



# Unifier

UNITED UNIVERSITY PROFESSIONS



FARMINGDALE CHAPTER



NOVEMBER 2017



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## Member Input Needed!

By Lou Scala

This past Sunday, during the college's Open House event, I had the pleasure of speaking with Philip, an American Airline aircraft maintenance technician, whose specialty is aircraft avionics (electronics). As you know, I am a faculty member of the FSC Aviation Department, so it was really great connecting with a fellow airframe and powerplant technician.

Phil explained the level of sophistication of the newer generation aircraft, such as the Boeing B-737 MAX. This aircraft requires avionics technicians to bring a laptop into the cockpit, connect to Wi-Fi, and read or listen to the airplane's Onboard Maintenance Function (OMF) computer, which explains the status of the aircraft systems. Only then can the technicians troubleshoot and find solutions to technical discrepancies.

So what does this have to do with UUPF? Well, just as these technicians must *hear from* the airplane's OMF computer system in order to ensure the airworthiness of the aircraft, so must UUPF's leadership team *hear from* you, our professional and academic members, on the status of your position and other issues of concern so that together we can address them.

You are the skillful eyes and ears and voice of UUPF, the "OMF." It is you who can provide expert information on critical matters at the college and beyond. Your knowledge helps everyone.

With this in mind, I will be reaching out to you, asking how UUPF can better work with and serve you and the college.

I also invite you to become a member of the UUPF Academic Concerns Committee (ACC). If you wish to serve, please reach out to me by contacting the UUPF Office (Debbie Amato) at [uupfdamato@aol.com](mailto:uupfdamato@aol.com) and/or 631.694.8873.

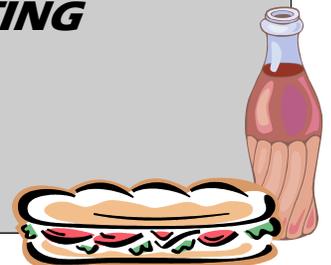
We look forward to receiving your input in helping to serve our members. ◆

## GENERAL MEMBERSHIP MEETING

Thursday, November 16, 2017

11:00 am ◆ Gleeson Hall room 104

Please join your fellow UUPF members for lunch.



# Professionals' Corner

By Harry Gabriel Espailat

## Professional Forms

As the end of the year rapidly approaches, I would like to take this opportunity to review Performance Programs, Professional Evaluations, and the Professional Achievement Form. Each of these forms affects what is expected of us. The information in these forms will often determine the outcome of appointment renewals, salary increases and promotions.

### **Performance Program:**

The annual performance program is a written document that identifies your duties and responsibilities assigned for a one-year duration. *It is not a job description.* The performance program is a result of discussions between you and your immediate supervisor. Your performance program is the official record of your assigned professional obligation and is placed in your official personnel file.

Here are some things to keep in mind as your performance program is developed:

- ◆ Make sure your duties and responsibilities are clearly defined.
- ◆ Ask questions and request clarification on anything in your program that is unclear.
- ◆ Make sure the timelines for achieving your objectives are reasonable.
- ◆ If additional duties are added, ask for a salary increase. If your salary increase is denied,

ask for other duties to be removed.

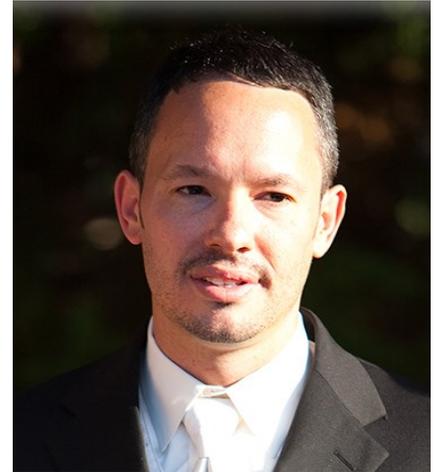
Here are some things to **avoid** when developing your performance program:

- ◆ Statements of duties that are not described, such as “any duties as assigned.” You cannot be evaluated on something you are not specifically told in writing.
- ◆ General or passive descriptions of your duties, such as “responsible for all activities in residence hall, lab, department, etc.,” “campus sponsored events,” etc.
- ◆ Duties and responsibilities that you have no authority or resources to carry out.
- ◆ Duties and responsibilities that are controlled by someone else.
- ◆ Duties and responsibilities that are non-existent, such as “advisement of students for the XYZ program” when the XYZ program is months away from existence.

