

AFT NEW JERSEY HIGHER ED PRESS CONFERENCE

KFT Executive Council Urges "YES" Vote on Affiliation

By James A. Castiglione

On March 3rd, a coalition representing more than 30,000 New Jersey faculty and staff held a press conference calling for the creation of a state master plan for higher education. Leaders of the American Federation of Teachers (AFT) and the American Association of University Professors (AAUP) called on the new Governor to consult with all stakeholders in the state higher education system – including faculty, staff and students and their families – so that he will benefit from their expertise in formulating higher education policy. The coalition seeks to ensure that the state higher education system maintains high standards of accessibility to students, affordability for families, and accountability to the public.

The press conference took place at the New Jersey State House directly across the hall from the New Jersey Assembly. The opening statement and remarks on accountability were provided by State Council President Nick Yovnello. Speaking on accessibility was Dr. Judith L. Johnston, Professor of English at Rider University and Past President of NJ AAUP. Speaking on affordability was Dr. Patrice Mareschal, Associate Professor of Public Administration at the Rutgers Camden campus.



Council President Nick Yovnello on accountability

Reporters from several newspapers (including the Star Ledger), radio stations and even New Jersey news television station NJN attended. A news story covering the press conference appeared in *The Star Ledger*, and a video report aired that evening on *NJN* news.

Highlights benefits of a unified AFT State Federation (AFT-NJ)

This press conference and the news coverage it generated are prime examples of the power of coalition building and highlight many of the benefits that we expect to accrue from the proposed creation of a unified AFT State Federation called AFT-NJ. By pooling resources, the coalition was able to afford to hire a professional media relations firm that had the experience and connections to arrange a news conference in the New Jersey State House

and to attract several prominent news organizations, assuring coverage in multiple news outlets all across the state. It would not have been possible for the State Council to achieve this acting on its own.

This type of ad-hoc joint action will be difficult to replicate and coordinate on an on-going basis. It will also be less efficient and less effective without the organization, communication, staff and budget that the permanent structure that the proposed AFT-NJ would provide.

KFT members to vote on AFT-NJ affiliation

On April 16th the State Council will vote on whether or not to affiliate with a newly created state federation (AFT-NJ) to consolidate AFT members in New Jersey into one statewide organization. If approved, **AFT-NJ will unite all 30,000 AFT education members in New Jersey:** the K-12 teachers and community college employees currently in the New Jersey State Federation of Teachers (NJSFT), the 3 locals representing faculty, staff and administrators at Rutgers, and the 9 state college and university locals of the State Council.

The KFT Executive Council has approved a plan to conduct a unit wide vote of the KFT membership on this affiliation and to have our 10-member State Council delegation vote on April 16th in proportion to the wishes of our members as measured in the election. We urge your participation in this opportunity for direct democratic action.

See YES Vote page 6

A Diverse Coalition

Representatives from a diverse array of campuses and Union leadership were in attendance. The KFT sent three delegates: myself, KFT Treasurer and State Council Vice President Jon Erickson and Philosophy faculty member Peter Pezzolo. Reps from several of our sister locals, all three AFT-AAUP locals at Rutgers and from the New Jersey State Federation of Teachers attended.

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THE PRESIDENT'S MESSAGE

By James A. Castiglione

YOUR DIRECT ACTION WILL SAVE YOUR CONTRACT

Over the past year, Union leadership – at the national level, the state level and locally – succeeded in restoring higher education funds, saving faculty and staff jobs, and keeping student tuition and fee increases low. AFT President Randi Weingarten lobbied the administration of President Obama to get billions of dollars in the 2009 Stimulus Bill directed towards the states to restore funds that were slated to be cut from K-12 and higher education budgets.



Then, here in New Jersey, the State Council, with crucial KFT support, lobbied then-Governor Jon Corzine, who at first directed the money solely to K-12, to ensure that a fair share of those funds were in fact directed to higher education. For Kean University, this meant the restoration of a proposed \$2 million cut. Without this money, secured at every step of the way by your Union (without the help of the Farahi administration) it would have been impossible for Kean University to keep its tuition and fee increase at only 3%. This shows conclusively how important our Union – locally, statewide and nationally – is not only to the work that we do but to the students we serve.

These successes were achieved with close working relationships between Union leadership and national and state political leadership. Because elections have consequences, the victory of President Barack Obama in November 2008 made this progress possible. So the election of Governor Chris Christie makes the possibility of progress in New Jersey more difficult.

