

May 6, 2009

Dear URA Sisters and Brothers,

As you know from your newsletter of March 31, the Office of Labor Relations alerted the URA to the possibility of jobs in our unit being converted from 12 to 10 month positions. As this conversion was not addressed in our contract, the Union immediately called for negotiations on this subject. A sub team of the bargaining team was convened, a survey of our members was conducted, and input was obtained from union members in 10 month positions and others who have had their jobs converted from 12 to 10 and vice versa. Our legal counsel assisted the team with issues of state and federal law relating to this area.

With this input, we have negotiated with management a supplemental agreement concerning conversion of positions from 12 to 10 month status. Attached is a copy of the agreement, as well as a description of the impact of the conversion on the affected employee's benefits. As you read through these materials, please keep in mind the following issues:

1) Converting a position from 12 to 10 months is a serious matter. It has been our experience that once a position goes to 10-month, management is resistant to restoring it to 12-month. Some of our members have been pushing for years to get a position restored. So, any department considering such a change should consider other alternatives first.

If your department is considering such a conversion to your position in order to cut costs, you may want to talk about the possibility of using a leave of absence for personal reasons instead. We have a provision in our contract under Article 21 for a maximum of 30-days of unpaid leave. Taking any leave is also a serious matter, but it does not have the lasting effect of converting a position to 10 months. It is also not confined to any particular month of the year, so it is a more flexible option for both the employee and the department than 10-month employment, which must follow the academic year schedule from September 1 through June 30. If you are approached about a possible conversion of your position, you may want to talk to your supervisor about taking unpaid personal leave on a one-time basis as an alternative.

2) The attached agreement has a number of provisions concerning type 4 employment. We included these provisions to prevent management from converting 12-month positions to 10-month status as a cost-cutting measure and hiring type 4 employees to help cover the workload during July and August. We believe this kind of approach is disruptive to department operations, unfair to all employees in a given department, and potentially damaging to the affected employee's long-term professional training and development, not to mention the decrease in salary and pension contributions.



It has been our experience that once a position goes to 10-month, departments may find that they cannot do without the affected employee and attempt to hire the person back as a type 4 employee to do exactly the same job duties of their position during July and August. This is illegal and a violation of the attached agreement. If you are ever put in this position, we strongly urge you to not agree to this type of arrangement and to notify your local steward immediately. If your position were to be converted to 10-month status, and your department finds that they cannot function without you there for any period of time in the months of July or August, they should contact UHR and begin the process of restoring your position to 12-month status. It is not in your long-term interest to work as a type 4 employee in your own department, especially given the impact on your salary and your pension (see below).

3) Attached is a description of the impact of a conversion of a position from 12 month to 10 month status on the affected employee's benefits. Please note: you will receive pension-credited service for the months of July and August, however, payroll deductions and employer contributions will be suspended for July and August. This means that you will get credit for time for those two months, but not the financial contributions to your pension fund. This is true even if you were to find other employment at Rutgers as a type 4 employee in a different department during July and August. You would get the time toward your pension, but not the money.

If you have any questions about the attached materials, please contact your local steward or the URA-AFT office at 732-745-0300.

In solidarity,

Kathryn Neal

Kathryn Neal
Vice-President, New Brunswick/Piscataway

