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

April/May 2018



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# Janus vs. AFSCME: Disarming American Unions

by Dan Hulseapple, UUP-New Paltz Chapter Intern

Unions have once again come under fire. At the very latest, by the end of its current session in June, the US Supreme Court will likely rule against American unions in the landmark Janus vs. AFSCME.

The decision is expected to mandate that unions cease collecting agency fees (the equivalent of member dues for those who have not signed a union card) from individuals who do not wish to pay them. The plaintiff in the case is Mark Janus, an AFSCME bargaining unit member in Illinois, who claims that his objection to having to be in a union infringes upon his First Amendment Rights. His case has been bankrolled by antiunion groups on the right, including the Koch brothers and others. A decision against AFSCME will severely jeopardize the ability of unions to function properly, as they will still be obligated to represent and advocate for those individuals who refuse to pay agency fees, while their income stream drops.

The goal of this case is not to champion fundamental freedoms; it is to deal yet another punishing blow to the American labor movement.

UUP President Fred Kowal argues that the decision will actually impede workers' rights to free speech. He contends that by disarming one of the primary means by which workers' opinions and interests are represented, the decision fundamentally undermines the purpose of the First Amendment.

Even with the expected ruling in Janus, there is reason for hope among New York State unions. The NYS budget bill for the 2018-19 fiscal year included several changes to the Taylor Law, made in anticipation of the damage expected from an adverse Supreme Court decision. The most notable new provision redefines the union's duty of fair representation, giving unions the choice of whether to represent non-members in disciplinary grievances, clarifying that they need only represent non-fee payers with regard to the negotiation and enforcement of the statewide labor contract.

The *Janus* case has already prompted changes within UUP, prompting greater openness to member engagement and union democracy. The union is YOU, and the time is <u>now</u> to make your voice heard.

Don't let them win!

Engage--organize--advocate!!

# **NEW PALTZ RALLY AGANIST GUN INSANITY**



It Can't Stop at the Schoolroom Door!

These remarks were presented by UUP-New Paltz Chapter President Beth E. Wilson, at the Rally to Stop Gun Insanity on March 14, 2018, which the Chapter co-sponsored along with Move Forward New York, Faso Friday, Indivisible CD 19 NY, Tin Horn Uprising, Democracy Matters, New York Students Rising, Peace Action at New Paltz, Take Back the Night, and the Latin American Student Association.

It is an honor and a privilege to stand here in support of the mass, student-led effort to change the national conversation on guns and gun violence. On behalf of the New Paltz Chapter of United University Professions, we offer our condolences to the loved ones of the victims of the Marjorie Stoneman Douglas school shooting, and we mourn all those who have needlessly lost their lives to gun violence.

This day, marked by walkouts and rallies being staged across the nation, is only the beginning. If I have learned anything from labor history, it is that the only way those of us who are exploited and oppressed – the many who are made to suffer for the interests and the greed of a few—the only way we can counter their structural advantage is by standing together: walking out together, striking together, demanding change

together. It is when the many stand together that the few who are in power can be made to listen.

But this has to be an ongoing effort – today is a start, but the pressure must be maintained or this moment of opportunity will be lost.

Guns are the immediate focus here, of course, but we would be mistaken if we believed that these instruments of violence were the beginning and end of the problem. We live in a violent society, a society organized around immense inequity, racism, misogyny, and structural violence. Free access to guns in such an environment is simply to allow people to carry around matches to strike, in a room already full of gasoline. School shootings like the one at Stoneman Douglas, or New Town, or Columbine, or any of the dozens of others are especially tragic, of course, because the students cut there

the opportunity to realize the potential, the promise of their young lives. But gun violence permeates much deeper than that – think of the scores of people of color shot by the police each year. Our objection to gun violence cannot stop at the schoolroom door – it means we must call out the presumed state monopoly on violence as well.

For those who have suggested that the way to address school shootings is to arm school employees, I have two words: Philando Castile. He was an African-American school employee, with a carry permit for a legal firearm, and despite clearly informing a police officer of that fact during a simple traffic stop, was shot dead anyway when reaching for his ID. Imagine the tragic consequences of armed police arriving at the site of a reported school shooting, with multiple armed individuals scattered through the crowd. Then imagine that happening at a school with a majority population of black and brown students and teachers. This is a recipe for disaster.

