



## **KEAN FEDERATION OF TEACHERS**

*An Association of Professors, Professional Staff and Librarians*

Local 2187, American Federation of Teachers

Kean University, Union, N.J. 07083

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### **KFT General Membership Special Meeting**

**Thursday, July 29, 2009**

**Hutchinson Hall, Room 100**

**3:00pm to 5:00 pm**

### **Minutes**

Agenda Item: Memorandum of Agreement (MOA)

The ratification vote for the MOA started yesterday (July 28<sup>th</sup>). The American Arbitration Association sent out the mailing of ballots. KFT members can vote by phone or computer.

KFT strongly urges a yes vote by members.

A review and summary of MOA can be found at [CNJSL.org](http://CNJSL.org) via the internet. In the MOA there are no prohibitions on promotions and range adjustments and increments (step increases) are preserved.

CWA members must take 10 furlough days in addition to the day after Thanksgiving, but our agreement calls for only 7.

There are no constraints on when you can take furlough days other than not on days with classes and no during “peak periods” of work. If there is a problem with your request, please notify the KFT.

Of the 7 furlough days stated in the MOA, 3 can be banked. The banked leave days can be used as sick days for faculty and are similar to vacation days for professional staff and librarians. If you leave the University you can cash the banked days out at the rate you would be paid when you leave. You will also have the choice as to whether to use these banked days or your regular vacation or sick time. The net result is a loss of 4 days.

If you are a member of PERS or TPAF, your pension will still be reflected as though you got your raise. If you are a member of TIAA/CREF (ABP) you will get 8% from the State from your actual salary, but furlough days will not result in a decrease in 8% in your account from the State.

Managers must accept furlough, wage freeze or other measures that results in the same savings as that from CWA, AFT, etc.

At the negotiations with the State, the AFT insisted that management take the same hit as University employees.

There is a “no layoff pledge” throughout the period of wage deferral. If there is a violation of this “pledge,” the University will have to give wage increases and meet what other conditions that are spelled out in the MOA. The University can still make programmatic changes, but it cannot layoff anyone for financial reasons.

Spring 2009, the KFT was able to get the administration to rescind the 8 hour office policy for the last half of the spring semester during a special negotiations period. During these negotiations, the Administration also stated that faculty have to work a 35 hour week and must fill out timesheets to document it to keep health benefits. In the MOA, the KFT had included language stating that the State recognizes faculty as full-time workers, and therefore, eligible for health benefits. Yet, some faculty members who returned from sick leave were requested by the Administration to work a 35 hour work week until June 30<sup>th</sup> doing administrative duties. This request made by the Administration is being challenged by the KFT. In the AFT view, the semester ends for faculty whenever the due date is for grades.

Rutgers University does not yet have a furlough / wage freeze agreement. It appears that the negotiations for Rutgers are difficult and that some its employees are being laid off.

MOA allows one to take furlough days in August 2009. However, if you take a furlough day before the MOA is ratified, the University might say it is a “voluntary” furlough day and not count it toward the 6 days agreed upon in the MOA, even if your supervisor approves it.

The ratification ballot should be received at home by the end of the week. If you do not receive it contact the AFT office. Members must vote before 8/18/09 and we will know the results of the vote in the afternoon of 8/18/09.

Kean Administration has begun circulating an “AFT/Managers unpaid furlough day request” form. OER is investigating and the form has since been rescinded by Administration.

KFT has filed a demand to negotiate.

In the form it said that “not more than 1 day can be taken in a work week” this is not true and it is not in the MOA. The furlough day, which constitutes a 7 hour day, cannot be used to cover an entire summer day since each day of the 4 day work week counts as 1 ¼ day. Again, one cannot take a furlough on a day of instruction or during the peak period of work. The peak period of work really affects professional staff (during registration in admission, etc.).

With faculty, classes cannot be cancelled for furlough day. Faculty can propose a day with office hours or meetings for a furlough day.

Furlough day is a day you do not work and are not paid.

It suggested for faculty that a sign be placed on your office door stating that it is your furlough day and you are out. In fairness, if you are not getting paid for a day, it should be a day you will not do any work.

The KFT has not yet heard anything about the change of office hours for Fall 2009. The PERC hearing for the office hour issue is not yet scheduled but we hope it will take place in the fall.

Only those issues that were global in scope (statewide committee and health benefits) could be talked about at the State negotiations. The State did not want to engage in discussions that were non-negotiable or limited to one campus. The MOA concerns itself with the Master Agreement.

If this agreement is not ratified at Kean we would be especially hurt. Under Farahi's plan, 3.5% salary increase would be permanently lost—with the MOA it is deferred. Under Farahi's plan, 12 furlough days would be directed to employees by the Administration as to when they would be taken—under the MOA there are only 7 furlough days, 6 of which are self directed. Farahi's plan gave no guarantee that there would be no layoffs—under the MOA, there is a no layoff pledge with strong disincentives to prevent the State from breaking it. Members would lose thousands of dollars more under Farahi's plan than under the MOA.

At most other universities (other than Kean and WPU), Presidents said savings would allow for wage increase, no furloughs and no layoffs. But the State has forced Presidents to get savings from furlough/wage freeze and personnel savings. So, other colleges might not have as high of a ratification of the MOA as we hope Kean will have. Again, the KFT urges a YES vote.

Voting stops 12:00noon 8/18/09.

The form to request a furlough day cannot be disseminated until it is negotiated with the KFT. If you want to take a day before the form is available, get written approval with date and time clearly visible on the approval form along with the signature of your supervisor on the approved request. If you have any questions, contact the KFT office.

**Meeting adjourned.**

**Recorded by,**  
Linda Bradbury

**Transcribed by,**  
Eleanor McKnight, Secretary