Your performance program is a binding document of the duties and responsibilities by which you will be evaluated. Once complete by you and your immediate supervisor, you have 15 days to sign it. Part-time employees are required to have a performance program in order to be evaluated for renewal purposes, salary increases, promotions, etc.

### **Performance Evaluation:**

The performance evaluation has multiple purposes:



- ◆ To provide the college president with evidence for his/her decision to renew or non-renew an employee's appointment.
- ◆ To provide a basis for performance improvement.
- ◆ To serve as a guide to re-evaluate job functions.
- ◆ To provide the college president with evidence for granting promotions, salary increases, and discretionary awards.
- ◆ To provide a basis for career growth.

Your evaluation is based solely on the items specified in the performance program that was developed for the evaluation period. The preliminary evaluation may include a summary of information received from secondary sources, and identification of how well you performed each aspect of your performance program. The evaluation may contain recommendations for personnel actions, for example, reappointment, promotion,

— Continued on page 5

# President's Message

Here's the latest attack on you—that's *you*—a New York State professional or academic in the State University of the State of New York. The attack will most likely occur sometime in May or June 2018 and will be made by the United States Supreme Court when they rule on the right to work case called **Janus v. AFSCME**.

This attack was almost successful a couple of years ago. But the court reached no majority decision on the similar case, *Friedrich v. California Teachers Association*. A 4-4 tie vote occurred after the death of Antonin Scalia.

Then when the Senate refused to vote on the nomination of

Merrick Garland and, this year, appointed Neil Gorsuch to the Court, a right to work decision became pretty much assured.

Thus, the US could become a "*right to work nation*." Remember what right to work means: Workers do not have to pay toward union protections if they do not join the union, but they still receive union benefits and protections, thus becoming *free riders*.

What is the current law? For over 40 years, the Supreme Court decision in *Abood v. Detroit* says that it is reasonable that *all* employees, not only union members, pay for the cost of bargaining since *all* of them benefit from union representa-



tion, including representation in grievances. (However, agency fee workers [non-members] do not pay the minimal cost of lobbying.)

Today 28 states have undercut *Abood* and have become right to work states. In these states, workers do not automatically pay for their union representation. Unlike their fee-paying colleagues, non-member workers can receive union protections and benefits that they have not paid for. They are *free riders*, carried by their co-workers.

Plus, the union itself is weakened because fewer paying members means less ability to negotiate and protect employees effectively.

But not necessarily! *Janus can make us stronger*. See page 9: *On Wisconsin!*

In Solidarity,  
Vicki Janik

## Sunset of Some UUP Benefits:

Because of the protections provided in the NYS Taylor Law, most benefits provided by our current *Agreement* will continue until another contract is approved. However, please be aware of those contract items which have sunset because the State will not agree to fund them beyond the end date of the current *Agreement*. They will not be available until a new *Agreement* is approved by our membership:

- ◆ Individual Development Awards (IDAP)
- ◆ Nuala Drescher Awards
- ◆ December Discretionary Awards
- ◆ Employer contributions to the Dependent Care Advantage Accounts (DCAA)
- ◆ Productivity Enhancement Program (PEP) previously available only to professionals

# Our Honored Union History

By Daniel Scott Marrone

## The Little Wagner Act And the Collective Bargaining Rights of Public Employees

U.S. Senator Robert F. Wagner I represented New York State from 1926 until 1949. In 1935, he proposed to the U.S. Congress the National Labor Relations Act. Amidst the dire economic circumstances of the Great Depression, Wagner's legislation was eagerly approved by both Houses and signed into law by President Franklin D. Roosevelt. The law became widely known as the Wagner Act of 1935. Though FDR was a staunch advocate for unionization and collective bargaining in the private sector, he opposed granting these rights to government employees based on the principle of guaranteed lifetime public sector employment. This has never been true due to "spoils politics" and "government budget cutbacks". Furthermore, public employees typically earn lower salaries compared to their private sector counterparts. With

opposition by FDR, Harry S. Truman, and Dwight D. Eisenhower, unionization and collective bargaining rights were denied to government workers for decades.