More guns are not the answer. In fact, the opposite would seem to be true, particularly given the state of contemporary American culture. Working together to insist upon, and then to create a more just, compassionate society is the only real path out of this madness. Yes, this will involve more time, energy, and attention than just turning a blind eye, and allowing the NRA to buy our politicians and gerrymander themselves into secure seats. But what's the point of sharing this beautiful planet with so many beautiful, amazing, diverse people if all we can do is build walls, react out of fear, and allow them to divide and conquer us?

We can – and must – demand this better world. I am heartened by the energy and the dedication of the students and young people who have called us all here today – and in the spirit of Mother Jones, I call on us all to "pray for the dead and fight like hell for the living!!"



# UUP Labor- Management Notes Tuesday, March 6, 2018 4:00 pm

# **HAB 9th Floor Conference Room**

In attendance for the Administration: Don Christian, Lorin Arnold, Tanhena Pacheco-Dunn, Michelle Halstead, Shelly Wright, Jodi Papa

In attendance for UUP: Beth Wilson, Kevin Saunders, Bill Capowski

Before the meeting proper began, UUP President Wilson thanked Provost Arnold for her announcement that the College would not be issuing blanket non-renewals to term adjuncts this semester, and instead would be asking Deans to consult with department chairs to determine which term adjuncts would specifically not be returning to teach in the Fall semester. In addition, the Provost's message to Deans and department chairs included specific deadlines for submitting the paperwork required for hiring adjuncts shortly after the end of the Spring semester, which should help reduce disruptions getting people on the payroll, and continuing their insurance coverage without a break, etc. These procedures are very much appreciated by the union, on behalf of our most vulnerable contingent members.

1. Parking. At the beginning of the academic year, the reorganization of the parking lots to include more dedicated fac/staff parking seemed to work well. With beginning of construction on the new engineering building, however, a large number of spaces was lost. Since that time, it has become very difficult for faculty and staff arriving after 9 am to find spaces in appropriately marked lots. Under Article 38.1 of the Agreement, "In the event that existing parking is impacted by [such] modifications, the State and UUP shall meet to consider alternatives for such parking. Such consideration shall include the issues of transportation to and from parking areas and parking for the handicapped." As solving this particular problem is likely beyond the capacity of this Labor-Management meeting, we would like to this issue.

President Wilson reiterated the difficulty many faculty and professional staff have reported in finding spots in appropriately designated lots if they should arrive to campus any later than 9 am. She added that this is a greater burden on many of our adjunct members, who often only arrive in time for their classes at midday, and who frequently have no office space and so carry significantly more materials to and from the classroom; when the only parking to be found is at a significant distance, this presents a problem.

Michelle Halstead noted that when the new spaces being added to the Route 32 parking lot come online, it will be possible to reconsider the distribution of designated lots.

On a related note, Wilson shared the fact that Chris DeLape had apparently been serving for years on the Parking Committee as 'the UUP representative', but neither she nor the Chapter had been aware of it! As Chris is retiring shortly, UUP will be discussing formalizing that relationship with her replacement (or requesting another person to the committee to represent UUP if needed); Wilson emphasized that having a union rep on the committee was not to be understood as substituting for our rights under Article 38.1 of the Agreement. President Christian concurred.

2. Workload issues related to ADA compliance. While UUP fully endorses the College's commitment to ensuring ADA compliance of course materials, we have some concerns related to what, in some cases, is a significant increase to the workload

required to deliver courses. In particular, we have had reports that faculty are being made responsible for mastering significant levels of technical expertise, or that the tools being made available to convert content to the ADA standard are either inadequate or very time-consuming. (Faculty teaching online courses have shared the experience that the programs being made available to caption lectures/videos can be inadequate, or result in significantly less functionality.) Given what can be a considerable increase in the time necessary to deliver a course (whether online or seated), we would like to discuss possibility of greater technical support, improved software, and selfadjustments to course assignments, etc that faculty may have recourse to in carrying out this compliance initiative.

Provost Arnold responded to this issue, emphasizing that the scheduled training workshops being organized through the Teaching and Learning Center would be very helpful in understanding what faculty would need to do to make their courses accessible, and that Kate and Rich were doing an excellent job working with individuals as they seek to make the necessary adjustments to their course materials. She added that there would be some new software available through the next version of BlackBoard (to roll out this summer) that they were looking at, that she believed might be better than the captioning options currently available.

