



The Bullhorn

The Official Newsletter of
The SUNY New Paltz Chapter of the UUP



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UUP Fights for Family Leave

By Donna Goodman, UUP Delegate/Women's Rights and Concerns Committee

In any international survey of family benefits for workers — including paid maternity and paternity leave, child care benefits, and emergency leave to care for other family members — U.S. workers come in last. The European Union has recently standardized its benefits for member nations, and even many developing countries have mandated benefits for childbirth, adoption, and leave for elder care and family emergencies. Among the reasons the U.S. scores so low in the area of family benefits is the lack of federal legislation that mandates these benefits, resulting in the need for U.S. workers to negotiate for them in each separate state or individually with their employers.

U.S. workers do have the Family and Medical Leave Act (FMLA), passed in 1993, that provides 12 weeks of unpaid leave for birth, adoption, elder care, and care of a sick relative. This act guarantees job security and continuation of employer-sponsored health benefits and applies to all workplaces with 50 or more employees. New York State employees, without regard to gender, are entitled to childcare leave without pay for up to seven months from the date of delivery. The SUNY system has no separate benefit for family leave beyond the state and federal unpaid leaves.

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UUP Wins Small Victory for Part-Timers

No Longer Excluded from DSI

By Maryann Fallek, UUP Delegate

We all know that the fundamental issue for part-timers is their unfair and inadequate base salary. However, part-timers are treated unfairly in other ways as well. One of these other problems has been the de facto exclusion of part-time employees from discretionary salary increases (DSI). DSI is one way that the Administration recognizes and rewards employees for their contributions to the University. No employee should be excluded from consideration for DSI. The entire assessment process for determining performance based salary increases should be fair and equitable.

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Photo by Maryann Fallek

New Paltz chapter members meet with UUP Negotiations Team in preparation for upcoming contract talks

Know Your Union

Labor-Management Meetings

By Glenn McNitt, UUP Chapter President

Labor-Management meetings are a central means for the UUP to carry out the tasks of communicating with the Administration and advancing member interests. Yet few are aware of these important meetings. Below I present answers to many common questions about this important forum.

What is the purpose of Labor-Management meetings?

It is the uncertainty or disagreement between managers and our members concerning provisions of the New York State-UUP contract that requires the two parties to consult for the purpose of eliminating these uncertainties. Like most laws, rules, and contracts, the provisions of the New York State-UUP contract are designed to address known and expected issues and situations in many different types of campus settings. Almost automatically, one of two circumstances emerge: a provision of the contract requires clarification on a specific campus that may be different than what occurs on other campuses, or something unexpected occurs that falls within the terms and conditions of the contract.

Who attends Labor-Management meetings?

Labor-Management meetings are between campus management and the Chapter leaders of UUP. At New Paltz, President Poskanzer, Provost Lavalley, Administrative Vice President D'Aleo, Assistant Vice President for Human Resources Beard, Director of Human Resources Reid, and Presidential Administrative Assistant Wright usually represent management, and I, as UUP Chapter President, am joined by Vice President Brown, Labor Relations Specialist Bloom-Jones, and Secretary Sturm to represent the UUP Chapter. As the need arises, others are often invited by management to provide detailed information regarding a specific issue. UUP may invite experts to provide information too.

Who sets the agenda for Labor-Management meetings?

The agenda for these meetings, which are held monthly throughout the academic year, is established by the UUP President, with recommended items originating within the Chapter membership and the Executive Committee. The Agenda, once determined, is sent to the Administration 10 days prior to the meeting date so that the Administration may prepare responses. From time to time, the Administration may ask to place an item on the agenda for a response from UUP. At the meeting, exchanges occur between the parties concerning the various items. Items not identified for the agenda prior to the meeting are not subject to discussion.

What kinds of issues are addressed at LM meetings?

