



## Welcome!

This "Forum" intends to be just that, a place where members can learn about their union, and contribute to the larger debate about unions and their role in a working democracy. Join us in these important discussions!

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## Our Volunteer Union

Bret Benjamin, Chapter President

Welcome to the start of a new academic year. And welcome to this year's first edition of *The Forum*, our Albany UUP Chapter Newsletter; we hope you find it engaging and substantive.

Classes began in late August (seems like the date gets earlier every year!) and it has been a whirlwind first month. In addition to our regular Labor-Management and Executive Committee meetings, the first four weeks of the semester have seen activists from our chapter working to get committees up and running, workshops planned, department reps identified and informed, a pair of member-surveys completed, a newsletter printed, a tailgate party organized, and much more. We held a general membership meeting where a record 282 members came out to eat BBQ together on a sunny afternoon; our members have given their time to work on key political campaigns in this election season; members took part in the Labor Day Picnic hosted by the Solidarity Committee of the Capital District; members traveled to Manhattan to march proudly with the UUP contingent in the NYC Labor Parade, and again two weeks later to join some 300,000+ activists from around the world at the People's Climate March. Given that we're only a month in, I'd say that's a pretty impressive list.

I marvel at this all the more because ours is a volunteer union. I get a 50% release time in my role as President. Kelly Thompson La-Perle, our wonderful Chapter Assistant, is our only full-time paid staff. Beyond that, everything our Chapter does relies entirely on volunteer labor. It is astonishing how much we are able to undertake and accomplish given that basic constraint.

Hats off, then, to the volunteers. That starts with our officers—Tom Hoey, Barry Trachenberg, Roberto Vives, Jana Harton, Rob See, Eric Warnke, and Eloise Brière—who all devote extraordinary time and energy to the Chapter and its members. The same can be said of those who serve as elected delegates on our Executive Committee, as Chairs and Members of our Chapter Committees, and as departmental representatives. I thank, too, those members who attend events, contribute ideas, and work with the chapter in innumerable little ways, all of which matter. I even appreciate (sort-of) those of you who send me cranky e-mails in response to my campus-wide messages; always useful to be challenged on one's positions. Without question, our campus is an infinitely more just, safer, less exploitative, more thoughtful, more interesting, and to put it plainly, more decent place to work because of your labor.

The jaded among you are thinking "he's buttered us up for two paragraphs, so what's the ask?" Unfortunately, I find it often pays to heed the opinions of those who are more jaded than ourselves. There's always an "ask."

See: **Volunteer**, page 15

## ■ Editor's Column

### More Trouble for Online Education

Paul Stasi, Editor

In our December issue we addressed various issues concerning online education. In particular we addressed the high costs and labor associated with MOOCs ("Making a MOOC") as well as the repudiation of MOOCs by Udacity founder Sebastian Thrun. At the same time we reported on the Campaign for the Future of Higher Education (CFHE), which has produced a series of working papers that examine the profit motives behind the push for online education and rigorously examine the claims for accessibility often raised by defenders of online education. As the Executive Summary of CFHE's October 2013 report on accessibility argues: "Realities of the digital divide (inequities between those who have regular, reliable access to the internet and digital technologies and those who do not) make basic access to online courses much more problematic for some groups. In fact, substantial evidence shows that the digital divide remains a reality for the very students that online promoters claim they want to reach—low-income students, students of color, and academically underprepared students" (for the full report see: <http://futureofhighered.org/workingpapers/>).

Thankfully, some university administrators are beginning to listen to the research, including the President of one of the most prestigious public university systems in the world: University of California President, Janet Napolitano. In a speech before the Public Policy Institute of California, in March 2014, Napolitano referred to online courses as simply another "tool for the toolbox." "It's not," she continued, "a silver bullet, the way it was originally portrayed to be. It's a lot harder than it looks, and by the way if you do it right it doesn't save all that much money, because you still have to have an opportunity for students to interact with either a teaching assistant or an assistant professor or a professor at some level." Furthermore, money is required to support the online courses, including training for instructors in how to develop them, payment for the time required to actually do the developing and 24/7 tech support for students who are in these online environments.

Napolitano also questioned the idea that online learning might be most helpful for students needing remedial work in general education classes, saying, simply "I think that's false; those students need the teacher in the classroom working with them." Napolitano's point is easy enough to substantiate, both anecdotally from the experiences of those of us in the undergraduate classroom who regularly encounter students unprepared for the expectations and rigors of a college education, and analytically by trying to imagine the situation of a student whose background and social environment do not support his or her educational development. College is often a place for students from disadvantaged backgrounds to, at least in part, enter a different environment that allows them to connect not only with faculty and staff but with other students as well. These experiences are among the most crucial ways that students are able to overcome their disadvantages. Online education, then, has a place, but it is likely to be a very limited one that will largely serve self-motivated students who already know how to educate themselves. Napolitano's full remarks can be see here:

<http://www.youtube.com/watch?v=KZPfSS8wVwg>

### Race in America: By the Numbers

- 1,574,700** Total US Prison Population
- 1** Rank of US worldwide in Total number of prisoners
- 5** US percentage of global population
- 25** US percentage of global prison population
- 30** Percentage of US population that are people of color
- 60** Percentage of US prison population that are people of color
- 70** Percentage of Black and Hispanic students of the 242,000 referred to law enforcement in all US public schools in 2009-10
- 5.3** Estimated number (in millions) of former felons denied the right to vote
- 43.3%** Three year recidivism rate for former felons
- 5.6%** Three year recidivism rate for former felons with a Bachelor's Degree
- 5.3%** Unemployment rate for whites in August 2014
- 7.5%** Unemployment rate for Hispanics in August 2014
- 11.4%** Unemployment rate for African-Americans in August 2014
- \$51,017** Median income in 2012 for all races.
- \$57,017** Median income in 2012 for whites.
- \$39,005** Median income in 2012 for Hispanics.
- \$33,321** Median income in 2012 for African-Americans.
- 8** Years of additional experience resumes with "black-sounding" names needed to equal the callback rate for resumes with "white-sounding" names, according to a 2014 study by the National Bureau of Economic Research

## Milestones 9/28/2014

Professional Vice President's Report  
Thomas Hoey

We are already into another academic year and we have different events coming up to keep in mind. On October 6<sup>th</sup> the Flex Spend open enrollment period begins and it runs through November 7<sup>th</sup> 2014. This is an excellent program that allows you to set up tax advantage spending accounts for health care and dependent care. The dependent care account also offers a state grant starting at \$300.00 that is on a sliding scale based on salaries up to \$95,000.00. You do not have to contribute to the account to receive the grant. More information can be found at [www.flexspend.ny.gov](http://www.flexspend.ny.gov) or you can call Flex Spend at (800) 358-7202.

