

URA NEWS

Union of Rutgers Administrators-AFT Local 1766 Newsletter

Volume 1, No. 2 | Fall 2009

Table of Contents

URA In Action: Photo Gallery	2
Governing Board Representation	2
Family Leave Update	3
H1N1 Influenza Pandemic	3
URA-AFT Grievance Report	4
2009 URA-AFT Elections	6
Profile: Bob Cousins	7



On September 11, URA-AFT president Lucye Millerand delivered the AFT NJ endorsement of Gov. Jon Corzine's reelection bid at the statewide convention. (From left) Helen Pirrello, Gov. Corzine, Nat Bender, Lucye Millerand (kneeling), Joyce Sagi, Bob Cousins, Darlene Smith, James Romaine, Kathy Licinski, Greg Rusciano.

Is my job safe? Is my raise ever coming?

Since Old Queens abruptly decided to withhold our negotiated raises, URA members have taken the following actions:

- Filed and presented step three grievance on failure to honor our contract. Grievance was denied by Office of Labor Relations. Advanced the grievance to arbitration (step four).
- Met for discussions with management three times during July and August. Offered proposals to defer raises in exchange for a no-layoff pledge, pension protection and consideration for grant-funded employees.
- Produced an open letter calling for fair play, signed by over 400 union members. Letter was published as an advertisement in the Star-Ledger, Home News-Tribune and Daily Targum.
- Distributed 10,000 copies of open letter to fans at Rutgers football home opener.
- Boycotted President McCormick's State of the University address.
- Conferred with political leaders around state to apply pressure to bring management back to the table.

Keeping Score: Is Management Playing Fair?

Average raise due URA-AFT members July 1, 2009	5.00%
Raises awarded URA-AFT July 1	0.00%
Raises for state workers in CWA, AFT, AFSCME July 1	1-2% (additional 3.5% deferred to 2011)
Layoffs of state workers in CWA, AFT, AFSCME since July 1	0
URA-AFT unit members notified of layoffs since July 1	10
URA-AFT unit members layoff effective since July 1	10
Approximate value of URA-AFT raises due July 1	\$5 million
Cost of luxury recruiting lounge approved for football stadium in June	\$5 million



Union of Rutgers Administrators-AFT Local 1766
 75 Paterson Street, Suite 4, New Brunswick, NJ 08901
 Phone: 732-745-0300 Fax: 732-745-0400
www.ura-aft.org union@ura-aft.org



URA In Action: Photo Gallery

July 14

AFT Rutgers Petitions Board of Governors



URA-AFT president Lucye Millerand and member Tony Masso gather signatures to call on university management to honor existing collective bargaining agreements and stop layoffs. More than 1,200 union members—staff and faculty—signed the petition.

September 24

URA-AFT Boycotts McCormick's Address



Dressed appropriately for hazmat safety, Rob Newman hands out fliers during president McCormick's address, which the union labeled "toxic."

October 20

AFT President Comes to Newark



AFT President Randi Weingarten (far left) with URA members in Newark. (From left) Randi, steward Ines Agina, executive board member Carolyn Foote, Newark vice president Darlene Smith and lead steward Dorothy Grauer.



URA-AFT Contract Committee chair and New Brunswick Vice President Kathryn Neal

URA Calls for Greater Role in Rutgers' Decision-Making

Citing wasteful spending and misplaced priorities, URA unit members called for staff representation on the governing boards of the university as a cornerstone of structural reforms. Responding to a survey crafted by URA-AFT New Brunswick Campus vice president Kathryn Neal, 617 members pointed out that faculty and students are represented on the university's Board of Governors (BOG) and Board of Trustees (BOT) while the staff is excluded.

"We are calling for inclusion of staff members on these governing boards because we think staff have a unique perspective currently not being heard. That perspective and insight could be crucial in helping the university get through, and even thrive in spite of, the recession," said Neal. "For example: over three-quarters (77%) of respondents believe there are ways the university could cut costs without resorting to layoffs or salary reductions." She said many people responsible for tracking their departments' budgets identified excessive spending for office decorating, travel, meals, printing and overuse of

consultants. "Unfortunately we have seen no university-wide call to rein in spending in these or other areas," Neal said.

The report, available on the union's web site at www.ura-aft.org, identified 42 Rutgers executives earning \$200K or more, with their combined salaries topping \$12 million. "Executive compensation received the second-highest mention by people in our survey as a bad budget decision made by the university, second only to football and athletics," said Neal.