In 1958, Senator Wagner's son, NYC Mayor "Bob" Wagner, Jr. (1910-1991) issued Municipal Order 49, which afforded city employers the rights of unionization and collective bargaining paralleling the Wagner Act of 1935. This municipal order became unofficially known as "The Little Wagner Act". M. O. 49 only pertained to the jurisdiction of the NYC five boroughs. However, it set a precedent that was soon followed by the establishment of municipal and state employees' unions throughout many industrialized northern states--but generally not in the more agrarian southern states where labor unions have less support.



*U.S. Senator Robert F. Wagner (1877-1953)*

This may change over time.

In January 1962, President John F. Kennedy issued Executive Order 10988. This measure authorized to federal employees essentially the same rights guaranteed under the Wagner Act of 1935 and "The Little Wagner Act". JFK presidential successors, both Democrats and Republicans, could have repealed E. O. 10988. None have done so based on an inherent recognition of the rights of federal workers to social equity and justice.

For more than a half-century private and public employee rights guaranteed by the Wagner Act of 1935, "The Little Wagner Act", and JFK's E. O. 10988 have not been significantly abridged either by legislation or by court rulings. Overall, in fact, these labor force protections have generally been strengthened and expanded. This does not mean, however, our vigilance in these areas may cease. We must constantly protect our justly earned employee rights! ◆

### Worth Remembering...

### **SHARED GOVERNANCE:**

"Faculty members have the shared responsibility for decisions about matters like curriculum, choice of subject matter, instructional methods, faculty status, and research."

# Professional Forms

*Continued from page 2*

salary increase or discretionary salary increase.

The summary of your evaluation can only be characterized as “satisfactory” or “unsatisfactory.”

Where the summary characterization of a final evaluation is “unsatisfactory,” you may, upon written request, ask for a review by the Committee on Professional Evaluation. You should also seek a committee review if the characterization summary is “satisfactory,” but the content of the evaluation is primarily unsatisfactory.

To initiate the appeal, you must notify the chair of the Committee on Professional Evaluation, your supervisor and the college president or designee, in writing, within 10 working days of receipt of the evaluation. The Committee reviews the procedure and substance of the unsatisfactory evaluation. Your UUP chapter leaders can guide you through this process.

It is extremely important to understand that a negative evaluation placed in your personnel folder can result in the denial of salary increases, promotions, renewal appointments and, most important, permanent appointment. It is your responsibility to contact your chapter leaders to have the Committee on Professional Evaluation review any unsatisfactory evaluation.

## **Professional Achievement:**

This form should be completed by professionals to provide relevant information to be

considered in a performance evaluation by your immediate supervisor. The form is composed of four sections (A-D). It can be used to list your above-and-beyond activities that demonstrate your commitment to the success of the college either by direct involvement in campus activities or professional improvements, and is available upon request from the Vice President for Professionals or through our download section of the UUPF website.

Section **A** is used to describe any activities that either improve your ability to perform your duties, or that reflect improvement in your ability.

Section **B** is used to cite any professional, scientific, administrative, or technical innovative methods, programs, or inventions you have developed or refined.

Section **C** is used to list and briefly describe your participation in University programs (i.e., active committee work, local SUNY governance, student activities, or community activities).

Section **D** is used to list any continuing education courses, training programs, or participation in professional organizations related to continuing professional growth.

