

Connection *uup*

Binghamton Chapter, United University Professions

Special Edition

Meet the UUP Binghamton executive board

This is a special edition of UUP Binghamton's Connection, designed to introduce the newly elected Executive Board to the campus community. Many faculty and staff represented by UUP may have little or no knowledge of the structure of UUP on campus, let alone the people who populate that structure. To partially remedy this situation, the 2013-2015 elected officers and members of the Executive Board of UUP Binghamton chapter are presented below.

What does the Executive Board do? We are responsible for setting

the direction of the Chapter; formulating Chapter policies and procedures; approving the expenditure of Chapter funds; filling elective officer vacancies until an election is held; and generally addressing the terms and conditions of employment at Binghamton University.

UUP Binghamton is member-driven. Projects we engage in are brought up by Executive Board members, who in turn are informed by the issues and concerns of the 1,620 faculty and staff represented by UUP. Projects initiated by the Ex-

ecutive Board include an evaluation of administrators; looking at gender inequities in salaries; and, most recently, the February Beat the Blues membership meeting and social event.

Let us know what's on your mind, and how we can improve our terms and conditions of employment at Binghamton University. The Executive Board meets once a month on Wednesdays during the academic year, from 11:30 a.m. to 1:00 p.m. All UUP members are welcome to attend the meetings.

Elected Chapter officers



Benita Roth, President
Associate Professor, Sociology, History, and Women's Studies

Off Campus Interests: movies, art, travel (especially to NYC and LA)

Reading: currently and forever reading : issues of *The New Yorker* that keep piling up on my coffee table

Listening: To NPR, as required by law.



Heather DeHaan
Vice President, Academics
Associate Professor, History

Off Campus Interests: piano, theatre, languages, travel, restoring our one-room schoolhouse (!)

Reading: Harper's, The New Yorker, New York Review of Books, and whatever novel, play or short story intrigues me.

Listening: I listen to everything from Johannes Brahms to Jerome Kern (and love to scour antique shops for old sheet music).



Fran Goldman
Vice President, Professionals
Assistant to the Chair DAAAS, Associate Director IAAD

Off Campus Interests: board member, Tri-Cities Opera; contributing faculty, Walden University.

Reading: Period novels.

Listening: classical and New Age music on Pandora.

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Connection

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Editor

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The opinions expressed in this newsletter are those of the authors or of the Binghamton Chapter and are not necessarily the opinions of United University Professions.

The editor welcomes letters and other comments of interest to the Binghamton Chapter.

UUP Chapter Officers

Benita Roth
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President

Serdar Atav
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Vice President for Academics

Fran Goldman
frances@binghamton.edu
Vice President for Professionals

Renee Farris
Interim Treasurer

Darryl M. Wood
Labor Relations Specialist

Linda O'Branski
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UUP's history rooted in Roosevelt's New Deal

by Jim Dix
Chemistry Department

UUP seems like it has been around forever, but actually it has been around for only 40 of the 65 years that SUNY has been in existence. Many of the unique features of UUP (a union of academics *and* professionals; negotiation of salary money for use at Management's discretion; advocacy for Management (SUNY)) can be traced back to the early formation of UUP. To paraphrase Aristotle, "To understand anything, observe its beginning and its development."

The Wagner Act of 1935

The roots of UUP can be traced back to at least the federal Wagner Act of 1935. The Wagner Act was an initiative of the Roosevelt New Deal to equalize through law the bargaining power of employers and employees, a balance thought to have been tilted toward employers for much of the country's history. The Wagner Act gave employees the right to join



Police and striking truck drivers battle it out in Minneapolis in 1934.

a union and to engage in collective bargaining with employers over the terms and conditions of their employment.

The Wagner Act was meant to equalize employee and employer power, making for more civilized bargaining about terms and conditions of employment.

Unfortunately, the Wagner Act excluded public employees, such as municipal and state workers.

Following the federal lead, New York adopted a new state constitution in 1938 which included article 1, section 17: "Labor of human beings is not a commodity nor an article of commerce and shall never be so considered or construed." The section gave employees "the right to organize and to bargain collectively through representatives of their own choosing."