More than two-thirds of survey respondents gave low ratings to the university for valuing staff input in making budget decisions. In addition to voting staff representation on the BOG, BOT and greater representation on the University Senate, members called for implementation of austerity spending before resorting to layoffs, transparency in the university budget process, and a flattened organizational structure to increase efficiency.

Family Leave Update

New Jersey workers are benefiting from Family Leave Insurance, thanks to URA.

Since July 1, 2009, when the law became effective, more than 5,000 New Jersey workers have used family leave insurance benefits. Under this program, workers are eligible for up to six weeks partial wage replacements when they need to take time to care for a sick family member or bond with a newborn or newly-adopted child.

“New Jersey has taken a strong step forward in helping its working families meet the challenges of balancing work and family by enacting a family leave insurance program,” said Karen S. White. The URA steward most closely involved with the research and advocacy that led to the passage of the paid family leave legislation, White

noted that New Jersey is only the second state in the nation to enact a family leave insurance program.

As a member of the New Jersey Time to Care Coalition, a diverse group of over 70 organizations, the URA-AFT recognized the need for policy changes at both the state and national levels to allow workers to be good employees and good family members, and played a leading role in making this policy change possible.

For more information about the program and how to access benefits, contact your URA-AFT steward. For more information about the NJ Time to Care Coalition and its work on “time to care” issues, contact URA member Karen White at kswhite@rci.rutgers.edu.



**URA-AFT Cook Campus Steward
Karen White**

H1N1 Influenza Pandemic: Health, Our Contract and Benefits

The URA-AFT health and safety committee is working to make sure questions about our health, contract and benefits are taken into account in planning for the H1N1 influenza pandemic at Rutgers.

Health and safety chair Joyce Sagi and president Lucye Millerand met with Rutgers management recently and presented pages of questions, shared concerns, and made recommendations on how to work with the union on planning. AAUP-AFT was represented in the meeting and Sagi has been in contact with other Rutgers locals to discuss our mutual concerns.

“We will work to make sure Rutgers management will be responsive to our concerns and contractual obligations to our members,” said Sagi. “This is about transparency and involving

stakeholders in the planning process to protect students, staff and faculty.”

H1N1 preparation:

The CDC recommends that high risk individuals obtain both the seasonal influenza and H1N1 vaccines.

Rutgers University flu shot information: <http://emergency.rutgers.edu/h1n1.shtml>

For further information, see www.flu.gov and www.cdc.gov. Information on these websites is constantly changing, and web pages may be updated, replaced or deleted.

If you are interested in serving on or have questions for the health and safety committee, please write to safety@ura-aft.org.



**URA-AFT Health and Safety
Committee chair Joyce S. Sagi**



URA-AFT Grievance Committee chair and Newark Vice President Darlene Smith

URA-AFT Grievance Report

Remember to work with your local steward to talk through potential problems as early as possible. Stewards are trained problem-solvers who work with you to advocate for your professional rights and protest unfair discipline or violations of our contract.

A Few Cases

"Whistleblower" Layoff Reversed: A member received notification that his position would be eliminated in a "reorganization," but his position seemed to be the only element "reorganized"—nothing else would be changed in the department. Since the member had previously complained about the manager's activities—which he believed to be unethical—the grievance committee chair and another steward conducted first and second step meetings. The union's information request prior to the third step hearing asked what was happening with the impropriety the member reported. Amazingly, the university became willing to settle by reversing the reorganization and restoring the position before the member lost any time out of work. "Thanks to all of you for your help and for all of the time that you put into this case. Chalk one up for the good guys," he wrote.

Five-Day Suspension Averted: After a member received a suspension letter on a Monday that would put her out for the following work week, her lead campus steward sprang into action by convening an informal step one meeting with the supervisor and the human resources liaison from the department. The union executive vice president and the steward reviewed the facts of the case and let the department know that they did not indicate a need for discipline, much less anything as severe as a suspension. The employee had a great work record and several years of service. After some discussion, the department and union agreed that the suspension would be rescinded (before it was instituted), but the member would receive a disciplinary letter that would be removed from her personnel record within six months

without further incident. The member also retains the right to put her side of the facts on the record in a written response to her personnel file. "I can't thank you both enough for your help in this process. I am still in disbelief at how I was and am being treated, but at least I am getting paid this week. Thank you both for your efficient, professional and compassionate treatment through this ordeal," she wrote.