Wilson called to the Administration's attention the standing union concept that when a member's professional obligation is increased in one area, they need to be allowed to reduce what they do in other regards, to avoid increasing the overall professional obligation. While for full-time tenure track faculty, this might be easily accommodated by reducing some element of their service or research, for fulltime lecturers who are teaching 5 courses a semester, that would be difficult to accomplish without (in some cases) a significant impact to the courses being offered. President Christian pointed out that those individuals aren't teaching 5 different courses, so the impact would be less. Wilson countered that yes, usually it would be 3 courses, but when one is teaching that number of sections/students, it is almost impossible to squeeze in the additional labor required, and for some courses (such as foreign languages) the technical and other challenges might be significant. Provost Arnold pointed out that the way to do this is to pay attention to converting/adapting the materials for only the courses being taught in the semester; faculty shouldn't think they need to update everything in all the courses they have on the books. She stated that we need to be in compliance on our campus, and the Administration recognizes that there may be some courses that cannot be made entirely accessible, due to the nature of the material being covered.

Wilson asked the Provost if the Administration had plans to consider this additional labor if it is included on Annual Reports, for re-appointment/tenure decisions or on any future discretionary applications? The Provost responded that they would, and such activity could be reported on the section related to changes/improvements made to individual courses.

3. **Deactivation (recessing) of Adolescence Education programs in French and Spanish.** Having received notice recently from the Provost about this 'recessing', we would like to confirm whether the process she is invoking is the same as 'deactivation' as it is called by the Chancellor's office. Are there concrete plans for reactivating/re-building these programs after a hiatus? We would be interested to see the application made to SUNY Central to deactivate/recess these programs also.

Provost Arnold confirmed that the 'recessing' language initially used in her notification to the union about this process is the same as 'deactivation' as referred to by the Chancellor's office. There was some discussion about the low student enrollment in the affected programs; the Provost stated that students interested in becoming foreign language teachers did not necessarily enroll in these programs, but often major in the target language, and pursue an MAT after graduation. She stated that the reactivation of the Adolescence Education programs would be dependent upon the faculty in those programs coming up with a plan for recruitment, and that as no plan has been developed yet, they cannot know when consideration of such reactivation might take place.

Moonlighting restrictions. What document are you currently asking employees to sign, stating that they will not take up employment outside the college that

interferes with their professional obligation? What is the basis of authority for this document? We would like to have a look at the current language it contains, and discuss it.

There was some confusion on both sides about precisely what form or document covers this; Papa said she would provide a copy to VPP Saunders of the new hire packet, so that the union can help to determine which document is causing the concern.

Wilson raised a concern with UUP's relative lack of access to newly-hired professionals; the union is regularly invited to participate in orientations for academic faculty, but as the professionals are given orientation on a rolling basis as they are hired, no such an opportunity exists. Papa suggested that UUP consult the Newshub announcements of new hires, to stay on top of who and where the new professionals are starting.

5, **New Paltz College budget.** What is the current status of the New Paltz budget? What are your projections through the end of this fiscal year? Do you anticipate any significant changes in the coming fiscal year, based on your knowledge of the Governor's proposed budget?

Michelle Halstead said that they would have a firm idea of exactly where the current year's budget stood after the next payroll (3/7), reflecting the most complete list of employees for the semester. Revenue appears to be down slightly (grad enrollments are still down), and expenses appear to be on track. The governor's budget proposal for next year provides flat funding; there may be a \$200 increase to tuition. President Christian noted that for students enrolled in the Excelsior program, this increase would not apply, so that reduces the amount of additional funding the College would receive from a tuition increase. Wilson asked what the estimated impact of the Excelsior Scholarships has been to the campus at this point; Christian responded that it's still difficult to quantify, but that it had been perhaps a couple hundred thousand dollars this year.

Wilson noted that on some SUNY campus

-es, administrators have been saying that the salary increases arising from a settled UUP Agreement would sink their budgets; Christian stated that this was NOT the case at New Paltz, that they had never expressed such a concern. He added that their main concern at this point was to grow the student

In response to the recent news of Comptroller DiNapoli's audit of SUNY campus foundations, Christian asserted that 'we do things by the book here', and that there had been no problems of the sort reported at UBuffalo and elsewhere in the system. He estimated that the current endowment in the New Paltz Foundation was around \$19 million, with total assets of about \$25 million.