On Saturday October 11<sup>th</sup> the annual UUP Homecoming Tailgate will start at 11am. We will be cooking right up to the start of the game at 3:30pm. We will have tables and a grill along with coolers (BYOB) set up in the parking lot behind the SEFCU Arena next to the Football stadium. We'll be serving burgers and hot dogs, chicken and some surprises, so come out and support your union and the Great Danes who are undefeated so far this season.

We are in the process of starting a UUP Labor and Social Justice Film Series where films will be screened with discussion and light refreshments afterwards. We welcome ideas on films that you would like to see. Feel free to send an email to [tomtomhoey@gmail.com](mailto:tomtomhoey@gmail.com) with your suggestions.

There will be two salary awards given before Dec 31, 2014. The first is the DSA, which is a bonus type award that does not raise the base salary and is decided totally by management. There is also a \$250.00 on base award to be given to everyone and pro-rated for part-time workers. This award will be given before December 31, 2014 and retro paid back to July of this year.

Your union is here to help you and answer any questions you may have, please make sure that you spread the word about UUP as new members join your department. Kelly, who runs our office, can be reached Monday – Thursday at 442-4951 or you can send me an email.

## Academic Affairs

Academic Vice President's Report  
Barry Trachtenberg

This summer, while Israeli and Hamas forces battled one another in a conflict that led to the death of over 2,200 people, most of whom were Palestinian civilians, social media was ablaze with real-time reports and a seemingly endless stream of comments from partisans on all sides. Many, like myself, were aghast at the extreme brutality inflicted upon Gazans, who faced bombing in their homes, schools, UN facilities, and hospitals. Although this sort of bloodletting is all too familiar in the region, the immediacy of reading Twitter updates from people as they were under assault was particularly harrowing.

As the fighting was happening, many academics shared stories, opinions, and even their outrage over the conflict. One professor, however, has lost his job on account of his public comments. As has been widely reported, Dr. Steven Salaita, a scholar of American Indian studies and Israeli-Arab relations had his job offer revoked by the University of Illinois Urbana-Champaign, allegedly because of pressure placed upon UIUC by donors and supporters of the university who were upset by Salaita's comments. Salaita has long been a scholar and advocate of Palestinian civil rights. He is the author or editor of several highly regarded books on the Israel-Palestinian conflict and anti-Arab racism in the United States. During the summer, Salaita regularly used Twitter to express his anguish. As the Brown University political theorist Bonnie Honig wrote in her appeal to the Chancellor of the University of Illinois, for Salaita, the death of Gazans was for Salaita intensely personal:

Here is a man of Palestinian descent watching people he may know, perhaps friends, colleagues, or relatives, bombed to bits while a seemingly uncaring or powerless world watched. He was touched by violence and responded in a way that showed it.

(<http://coreyrobin.com/2014/08/24/a-letter-from-bonnie-honig-to-phyllis-wise/>).

Salaita's Twitter comments, which can still be viewed at <https://twitter.com/stevesalaita>, were at times inflammatory and highly abrasive. Among the most controversial include:

*You may be too refined to say it, but I'm not: I wish all the fucking West Bank settlers would go missing.*

and

*At this point, if Netanyahu appeared on TV with a necklace made from the teeth of Palestinian children, would anybody be surprised?*

As hurtful as such comments may have been to some observers, there is nothing in his Twitter feed that rises to the level of hate speech. As a scholar of modern Jewish history and as someone who regularly teaches on the history and development of antisemitism, I feel very strongly that there is nothing in what Salaita has stated publically that can be characterized as antisemitic. Criticism of the state of Israel is not antisemitism. Criticism of supporters of the state of Israel is not antisemitism. To reject Zionism is not antisemitism. Criticism of the vast majority of Jewish Israelis or Diaspora Jews for supporting Israel's side in this struggle is not antisemitism. Salaita's language may be hurtful to some or even unhelpful, but it is clearly not hate speech. In fact, a number of his Tweets made it clear that he was not implicating all Jews everywhere in his opposition to Israel. For example:

*I refuse to conceptualize #Israel/#Palestine as Jewish-Arab acrimony. I am in solidarity with many Jews and in disagreement with many Arabs.*

Much of the Salaita Affair (or, more accurately, the "UIUC Affair"), it seems to me, stems from a presently intractable problem of how to critique Jewish collective power in a way that doesn't immediately resonate with a long history of antisemitism. Throughout the last thousand years of European history, Jews were regularly characterized as an incommensurate element who sought to undermine the established religious, political, or economic order. They were accused of being killers of Christ and of seeking to repeat this offense through the murder of innocent Christian children. Such accusations led at times to Blood Libels and

pogroms. In more recent centuries, Jews have been characterized as disloyal citizens, capitalist schemers, and revolutionary subversives. Such allegations led to discriminatory legislation, riots, expulsions, and physical violence. In the early 20th century, they were branded as a biological/racial threat and entire armies rose up to exterminate them. In each of these moments, Jews were imagined as a united group that possessed power and authority far beyond their actual numbers.

Yet, in 1948, with the founding of Israel as a Jewish state, the calculus changed. For the first time, Jews—identifying as a national group—gained actual, not imaginary, power. The state of Israel has borders, police, courts, a military, a nuclear arsenal, political parties, and a (mostly) representative and (somewhat) democratic system of government. Like all other states, its actions are a matter of public debate and discourse. However, speech critical about Israel still strikes many of us as inherently antisemitic. The problem is, quite simply, that we don't yet know how to talk about Israel's *actual* political power in ways that don't immediately resonate with antisemitism's construction of *imaginary* Jewish power. This is not only on account of the long history of anti-Jewish hatred in the West. It is also because to characterize any speech critical of Israel as automatically antisemitic has been a highly effective tool employed by those who uncritically support any action of Israel. It is because of these two factors that Salaita's comments were so quickly protested by UIUC's donors and supporters and why the UI Chancellor so quickly pulled his job offer.

The past academic year has seen many attempts to suppress academic criticism of Israel. Most notably was the campaign to censure and retaliate against the American Studies Association for its decision to support the academic boycott of Israeli institutions. Earlier this year in New York, for example, Assembly Speaker Sheldon Silver introduced a bill that would punish SUNY campuses whose faculty used state funds to travel to the ASA annual meeting. That resolution was unanimously opposed by UUP at the February 2014 Delegate Assembly and NYSUT helped block this direct assault on academic freedom.

In the past decade, too many scholars in the United States have similarly had their livelihoods threatened on account of their views concerning Israel. In 2007, the political scientist Norman Finkelstein was denied tenure because of his vocal criticism of the way that the Holocaust is invoked by some supporters of Israel. That same year, Barnard College anthropologist Nadia Abu El Haj underwent a bruising (but ultimately successful) battle for tenure as opponents criticized her otherwise well-received scholarship that examines how Israel's archaeological institutions serve the interests of Israeli historical self-fashioning.