I hope that this summary gives you a clear understanding of the forms listed above. Together, they should present an accurate description of your role as a professional and your contributions to the success of the college. ◆

# Chapter Action Project Department Reps Lunch

By Sandra Hustedt

The CAP Committee and the Executive Board met for lunch with over 20 UUP colleagues who are serving as UUPF Department Representatives from various areas of the Farmingdale campus community on Tuesday, October 24 in the Great Room of Ward Hall. Vicki Janik welcomed the group and discussed various topics including the contract. Lynda Larson, UUP Labor Relations Specialist, provided an overview of CAP. Darleyne Mayers provided information on the Constitutional Convention vote on November 7.

Our goal is to connect with all UUP employees throughout the campus. These area representatives will assist in this by welcoming new members to UUP and informing them about upcoming meetings and events, disseminating new benefits information and contract updates, and being point persons to guide members when questions arise. Debbie Amato, Chapter Assistant in Ward Hall, has additional New Member guides if you need them.

More informational meetings and workshops are in the planning stages. Stay tuned and thank you again! ◆



Despite the lousy weather, dozens of members shared a meal and great conversation at our annual Oktoberfest at Changing Times.





# You Did It!!

There will be no Constitutional Convention in New York State. Congratulations on defeating the greatest threat to tenure in this



**You showed up.  
You Voted.  
You ConCon'd!**

***Part-time Professional***  
***And***  
***Adjunct Faculty***

***APPRECIATION DAYS***

**Wednesday, December 6<sup>th</sup>, 4:00 pm — 6:00 pm**  
**Thursday, December 7<sup>th</sup>, 11:00 am — 1:00 pm**

**WARD HALL GREAT ROOM**

- ◇ UUPF officers and the NYSUT Labor Relations Specialist will be available to talk with you individually and with the entire group.
- ◇ Discussion of benefits, your position, contract negotiations, unemployment, and other issues of interest
- ◇ Refreshments
- ◇ Free Raffle

***We are grateful for your work!***  
***Please join us!***

RSVP to [amatod@farmingdale.edu](mailto:amatod@farmingdale.edu) or 631-694-8873

# On Wisconsin!



By Vicki Janik

Wisconsin became a right to work state in 2015. What happened at the University of Wisconsin? Again, Bob Reganse has already checked up on this. Here's a list of events:

- ◆ 2011-2012: Governor Walker has already eliminated the faculty and staff's power to collectively negotiate.
- ◆ 2011- 2017: Budgets are cut at the university: \$250 million in the last budget; \$795 million since 2011.
- ◆ 2015: With fewer bargaining rights, employees pay more for health benefits and pensions. "This is a result of weaker unions" (*NYT* June 6, 2015).
- ◆ 2015: Unions in private workplaces are barred from collecting the equivalent of dues.
- ◆ 2015: The governor and the legislature hope that "Leaders" in the university will have "more autonomy and encourage savings, curtailment, modification or redirection." Cuts will not only occur because of just cause or financial emergency
- ◆ 2016: A new set of tenure laws are created in support of "a sound financial system."
- ◆ Says Board of Regents President, Regina Millner: "This is a different century..."
- ◆ As a result, tenured faculty can be fired when a program is "modified" or eliminated

for efficiency without consideration of educational excellence or academic freedom and without the consultation of faculty.

- ◆ 2017: Twenty-nine professors leave the system. A survey reveals that 75% leave "because of the changes in tenure."
- ◆ 2017: Proposed legislation (Assembly bill #299) is passed by the Assembly to suspend and expel students on UW campuses who speak out in protests.
- ◆ 2017: But wait! Governor Walker is running for governor in 2018! He needs a more education-loving image. So now he proposes

A \$100 million *increase* in the budget for UW! With, of course, caveats:

1. A three-year degree option, available to 60% of students by 2020. (euphemistically, "streamlining").
2. Merging two- and four- year campuses and cutting staff.
3. Increased reliance on out-of-state students and their higher tuition. This has already occurred with this year's decrease in in-state students and increase in out-of-state students.
4. Performance based funding.
5. Required student internships or work experience for graduation (inexpensive labor force).