Unfortunately, various courts interpreted the collective bargaining provisions in section 17 as not applying to public employees.

Despite the inability to collectively bargain, NYS employees were able to attain many of the items normally associated with collective bargaining agreements. The civil service salary scale with the step system was in place by 1937; a hearing in a disciplinary action was mandatory by 1941; "tenure" was in place by 1955; and public pensions guaranteed by the state were in place for almost all public employees by the late 1950s.

Condon-Wadlin Act of 1947

The lifting of price controls after World War II led to an increase in inflation. Non-public employees were able to bargain for salary increases to keep pace with inflation, but public employees were not. On February 24, 1947, public school teachers in Buffalo took matters into their own hands and went out on strike. The strike was settled one week later with the offer of salary increases on the order of 10%.

The Buffalo teacher's strike struck a visceral nerve with the public. Reaction was negative. Striking by public employees was considered by various courts to be illegal at the time. *The New York Times* ran an editorial on February 25 calling the

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History of UUP: Key teacher strike advanced labor rights

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Members of the Buffalo Teachers Federation on strike in 1947. This strike was one of the first challenges to the accepted practice of public employees' not striking.

strike both illegal and immoral.

In reaction to the Buffalo teacher's strike, the NYS Legislature passed the draconian Condon-Wadlin Act of 1947, which punished public employees for going out on strike. Employees who struck were immediately fired. Employees could be rehired, but only by giving up salary increases for three years and by being on probation for five years. Public employees now had a double whammy against them: they could not formally bargain collectively for better terms and conditions, and they were explicitly forbidden to use labor's most powerful weapon, the strike, to pressure employers for better terms and conditions.

The Taylor Law of 1967

And that's the way things remained until the turbulent times of the 1960s. The Condon-Wadlin Act specified such severe consequences for public employees who struck that the Act was considered unenforceable in practice. New York City public employee unions, who were much better organized than those in upstate and who had been given the right to collective bargaining in 1957 by then Mayor Wagner, finally toppled the Condon-Wadlin Act by a series of strikes.

In 1965, employees of the New York City Welfare Department went out on strike for 28 days. In accordance with the Condon-Wadlin Act, 5000 employees were fired. How-

ever, the strike was settled by suspending the Act, effectively reversing the firing of the employees.

In 1966, the New York City Transit Workers Union went out on strike for 12 days, causing massive disruption to the mass transit system of the City. This strike was settled, and eventually resulted in the State Legislature granting amnesty from penalties of the Condon-Wadlin Act for not only the transit employees but also the welfare employees who had struck in 1965. The disconnect between the law and reality was becoming obvious.



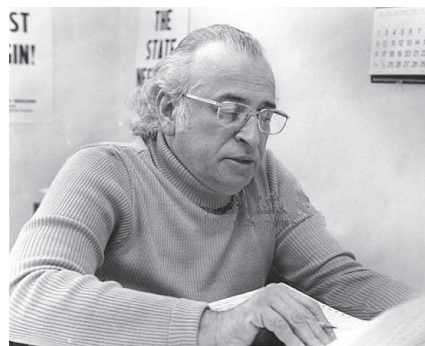
Employees of the Welfare Department freed after being jailed for leading the strike of 1965.

It was in this context that Governor Nelson Rockefeller asked George Taylor, a well-known labor arbitrator at the University of Pennsylvania, to chair a committee to renormalize public employee-employer relationships. The report of the committee resulted in the Taylor Law of 1967. In broad strokes, the Taylor Law gave public employees, both at the state and municipal level, the right to engage in collective bargaining, but forbade strikes. The law created the Public Employees Relations Board (PERB) to implement and interpret the Taylor Law.