Respectfully submitted,

Beth E Wilson

**Chapter President** 



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# UUP Labor-Management Notes February 21, 2018 3:30 p.m. 9<sup>th</sup> Floor HAB Conference Room

In Attendance for UUP: Bill Capowski, Anne Deutsch, Ed Felton, Morgan Gwenwald, Matthew Laudicina, Amanda Merritt, Kevin Saunders, Spencer Saland, Linda Suszczynski, Beth Thomas, Madeline Veitch, Lydia Willoughby, Beth Wilson

**In Attendance for Management:** Lorin Basden Arnold, Tanhena Pacheco Dunn, Jodi Papa, Shelly Wright

# 1. Librarians' salary adjustments.

Library faculty are members of the academic faculty but their salaries are well below those of teaching faculty. Library faculty were not included in the faculty salary review conducted in 2016. The Provost's Office responded to librarians' request for such a review and three librarians received salary adjustments in December. Can the Administration share with us more detailed information about this review and decision-making process: what was the goal of the review, what criteria were applied, were all salaries reviewed, and when was the review conducted?

Jodi Papa stated the same criteria used for teaching faculty was used for the librarians. Salary as a whole was looked at, along with people who were not positioned well within their peers for longevity. Tanhena Pacheco Dunn stated the salary adjustments were primarily in response to recent searches, to reduce compression, to open up space for the position, and to avoid inversion in response to the market.

Beth Wilson mentioned that the scaffolding plan for the faculty was shared with UUP, and asked if there was one for the librarians.

Pacheco Dunn responded that it is essentially the same plan, but for a contained group.

Morgan Gwenwald asked if the librarians could obtain a copy of the chart? It wasn't immediately clear whether the decisions regarding the three people in the library had come out of a formal review, or if it had been ad hoc.

She explained that even after the adjustments, there are senior librarians making only 3% more than the minimum for rank, which leaves very little room for newer hires without causing compressions or inversions.

Pacheco Dunn said the Administration's most recent adjustments were not meant to correct all the compression which happens over many years. We try to open enough gaps to make a hiring rate competitive.

Wilson said it would be useful if the union got a heads up to consult a bit with the process and to be able to address the potential concerns of the members. It would make things go smoother.

Provost Arnold said there is still more compression, but we were not able to dig that deep.

Wilson stated that it should be noted that the compressions have worsened as a result of the terms of the last contract, which included three year of 0% across-the-boards, and very little other money available on base beyond that. Any corrections being made now will only return, if the State insists on similar terms again. She suggested that the New Paltz Administration should let the Chancellor's office know what the local experience has been.

Gwenwald asked Jodi Papa if she will get the librarians the numbers, in addition to the specific criteria that were applied in the compression

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evaluation process. It was agreed that Papa would provide the criteria, and Wilson noted that the numbers could come from the salary data received by the union from the State's payroll tapes, so she would share that information with the librarians.

Bill Capowski said more so than other faculty, librarians' salaries are pretty close to the minimum in the salary grade. Anne Deutsch noted that when librarians are consistently promoted to minimum, they get trapped at minimum salary. There are some librarians with long experience here who are making only 3% above the minima.

# 2. Art Department Instructional Support Technician line increase requests.

In May 2015 the Administration expressed a commitment to increase all 6 FAB and SAB IST positions from .5 to 1.0. It was stated at the time that "it can't all be done at once," and that the Administration was "looking at ways to phase it in." In early 2016, 4 of the 6 positions were increased to 1.0 One of the two remaining positions, in SAB, is the one for which line increase requests have been submitted the most frequently, and for the longest period of time. This tech is responsible for the most programs, faculty, students, spaces, and the largest budget in the Art Department. Does the Administration have a timeline in place for completing the phase-in of these line increases?

Ed Felton stated health and safety was a major factor in the administration's consideration to carry out positions. One of the remaining positions still deals with health and safety issues. The one left is in charge of the highest budget; it is not a part time job. Is there a time line to follow through on the next phase?

Jodi Papa does not recall a commitment to go full time, but to review the work.

Beth Thomas asked what would be needed to review the work? The current .5 line not being a 1.0 impacts all of the faculty and students. That line has the most work, the time allotted to do the work is not adequate. As chair of the Art Department, she has been requesting the conversion of this IST line repeatedly, due to the need. She asked "how can we set a time line, it's a real challenge, what can I provide to help make the determination?"