And what has happened to UW's AFT Local 223: the United Faculty and Academic Staff? Strength!

Last month there was a vote of no confidence in leaders of the UW System. It was overwhelmingly endorsed throughout the state and overwhelmingly endorsed by campus faculty senates, especially at the Madison campus where it originated.

We in the public academy must speak up. Education is not a *business* because students are not *customers* from whom we seek a *profit*. These are not the correct nouns. Use verbs: An entire society *supports* education and, in return, *is given* ever greater benefits.

To ensure this, the University of Wisconsin's faculty and staff are demonstrating that it takes continuing courage and unified strength to learn, to search, to serve.

# NYSUT Member Benefits... more than just insurance!

***As an additional benefit to NYSUT members and their families, your union membership allows you to participate in more than 40 programs & services endorsed by NYSUT Member Benefits.***

These offerings include crucial products that you may already purchase such as life, auto & homeowners insurance, unbiased financial services and expert legal advice. But your NYSUT membership also allows you to participate in a variety of shopping, travel and personal programs that can help you save on everyday purchases and those special occasions.



**Our endorsed shopping/travel/personal programs offer savings on numerous online purchases, including:**

**Theme Park & Movie Tickets  
Hotel & Vacation Discounts  
Car & Truck Rentals**

**Office Supply Discounts  
Retail Store Discounts  
Concerts & Sporting Events**

**Electronics Discounts  
Ski Tickets  
Car Buying Service**

Participation in Member Benefits-endorsed programs also gives you a trusted advocate ready to assist you with any issues or concerns with any of our programs.

## **Member Appreciation Month coming in February 2018!**

As a show of thanks to the more than 600,000 NYSUT members that comprise this labor union, NYSUT Member Benefits will once again be holding our annual Member Appreciation Month celebration in February 2018.

Special prize drawings will be held each day of the month. To be eligible to win, you must be a member of our voluntary MAP Alert email service.

Sign up any time through the end of February 2018 to be eligible to win... but if you join MAP by January 31, 2018, you'll have the most chances to win!

To learn more about Member Benefits-endorsed programs & services, visit ***memberbenefits.nysut.org*** or call **800-626-8101**.



For information about contractual endorsement arrangements with providers of endorsed programs, please contact NYSUT Member Benefits. Agency fee payers to NYSUT are eligible to participate in NYSUT Member Benefits-endorsed programs.

# I Packed a "Go Bag" Today

By Barbara Maertz

UUP Retirees from Long Island learned about important things to know BEFORE a disaster strikes from Dr. Margaret Sukhram, a volunteer of the American Red Cross and a Professor at SUNY Old Westbury. The retirees received training in meeting the needs of a family in an emergency, and earned a certificate from the Red Cross.

Margaret was a volunteer in Texas helping many families to secure housing, replace medications and fill out numerous forms for FEMA and insurance companies. She has first-hand knowledge of being afraid and alone in a shelter.

While the media has been full of stories about the hurricanes and forest fires in many parts of our country, Margaret reminds us that a fire in your home is the most common form of disaster to strike every day. When any disaster strikes, you need your insurance papers, your medication list and critical meds and the phone numbers of emergency contacts.

We have those contacts in our cell phones, but if you have



to evacuate the house suddenly, you may not have the phone with you. So, pack a "GO" bag with copies of all your important papers, put some extra meds in there, add water, flashlight, food and a whistle, place it under your bed and you will sleep more comfortably. I did it today.

Among the other information learned at the COARM brunch on October 27, was the reason behind the VOTE NO campaign against a constitutional convention. President Vicki Janik reminded us that our pensions would be subject to change, our state parks subject to possible

mining or development, and our union protections in danger. Hopefully by the time you read this, UUP members and retirees will have voted NO and we will have been successful in stopping this proposal.

Walter Apple was there to explain the dental benefits and options, and to meet with anyone who had questions about individual retiree benefits. Charlie McAteer explained union advocacy issues and urged the retirees to commit to email contacts with the legislators on our UUP issues.