The Salaita case also was a reminder of a (comparatively very minor) episode that I faced in my first full year as an Assistant Professor of Judaic Studies at UAlbany nearly a decade ago, long before our current President, Provost, or CAS Dean. In 2004, just after President G. W. Bush's reelection, I published an op-ed in the Times-Union entitled "The Voters Turn Away From the World" (<http://alb.merlinone.net/mweb/wmsql.wm.request?oneimage&imageid=6263456>) in which I discussed some of the foreign-policy consequences of the voters' decision. I referred to a number of instances of wrong-headedness on the part of the Bush government, including the refusal to sign the Kyoto Protocol; the expanded use of capital punishment; the opposition to fight HIV through condom distribution, and the seemingly "blank check given to Israel to intensify its subjugation of Palestinians." (Subsequent events have proven me wrong to assume that a Democratic President would have chosen any other course when it comes to Israel.) In the days following, I received a few replies—some positive and some negative—and thought the piece had come and gone.

I was quite surprised when, a few weeks later, while sitting in my office, two (untenured) colleagues burst in to tell me that they had just been spoken to by a senior faculty member who wanted to know what was "being done" about me, given my views about Israel. This colleague, who still teaches at our campus and who otherwise presents himself as an advocate for academic speech, had done some internet searching and had learned that I had previously participated in demonstrations

against Israel's occupation of the West Bank and Gaza and had written on the Israel/Palestinian conflict in various forums. This faculty member also spoke with the Chair of the (then) Judaic Studies Department, other JST colleagues, and many community supporters and donors to our program. Over the 2004-05 winter break, my Chair—who had previously indicated to me that he supported my right to academic freedom—called me in a panic to tell me that he was fearful of community members pulling their funding for our program. I learned then what hadn't been made clear to me before: 50% of the position for which I had been hired was to be funded by donations in a new "Public-Private" initiative. The fundraising had not gone according to schedule and now the position—my position—was imperiled.

When I returned from winter break, I found what I and others interpreted to be a letter of reprimand in my file. In violation of the AAUP, the American Historical Association, and SUNY's own professional codes, the letter stated:

UAlbany adheres to a rigorous code of impartiality and neutrality with respect to contemporary social, religious, and political events and affairs.... To invoke one's official title in taking a public position on contemporary matters has been deemed to violate this provision.

As it turned out, I hadn't invoked my title in the op-ed. My by-line stated simply a point of fact: "Barry Trachtenberg teaches at the University at Albany". Nevertheless, for the next year and a half, until my Chair left UAlbany to take another position, I faced from him ostracism bordering on hostility, the systematic vetting of my syllabi for ideological "balance", and increased surveillance of my scholarly activities. Although the guidance that I received from the AAUP and civil rights experts made it clear that I was on firm legal ground and hadn't violated the Public Officers Law as claimed, as a new professor, it was an exceedingly difficult time. Donations for my position did not materialize as hoped and, the university ultimately picked up the funding for my academic line.

In fact, my Chair had misread the Public Officers Law, which insists on the University's

neutrality not in order to stifle academic speech on contemporary affairs but rather to guarantee it by not compelling faculty to be beholden to any particular point of view. It is that neutrality, for instance, that guarantees the right for UAlbany faculty to appear on radio and television to speak about contemporary matters such as Homeland Security, the environment, and women's health. It is what permits UAlbany to maintain a speakers' bureau of faculty experts for the press, allows us to invite unpopular lecturers, and for UAlbany to be a home for a wide range of viewpoints.

As all of these cases make clear, academic speech around Israel remains an exceedingly fraught subject. That doesn't mean, however, we need a unique set of standards when discussing the behavior of Jewish individuals, Jewish organizations, or the state of Israel. Indeed, throughout Jewish history, what underlines most of the positive and negative characterizations of Jews has been an assumption of their exceptionalism. Speech around Jews is almost always characterized by extremes resulting in the speech of antisemites sounding too often like a photonegative of speech by Israel's unwavering supporters. A necessary step towards de-exceptionalizing the Jewish experience—and perhaps helping to end antisemitism and bring about a cessation of the relentless conflict—is by allowing a free and open dialogue about the state of Israel on university campuses.

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## St. Rose Adjuncts Unionize!

On Monday September 22<sup>nd</sup>, adjunct faculty at The College of Saint Rose voted overwhelmingly to form a union. The final vote tally was 175-61. The adjuncts, who teach fully 30% of the school's classes, will be represented by the Service Employees International Union (SEIU). We at UUP would like to congratulate those at St. Rose who worked hard for this outcome and welcome them as union sisters and brothers. As UUP President Fred Kowal wrote in a congratulatory email: "This is not just a victory for the College of St. Rose adjuncts. It's a win for adjuncts and contingent employees everywhere."

## The Legal Arena: Due Process and Union Rights

Jim Collins

Recent state and federal court cases concerning public school teachers and health care workers have cut away at existing due process protections for unionized employees as well as the ability of unions to organize and conduct collective bargaining. They remind us that the courts are an arena for class struggle; the corporate rich and their allies are aware of this, possess formidable resources, and are advancing anti-worker agendas.

In the *Vergara* decision, a California court this May struck down tenure protection for public school teachers, arguing that tenure procedures make it too difficult to dismiss incompetent teachers and therefore deny all students' right to a quality education. This charge is familiar, espoused in well-funded education documentaries like *Waiting for Superman* and promoted by celebrities like Campbell Brown and advocacy organizations like the Walton Foundation, established by the owners of the strongly anti-union Walmart Corporation. The charge is also false. This is argued at length in former education secretary Diane Ravitch's *The Death and Life of the Great American School*,<sup>1</sup> which decries billionaire-led 'market reform' in education, its vision of corporate-led public education, and its attacks on public schools and teacher. A June statement by the New York State United Teachers (NYSUT)<sup>2</sup> argues that tenure procedures do not guarantee teachers 'jobs for life'. Instead, they establish due process ground rules under which charges of incompetence or malfeasance are to be adjudicated; in New York all such disciplinary cases are to be completed within five months. The future of tenure for California's teachers, after *Vergara*, remains uncertain as of this writing.

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<sup>1</sup>Dianne Ravitch, 2010, *The Death and Life of the Great American School*. New York: Basic Books.