Provost Arnold said she and Jodi will determine what is needed. They had to figure out

budget, to locate funds.

#### 3. Core hours vs. professional obligation.

Beth Wilson stated the union is aware the college has core hours, but that the Administration should understand that UUP members have a professional obligation, not set hours or hourly work week.

Kevin Saunders said he has been hearing stories of professionals being marked as late if they come in at 9 a.m. where there is nothing in the performance program that says they are responsible for staffing the office.

Tanhena Pacheco Dunn said we do not differ wildly. The core hours in place are how we serve the college; it is about the operational needs. Supervisors may come to us with a plan saying I want to do this for my person, this is how it will work. If you are hearing of specific instances where you need help, bring it to me or Jodi.

Beth Wilson asked if there is a triggering event that causes someone to charge time (accruals).

The administration said it depends if you have to work with other people. If something comes up on policy, we would be willing to help. Provost Arnold expressed the concern of a supervisor with an office that includes both classified service and UUP members—it doesn't seem fair that should that the supervisor should treat these employees differently. Wilson responded yes, they should be treated differently. The bargaining units operate under different rules.

Pacheco Dunn said she would like to give it the attention and thought that it deserves, it is a mutual concern. Wilson said she appreciates the door open for specific instances, and would bring them to the Administration's attention.

# 4. Accommodations policies for employees and job applicants.

UUP and the Administration share a commitment to diversity and inclusion. As part of this joint commitment, we would like to collaborate with the Administration to examine the

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College's reasonable accommodations policies for employees and job applicants with disabilities and recommend ways in which these policies can be enhanced for all involved parties. Is the Administration interested in collaborating with the UUP on this endeavor?

Spencer Salend noted that in looking at the current policy on the New Paltz website, it looks like it was taken from a business, not really reflecting the issues that arise when job applicants are invited to campus, how accommodations are to be made, etc. There seems to be a lot of useful information on the

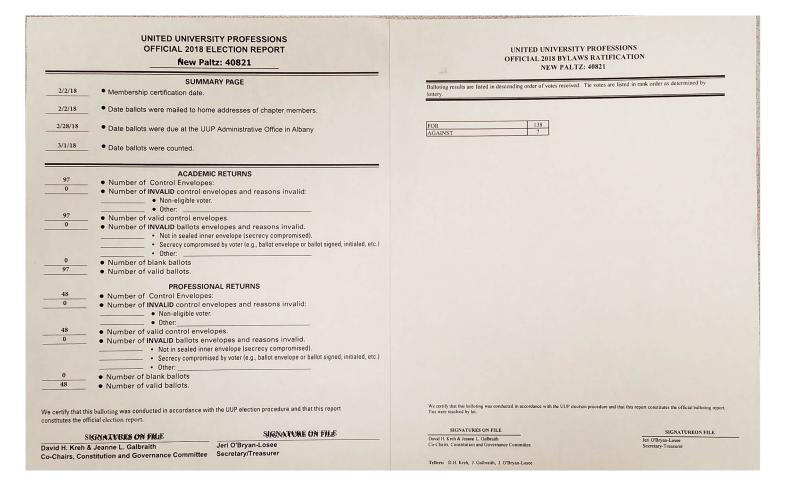
website directed toward students who need accommodations, but not so much for our own employees.

Pacheco Dunn acknowledged that there is room for improvement. We would like to work with you.

The agenda item on parking was tabled until the March 6 meeting.

Adjourned.

# Official results of the ratification vote on our newly-revised Chapter Bylaws



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# **Upcoming Events**

Taylor Law Workshop, 12:00-1:30 Tuesday May 1 Wooster, 3rd floor conference room May 2 Wednesday Labor-Management meeting May 4-5 Fri/Sat **UUP Delegate Assembly, Albany** End of Semester Gathering, 4:30-7:00 pm May 8 Tuesday Garvan's Wednesday Executive Committee meeting, 12-1:30 pm May 16 JFT1010

# **Executive Committee - Spring 2018**

(All meetings 12-1:30; open to all UUP members)

Feb 27 – Wooster 3<sup>rd</sup> fl conf.

March 28 - CSB 110

April 24 – Wooster 3<sup>rd</sup> fl conf.