Issues vary greatly over time, as various groups experience difficulties at work. Some recent items on the labor-management agenda include:

- **The UUP tuition waiver program**
The issues discussed included who may use the program, when they do so, when to enroll, and part-timer eligibility
- **Professional Evaluation & Extensive Evaluation**
The issues discussed included dossier preparation, the criteria for Professional vs Academic Faculty, and Post Tenure Extensive Evaluations on a 3 year cycle

The Art of Economics

‘Artjuncts’ Fuel Hudson Valley Economy, But Not Fed by It

by Jeff Crane, UUP Delegate

A few weeks ago, Congressman Maurice Hinchey joined Dana Gioia (Chair of the National Endowment of the Arts) on an excursion into arts organizations in the Hudson Valley. In a press release, Congressman Hinchey stated that artists are central to the economy of the Hudson Valley, “From music to paintings and everything else in between, art in the Hudson Valley plays a critical role in our culture, and by attracting tourists and art lovers it also is a significant part of our economy. By continuing to invest in art through NEA grants and other sources, we are helping to further strengthen the Hudson Valley’s economy and heritage.” The team stopped at SUNY-New Paltz’s own Dorsky Museum, where President Steven Poskanzer led a tour.

“From music to paintings and everything else in between, art in the Hudson Valley plays a critical role in our culture, and by attracting tourists and art lovers it also is a significant part of our economy.”

Congressman Maurice Hinchey

Indeed it is true that the arts play a vital role in the cultural and economic life of the Hudson Valley, and this is nowhere more evident than on the campus of SUNY New Paltz. The Art Department is among the largest on campus, measured in terms of student population, faculty and staff. According to the Office of Institutional Research, there are 403 declared Studio Art majors this semester (undergraduate and graduate). Studio Art and Art Education majors account for 630 students at SUNY-New Paltz. This is larger than the number of History, Communication, Computer Science, and Economics majors combined (532). The SUNY New Paltz Faculty and Staff Directory lists 73 records under ‘Art Department,’

while the School of Business, which is the largest single department in terms of declared majors (862), only has 38 listings in the Directory.

Given the size and significance of the Art Department on our campus, it is not surprising that it is also home to a significant number of adjunct faculty. Indeed, this faculty is in many ways unique – and, arguably, uniquely exploitable – within the academy. For many artists, their professional careers are in some sense separate and distinct from their academic careers. Teaching – even for full-timers – is often regarded as a ‘day job,’ one that supports one’s career as a fine artist. An artist does not necessarily need the structures of the university in order to continue his or her ‘research,’ which is creative in nature. Indeed, one of the most disparaging things

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The opinions expressed in the *Bullhorn* are those of the authors and do not necessarily represent the opinion of the United University Professions.

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Article Submissions and Letters to the Editor

If you have an idea for an article please contact Brian Obach at obachb@newpaltz.edu. All UUP members are welcome to submit letters to the editor. Letters should be no longer than 150 words. They should be sent as an attachment in Word format to the above e-mail address.

Understanding Oaxaca: *Mexican Teacher, New York Journalist Killed*

By Susan Lehrer, UUP Delegate/Solidarity Committee

As a member of the Delegate Assembly's Solidarity Committee, I am fortunate to work as a liaison between the UUP and the larger labor movement. At the Delegate Assembly, we gather and disseminate information about other unions' activities and social justice issues. We support labor struggles in the US and internationally. This September, foremost on the minds of the members of the Delegate Assembly was the Oaxaca teachers' strike. The strike has been in progress since the summer. During the early course of the strike, one teacher was killed while peacefully protesting, and many others were wounded.

This urgent situation called for more than our UUP committee's support, so the UUP's statewide executive board sent a letter to Mexican President Vicente Fox urging peaceful resolution of the issues. The AFT also sent a letter.

The Governor of Oaxaca, Ulises Ruiz Ortiz, is widely unpopular, corrupt, and considered to have faked his election results; one of the strikers' demands is that he step down as governor. Since the Delegate Assembly met in September, the Oaxaca situation has deteriorated; teachers and their supporters fear for their lives. Strikers and supporters conducted an Encampment for Dignity, along with a march (I viewed their video at www.oaxacalibre.org [Spanish]). Then, Indymedia reporter Brad Will was shot and killed during the demonstrations (Will video taped his own death.)

The situation in Oaxaca is changing daily; federal troops have been brought in, and though the striking teachers argue that the violence is from provocateurs and the government, U.S. news sources portray it as a breakdown of civil order which justifies government force. One of our Solidarity committee members said:

"I hope that UUPers are not falling for AP's (Associated Press) spin alleging that the violence in Oaxaca is the fault of protesters, and not of police

and other government forces. Brad Will, the New York journalist killed in Oaxaca along with several local protesters, and a friend of some friend of mine, was certainly not killed by protesters. Nor have any of the deaths of protesters over the last few months been the work of protesters."