<sup>2</sup>"California decision 'meritless' assault on workers' rights." <http://www.nysut.org/news/2014/june/nysut-california-decision-meritless-assault-on-workers-rights> [accessed September 23, 2014]

In *Harris v. Quinn*, the U.S. Supreme Court issued a decision concerning a rapidly-growing sector of low-wage health care workers, ruling that home health care workers who belonged to a public sector union were not really public employees. The Harris case was represented on the plaintiffs' side by the *National Right to Work Legal Defense Foundation* (NRTWLDF), an employee-funded organization that has opposed unions for more than forty years, bringing cases against 100s of private and especially public sectors unions.<sup>1</sup> It has consistently fought to undermine the concept of a 'union shop,' that is, that a union represents all workers employed in related occupations in a given firm or institution. State and federal decisions since the 1970s have accepted the 'fair share' doctrine, that is, that unions are entitled to levy a dues-like charge (in New York an 'agency fee') on non-members who are covered by the contractual protections, wage gains and benefits that collective bargaining achieves.

In *Harris v. Quinn*, the NRTWLDF argued that by forcing workers to pay dues (whether members or not), the union was forcing them to endorse the union's political activity. Such activity is, in fact, highly regulated and carefully separated from dues money. The court did not invalidate fair share for all public sector unions, but did rule against it for a large group of the Illinois health care workers. Although home health care employees in Illinois are paid from the state Medicaid Program, and recognized as public employees in the State of Illinois, the court ruled that such workers are only 'partial public' employees. In Justice Alito's majority opinion, standard public sector ground rules and procedures for collective bargaining need not apply to such workers because they are in fact not state employees but, instead, the employees of the individuals with disabilities for whom they care.

This piece of conceptual sophistry has important implications.

First, it sets a precedent for further eroding all unions' abilities to conduct collective bargain, denying them resources to represent all employees in their bargaining units. In addition, the ruling

<sup>1</sup> see <http://www.nrtw.org/en/about> for a list of the organization's cases.

concerns a rapidly growing sector of the national economy. As a recent U.S. Bureau of Labor report describes the change:

In 1990, the manufacturing industry was the leading employer in most U.S. states. In 2003, retail trade was the leading employer in a majority of states. By 2013, health care and social assistance was the dominant industry in 34 states.<sup>2</sup>

Lastly, home health care workers without union protection typically have less pay, fewer benefits, and fewer protections than their unionized counterparts. As Michelle Chen<sup>3</sup> wrote in a perceptive summary of *Harris v. Quinn*:

"The ruling claws back on the real material gains that collective bargaining won for homecare workers. Outside of Illinois' state program, workers in the sector typically earn around \$20,000 per year and suffer from tremendously stressful, often exploitative working conditions. Only last year did they officially become eligible for federal minimum wage and overtime rules, following a hard-fought campaign by domestic workers' advocates to end the Labor Department's longstanding exemption for healthcare providers."

*Vergara* strikes at due process for school teachers, and *Harris v. Quinn* pares down protections for a burgeoning sector of vulnerable workers. Courts and legislation are arenas where working people's rights are advanced, defended, and sometimes reduced or taken away. Those who believe unions are a source of democratic possibility, in work units as well as legal arenas, must continue their struggle(s) on all fronts: In August, home health care workers across Minnesota voted to join the *Service Employees International Union (SEIU)*, making United Home Care Workers the largest unit gaining recognition in Minnesota since 1935, and making Minnesota the 14<sup>th</sup> state where home care workers are represented by unions.

<sup>2</sup> [http://www.bls.gov/opub/ted/2014/ted\\_20140728.htm](http://www.bls.gov/opub/ted/2014/ted_20140728.htm)

<sup>3</sup> Michelle Chen "Supreme Court ruling in 'Harris v. Quinn' will undermine gains made by low-wage home healthcare workers." <http://www.thenation.com/blog/180455/supreme-court-ruling-harris-v-quinn-will-undermine-gains-made-low-wage-home-healthcare-w#>.

## Merit at Our Discretion: Concerns about DSA and the Evaluation of Contingents

Bret Benjamin

The University administration has made the unfortunate decision that the entire pool of money allocated to this year's Discretionary Salary Awards (DSA) will be distributed on a "discretionary basis referenced to merit." I won't go through the details of the campus procedure here (see Jim Mancuso's email from 9/24/14 with the subject "Correction: 2013-14 Discretionary Salary Award" for specifics). I do, however, want to take a moment to outline why the Chapter objects to this model, and to raise one primary concern that affects many of our members.

In contrast to the model adopted by the Administration, the Chapter proposed a repeat of the process followed last year. At that time two-thirds of the allocation was distributed across the board to all members, with the remaining one-third distributed on the basis of "merit." Those percentages applied to both full- and part-time employees, the latter of whom were for the first time (thanks to our most recent contract) guaranteed a designated pool of money based on their per-capita representation across the system. In other words, last year was the first time in recent memory (perhaps ever) that UAlbany part-time employees benefited as a group from negotiated discretionary money.

We have argued that the DSA money is best utilized by this kind of broad and equitable distribution. All of us have been hurt financially by the State's ill-conceived Deficit Reduction Program, by rising health-care costs, and by several years of stagnant salaries (only slowly changing now as our negotiated raises begin to kick in). When everyone feels economic pain, programs such as the DSA provide a way to mitigate that hurt for everyone without any long-term economic impact for the University.

More broadly, however, we object to the principle of "merit at our discretion." "Merit" in the abstract is one of those lovely words like "freedom," "civility," or "democracy" about which it is hard to

say anything bad. Who wouldn't want to reward those people who deserve it? In practice, however, merit presumes clear and objective measures of evaluation. We know that such measures don't exist in the university. Perhaps in one department, strong service records are rewarded. In another the sole priority is research dollars obtained; in another extra job duties assumed becomes the primary criterion. In most cases those criteria, where they exist at all, are never made explicit to employees. At the end of the day, the core feature of this process is *managerial discretion* rather than merit. As unionists we should always look with suspicion on such a structure.

Will some very deserving employees get bonuses? Yes. Will most managers handle the process conscientiously? Probably. Will some employees get bonuses because they are likeable, because they are "team players," because they have good personal relationships with their supervisors? Of course. And will some very deserving employees who have fallen out of favor with supervisors fail to be rewarded in a process such as this? I have no doubt that some will. Likewise, I am certain that a system based on "merit at our discretion" invariably has a corrosive effect on departments and colleges.

You are familiar, no doubt, with the dictum that, "Justice must satisfy the *appearance* of justice." It is not enough for justice to be done; the process must ensure that the outcomes look just to all involved. Suspicions of impropriety undermine even the fairest of decisions. When bonuses are offered entirely on the basis of managerial discretion, the outcomes can never appear fair, impartial, or merit-based; concerns will inevitably arise that the awards are subject to personal relationships and to the unavoidable tendency of even the best managers to reward ideas that conform to their own. Academic freedom, by contrast, is based on a very different principle: the notion that employees of a university can and should pursue ideas critical of social or institutional norms. "Merit at our discretion," by definition, runs contrary to the principle of academic freedom.

