended to the Commission by an outside consulting firm were automatically approved.

This year things turned out differently. The McGreevey Administration, in its effort to foster better relations with state employees, took the unusual step of contacting the union leadership of each bargaining unit prior to HBC action. In late July, the Council and other major public employee unions, AFSCME, IFPTE and CWA, were called into Commissioner of Labor Kroll's office and given advance information on key recommendations contained in the consultant's report to the HBC. Following these meetings, President Yovnello wrote to the Commissioner arguing strongly that our contract, with its "maintenance of benefits" clause, forbade the changes contemplated by the HBC during the life of the Agreement.

In August, the Council and the other unions called for the State to convene the Health Care Cost Containment Committee (HCCCC), a joint labor management group, to discuss the matter. On August 15, the Director of the Office of Employee Relations, along with representatives of the SHBP, the consulting firm and the Commission met with the HCCCC. The protests of the Council, IFPTE, CWA and several law enforcement unions against the increases were ignored.

After the meeting was adjourned, President Yovnello then led the unions in a discussion regarding what should be done to head off the changes. The group decided to go around the HBC and take its case directly to the Governor. The Council drafted a joint letter that all the unions signed.

The following week, the Commission met formally to discuss the consultant's report. President Yovnello, representing the Council, addressed the Commission. In addition to raising the issues presented previously in August, he pointed out that the HBC had proposed to make its changes in the SHBP in the absence of audits and complete documentation. Despite the unions' objections, the Commission scheduled a September 10th meeting for the purposes of voting on the recommendations. President Yovnello followed up by directly contacting the Commissioner Kroll and buttonholing the Governor at a Labor Day celebration.

After the Commission was informed that the McGreevey Administration had withdrawn the changes, President Yovnello said, "Unfortunately, we did not kill the increases. We merely changed the forum for discussion from the Commission to the negotiating table. We hope to update a CWA study of New Jersey's benefits package for state employees and use some of CWA's ideas for trimming costs without impacting benefits.

By withdrawing the proposed changes, this administration clearly demonstrated that it, unlike the Whitman Administration, will talk to the unions and provide a forum for problem solving. I hope to see the McGreevey Administration taking a similar approach on other issues."