Acting Pay Granted Retroactively: She thought she had been promoted, the department announced she had been promoted, but after acting in a higher grade on an interim basis, the department "discovered" that our member did not have the requisite qualifications for the position. The member and her steward requested acting pay for the time period in question, but were denied at the first and second steps. After reviewing the situation with the union's executive director, university human resources agreed that acting pay had to be granted in accordance with university regulations and the URA contract.

URA Leads The Way for Military Leave: When Nadia Mascola returns to the College of Nursing from boot camp, she expects to be a Master of Arms (also known as Military Police) in the U.S. Naval Reserves. What Nadia did not expect was for her time at boot camp to be considered "not active duty," which was the first response from her supervisor upon announcing her ship date. Active status is important as URA-AFT members are paid for 90 days of active military duty, more than the 30 previously allocated by the university. With swift intervention from URA's health and safety chair, the university's human resources department not only agreed that boot camp is active duty, but decided to modify the university's existing policy to the more expansive one that URA-AFT negotiated. "I feel very lucky to be a part of the URA-AFT family, and words cannot express how much gratitude I have," wrote Ms. Mascola.

URA-AFT Fast Facts

Name: Union of Rutgers Administrators-American Federation of Teachers (URA-AFT).

Local number: 1766 (year of Rutgers founding).

Contract period: July 1, 2007 through June 30, 2011.

Union start date: The URA-AFT officially certified as a union in June, 2007.

Affiliations: American Federation of Teachers (www.aft.org), a professional union representing 1.4 million workers.

AFL-CIO (www.aflcio.org), a union movement representing 10.5 million members in 56 national and local labor unions.

Union-Wide Grievances

The union currently has eight active arbitration cases going forward and three unfair labor practice charges with the Public Employee Relations Council (PERC).

Withholding Contracted Raises: A violation of Articles 38 (Salary Improvements), 40 (Severability) and 49 (University Policies and Procedures)—the URA is in the process of selecting an arbitrator to hear this case. We have demanded information from the university supporting their position for their actions on withholding our negotiated wages. We are still waiting for this information (see lead article).

Pushing Back Against Layoffs: We have had some success in challenging layoffs where Seniority (Article 39) or Layoff Notification (Article 20) rights have been violated. One layoff has been rescinded because seniority was not followed. In one case it was clear that the layoff was due to retaliation for an employee raising concerns about unethical activity in the department. One member grieved and won the right to bank vacation time in the event of a layoff, which proved helpful when he found another position at the university and reclaimed his vacation time (as well as seniority and accrued benefits, which stay intact for 18 months).

The largest challenge with layoffs is management's interpretation of what is defined as a work unit, which they seek to limit. We have a number of grievances scheduled for arbitration over this language as well as one unfair labor practice charge.

It is also URA's position that the use of vacation after receiving layoff notification should be negotiated with the member. One of these grievances is scheduled for arbitration and should be heard in the near future.

Maintaining a Non-Hostile Work Environment: (Article 26) In two cases we have seen supervisors moved so they no longer supervise any of our members and on another occasion we had a member moved where they will no longer report to her former supervisor. It is clear that

these meetings are most effective if there are other members, witnesses, or employees who are the subject to the same problems and agree to come forward together.

Thou Shalt Not: The majority of our grievances are around discipline without just cause (Article 18). We have been able to overturn terminations on more than one occasion and have had other disciplines satisfactorily settled when the facts of the case sided with our members. However, it is important to stress that although both parties affirm the concept of progressive discipline, there are occasions when the seriousness of the action can warrant termination without following progressive discipline.

Theft can be one of these occasions. Many actions that involve dishonesty fall within the broad concept of theft, ranging from the outright taking of property to the falsification of documents for personal gain. Most arbitrators take an unwaveringly strict approach to theft and more often than not will uphold termination.

Protect Yourself: On the subject of progressive discipline it is important to take warnings from your supervisor seriously. If left unchallenged these warnings become the first step in building a case for discharge following progressive discipline. If you receive a verbal warning or written reprimand, contact your steward immediately.

On more than one occasion we have been contacted by employees who are suspended after receiving a written reprimand. If previous disciplinary actions, verbal warnings and written reprimands go unchallenged it is the same as agreeing that they were warranted. They cannot be grieved after the timeline has expired so take action now if you are being disciplined or threatened with discipline unfairly.

