

URA NEWS

SPECIAL EDITION

NOVEMBER 2010

“No Limit, No Lunch, No Life” Is Wage Theft happening at RU?

This past Spring, the URA Newsletter brought you the story of Theresa O’Neill’s grievance victory on uncompensated overtime (commonly referred to as “wage theft”). <http://ura-aft.org/newsletter/uranewsmay2010special.pdf> Since then, URA stewards have received ongoing complaints about uncompensated overtime.

These break down into several categories:

- Members legally eligible for overtime “NE, 40 or 35” workweek categories say their boss denies time-and-a-half compensation.
- Members who do not know their status say they’ve been misled by supervisors who assume they are not eligible for OT.
- Members who are classified as overtime ineligible “NL” and don’t think their classification is correct.
- Members who are classified as NL and regularly work many hours of overtime week after week, with no compensation at all.

With an eye to our next round of contract negotiations, the

URA is beginning an initiative to address these issues. The survey that follows will allow every member to take part in assessing which problems are acute, and which are wide-spread. It will provide general data, and help identify cases which are already actionable under the existing contract. Every signed URA member is invited to join a working group to examine which jobs may have been wrongly classified, and to prepare contract language to provide work/family balance for NL employees. Email union@ura-aft.org to join.

The survey asks each respondent to provide name and job title. The survey is designed this way a) to allow for comparison of the results with management’s official workweek and title data, which is provided to the Union regularly and b) to enable further communication with members who may be owed for uncompensated overtime.

Please fill out the survey and return to your shop steward, by US mail to the URA office, or by campus mail to:

Workweek Survey
Sharon Mirutkin
MGSA-Visual Arts
33 Livingston, CAC

Workweek & Overtime Survey

1. Do you know your official workweek status?

Yes No

You can find your status on your original offer letter, or in the STD HOURS field of your yearly absence report card, or email lmillerand@ura-aft.org.

2. What is your workweek status? (you are only one)

I am Overtime ineligible and classified as:

- A. NL
- B. N4

If you are NL or N4, skip to question 7

I am overtime eligible and classified as:

- C. NE (overtime after 37.5 hrs)
- D. 35 (overtime after 35 hrs)
- E. 40 (overtime after 40 hrs)

3. If you are overtime eligible, how often do you work more hours than your official workweek?

- A. Every week
- B. Some weeks each month
- C. Some weeks each semester
- D. Rarely
- E. Never

4. If you are overtime eligible how many hours do you work beyond your official workweek?

- A. 1-5 hours/month
- B. 1-5 hours/week
- C. 5-10 hours/week
- E. More than 10 hours/week
- F. Other: _____

Workweek & Overtime Survey

5. If you are overtime eligible, how are you compensated when you work overtime?

- A. Time-and-a half pay
- B. Compensatory time at time-and-a-half
- C. Compensatory time or flexible hours at hour-for-hour
- D. Compensatory time or flexible hours but less than hour-for-hour
- E. Not compensated
- F. Other: _____

6. If you are overtime eligible, when you accumulate compensatory time are you:

- A. Required to use time by a certain date (“use it or lose it”)
- B. Required to use time by the end of the fiscal year (“use it or lose it”)
- C. Able to schedule a mutually convenient time with your supervisor
- D. required to use time in the same pay period
- E. Other: _____

(If you are overtime eligible, please skip to question 10)

7. If you are NOT overtime eligible (NL or N4): how often do you work more than 40 hours per week?

- A. Every week
- B. Some weeks each month
- C. Some weeks each semester
- D. Rarely
- E. Never

8. If you are NL or N4: when you work more than 40 hours, how many hours do you work on average?

- A. 1-5 hours/month
- B. 1-5 hours/week
- C. 5-10 hours/week
- E. More than 10 hours/week
- F. Other: _____

9. If you are NL or N4: Are you ever given compensatory time for working extra hours/days?

- A. No
- B. Yes, I get time off when I work extra hours
- C. Yes, for emergencies
- D. Yes, for weekend or special events

10. University Policy 60.3.14 states: “*Except in narrowly defined circumstances, all time worked for the university by employees in fixed workweek titles, including work in two or more departments and at special events as well as the employee’s own department, must be considered in determining whether overtime compensation is due. Even unauthorized overtime must be compensated.*” <http://policies.rutgers.edu/PDF/Section60/60.3.14-current.pdf>

As far as you know, is this Policy followed for overtime eligible employees in your work unit?

Yes _____ No _____

Name: _____

Job Title: _____

In order to test the accuracy of our members’ information about workweek status, please provide your name and job title. Your answers will be kept confidential unless you choose to disclose them.

