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# NEGOTIATIONS BULLETIN

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We've reached a critical juncture. What happens over the next few months will determine quite a bit both about the terms of our next contract, and when that contract will take effect.

If possible, we would like to reach a tentative agreement by the first week of June before the legislature leaves Albany at the end of its session. For any NY State contract to be fully implemented, legislators must pass a "pay-bill," authorizing the financial provisions of the tentative agreement. If we reach a tentative agreement by June so that a pay bill can be passed before the end of session, and if UUP members ratify the contract over the summer, members could begin to see new money and benefits this fall. If we fail to reach that June goal we will, realistically, be waiting for nearly another year before a pay bill can be passed and a new contract can be implemented.

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There are significant incentives, then, to reach a tentative agreement by June. However, a fast contract is not always a good contract. We will not settle a contract that does not adequately address the pressing needs of our members. How negotiations progress over the next few months will determine whether we can reach a tentative agreement in time for a pay bill to be passed in this legislative session, or whether we will need to hold out for a better deal. This much is certain: to reach a fair and principled agreement, we will need the full and vocal support of our members during this period.

Here is where things stand in the bargaining process:

We have been meeting regularly with the State and have made significant progress on many important issues. Some of these will affect large portions of our membership. Others will only affect a few people. But, even seemingly small, discrete pickups can have enormous impact on people's work-lives if the new provisions pertain to them at a moment of need. Nothing is finalized yet on these subjects, and what appear to be agreements in principle can change during the course of subsequent negotiations. However, some of the areas where we are cautiously optimistic that we are likely to make important gains include the following:

- We anticipate bargaining into the Governor's new Paid Parenting Leave (PPL) initiative. This would provide members with 12 weeks of fully paid PPL, on top of the existing Paid Family Leave (PFL) benefit and other existing leave accruals. We are working on details to ensure the new PPL will account for the unique timing considerations in our unit, in particular our 10-month academic faculty and contingent faculty. Assuming we can sort out the details, this will be a tremendously valuable benefit for our members, one UUP has fought to achieve for decades.

As detailed in the previous Negotiations Bulletin (January 2023), we believe that the health benefits package will help to keep costs in check and expand the quality of care for members. We are optimistic about the new Centers of Excellence. We anticipate establishing a single co-pay for multiple charges related to a single office visit. We are hopeful that we may be able to negotiate expanded benefits-eligibility for contingent faculty who teach on multiple UUP-represented SUNY campuses, and that UUP members coming to our unit directly from GSEU will no longer need to wait 42 days to establish benefits eligibility.

- We anticipate that the sick leave cap will be raised beyond the current 200 days, a goal that UUP has fought to achieve for many rounds.
- Sometimes important gains come in the form of proposals that are kept out of the agreement. In this round, we appear likely to fend off what we consider extremely damaging State proposals that sought to establish a post-tenure review process as well as a new Appendix for direct patient care workers that would have stripped them of their right to permanency.
- At minimum, we appear likely to see modest expansions to the Productivity Enhancement Program (PEP) and the downstate and mid-Hudson location pay adjustments (though we are continuing to bargain over both programs).
- We anticipate removing the sunset clauses on our Joint Labor Management Funded programs. This will mean that in years where our members work under expired contracts (such as this year) they will still have access to IDA and CLEFR funds, along with Drescher leaves and other JLMC programs.
- We believe we have made progress on expediting our discipline and grievance processes.
- We anticipate gains in our Article 33 protections, which improve members' access to a Chancellor-level review after being denied permanent appointment on the campus.
- We are making progress on addressing problems with long-term temp appointments and delayed permanency decisions, a particularly acute problem at Downstate.
- We anticipate receiving more information in the data that we get from SUNY which will help our chapters in their organizing efforts.
- We are hopeful that we will see enhancements in our leave donation benefits.

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In all these areas, we are pleased about what appears to be incremental but significant progress in this contract. Remember, too, that negotiations are ongoing, and we hope to make gains in other areas that presently remain in preliminary stages of discussion. Collectively these gains will surely prove valuable to UUP members.

That's the good news. ***The bad news is that UUP and the State remain far apart on several high-priority issues, notably compensation, job security, and telecommuting.***

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***UUP and the State remain far apart on compensation, job security, and telecommuting.***

In our most recent bargaining sessions of January 26, 27, and February 3, the State offered its initial compensation proposal and responded to UUP's proposals on job security. The State's opening monetary proposal largely mirrors the pattern established in the recent CSEA agreement. As expected, they have proposed a four-year sequence of Across-the-Board (ATB) increases of 2%, 3%, 3%, 3%, the first of which would be paid retroactively for our unit. Their proposal also includes a 1% pool for Discretionary Salary Increases (DSI), and leaves unsettled the question of whether that DSI money will be distributed as lump sum payments or added to base salary. They have proposed a \$3000 ratification bonus akin to what CSEA employees received, as well as modest increases to the downstate and mid-Hudson location pay differentials and the PEP program. Notably, their proposal does not raise the contractual minimum salaries for academic rank or SL grade by the ATB raises, an increase that has historically been part of all past UUP Agreements.