Transition to a new governor

In the accompanying article, Political Action Committee Chair Jon Erickson “highlights” the recommendations from the Governor’s Labor and Education Transition Teams that will most directly impact us. Normally, transition committee reports are mostly ignored. The approach being taken by Governor Christie thus far, however, is to nearly fully implement the recommendations. Should he do so for the labor and education recommendations, the impact on our members would be very significant.

Imagine a world in which our statewide Master Contract no longer exists and we have to negotiate our salaries and benefits directly with the Farahi administration, even as State College oversight is reduced. That is a potential outcome based on the recommendations.

And we may not be able to look to the Democrat controlled State Legislature for support either. Recently, the Senate has introduced four bills to change pensions and benefits for state employees. At first glance they appear not to affect us, but they are constructed in ways that will. For instance, one bill calls for state employees to pay a minimum of 1.5% of their salary towards their health benefits. We already do that. The bill, however, would likely be interpreted as forcing us to take an additional 1.5% hit for health care, though it probably would not be implemented until after our current contract is up on June 30, 2011. This would be in addition to any new round of furloughs and givebacks.

Membership activism

Given all this, it is unlikely that an approach similar to last year’s, emphasizing leadership connections, will be sufficient to protect our terms and conditions. Union strength flows from its membership. Thus,

See Contract page 3

KFT RESPONDS TO CONCERNS FROM PRO STAFF

Evaluation Procedure Changes and Due Process Rights by Linda Bradbury, KFT Co-Vice-President

The KFT has responded to Professional Staff complaints regarding violations across campus of the University's evaluation procedures for professional staff and the due process rights of Professional Staff.

Kean University's evaluation procedures for Professional Staff require that the immediate supervisor rate the employee on each category as Above Satisfactory, Satisfactory, Needs Improvement or Unsatisfactory and then either recommend or not recommend the employee for reappointment. The immediate supervisor then forwards the evaluation information to the next higher level of review. There may be two additional levels of review before the evaluation is submitted to the Vice-President or Provost and then to the President for final review. At each level, the administrator either recommends or does not recommend the employee for reappointment. The Professional Staff person has the

right to respond to the evaluation.

The Kean University Administration has interfered with the reappointment process for Professional Staff by directing Deans and Directors to change the ratings they gave employees in their personnel evaluations. Evaluations already provided to employees by their immediate supervisors and signed by both, were returned to Professional Staff across campus. The immediate supervisors informed Professional Staff that they were directed to change the evaluation to include more "needs improvement ratings" and fewer "above satisfactory" ratings. The written Kean University procedures do not allow for such action. The action that took place violates Article XIII-J of the Master Agreement and the due process rights of Professional Staff.

After Professional Staff from numerous offices across campus reported these acts to the KFT, all versions of the Professional Staff evaluations issued during the Fall 2009 reappoint-

ment process given by immediate supervisors, all memos regarding the reappointment process, and all Pro Staff evaluations for the past three years were requested from the Kean Administration. A grievance was then filed seeking restoration to the original evaluations and for cessation of deviation from existing procedures and criteria in the future evaluation of Pro Staff. A grievance hearing will be scheduled for a yet to be agreed upon date in April. ♦



YOUR DIRECT ACTION WILL SAVE YOUR CONTRACT continued from pg.2

there will be occasions in the coming months when your KFT leadership will ask for your direct involvement to defend and advance our terms of conditions of employment and it will be incumbent on our members to act.

These actions will take many forms such as contacting legislators via email, letter or phone call campaigns. It is likely that we will be asking members, potentially starting soon, to participate in group face-to-face meetings with legislators in your districts to explain our agenda. Also, the NJ AFL-CIO will be organizing events in solidarity with our fellow state workers in other unions. Members should also be keeping students abreast of developments, as students will suffer the collateral damage of these attacks.

Make no mistake - the coming assault on your salary and benefits is serious. Your KFT leadership will do everything it can to defend our terms and conditions. And when we call upon you to engage in direct action in your own defense, it will be critical for you to respond. The strength of collective action is our best defense. ♦



LEGISLATIVE ACTION REPORT

Christie's Agenda for Higher Education

By Jon Erickson, Legislative Action Chair

Governor Christie has set a troubling agenda for Higher Education. His Education Transition Team report includes a number of recommendations that would diminish or wholly eliminate accountability: including the elimination of the Commission on Higher Education; granting public colleges and universities more autonomy; and reducing state oversight of construction projects. And perhaps most important, the report calls for personnel policies to be set by each college level without state oversight.