The Solidarity committee member was responding to an e-mail from Bill Scheuerman stating that since the teachers were no longer in support of the demonstrators, the union should take no further action.

During the early course of the strike, one teacher was killed while peacefully protesting, and many others were wounded.

Members of the Solidarity committee are monitoring the situation with direct information from sources in Oaxaca. Several members (as well as New Paltz retirees Aaron and Louise Bindman, who lived in Oaxaca for many years) have e-mail contact with friends in Oaxaca and the Mexico border group, Coalition for Justice in the Maquiladoras. Their friends among Oaxaca teachers are frightened and angry.

SUNY Plattsburgh faculty member Bryan Higgins is in Oaxaca with seven students who are attending the Universidad de Guadalajara and Oaxaca this semester. The situation there, as Bryan Higgins said, has kept them on their toes to say the least.

As teacher unionists, we have cause to be alarmed. Teachers, as you know, are often the target of repressive governments. You can check the websites for information on how to support the Oaxaca teachers.

Journalist Brad Will's final footage from Oaxaca, shot the day of his death, is available through the NYC Indymedia Center at: <http://nyc.indymedia.org/en/2006/10/77896.html>.

Family Leave

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While family-friendly policies benefit both men and women, female employees are most likely to be hurt by the lack of paid leave and other family benefits. A major study undertaken by a research team at the University of California at Berkeley showed that women in academia had particular disadvantages because of the structure and culture of the academic environment. The six or seven years when a junior faculty member works toward tenure are also the optimal years for having children. Conferences and field work away from home put additional strain on faculty with caregiving responsibilities. The Berkeley study found that women, more than men, had to "choose between work and family." Looking at just one factor in the study, tenure, women with children were less likely to achieve tenure than women without children, men without children, and men *with* children. And women with tenure were more than twice as likely to remain single and childless as men with tenure, or they had fewer children than they wanted in order to maintain their careers. The Berkeley study recommended such practices as one semester relief from teaching for new parents; suspension of the tenure clock for parents with children under five; unpaid family leave for up to one year for any family care; a centralized fund for replacement faculty for employees on leave; accessible and affordable child care; training on family issues for department heads and deans; and an outreach brochure for prospective and current faculty describing the institution's family-friendly package.

UUP is undertaking a major push to get New York State to make SUNY a more family friendly workplace. The union has established a statewide family leave committee that is working for paid leaves for birth, adoption, elder care, and care of sick relatives and domestic partners. At the Fall 2006 Delegate Assembly, the union devoted the Friday afternoon session to a forum on family leave. The forum featured Dr. Vicky Lovell of the Institute for Women's Policy Research, an expert on family leave, as its keynote speaker. The UUP also produced literature on work/family balance for all campuses. In

addition, UUP is conducting a statewide salary inequity and family leave study to assess the needs of members on all types of campuses and to make recommendations for policies that will improve the work/family balance for members. Finally, UUP is supporting legislation (the Families in the Workplace Act: S1501B and A1301a) for private sector employees, which could be a step toward paid family leave for both private and public sector workers in New York State.

If New York State does agree to grant paid family leave for SUNY workers, it won't be the first state to do so for state university employees. The state university systems of Pennsylvania, Washington, Ohio, Massachusetts, Michigan and California already grant paid leaves of from one month to one semester for childbirth, adoption and other family needs.

Women with children were less likely to achieve tenure than women without children, men without children, and men with children.

The issue is also on the radar of major think tanks and researchers. For example, the Sloan foundation recently awarded grants to six universities in a program to help make faculty jobs more flexible and to enable employees to meet the demands of family life without damaging their careers. The foundation chose universities that had already taken steps to implement family friendly policies. Winners are Duke, Lehigh, and the Universities of Florida and Washington (\$250,000 each), and the Universities of California at Berkeley and at Davis (sharing a \$250,000 grant).