On principle, then, we object to the President's plan. But in practice we have a very specific concern as well, which in turn speaks to our

collective responsibilities as UUP members. As is so often the case, contingents, especially contingent academics, will be the group of employees most affected by this proposal. While I have concerns about the objectivity of evaluating merit for tenure-line academics and professionals, we at least have robust structures of review in place to assess the performance of those members. Academics complete FARs and submit CVs in line with their professional obligation; professionals should have up-to-date performance programs, and the University is using the DSAs as an incentive to get those programs completed (See Performance Programs on page 14). To my knowledge no equivalent structures of review for contingent academic faculty exist.

What often happens in practice is that departments, if they use any criteria beyond evidence derived from hallway interactions, evaluate contingent academics solely on the basis of student evaluations. This is an entirely inadequate measure. It locates the evaluation of faculty performance with students rather than with faculty; and given the pitifully low response rates of online SIRF evaluations, in a small handful of students. The University understands this problem, and in its report on course evaluation it states that student evaluations provide “useful but limited data for evaluating teaching, courses, or instructors.”<sup>1</sup> Unfortunately, at present our University has little in place beyond SIRFs to which we can turn. Most departments, to my knowledge, do not conduct regular teaching observations of contingent instructors, or substantive reviews of syllabi, assignments and grading practices. They do not have mechanisms to document teaching innovation, professional development, mentoring, advising, and instructional effectiveness for contingents. Under such evaluative structures, how can “merit” be determined? We believe that it cannot.

The spirit of the DSA provision for part-timers was to distribute money to a group of employees

<sup>1</sup>See the “Report of the Course Assessment Advisory Committee” <<http://www.albany.edu/ir/CAAC%20FINAL%20Report.pdf>>

who have historically been largely excluded from the discretionary awards. A program in which the entire pool of funds for part timers will be distributed “on a discretionary basis referenced to merit,” puts departments in a very difficult position, even as it directly disadvantages individual contingent academic employees. It is unreasonable to assume that departments can, in a few short weeks, develop meaningful criteria and methods of evaluating the merit of part-time instructors, particularly without specific guidance or assistance from University Administration.

Absent such systems, our chapter urges departments to consider advocating for an equitable distribution of discretionary funds to part-time academic faculty. In a situation where a department cannot provide a robust assessment of contingent faculty performance, we believe that the ethical course of action is to distribute DSA moneys evenly between all contingents in the department. We ask that you honestly review your own evaluation procedures, and if warranted make an argument for such an equitable distribution to your College Dean and to the Provost.

The problem of evaluating contingents, however, goes beyond this particular round of DSAs. It is incumbent upon the University, but also us as UUP members, to develop substantive methods of evaluation for contingents that directly address performance of a defined professional obligation. In recent years our Chapter has seen far too many contingent academics whose contracts have been non-renewed solely on the basis of low SIRF scores. I recognize that what I am asking will require more work for all of us, in a time when the demands for more work never cease. But when severely flawed evaluations become the basis for DSAs, course assignments, and most seriously, hiring and firing decisions, we need to recognize our collective responsibility to do right by our contingent faculty. Whatever happens in this round of DSAs, we urge all departments to study this issue and to revise departmental practice as needed.

From the perspective of labor the principle of “merit at our discretion” is irredeemably flawed, whether it issues from the Administration or from our fellow UUP members. It lends itself to decisions

justified by the invention, on the fly, of inconsistent, incomplete and unjust measures of evaluation. Contingents, who are our most vulnerable employees, bear the brunt of this injustice, but “merit at our discretion” is a managerial strategy that is corrosive to all of us, even as we sometimes find ourselves complicit in its application. Let’s find a better way.

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## Ferguson, Missouri

Paul Stasi

On August 9, 2014, in Ferguson, Missouri, an unarmed 18-year old black man named Michael Brown was shot to death by a police officer named Darren Wilson. Days of civil unrest followed as protestors took the streets, some armed with Molotov cocktails, most raising their voices in peaceful protest. They were met by an intensely militarized police force and tear gas. Journalists were arrested. YouTube videos proliferated showing, among other things, a police officer pointing a semi-automatic rifle in the face of a protestor and yelling “I am going to f\*\*king kill you.” (The St. Louis Police Department later announced that he was “relieved of duty and suspended indefinitely.”) While a criminal investigation is still ongoing, several facts have emerged about what happened that day and about the police response afterwards. There are now multiple eye-witnesses who describe the same basic story: Michael Brown had an encounter with the police, tried to flee, was fired upon, and responded to the gunfire by placing his hands in the air and turning towards an officer who then fired several more rounds which killed him. These witnesses include a man whose cell phone conversation clearly contains audio of several shots, a distinct pause, and then many more shots: a total of eleven. It has been confirmed that this conversation took place at the time and place of Brown’s shooting. In the meantime, the St. Louis Police Department’s tactic of simultaneously releasing Darren Wilson’s name and the news that Brown was allegedly involved in a convenience store robbery has been called into question. In particular, Ferguson Police Chief Tom Jackson has conceded

that Officer Wilson knew nothing of the alleged robbery at the time of his encounter with Brown, while the security cameras from the store do show two youths engaging in a confrontation with the store owner, but fail to provide any definitive evidence as to why. Furthermore, no robbery was reported by the store’s workers.

This event has brought renewed attention to racial disparities in police practices across the United States, highlighting a sharp racial divide in perceptions of the police: a unionized group of public employees whose salaries are paid by the taxes of communities they are meant to serve and protect. Watching these events unfold, from the security of my middle-class white perspective, it was easy to feel an eerie sense of déjà vu: the news had become like those surely outdated films of unrest and brutality in the civil rights era. This feeling, however, is false. Police brutality is not a relic of the Civil Rights era, as the subsequent killing of Kajieme Powell – captured in brutal cell phone footage – in St. Louis on August 19<sup>th</sup> suggests. Powell had, allegedly, stolen two drinks from a convenience store and was wandering around confusedly in the street – perhaps drunk, perhaps mentally ill. As the grainy footage shows, when two officers arrive on the scene, he approaches them, but then retreats. Twenty seconds and twelve gun shots later, he is dead. Or we could mention John Crawford III, shot to death in a Columbus, Ohio Walmart for allegedly waving a BB gun at other customers. Or the shocking video of a California Highway Patrol Officer beating an African-American woman senseless on the side of the freeway. Or New York City’s own Eric Garner, choked to death by police in early August. It is little surprise then that African-Americans and Whites might view the police differently from one another.