Christie's Labor and Workforce Development Transition Team Report calls for weakening the Public Employee Relations Commission (PERC), the body that oversees public employee labor relations. Although it is not explicitly stated, the devolution of labor relations may mean that there would no longer be a statewide master contract. The state-

wide master contract is not perfect, but has protected us from many poorly conceived or mean spirited management policies and practices.



In addition, this last week Governor Christie made two announcements that will severely hurt higher education and public sector labor unions. With Executive Order 7, the Governor established a new pay to play rule, which bans political contributions to candidates for state office by public sector unions. This may conflict with the recent U.S. Supreme Court ruling that lifts any limitations on union and corporation contributions to political cam-

paings. AFT NJ, which includes the College Council, Rutgers, HPAE (primarily nurses) and NJSFT (primarily school and county college teachers and staff) has taken the position that no political contributions should be made until the legal issues are resolved.

The second announcement was that the Governor will cut \$62 million or 6.3 percent from the state budget for higher education. For Kean University, which according to the budget posted on the Kean website received \$37.4 million in state aid for fiscal year 2010, that would be a \$2.4 million decrease. This cut is approximately the same amount the University was granted from the Federal stimulus package.

All this is from a Governor who during the recent campaign said higher education would be a high priority for his administration.

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KFT Officers Elected in Strong Turnout

By Ellen Comerford, Election Committee Chair

Every two years, the members of the Kean Federation of Teachers have an opportunity to elect the union leadership whom they feel most qualified to protect their interests as educators and to advocate for their professionalism. We have just concluded the 2010 election for Officers and members of the Executive Council for a two year term which runs from July 1, 2010 to June 30, 2012. In an uncontested election, turnout was an impressive 49% of membership.

We congratulate the following newly elected members who ran unopposed:

<u>Officers</u>	
President	James Castiglione
Vice Presidents	Linda Bradbury Jacqueline Keil Charles Kelly
Treasurer	Jon Erickson
Secretary	Eleanor McKnight

<u>Members-at-Large</u>
Sherrell Holderman
Richard Katz
Jappie King Black
Cathleen Londino
Charles Murphy
Myriam Quinones
Betsy Rodriguez-Bachiller
Barbara Wheeler

While uncontested elections usually draw a 15-30% turnout, the nearly 50% membership participation demonstrates strong support for the leadership of the KFT.

The KFT election committee, Chrysoula Fantaousakis, Michael Desiano, and Ellen Comerford, (chair) wish to thank all members for their participation. The counting of the ballots took place on March 5, 2010 at the offices of the American Arbitration Association.

LOCAL NEGOTIATIONS REPORT

Agreements - Still Pending - Disagreements - New Issue

By Charlie Kelly, Local Negotiations Chair

Agreements

Since the last report, the KFT Team has met four times (Nov., Dec., Jan. and Mar.) with the Administration in an attempt to resolve many outstanding issues. The University agreed to assure office space for faculty in the Transition to Retirement program Letter of Agreement LOA 120 and continued the four-day work week for Summer 2010 similar to last year's time frame in LOA 119.

The KFT resolved the issue for faculty who scheduled a furlough day during the four-day week period after commencement. Human Resources wanted to take the furlough day plus 1/4 sick day leave time. Most faculty changed their proposed furlough day. Those who did not will only have a furlough day salary deducted from their pay. Faculty/staff need to be vigilant regarding their benefit time and to report any irregularities to the KFT.

Still Pending

The Administration has also agreed to reconsider the KFT proposal for Promotion Committee faculty representation. This issue has been on the negotiation table for three years with little movement.

Disagreements

Student Evaluations

Negotiations took a serious turn for the worse with the October e-mail declaring impasse over student evaluation negotiations and nullifying all Letters of Agreement (LOAs). The Administration has subsequently but conditionally rescinded the nullification e-mail. The condition set by the Administration requires the KFT to intensify our negotiation schedule. The KFT agreed to intensify our schedule if the Administration rescinded both its e-mails declaring impasse on student evaluation and nullifying all our LOAs.

The Administration refused to rescind the e-mail regarding impasse on Student Evaluations. Consequently, the KFT filed an Interim Relief application and an Unfair Labor Practice charge with the Public Employee Relations

Commission (PERC). PERC has scheduled a conference call hearing for February 26 for the Interim Relief application. This hearing had to be rescheduled to Mid-March due to a death in our attorney's family.