Here at New Paltz, the UUP's Women's Rights and Concerns Committee has been researching the issue of work/family balance in a series of surveys and forums for three years. The committee found that

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Family Leave

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New Paltz academic and professional faculty are frustrated with the low level of family benefits, the inconsistent information they receive about what benefits they are entitled to, and the need to negotiate privately with their deans or supervisors to get needed time off. They also expressed frustration with the lack of resources within departments to pay for temporary help while a colleague is on leave, resulting in department members having to increase their workload to compensate for the work not being done by the absent colleague.

The Committee has drafted a proposal for a family leave policy that has helped to inform UUP's efforts to promote better work/family balance. Underlying this effort is a combination of social values and economic benefits. Among the social values are the beliefs that caring for others is a social good; a uniform policy will promote fairness and equality of opportunity; and that children are our social wealth and a social responsibility. A uniform family benefits policy would also bring economic benefits and efficiency to the workplace. Departments could plan in advance for faculty on leave; supervisors would not be in the position to grant or withhold leaves on a case by case basis; and with a fund for temporary help to replace absent colleagues, remaining department members would not have to take on someone else's job in addition to their own.

The proposed policy calls for paid leave, flexible work schedules, job security, adjustments in the tenure/permanent appointment clock, and no interruptions in benefits. These benefits would apply to birth or adoption of a child and care of a spouse, partner or other family member suffering from a serious medical condition. Other family conscious practices would include bereavement leave, child care for all shifts, private space for breastfeeding, coordinating snow days with local public schools, publishing a resource guide for employees and families, and uniform benefits among all schools and departments.

As the work week expands and "workload creep" finds its way into daily conversation, finding a balance between work and family life becomes increasingly critical. Paid family leave is not on the national legislative agenda of either of the major political parties. That's why grass roots efforts such as UUP's are so important — to educate our own members, to influence legislators at the local and state level, and to help spread the word to other universities and states. Just as UUP is advocating for private sector benefits in the hope that these benefits will expand to state workers, benefits gained by SUNY workers can set the stage for similar benefits for other states and other universities.

New Paltz Chapter UUP Officers 2005-2007

President:	Glenn McNitt	x2770
Vice President for Academics:	Peter Brown	x3492
Vice President for Professionals:	Richard Kelder	x2670
Vice President for Part-Timers:	Victor deMunck	x2985
Treasurer:	Jeff Miller	x3934
Grievance Officer:	Larry Fialkow	x3536
Secretary:	Phyllis Sturm	x3136

Part Time DSI

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The amount of money allocated through DSI is equivalent to one percent of the pooled salaries of all UUP represented employees. The salaries of part time employees are included in this calculation. Yet, despite the fact that their salaries are included as a basis for calculating the funds available for DSI distribution and despite their very significant contribution to education at SUNY, part-timers have been all but excluded from DSI awards. This can be explained by the fact that very few part-time academics have ever applied for DSI. But this does not get to the root of the problem. It certainly isn't that part-timers don't want their salaries to increase. And it certainly isn't because they aren't deserving of discretionary salary increases. Clearly, action was needed to address the part-timer DSI issue.

No employee should be excluded from consideration for DSI.

The New Paltz UUP Chapter has sought to address this problem both at the campus and statewide levels. At the campus level it was determined that the process for informing part-timers about their eligibility for DSI has not been effective. Part time faculty do not have clear, complete and accurate information about their eligibility for DSI and the DSI application process. Many part timers are surprised to learn that they are eligible for DSI.

In the past some information has been disseminated by Department Chairs and on-line, but in many cases this information did not reach part-timers. Part timers tend not to be well integrated into the departments and the campus communication networks making it difficult to learn about this benefit.

In addition, the application process can deter part-timers. While the awarding of DSIs is based on a wide range of performance criteria, part time faculty are expected only to teach and hold office hours.

This disparity required that DSI performance criteria be adjusted for part timers and this raised a number of questions. What are fair and reasonable DSI criteria for part-timers? Given their paltry salaries, should part timers be rewarded for doing their job well as opposed to doing more than what is required? Should the portion of the DSI pool derived from part timer salaries be distributed equally across the board to part-time employees given the universal need for better pay? Or should DSI monies be targeted to compensate part-timers who have endured salary compression after many years of service? If performance continued to be the Administration's focus (DSI is up to them, given at their discretion), then UUP insisted that the guidelines be simple and fair and emphasize professional performance, knowledge, expertise, experience and skills.