Also announced was the pre-retirement seminar which will be held in April for all those ready to retire within the next five years. All were urged to attend the next meeting in the spring 2018. ♦



## Thank you All!

Adjunct Prof. John Masserwick at UUPF Voter Registration table, explaining to students the importance of preventing a constitutional convention.



# UUP Scholarships for FSC Students

## EXECUTIVE BOARD

- Vicki Janik**  
President
- Lou Scala**  
VP Academics
- Harry Espailat**  
VP Professionals
- Susan Conforti**  
Treasurer
- Debbie Nilsen**  
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- Doug Cody**  
Contingents: P/T

- Affirmative Action**  
Arjana Mebane-Cruz
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- Grievance: Academic**  
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- Grievance: Professional**  
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- New Members & Mentors Coordinator**  
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- Newsletter**  
Yolanda Segarra
- Outreach**  
Darleyne Mayers
- Retiree Concerns**  
Barbara Maertz
- Webmaster**  
Harry Espailat

## DELEGATES

- Academic**  
Amit Bandyopadhyay  
Doug Cody  
Bob Elgart  
James Jailer  
Daniel Marrone  
John Masserwick  
Fayez Samuel  
Lou Scala  
Mike Smiles  
Tino Posillico
- Professional**  
Solomon Ayo  
Darleyne Mayers  
Barbara Maertz  
Yolanda Segarra  
Kristen Malsheimer

Each year the United University Professions College Scholarship Fund offers \$3,000 undergraduate scholarships in the spring to full-time students who will be undergraduates in the following fall semester.

Students must have a minimum 3.75 GPA and “must possess the qualities and values represented by United University Professions... integrity; a tireless quest for excellence in both academic and personal endeavors; and service to the community.”

“A great deal of emphasis” is placed on Letters of Evaluation that show that applicants have “good character, service to SUNY, the community, and/or their respective college.”

The deadline for receipt of completed applications is March 1, 2018. Finalists are interviewed by the UUP Scholarship Selection Committee in late May.

This statewide scholarship has been awarded for several years, but only two students at Farmingdale have ever received it—the last was a valedictorian two years ago who continued with graduate work at Trinity College in Dublin.

We at Farmingdale have many worthy students. Please contact us for further details if you know such students and would like to introduce them to this excellent opportunity. ◆

## CHAPTER MEMBERS on STATEWIDE COMMITTEES

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li><b>Solomon O. Ayo</b><br/>Affirmative Action<br/>Grievance</li> <li><b>Amit Bandyopadhyay</b><br/>Contingent Employment</li> <li><b>Douglas S. Cody</b><br/>Contingent Employment</li> <li><b>Susan Conforti</b><br/>Finance</li> </ul> | <ul style="list-style-type: none"> <li><b>Harry Espailat</b><br/>Technology Issues<br/>Comm of VPs for Professionals</li> <li><b>Sandy Hustedt</b><br/>Membership Committee</li> <li><b>Vicki K. Janik</b><br/>Comm of Chapter Presidents<br/>Contingent Employment<br/>Women’s Rights and Concerns *</li> </ul> | <ul style="list-style-type: none"> <li><b>Barbara T. Maertz</b><br/>Active Retired Membership<br/>Finance<br/>Outreach</li> <li><b>Darleyne E. Mayers</b><br/>Affirmative Action *</li> <li><b>Deborah-Ann R. Nilsen</b><br/>Membership</li> <li><b>Louis Scala</b><br/>Comm of VPs for Academics</li> </ul> |
|--|--|--|

\* Committee Chair

The UUPF Newsletter welcomes articles and letters submitted by members of the Farmingdale community. Remember, this is your newsletter. Share your thoughts with us. We want to hear from you. Persons who have material they wish to submit should contact Yolanda Segarra at youupf@gmail.com. The opinions expressed in this newsletter are those of the contributors and not necessarily those of UUPF.