The Rise of UUP

The Taylor Law led to a rapid increase in the number of public employees who were members of unions. SUNY was not immune to this trend. In 1968, the State Uni-

versity Federation of Teachers (SUFT) was formed and petitioned PERB to represent the academics at five SUNY campuses. In 1969, the State University Professional Association (SUPA) was formed to represent the non-teaching professionals



Morris Budin, Binghamton University, was active statewide in the early years of UUP. Morris was also instrumental in maintaining "free" parking for UUP-represented employees at BU.

on SUNY campuses. In 1970, SUPA and the university-wide Faculty Senate combined to form the Senate Professional Association (SPA).

Thus, by the beginning of the 1970s, there were two unions representing faculty (SUFT and SPA) and one union representing professionals (SPA). PERB dictated in late 1970 that SUNY colleges and universities as a whole constituted a single bargaining unit, and that there should be an election for a union to represent faculty and professional staff in this bargaining unit.

Contenders for the election were the two newly created unions (SUFT and SPA), along with Civil Service Employees Association (CSEA), American Association of University Professors (AAUP), and "no agent" (no union representation). SPA won the election, and in 1971, PERB certified SPA as the exclusive bargaining agent for faculty and professional staff at SUNY. SUFT, the odd union out, merged with SPA in 1973, creating a union initially called SUNY/

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Elected Officers continued



John Oldfield
Officer for Contingents
PC Repair Technician, ITS



Renee Farris, Treasurer
Administrative Assistant
to Chair, Physics

Off Campus Interests: traveling, horseback riding, hunting, walking, reading, having a good time. International Rett Syndrome Foundation – member since 1998; Southern Tier Alternative Therapies – executive board member since 2012.

Executive Board Members



Bonnie Cornick
Staff Assistant, Watson School
Off Campus Interests: golfing, reading & traveling.



Serdar Atav
Associate Professor, Decker
School of Nursing

Off Campus Interests: world traveler, home chef, jazz lover, movie buff.
Reading: *Quarantine* by Rahul Mehta.

Listening to: Absence by Melody Gardot (and addicted to Morning Edition and All Things Considered).



Eric Cotts
Professor and Chair, Physics
Off Campus Interests: cycling; walking in the woods with dog; Hard Bebop and Baroque.



Jim Dix
Assistant Professor, Chemistry
Off Campus Interests: dancing, bicycle racing, sleeping, socializing.
Reading: Last book read: *Merckx: Half Man, Half Bike*. Currently reading: *John Deere's Company*.
Listening: Music on my iPod: What's an iPod?



Lisa Gallagher
Special Assistant/Project Manager, Mechanical Engineering

Off Campus Interests: runner, traveler, reader and mother of two.

Last book read: *Life of Pi*; currently reading Barbara Kingsolver's *Animal Dreams*.

Listening: Pink's The Truth about Love.



Joe Goldman
Membership Development
IT Systems Manager,
Physical Facilities

Off Campus Interests: motorcycling, flying, traveling, woodworking, skiing, camping and hiking.

Reading: science fiction / fantasy, classic horror, historical fiction.

Listening: classic rock (pre-1992), New Age, Scottish music.



**Lisa Havtur, Newsletter Editor
Time and Attendance Coordinator, Human Resources**

Off Campus Interests: reading, writing, music, and hiking.

Reading now: *Eat Dirt*, *The Orchardist*, "B" is for Bad Poetry.

Listening: just about everything, with the exception of hip-hop. Current obsession: Aaron Lewis, "The Road".



**Gordy Jackson
Networking Technician, ITS**

Off Campus Interests: family, movies, all kinds of cars and car technology.



**Wayne Jones
Professor, Chemistry, and Interim Dean, Harpur College**



**Donald Kunkel
Director of Information Technologies, Watson School**

Off Campus Interests: backyard barbecue, photography and videography, small business entrepreneur.



**Stu L'Hommedieu
Assistant Director, Operations, ITS**

Off Campus Interests: U.S. Army Reserves, volunteer firefighter, working outdoors, and antique cars

Reading: When I have free time, professional literature to fiction.

Listening: old-time radio classics.