Indeed, a black resident of Ferguson, Missouri would have even more concrete reasons for being suspicious of the police. Despite making up only 63% of the population, African-Americans, according to records at the Missouri Attorney General’s office, account for 87% of police stops and 93% of arrests. This is despite the fact that searches of African-American suspects resulted in contraband – e.g. illegal firearms or drugs – 21% of the time,

compared to 34% for their white peers. African-Americans, in other words, are stopped more often with less evidence and less results.

There is also a socio-economic context to this captured in a disturbing anecdote about Michael Brown's school. Brown's graduation photo was taken in March. Only able to afford two graduation gowns, Brown's school gave the gowns to students in turn, had them come to school, wear it for a photo and then give it to the next student to be photographed the following day. The history of Brown's school is a predictably depressing one. In 2010, the state board of education voted in its first change in nearly 35 years: the merger of two of the poorest districts in St. Louis, with poverty rates of 92% and 98%. Two years later the new Normandy district was declared a failure and placed under state control after having its accreditation removed. There was, however, a wrinkle: the Missouri state Supreme Court had ruled that students in failed districts had the right to attend schools in other districts. The result was a large exodus of Normandy students to neighboring schools, many of which were predominantly white. Here we might expect things to take a turn for the worse, but, despite some initial fears, the transfer experiment was, by most accounts, going well. Nevertheless it was expensive, and in a time of declining revenues the state board of education took an extraordinary measure: it re-established Normandy's accreditation without actually demonstrating that Normandy had met any of the state's standards, thus negating the grounds of the Supreme Court's decision and ending the transfer experiment.

And who oversees the poorest school district in St. Louis county? The President of its board of education is Peter Herschend who lacks *any* training in the education field, but is the owner of a Georgia-based Amusement park franchise. As journalist Mark Sumner, from whom much of this information about Brown's school district is taken, concludes: "when you're wondering who runs Michael Brown's school district—when you're wondering who's in control of an urban, minority district so poor that the students have only two graduation gowns to share—it's a white Republican millionaire from out of state." This background is relevant because it

demonstrates the way that race and class intersect to create an antagonist atmosphere between Ferguson's poverty-stricken citizens and the institutions that are supposed to serve them. Police brutality and inadequate schools are, thus, two aspects of the same problem. Indeed, a recent study of all public schools in the United States, found that though African-American students make up 18% of the preschool population nation-wide, they make 42% of the students suspended. A link seems to exist between perceived behavior in kindergarten and perceived behavior in the streets.

But there is another important context here that goes beyond race and it concerns the state of America's police force. For the images from Ferguson reveal the extent to which cops no longer seem like people in your neighborhood but rather people who descend *upon* your neighborhood. To a hammer, so the saying goes, every problem looks like a nail. Correspondingly, if you give the police the military weapons appropriate to fend off a guerrilla insurgency, then they will treat citizens as insurgents. Unfortunately, statistics about police misconduct are notoriously difficult to obtain. Indeed, though the Cato Institute's 2010 National Police Misconduct Reporting Project notes an overall rise in police misconduct, they find it difficult to pinpoint a cause. Some states are increasing their monitoring and punishment of such issues, while others have decreased it. And yet, it is difficult to argue against the general impression that the increased militarization of the police – something that has ramped up post-9/11 – has led to an increase in the aggressive attitude of police officers, particularly when one learns, as the Associated Press reported on September 22<sup>nd</sup>, that "a Pentagon program that distributes military surplus gear to local law enforcement allows even departments that the Justice Department has censured for civil rights violations to apply for and get lethal weaponry."<sup>1</sup> The ubiquitous stories about taser deaths for instance – the 95 year old WWII vet in Chicago, the 24 year old Georgia man tased 13 times while handcuffed, or even the recent tasing of an 8 year old girl in by cops in South Dakota, who

<sup>1</sup><http://news.kron4.com/news/feds-give-military-weapons-to-police-department-censured-for-civil-rights-violations/>

allegedly spent “seconds” trying to remove a knife she was holding – suggest that something has gone wrong with the relationship between cops and citizens. (The 8 year old girl, thankfully, lived).

What holds all of these incidents together – and what, ultimately, transcends the obvious racial disparities cited above – is an attitude that treats citizens as suspects, and that sanctions any violence in the name of the police’s self-defense. But as I noted above, the police are public servants, their salaries paid by the same people they are arresting, tasing and shooting. Paraphrasing the famous words of 18<sup>th</sup> century English jurist William Blackstone, isn’t it better to let ten guilty persons escape than to kill one innocent?

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## Focus on IT Titles

### First Phase of Review

Marty Manjak

In addition to wages, healthcare, and other benefits, the current UUP/SUNY agreement, covering the period of 2011-2016, authorizes the formation of joint labor management committees to examine certain issues affecting librarian and professional employees.<sup>1</sup> Known as A-48 and A-32 Executive Level reviews respectively (the numerical designations refer to the appendices that establish their creation and scope), President Fred Kowal and VP for Professionals Philippe Abraham convened an A-32 subcommittee in June of this year to review information technology professional titles.

It has been many years since these titles were updated to reflect the actual work performed by SUNY’s IT employees. Most IT staff will recognize the extremely generic nature of titles such as Senior Staff Associate, Programmer Analyst, etc.. Since the current crop of titles were introduced, IT specialists in information security, identity management, storage management, data analysis, and other areas have taken their place next to system administrators, programmers, and instructional support technicians on SUNY campuses.

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<sup>1</sup><http://uupinfo.org/communications/uupdate/1213/130605N.php>

To make the system's IT titles more comprehensive and accurate, the A-32 subcommittee was charged with identifying these new positions and the skills, tools, and responsibilities associated with them. To accomplish this, the committee has developed an on-line survey (using Survey Monkey) to solicit input from IT professionals to help UUP and SUNY better understand the full range of work performed by professionals and how these different areas of specialization are distinguished from one another.

Just as importantly, UUP hopes to demonstrate to SUNY that IT professionals charged with the responsibility of managing enterprise level services and systems (e.g., course management systems, email, telephone service) should be considered for higher grade salary levels (SL-5, SL-6), grades that have traditionally been reserved for staff with personnel management responsibilities. This survey will help SUNY recognize that IT operations play a mission critical role--indeed, the chancellor's signature initiative, OpenSUNY, is predicated on IT services--and that employees who carry the burden of maintaining essential services, 24 X 7 X 365, should be eligible for higher salary grades.

IT staff at the University at Albany will receive an invitation to participate in the survey this fall. It is essential that professionals respond. Only by collecting the data from the people that perform the work will we be able to demonstrate to SUNY the emergence of these new roles and their critical importance to the administrative, academic, and research functions of the entire SUNY system.