All told, this is not the sort of labor-punishing opening proposal from the State as we have seen in some past rounds. It puts over a billion dollars of new money into our members' pockets over the course of the agreement, and it breaks the disastrous stranglehold of 2% raises that were characteristic of the Cuomo years. But while it is an improvement over the opening posture taken by the State in recent rounds, it is not enough. Of greatest concern, it largely rejects the unit-specific compensation priorities that UUP has advanced.

Frustratingly, the State, citing management's need for "flexibility" has also rejected UUP's numerous proposals on improving job security, particularly for contingent employees. The one exception to this appears to be some willingness to engage in discussion about establishing Lecturer ranks in executive level labor/management during the term of the next contract.

Furthermore, the State has been adamant at the table that it is unwilling to include a telecommuting agreement in the contract. The State asserts that telecommuting is a management tool that does not need to be negotiated, and they are doggedly holding onto their asserted management

prerogative to determine whether, when, and where the option to telecommute may be available.

In the coming months, then, our task is clear if not necessarily easy: we must move the State to address UUP's priority proposals on compensation, job security, and telecommuting.

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***our task is clear if not necessarily easy: we must move the State to address UUP's priority proposals in compensation, job security, and telecommuting.***

Our compensation proposals, you will remember, aim not only to do better than CSEA's ATB settlement, but also to direct money in ways that address the specific needs of our diverse unit.

- We aim to move away from the historic DSI model by establishing a longevity pay framework that will provide guaranteed money to members for years of service.
- Raising the minimum salaries of part-time contingent academics to 7k for a 3-credit course is a cornerstone priority as we seek fair compensation for the skilled work our members provide, and as we seek to advance SUNY's mission to provide quality education.
- Our hospital workers need compensation that both recognizes the tremendous risks and sacrifices they made during the pandemic, and that makes it possible for our hospitals to hire adequate numbers of staff to ensure quality patient care. Our proposals to expand holiday pay, increase on-call pay, increase the PGY salary schedule for Residents and Fellows, improve overtime pay, and establish shift differentials all attempt to address the critical needs of our members at the hospitals.
- We have proposed increasing the minimum salaries of our lowest paid SL grades and academic ranks because we believe that every member of UUP should make a living wage.
- We want to increase location pay differentials beyond what has been proposed by the State and expand the benefit to include the many UUP members who work in parts of the state with excessively high costs of living.
- Rapidly escalating child-care and elder-care costs necessitate our proposal to dramatically increase the employer contribution to DCAA accounts.

Likewise, job security and telecommuting are foundational priorities for UUP.

- We have proposed progressively longer term appointments for academic and professional contingent employees.
- We want to establish conversion pathways from part-time to full-time work.
- Ultimately, we aim to expand access to continuing and permanent appointment; the long-term educational crisis in higher education can only be addressed by creating pathways to permanency and reducing the number and percentage of contingent employees whose essential work is currently kept precarious.
- Our telecommuting proposals, which are among the most urgent priorities for our professionals, aim to build upon the successful temporary agreements with SUNY to

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establish equitable, less burdensome, more accessible opportunities for remote work. Proven successful over the past few years, these proposals would give professionals more flexibility and control over their work lives.

Collectively these proposals address the real and pressing needs of our diverse membership. These are the proposals that UUP members have articulated as the key priorities for this round. In all of these cases, however, UUP's proposals aim to do more than simply get members a raise or improving working conditions. They are foundational to SUNY's core mission of quality education and patient care; without fair compensation, job security, and benefits for the faculty and staff who support that mission, those ideals are little more than empty words. Moreover, these proposals assert core union principles. UUP wants all its members to see gains in every contract; in addition, we pay special attention to those most vulnerable and those most in need.

How do we shift the State's bargaining posture on these necessary proposals? At the table, we will continue to demand that the needs of our members be met. We will do meticulous research, hone arguments, and push for leverage at every opportunity.

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***to be successful we will need a  
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Ultimately, though, to be successful we will need a vocal, united membership insisting on the importance of UUP's proposals. Over the upcoming months, our UUP Chapters will be involving members in contract education (including urging members to read bulletins such as this), informational picketing, rallies on campuses and possibly in Albany, letter-writing campaigns to the Governor and SUNY, and other creative actions. Now is the time to get involved. Reach out to your chapter if you are willing to help plan or participate in events. Reach out to co-workers to make sure that all UUP members know what we are fighting for. Please click the following link (<https://bit.ly/UUPactive>) to pledge that "UUP Can Count On Me," in other words to indicate that you are willing to join your fellow UUP members to help get us all the contract we need.

As always, we're happy to answer questions and hear ideas. Email us at [contract@uupmail.org](mailto:contract@uupmail.org).