Time Sheets

The latest insult to faculty professionalism is the Administration's proposed time sheet. The Administration insists on seeing faculty as hourly employees and want faculty to account for at least 35 hours a week, ten months a year. Our contract clearly states that the academic year is for 32 weeks, yet the Administration insists it is for the time our pay checks are issued. Most faculty work beyond 35 hours a week. According to the Middle States Faculty Survey, faculty work an average 70-hour week. The Administration is not interested in the hours we work beyond the 35 for which we are paid.

Performance-Based Promotions for Professional Staff

Despite our best efforts in securing Performance Based Promotions for the professional staff, the Administration sees little need to address this issue in any way but procedurally.

Three Course Faculty Load

The Administration has also refused to negotiate our proposal for faculty reassignment beyond what exists in the Master Agreement. It refuses to discuss any further our proposal to change the 4-course teaching load to 3 courses. The change would require changing three credit courses to four credits. The Administration maintains that this is an academic matter and it refuses to discuss it any further with the KFT. As a matter of academic governance, the issue could be championed by the Faculty Senate.

New Issue:

Spreading Class Scheduling Over the Entire Year

The Master Agreement permits the Administration to negotiate procedures for scheduling the 24 credit hour load for faculty over the entire calendar year including summers. The Administration has asked the KFT to develop various proposals in regard to scheduling over the entire year which were submitted in February. We now await the Administration response.

KFT Executive Council Urges "YES" Vote on Affiliation

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Further, after detailed deliberation, the KFT Executive Council voted to endorse affiliation with the newly constituted state federation. **Your KFT leadership recommends a vote of YES on affiliation with AFT-NJ for the following reasons:**

- Increased political clout in the state capital, especially important in an era of tight budgets and attacks on state workers' terms and conditions of employment.
- Increased clout within the AFL-CIO of New Jersey.
- Communications Dept. to execute a comprehensive strategic media plan.
- Research Dept. with a staff researcher/financial analyst for contract negotiations, auditing institutional budgets, etc.
- Hiring of a staff organizer for both new and existing locals.
- Efficiencies of operation via the sharing of services such as legal counsel.
- Maintenance of existing autonomy of the KFT and the State Council. The State Council would remain the collective bargaining agent for our statewide Master Contract.
- Large subsidies of the costs of the increased dues by the AFT national over a four-year transition. The AFT will pay 80% of AFT-NJ dues for us in the 1st year, 60% the 2nd, 40% the 3rd, and 20% the 4th with the locals taking on full responsibility for dues thereafter. **All totaled, AFT national will be providing subsidies of \$800,000.**
- A nominal dues structure of \$72 per member per year on average. This increase will be **phased in** over four years because of the AFT subsidy described above. We expect that KFT dues will rise somewhere between 0.08-0.10 per-

centage points, or from 0.95% of your salary currently to around 1.04% after five years. Therefore, someone making a salary of \$40,000 would expect their dues to increase \$32-\$40 per year and someone making \$80,000 would see a \$64-\$80 rise. On average, the increase would be around \$3 per pay check, but only after five years and the KFT dues structure would remain the lowest in the State.

If the affiliation proves to be unsatisfactory, the State Council may disaffiliate.

It is the position of the KFT Executive Council, based on our analysis of the costs vs. benefits, that affiliation with AFT-NJ will pay for itself many times over. One need look no further than our current Memorandum of Agreement (MOA) to see this dynamic in action. Though the MOA calls for deferral of our 2009 pay increase and 7 furlough days, compare that with President Farahi's proposal to impose 12 furlough days and permanently eliminate BOTH our 2009 and 2010 3.5% pay increases. Your Union dues paid for themselves many, many times over by saving you thousands of dollars that you otherwise would have lost had the negotiated MOA not superseded Farahi's imposed cuts.

Again, the KFT Executive Council urges you to vote "YES" on affiliation with the proposed AFT-NJ statewide federation. Further details and instructions on the voting process will be forthcoming shortly. ♦

ON THE KFT CALENDAR

Thursday - 1st April - KFT Executive Council Meeting

3:15 pm - 4:30 pm CAS 205

Thursday - 8th April - KFT General Membership Meeting

3:15 pm - 4:30 pm Hennings Hall - 113

Thursday - 22nd April - KFT Executive Council Meeting

3:15 pm - 4:30 pm CAS 205

Monday - 26th April - KFT Spring Party

3:30 pm - 6:00 pm Downs Hall

Term Ends - Monday May 10th



Kean Federation of Teachers

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