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## Equal but Separate

Carol Jewell

Recently, my wife and I attended the wedding of a relative in Pelham, New Hampshire. I won't name the event's exact location, but suffice it to say that the ceremony was downstairs, while the reception was upstairs. The building did not have an elevator. My wife had had hip surgery earlier in the week, and was using crutches, somewhat unsteadily. We were told there was a handicapped-accessible door

at *the back of the building*. Ignoring the rudeness of this “solution” for the moment, I had to get her back into our car, drive around to the back, and get her out of the car again. The “handicapped accessible” entrance was a non-motorized door at the top of a rather steep asphalt path, much steeper than a standard ramp would be. Let me add that it was raining that day, making the asphalt slippery.

So, with my help, my wife managed to traverse the path, and made it to the door, which I held open for her. It was a lovely ceremony, the bride was beautiful, and we were happy. But then we remembered we had to *go back outside in the rain* to get upstairs to the reception. My wife had to manage going down that hill. Another relative helped me to help her, so that she would not fall. Got her back into the car, drove back up to the entrance, and got her inside. The restrooms were on the same floor as the reception, so we didn’t have to keep up that journeying back and forth.

Why have I given you so much information about a family affair that happened outside of New York? I have been an advocate for people with disabilities for over thirty years, but I was reminded of something very important that day. Any place can be handicapped-*accessible* without being handicapped-*friendly*. Any place can be just within the letter of the law, and no further. The wedding was at a private resort, but this chicanery can happen at public places, too. For instance, low-weight doors are installed at the entrance of a building, but no motorized handicapped accessible door is provided. The “explanation” is that those doors make it unnecessary to provide an actual accessible door. *Really?* Roll up to the lightweight doors, and try to get them open, and get yourself inside, while you are using a wheelchair. And that’s assuming you have full use of your arms and hands. What if you use a wheelchair *and* have limited use of your arms or hands? What if your hand usage is limited to the (hand-operated) controller of your electric wheelchair? *How are you going to get inside that building?*

I could tell you about many other so-called accessible solutions, but I’d need much more than a column in this newsletter to tell you about all the other appalling situations people with disabilities

face every day. After the Civil Rights Act of 1964, people of color no longer had to “go in the back door,” or use the “Negro” water fountain. Imagine if, today, you saw a sign that said, “No Blacks?” Unbelievable and disgusting. Making people with disabilities enter buildings in any other way but the front door is just as disgusting. Considering that 1/5 of the American population has one or more disabilities and that as the population ages, the number of people with disabilities rises, you should be thinking about this. It could be your grandmother or your child. It could be *you*.

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## Ban the Box!

### Education from the Inside Out

The Albany Chapter and, at our urging, UUP statewide have recently joined as members of the Education from the Inside Out (EIO) coalition. UUP will be working with EIO to “ban the box” in college admissions. We believe that increasing access to higher education for the formerly incarcerated is the right thing to do; it will benefit the individuals, our campuses, and the communities of New York State. We print information about EIO here as an introduction to their work.

“The EIO Coalition is a collective of member organizations, supporters, and individuals who are formerly incarcerated, as well as individuals impacted by the criminal justice system working to eliminate barriers to higher education for people who have been, or are currently justice involved

The coalition was created in response to the real challenges that formerly incarcerated individuals face when trying to access higher education. One of those challenges is the practice by colleges and universities of inquiring about an applicant’s criminal history during the admissions process. Criminal history screenings prevent successful reentry and reintegration into society by creating unfair and unjustified obstacles to higher education. Every year, thousands of students are routinely denied admission to colleges and universities across the United States solely because of a criminal record. Many New York public and private schools hold with this screening process,

and SUNY in particular has a longstanding policy of criminal history screenings in which applicants must disclose felony convictions. Certain SUNY campuses actually require applicants to obtain—at their own expense—their criminal history records from the NY State Division of Criminal Justice Services (DCJS).

These records contain sealed and confidential information and are legally available *only* to the record holder, but failure to submit these records—which SUNY has no statutory right to access—leads to automatic denial of admission. Furthermore there is no empirical evidence that proves a correlation between criminal history screenings and improved campus safety. What we do know is that access to higher education for formerly incarcerated individuals leads to significantly reduced recidivism and increased public safety.

To address this challenge the EIO Coalition launched our Ban the Box in Higher Education campaign, with the Fair Access to Education Act as its centerpiece. The Fair Access to Education Act (S6437/A8574) will allow academic institutions to inquire about an admitted student's criminal history for the following purposes: 1) Offering supportive counseling and services and 2) Making decisions about the student's participation in activities and aspects of campus life. Colleges shall not use the admitted individual's criminal history to rescind an offer of admission. If a college attempts to establish outright bars to any activities or participation relating to campus life, the college must develop an individualized process for determining whether or not there is a direct relationship between the admitted individual's criminal history and the potential negative impact of his or her involvement with campus activities or participation. We ask that schools judge potential students based on their merit and not their mistakes.

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## A Push for Updated Performance Programs:

The Chapter would like to offer its thanks and commendation to the University, in particular the Office of Human Resources, for their hard work over the summer and early fall to help bring

performance programs for professional employees across campus up to date.

Last year our Chapter formally requested data on the number of out-of-date performance programs. It was clear to both the union and the administration that the numbers had slipped to woeful levels, exacerbated by several years without a contract and without discretionary raises.

In a welcome example of collaboration, we co-sponsored a joint labor-management Performance Program Workshop last spring to help supervisors better understand the process. Tom Hoey, Maureen Seidel, Cathy Tretheway, and Denise Szelest all contributed to that successful training session. Since then HR has been the driving force behind the initiative, and the numbers of updated programs has risen significantly.

Ideally our campus should have 100% of its programs up to date. We remain well shy of that goal. Indeed we are still shy of the 80% goal that we've set in the past. Those of you who are supervisors (many of whom are UUP members) know that the administration has established individual incentives for you to submit updated programs, most notably your own eligibility to receive a DSA bonus this year (See "Merit" on p. 6).

While we appreciate the value of such incentives, we would also like to stress the collective benefit to UUP members when programs are established and maintained. From the perspective of the employee, performance programs provide a clear statement of core responsibilities, a structure for evaluation, a framework to ensure due process, and a venue for communicating professional goals. From the perspective of the supervisor, performance programs provide the most direct opportunity to communicate clear and measurable expectations, to evaluate the overall program and personnel requirements, to provide constructive feedback, and to help aid in the professional development of your supervisees. This structure, which was won through struggles at the contract negotiations table, works in the interest of employees, supervisors and the institution. It is a structure that UUP wholeheartedly endorses.

We applaud the administration, therefore, in its efforts to ensure that every employee at the

university is working with a current program. And we urge all of you who are supervisors to take the time to update the programs of your supervisees. Everyone benefits when programs are up to date.