**Sean Massey
Research Associate Professor, Women, Gender & Sexuality Studies**



**Sandra Michael
SUNY Distinguished Service Professor, Biological Sciences**

Off Campus Interests: golf, bridge, exotic travel, fine dining, oenology, sporting clays, live theatre and music performance, and community service (currently on board of directors for Goodwill Theatre, Cider Mill Playhouse, and Achieve Foundation)

Reading: just finished *Midnight in Sicily*; currently *Mafia Brotherhood* (recently returned from trip to Sicily).

Listening: opera, jazz, Broadway, 1940s music.



**Sharon Santobuono
Associate Director, Watson School Advising**

Off Campus Interests: photography, reading, traveling, movies and boating. I also enjoy spending long warm summer days on Cayuga Lake with my family and friends. Nothing like the sun!

Reading: My favorite books are historical fiction, but I also enjoy books by Nicholas Sparks and Kristen Hannah for quick reads!

Listening: jazz, bluegrass and classic rock.

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Andy Morris
Associate Director, Undergraduate Admissions Office

Off Campus Interests: cinema; aviation and naval history & museums; minor league baseball; carving wooden heads; cooking—especially chili; member, 1941 historic aircraft group.

Currently reading: *Mission to Tokyo: The American Airmen Who Took the War to the Heart of Japan* and *Greetings, Carbon-Based Bipeds!: Collected Essays, 1934-1998* of Arthur C. Clarke.

Currently listening: when not tuned to NPR: classic rock – Eric Clapton, Lou Reed, the Tubes, the Kinks, Talking Heads, Pink Floyd.

Favorite TV Shows: Castle; Big Bang Theory.



Melissa Russell
Assistant Director for Admissions

Off Campus Interests: camping, hiking, decorating and organizing the new apartment.

Reading: *Casual Vacancy*.

TV Shows: currently, Arrested Development and United States of Tara.



Neil Christian Pages
Associate Professor of German and Comparative Literature

Off Campus Interests: cooking, drinking wine, watching rugby and soccer on TV (sometimes all three simultaneously); reading.

Reading: Judith Schalansky, *Der Hals der Giraffe*; Husserl, *Origin of Geometry*; the memoirs of Leon Zelman, former director of the Jewish Welcome Service in Vienna.

Listening: Bach Cantatas; In Our Time podcasts on BBC4; migrating birds.



Bob Pompei
Professor Emeritus, Physics

Off Campus Interests: international travel. My wife and I have visited every continent and 60-some countries. I currently play in the saxophone section of the Mason Warrington Orchestra.

Reading: Shelby Foote's *Civil War Trilogy*.

Listening: Mostly jazz with an emphasis on Big Band music.



Susan Seibold-Simpson
Assistant Professor, Decker School of Nursing

Off Campus Interests: reading, motorcycling, gardening.

Reading: Currently plowing through *Game of Thrones*.

Listening: NPR, audiobooks, classic rock, and pop to keep me relevant with my teen patients.



Jill Seymour
Associate Director, Harpur Advising, and IMP Coordinator

Off Campus Interests: gardening, baking, reading.

Reading: *The Garden of Last Days* by Andre Dubus III.

Listening: Adele, and always The Beatles.



Edward Shephard
Director of Collections,
Library

Off Campus Interests: opera; Bichon Frise; genealogy.

Last Book Read: Rabelais' *Gargantua et Pantagruel*.

Listening: opera.



Dave Stone
Membership Development;
Manager, Central Receiving,
Warehouse and
Customer Service

Off Campus Interests: collecting books (especially about Africans in the Americas), genealogical research, digitizing family photos and documents; eBay buying & selling; reading; crosswords; flea markets.

Reading: last book, *Footprints of Roger Williams*; currently reading *New American Bible*.

Listening: Public Radio – various programs, talk and music.

Favorite Current TV show – Walking Dead.



Tom O'Connor
Distinguished Professor of
Spanish

CHAPTER ASSISTANT

Linda O'Branski

NYSUT LABOR RELATIONS
SPECIALIST



Bob Snyder
Facility Manager,
Laboratory Animal Resources



Melissa Zinkin
Associate Professor
of Philosophy

Off Campus Interests: watching movies, playing poker.