Know Thy Contract: That little light blue book could save your career at some point. Keep it at your desk or in a safe place so you can refer to the above article numbers as needed. A searchable version is online at www.ura-aft.org/contract as well.

Get Involved!

Attend the Membership Meetings: General Membership Meetings are held the second Monday of the month at 5:30 p.m. in New Brunswick, Newark and Camden. We usually videoconference to connect the meetings.

Attend Your Campus Meetings: Meetings are held on every campus throughout the year, typically during the lunch hour. Find your campus lead steward on the stewards page of the www.ura-aft.org web site and talk about getting involved on your campus.

Join a Committee: Our work is always done together via the committee system. Even if you are very busy, a committee assignment can be a great way to participate with your unique skills and insight. See the committee page at www.ura-aft.org to find the type of work that interests you.

Weingarten: Your Right to Union Representation

As a union member, you have Weingarten rights during investigatory interviews.

If you have a reasonable belief that discipline or other adverse consequences may result from what you say when a supervisor questions you, request union representation. Management is not required to inform you of your Weingarten rights; it is your responsibility to know and request.

When you make the request for a union representative to be present management has three options:

- 1) It can stop questioning until the representative arrives.
- 2) It can call off the interview.
- 3) It can tell the employee that it will call off the interview unless you voluntarily gives up your right to a union representative (an option you should always refuse).

Here are the words to say: *"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Without representation present, then I choose not to participate in this discussion."*

2009 URA-AFT Elections

SAVE THE DATE

NOVEMBER 9, 2009
URA-AFT LOCAL 1766 ELECTIONS

The URA will be holding its second election this Fall as its current executive board members complete their first terms at the end of this year. The election will be held on Monday, November 9. Voting locations and hours are as follows:

Campus	Location	Time 1	Time 2
Busch	Busch Campus Center, Lobby, Contact Table 1 & 2	12 noon to 2:00pm	
Camden	Camden Campus Center (326 Penn Street), Lobby, Vendor Table 1 & 2	12 noon to 2:00pm	5:00 to 7:00pm
College Avenue	Rutgers Student Center Atrium Hallway, Contact Table 1 & 2	12 noon to 2:00pm	5:00 to 7:00pm
Cook	Labor Education Center, Lobby, 2 tables	12 noon to 2:00pm	5:00 to 7:00pm
Livingston	Livingston Student Center, Lobby, Contact Table Lobby A & B		5:00 to 7:00pm
Newark	Paul Robeson Campus Center, Main Lobby, Table 6 & 7	12 noon to 2:00pm	5:00 to 7:00pm

The URA Constitution states, "All members must vote in person at a polling location, except that the following may contact the union for an absentee ballot if they are unable to vote in person: all members whose primary residence is farther than 50 miles away from any of the three polling locations and who do not work on any of the three main campuses; members who have a conflict with a religious observance on the day of voting; and members who will be out of town on work-related duties, in which case they must provide documentation from their supervisor confirming this. Absentee ballots must be in the possession of the union a minimum of 24 hours prior to the closing of all three polling locations. The completed ballot can be returned to the union via certified mail or the shop steward or hand delivered by the member."

At the Membership Meeting on Monday, September 14, members

were nominated for positions on the Executive Board. Pursuant to the URA-AFT Constitution, Article IV (Election of Officers) Section III e. and Section V, nominations have been confirmed by the Elections Committee.

The following are the positions and candidates:

Candidate for President:

Lucy Millerand

Candidate for Executive Vice President:

Nat Bender

Candidate for Vice President New Brunswick/Piscataway:

Kathryn Neal

Candidate for Vice President - Newark:

Darlene M. Smith

Candidate for Treasurer:

Janice DiLella

Candidate for Recording Secretary:

Theresa O'Neill

Candidates for Executive Board Member - New Brunswick:

Stephanie Atkins

Ginny Caputo

Sandra Jenkins

Kathleen Licinski

Helen Pirrello

Mary Ann Puccio

Joyce Sagi

Karen White

Candidate for Executive Board Member -

Newark:

Carolyn Foote

Candidate for Executive Board Member -

Extension/Off Campus:

Rhonda Smalls

Not a candidate for office but you'd like to be involved?

Volunteers are needed to staff the polls on November 9. Please contact the elections committee at elections@ura-aft.org if you can help out with this important job. If you help out on the 12-2 shift one (1) hour will be union release time. (If you are taking lunch for the 5-7 pm shift – the one (1) hour union release time applies also).