The local UUP chapter took these issues up with the administration through regular Labor Management Meetings with the Chapter President Glenn McNitt and through management meetings with the Part Time Concerns Committee headed by Victor deMunck. As a result of these discussions, some of these issues have been resolved to some extent for the next round of DSI. Department chairs and members have been notified that part time employees should be encouraged to apply for DSI and that their applications will be considered primarily in terms of the part timers' teaching accomplishments. While research and service are not excluded, the part timer's DSI request can be supported on the basis of evidence of effective teaching and learning alone.

Moreover, the Administration will support efforts to inform part timers about their eligibility and establish an application process that is fair and reasonable for them. Online information will highlight, encourage and support part timers' participation. Special application guidelines will be available to part time employees. Both the application and the process will be streamlined for part-timers.

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Part Time DSI

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The UUP has also challenged the initial claims by the administration that DSI cannot be applied to the base salaries of part-timers. UUP argued that DSI should and can be applied to the base salary of part-timers, just as it is for full-timers. The Administration conceded on this point. While the award amount (\$220/year for typical part timer who teaches two courses each semester) is inadequate from UUP's perspective, it will be applied to the part timer's base salary. However, UUP remains concerned that the funds allocated to the DSI pool on the basis of part timers salaries, may still not go to part timers. If part time faculty do not apply for the funds allocated on the basis of the part time salary pool, then those monies, which must be allocated annually, will be awarded to full-timers, as it has been in the past. Part-timers must apply for DSI! The Administration has agreed to revisit and potentially revise these policies next year if it is determined that the current reforms are not fully effective.

In addition to this progress at the local level, the New Paltz Chapter Executive Committee has asked the statewide UUP Negotiations Team to acquire contract language that would annually reserve one percent of the aggregate part time payroll (about \$33,000) for DSI distribution to part-time employees.

All and all, this is an important first, albeit small, step in the struggle to bring equity to the New Paltz campus. What is important now is that ALL part timers should apply for DSI this January! UUP's work certainly is not done. UUP continues to have concerns about DSI in general, not just those limited to part-timers. Moreover, UUP's fundamental struggle for its part-time members is to increase the base salary. This is why in the upcoming negotiations, this chapter supports a statewide minimum salary for part-time academics of \$4,000 per course/equivalent which represents one-eighth the minimum salary currently received by a full-time lecturer. But until this becomes the reality, take advantage of this opportunity to permanently increase your base salary. Apply for DSI; you deserve it!

Information about the 2005 DSI from the Administration

The Administration reports that approximately 50% of the Full Time eligible faculty received DSI awards, and that over 95% of those who applied received awards. No Part-Time faculty received awards this year, while 164 Full Time faculty received an award. Only four academic faculty who requested awards were denied, and they had received a negative response from one or more others in the evaluation process. The major disagreement between faculty and the Administration was over the size of the awards, with six receiving minor awards who had been recommended for major ones, and six others receiving major awards who had been recommended for minor ones. Over 50% of the professional staff received awards, and additional professionals are under consideration

The Administration acknowledged that it had failed to provide satisfactory incentive and instruction to Deans and Chairs regarding Part-time faculty recommendations for DSI. The Provost discussed plans for the inclusion of modified DSI criteria to be announced this fall for Part-timers. DSI awards will be on a per credit basis added to the employee's base salary. Eligible Part-timers must teach two courses a semester to be considered for the award, which initially will amount to \$20/credit hour. Special efforts will be undertaken by the Administration to prompt Part-timers to apply in January 2007.

Artjuncts

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a critic can say about a contemporary artist's work is that it is 'academic.' A lengthy – and academic – exploration of the history of art since the 19th century would be necessary to explain why this is so. But this is an article about fairness and equity.

I contacted via email the 36 individuals identified as "Adjunct" in the Art Department Directory, and asked the following questions:

- Do you hold a Master of Fine Arts or other terminal degree?
- How long have you been teaching at SUNY New Paltz?
- Do you also teach elsewhere?
- How many courses do you teach per semester?
- Would you accept a full-time position at SUNY New Paltz if one were available?