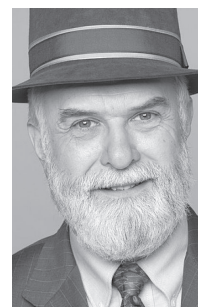


Beth Kilmarx
Curator of Rare Books, Special
Collections, Library

Off Campus Interests: community involvement, watching sons play soccer, DIY house projects.

Reading: *Believing the Lie* by Elizabeth George (but any murder mystery will do); *Outliers* by Malcom Gladwell.

Listening: NPR.



Darryl Wood

Off Campus Interests: gardening, grandchildren, fiction writing, traveling and photography.

Reading: primarily non-fiction (history, biography) and older (19th century) as well as 21st century fiction.

Listening: '60s, '70s and '80s rock, some classical and world music.

UUP history

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United, but later renamed to United University Professions. The present-day UUP had been birthed.

UUP is different from many college and university unions, such as AAUP, in that it includes both academics and professionals. The reason can be traced back to the PERB decision that there be a single bargaining unit for employees engaged directly or indirectly in teaching. CSEA took issue with professionals being in UUP, and in 1974 filed a petition with PERB to represent the professionals. PERB rejected the petition, and reaffirmed that UUP should represent both academics and professionals.

Collective Bargaining by UUP

Over its 40-year history, UUP has negotiated what has arguably been continued improvement in the terms and conditions of employment. In 1974, UUP negotiated policies that allow pregnant women to work as long as they are physically able, and to use sick and vacation time to offset unpaid maternity leave. UUP also negotiated in that year the equivalent of tenure for professionals. In 1977, UUP negotiated an agency fee, whereby all represented employees, regardless of whether they are union members, paid the same amount to UUP. It also negotiated sabbatical leaves, and overturned a SUNY Board of Trustees policy that barred women from working when they became pregnant.

Over the past 30 years, UUP has, among other things, negotiated money to address salary inequities; won an age discrimination case that ended the practice of forcing tenured academics to retire at age 70; started the Individual Development Award program funded by the State; negotiated year-round health insurance for part-time employees; removed quotas for librarians and professionals, allowing them to be promoted at the same rate as academics; started the statewide Employee Assistance Program; and incorporated contract



UUP members from Binghamton march on a winter's day in Albany to advocate for SUNY.

language that made outsourcing of faculty positions to private corporations extremely unlikely.

Discretionary salary increases have had a long history with UUP and SUNY. The first contract that UUP negotiated, in 1974, included a 1.25% increase in "merit" money on base. In the contract of 1979, this money, now at 1% on base, was called discretionary money, to be used at the discretion of Management.

The discretionary money has continued up to the present, except in the tentative contract, the discretionary money is not on base. Discretionary money is divisive for UUP. About half the employees represented by UUP are in favor of it, and the other half against it. Perhaps not coincidentally, about half the employees receive discretionary money.

It is not clear what factors originally were at play when discretion-

ary money was agreed to by UUP in 1974. The conventional idea of a union is that it negotiates only for the people it represents, not for Management. In the past three contracts, UUP has initially negotiated just for its members. Once the contract is nearly finalized, the State comes in with more money with the discretionary string attached to it. UUP reasons that it cannot turn down additional money (even though it will probably go to a fraction of the people it represents), and therefore accepts the discretionary money.

SUNY is governed by a Board of Trustees. The by-laws of the Board do not specify a purpose other than governance of SUNY. Fifteen of the 17 members of the Board are appointed to seven-year terms by the governor, with the advice and consent of the Senate. Consequently, the Board of Trustees has a political flavor and often bends to the will of whoever is governor.

In the fiscal crises of the 1990s, as well as in the more recent ones, the Board has meekly accepted the cuts to SUNY in proposed budgets rather than advocating for SUNY. UUP has picked up the slack, advocating not only for the employees it represents but also for the SUNY system as a whole. UUP's first informational picket line was in 1974, the year after UUP was created, to protest budget cuts to SUNY. This activism, especially directed to the State Legislature, continues to this day.

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