May 16 - JFT 1010

### **Labor-Management meetings**

(Closed meetings, by invitation only)

March 6 at 4:00

April 6 at 3:00

May 2 at 3:00

# **Chapter meetings**

March 7 – Noon – 1:30 pm, The Terrace

April 10 – 4:30-6:00 pm, The Terrace

May 8 – Tuesday- End of semester gathering 4:30 – 7:00 pm,

Garvan's

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# **CHAPTER OFFICERS:**

President	Beth E. Wilson,
	Art History
Vice President for Academics	Gowri Parameswaran,
	Educational Studies and Leadership
Vice President for Professionals	Kevin Saunders,
	Academic Computing
	Faheem Haider
VP/Officer for Contingents	
	Art
Secretary	Linda Suszczynski,
Secretary	Accounting Services
Treasurer	Douglas Koop,
	Physics
	Peter D.G. Brown,
Grievance Officer	· · · · · · · · · · · · · · · · · · ·
	Languages, Literatures & Cultures,
Affirmative Action Officer	Rendesia Scott,
	Business

# **ACADEMIC DELEGATES:**

Beth E. Wilson,	Douglas Koop,
Art History	Physics
The History	1 Hysics
Peter D.G. Brown,	Abigail Robin,
Languages, Literatures &	Women's, Gender & Sexuality
Cultures, ret.	Studies, ret.
,	,
Vanessa Plumly,	Susan Puretz,
Languages, Literatures &	Physical Education, ret.
Cultures	,
Glenn McNitt,	Stephen Pampinella,
Political Science, ret.	Political Science
,	
Faheem Haider	Karl Bryant,
Art	Sociology
Kiersten Greene,	Colleen Lougen
Teaching and Learning	Librarian
Frantz Folmer– Andersen	Carol Rietsma,
Chemistry	Biology, ret.
Delan Obash	
Brian Obach	
Sociology	

# NYSUT LABOR RELATIONS SPECIALIST:

# Bill Capowski 914-592-4411 wcapowsk@nysutmail.org

# **PROFESSIONAL DELEGATES:**

Donna Goodman,
Development, ret.
1
Wayne Lempka,
Dorsky Museum

# **CHAPTER ASSISTANT:**

Mary Ann Thompson x2770

# **CHAPTER INTERNS:**

Dan Hulseapple Tatiana Golden





# United University Professions New Paltz Chapter

SUNY New Paltz Lecture Center - 6D

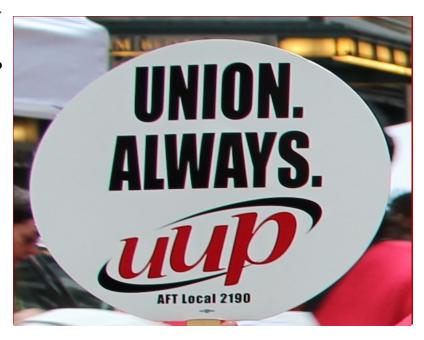
1 Hawk Drive

Phone: 845-257-2770 Fax: 845-257-2741

New Paltz, NY 12561

Mary Thompson, Chapter Assistant 845-257-2770 thompsom@newpaltz.edu

Elizabeth Chase Chapter Intern chasee1@hawkmail.newpaltz.edu



# We're on the Web!

www.newpaltz.edu/uup

# **SUNY New Paltz Chapter Officers**

President: Beth E. Wilson

Phone: x2783

Email: bwilson@uupmail.org

Vice-President for Professionals: Kevin Saunders

Phone: x3893

Email: saunderk@newpaltz.edu

Vice-President for Academics: Gowri Parameswaran

Phone: x2629

Email: paramesg@newpaltz.edu

VP/Officer for Contingents: Faheem Haider

Phone x3875

haiderf@newpaltz.edu

Affirmative Action Officer: Rendesia Scott

Phone: x2909

Email: scottr@newpaltz.edu

Grievance Officer: Peter D.G. Brown

Phone: 845-255-4302 Email: brownp@newpaltz.edu

Treasurer: Douglas Koop

Email: koopd@zmail.newpaltz.edu

Secretary:

Linda Suszczynski

Phone: x3181

Email: suszczyl@newpaltz.edu



The Bullhorn: Beth E. Wilson, Executive Editor

Dan Hulseapple, Reporter

Tatiana Golden, Layout Editor

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