Over two-thirds of the adjunct faculty whom I contacted responded. Of these, 73% (19) hold a Master of Fine Arts Degree (there is no Ph.D. in Fine Arts), and fully 100% of these instructors would accept a full-time position at the College if one were available! Of all of those without a terminal degree only 3 were not interested in full-time employment at the College.

The number of years spent teaching at the College ranged from one to fifteen; most adjuncts have been here between 1-5 years with an average of 3.3 years of service. About half of them teach two classes per semester, half teach one, and a few teach three classes per semester. Many have other jobs; some sell artwork, some are graphic designers working for themselves or for other offices, a few teach additionally elsewhere. Almost half received their MFA from SUNY New Paltz or are in the process of completing their degree here.

Some of the unsolicited comments that I received from respondents include:

"I understand that New Paltz is affording me the opportunity to acquire experience teaching at the college level, so that my prospects for a full-time job at some abstract point in the future might improve."

"I would like the opportunity (at least) for a lectureship or tenure track position, but was told that this was unlikely as they 'don't draw upon adjuncts' for these positions." The respondent was told this by a full-time faculty member.

Although these adjuncts are not expected to perform research, nor are they recognized for their creative endeavors, many of them are practicing artists who exhibit their work both regionally and beyond.

The reality is that there are precious few full-time positions for which these exploited workers can apply, and when they do open up, the odds are against them getting the job. A recent so-called 'internal search' here for a full-time lecturer resulted in the hiring of an external candidate, even though there were many qualified candidates working as UUP members on our own campus. The job market nationwide for full-time positions is fiercely competitive, and the exploitation of adjuncts is pervasive.

Although these adjuncts are not expected to perform research, nor are they recognized for their creative endeavors, many of them are practicing artists who exhibit their work both regionally and beyond.

The economic impact that the arts have on our region has been publicly recognized; what has been quietly ignored is that much of this impact is made on the backs of grossly underpaid workers in the Art Department at SUNY New Paltz.

Labor-Management

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What kinds of issues are addressed at LM meetings? (Continued)

➤ **Compensation**

Compensation issues have included excessive time demands on professionals, insufficient compensation for mid-level faculty, and insufficient compensation for part-time faculty.

➤ **Health and Safety at Workplace**

Health and Safety issues have included protection for workers from the abusive or aggressive behavior of others, fire and health safety measures, and the reduction of exposure to hazardous materials.

➤ **Use of Facilities**

The UUP has raised issues such as why UUP members must pay for the use of recreational facilities and who may use email and its network and under what conditions.

➤ **Academic Evaluation for Tenure, Promotion, and Salary Increase**

Issues in this area have included clarification of the criteria for tenure, promotion and salary increase, provisions for part-timers to receive discretionary salary increases, rectifying the salary compression problems for senior full- and part-time faculty and developing equitable standards across disciplines.

➤ **Work Load**

The UUP has raised issues such as how Banner and its training has impacted professionals, the distinction between a professional obligation and a defined work day, and the extension of teaching responsibilities to a calendar year and its impacts on attaining tenure.

➤ **Limiting Lectureships and Protecting Tenure**

The UUP has advocated that full-time positions should be tenure positions and that the total number of tenure track positions should be increased.

Although UUP has a state-wide contract, all of the issues above must at times also be addressed at the campus level, and often times the way we address them is through labor-management meetings.

What is accomplished at these meetings?

These meetings clarify issues for our members and inform the Administration of UUP concerns. In some instances, the Administration modifies its policies to make them more in line with UUP interpretations, while in other cases it may not. Over time, these meetings lead to greater clarification of the Administration's policies and practices based on those policies. It also allows UUP to defend our members' rights as a group, which is different than "grievances," a process designed to protect an individual from perceived maltreatment. Depending on the style of interactions between the two parties, Labor-Management meetings can be a place of *confrontation* in which the union can assert its legal claims as an initial step toward changing the policies of the Administration. And, these meetings also offer opportunities to develop *cooperative contexts* for fleshing out ambiguous intent identified in the Contract. More often than not, that is how things have worked at New Paltz. There is good will on both sides of the table, making Labor-Management meetings productive at the specific issue level and at the general conduct level. There is much to be gained by working together. Frankly, however, both styles are necessary to protect and advance the interests and concerns of our membership. Labor-Management meetings play a continually productive role in protecting our members' rights.