Those elected will take office on January 1, 2010 for a three-year term. Remember to vote on November 9.

Save the Date!

NOVEMBER 9, 2009
URA-AFT LOCAL 1766
ELECTIONS

The URA will be holding its second election this Fall as its current executive board members complete their first terms at the end of this year. The election will be held on Monday, November 9. Please see page 6 for information on voting locations and hours.

Profile: Bob Cousins

Q: What brought you to Rutgers?

A: I am a 20-year member of the International Association of Machinist and Aerospace Workers (IAM). In this time I volunteered for a number of organizing campaigns. The last campaign was in the healthcare area with nurses in Lincoln, Nebraska. The head of this campaign was Darrin Nedrow. Many of you remember Darrin—he was the National Representative for the AFT during the URA-AFT organizing campaign. Darrin and I worked together closely on the Lincoln project, and when he came to the AFT he said that if he ever needed help he would keep me in mind. I got a call from him a couple of years ago and was offered a position as an AFT organizer here for the URA. After the URA ratified their first contract they decided to hire an Executive Director. I applied for the position, and the rest is history.

Q: What got you actively involved in your first union?

A: I have held a number of different jobs in my life, everything from building mobile homes, grain elevator repair, farm hand, to working in a meat packing plant. My last job (the one I had before coming here, where I spent 19 years) was the first job that I ever had in which the workers were protected by a collective bargaining agreement. It became very clear, very fast, that workers were treated differently when they worked under a contract; wages were better, working conditions were better and the workers had a feeling of empowerment. When you have a contract you are no longer an "at will" employee; you have legally protected rights. I also liked the fact that every three years the employer was forced to sit down with the employees and negotiate over terms



**URA-AFT Executive Director
Bob Cousins**

This newsletter is published quarterly by the URA-AFT communications committee. It is written, produced, designed and published by URA-AFT members.



Chair
Lynn Shanko

Typesetting and Layout
Kristina Carle

The communications committee welcomes input on newsletters as well as ideas for future editions. We also encourage interested members to become involved with the committee. To submit comments or participate in creating the next edition, please email union@ura-aft.org.

and conditions of employment. This is why I got involved, I wanted to do my part, I wanted to fight for my brothers and sisters to right the wrongs in the work place and I wanted a say at the table. After being a member for a year, I was appointed as vice president of my local, and three years later was elected president. I have held a number of positions at the district level as well, which covers all of Nebraska and Iowa.

Q: What do you do as Executive Director?

A: The thing that has been taking much of my time these days is trying to work with a university who seems to be out for blood when it comes to our jobs and our negotiated wages. When I am not doing that, I am working with stewards on grievance issues and preparing for arbitrations. We still have a few unfair labor practice charges out there and probably a couple more coming. I also work closely with the executive board on the day-to-day operations of the local and with the various committees.

Q: What is the difference for workers in a state like New Jersey, with higher union density, than a state where you worked previously?

A: The thing I notice the most coming from Nebraska, a state with just over 8% of the workforce belonging to unions, is the rights of individuals and families. In New Jersey, with 18% of its workforce unionized, you have more progressive laws. The New Jersey Family Leave Act (NJFMLA) provides for paid leave to care for a seriously

ill family member and the New Jersey Law Against Discrimination (NJLAD) provides better protection for workers with disabilities than the Federal Americans with Disabilities Act (ADA). Safety and health laws are better for workers in higher union density states as well. Public employees in Nebraska, the state I am from, do not have the legal protection of OSHA, but here in New Jersey public employees are covered under PEOSHA. In addition workers in New Jersey have the Right to Know Program, which involves a number of safety and health protections for workers. Besides those, you have the obvious differences: in states with low union density, workers can expect to earn 13% less than workers in high union density states—the average wage for New Jersey workers is around \$52,000 a year, in Nebraska it is around \$33,000 a year.

Q: What do you like to do in your spare time?

A: I do not have much of that anymore. I am still getting adjusted to living out here. Back in Nebraska I enjoyed fishing and hunting. But mostly I enjoyed bowling and playing golf. I coached the girl's high-school bowling team as well. I like playing golf because it gives me time to spend with my son, although he is good enough now to beat me as much as I beat him.

I have not had a chance to play golf or bowl since coming out here and I am looking forward to doing those things soon. I did get to go saltwater fishing, thanks to Mike Hutton. That was fun—not much saltwater back home.