If you have any questions about best practices for performance programs, contact VP for Professionals Tom Hoey <[thoey@albany.edu](mailto:thoey@albany.edu)> or any of the Chapter officers.

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## Trade Treaties Bad for Unions

Susan DuBois

As if the North American Free Trade Agreement (NAFTA) weren't enough, the United States is currently negotiating two new trade agreements anticipated to be as damaging or worse than NAFTA. Both here and in the other countries involved, recent trade agreements have benefited the multinational corporations while harming workers and small businesses. "NAFTA on steroids" and a "corporate coup" are terms used to describe the new agreements.

The Trans-Pacific Partnership (TPP) is being negotiated among the U.S., Mexico, Canada, Chile, Peru, Japan, Singapore, Malaysia, Brunei, Vietnam, Australia and New Zealand, with the possibility that other countries could join later. Negotiations have been taking place for several years in an atmosphere of secrecy. Corporate representatives have more access to the negotiations than Members of Congress have, and the public has been shut out. But leaks have revealed some of what's going on. A major leak last November, of the TPP's intellectual property chapter draft, caused outrage among advocates of open internet access and groups concerned about access to generic drugs.

The other negotiation concerns the Trans-Atlantic Free Trade Agreement (TAFTA), also known as the Trans-Atlantic Trade and Investment Partnership (TTIP). Some opponents suspect that TAFTA was re-named as TTIP to avoid the association with NAFTA. This agreement would be between the U.S. and the European Union nations. It is also being negotiated in secrecy but faces some public opposition in Europe.

Although the TTP and TAFTA are both called trade agreements, they include provisions that go

far beyond traditional trade issues like tariffs. Based on the leaks, and on things companies have said they want to see included, the trade agreements may allow companies to challenge laws and be compensated for profits lost due to the laws' requirements, limit the ability to regulate financial speculation, undercut efforts to deal with climate change, and accelerate the global race to the bottom on wages and working conditions. The overall theme is to empower large companies while marginalizing workers and making governments subservient to the companies.

The Obama administration is seeking a "Fast Track" process in Congress for approval of these trade agreements when and if negotiations conclude. Fast Track would allow only very limited debate, with no amendments of the agreement. A Fast Track bill was introduced in early 2014 but immediately met strong opposition and is currently on hold. It is expected to revive, maybe under a different name, after the election. Fast Track faces opposition both from the left and from the right, partly because it surrenders much of Congress's constitutional role in governing trade.

The TPP, TAFTA and Fast Track are almost invisible in the mainstream (corporate) media. To find information, one needs to go on line or to other sources. Public Citizen's Global Trade Watch ([www.tradewatch.org](http://www.tradewatch.org)) has an up-to-date and thorough collection of information. Flush the TPP ([www.flushthetpp.org](http://www.flushthetpp.org)) has briefer articles. The Communications Workers of America ([www.cwa-union.org](http://www.cwa-union.org)) and the Electronic Frontier Foundation ([www.eff.org](http://www.eff.org)) are also sources.

As the lame duck session following the election approaches, it will be important to be informed about the TPP, TAFTA and Fast Track in case "Son of Fast Track" legislation is introduced. There may not be much time to organize.

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## Volunteer

(from page 1)

Mine, of course, is for *more volunteers*. For a chapter of our size, without paid staff, to get things done, it takes volunteers—a lot of volunteers. We've doubled, and sometimes doubled-again, our active

union participation rates in many key areas over the past few years. This is among our proudest accomplishments. But we always need more hands, and brains, and eyes, and mouths—you get the picture. It's quite simple. Get involved with your union. Help us make the changes that you want to see. Here are five ways:

**1. Join a Chapter Committee.** Below you'll find the list of our 19 Chapter committees, where, in many ways, the work of the union takes place: policy agendas are set, events and programming are developed, and chapter initiatives are begun. The time commitment is modest, but the pay-off is real. I am almost certain that we have at least one committee directly relevant to the working conditions of every member on campus. We invite you to join any of our committees, but could especially use your help on the Website committee (if you have web-design experience), Elections Committee (to help coordinate Chapter elections), Legislation/Political Outreach Committee (to volunteer for election campaigns or legislative advocacy), and the Solidarity Committee (to help forge links between our Chapter and the broader Labor Movement). E-mail me with questions or to volunteer: [bret.benjamin@gmail.com](mailto:bret.benjamin@gmail.com).

**2. Stand for Chapter Elections.** Printed in this newsletter is an invitation to nominate yourself to run in the Chapter Elections that will take place early in the spring semester. You will hear more from me on this throughout the year, but for now I simply want to encourage anyone who is interested in the union to stand for an officer or delegate seat. Contact Kate Latal <[klatal@albany.edu](mailto:klatal@albany.edu)>, Chair of our Elections Committee, for more information.

**3. Volunteer to Work on Political Campaigns.** It is election season, and there are several contested local campaigns that will affect our university and our union. If you are willing to volunteer time to do some phone banks, door to door canvassing, or other campaign work, please e-mail the chapter office <[uupalb@gmail.com](mailto:uupalb@gmail.com)>.

**4. Complete Chapter Surveys.** Our Chapter will be sending around two important surveys this semester. Please take time to complete them when they arrive. Your input is essential as we develop our policy initiatives.

**5. Participate in UUP Events.** Coming soon we will sponsor a Homecoming tailgating event on Oct. 11, a workshop on Academic Workload Creep on Oct. 22, and much more. Keep your eyes out for announcements and come out to support UUP projects.

Thanks to the volunteers, past, present and future. Collectively you are what makes the Union a union.

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## UUP Chapter Committees 2014-15

- Academic Concerns (Chair: Barry Trachtenberg)
- Affirmative Action (Chair: Betty Shadrack)
- Chapter Events (TBA)
- Contingent Concerns (Co-Chairs: Roberto Vives, Annette Richie)
- Disability Rights and Concerns (Chair: Carol Jewell)
- Elections (Chair: Kate Latal)
- Health and Safety (Chair: TBA)
- Legislation/Political Outreach (Chair: Ivan Steen)
- LGBTQ (Co-Chairs: Jack Gendron, Carol Jewell)
- Membership (Co-Chairs: Eloise Briere, Eric Warnke)
- Newsletter (Chair/Editor: Paul Stasi)
- NYSUT Ed 10 Representative (TBA)
- Parking (Chair: Eric Warnke)
- Peace and Justice (Chair: Ron Friedman)
- Professional Concerns (Chair: Tom Hoey)
- Solidarity (Chair: Larry Wittner)
- Technology and Education (Co-Chairs: Lee Bickmore, Marty Manjak)
- Website (Co-Chairs: Rob See, Eric Torgerson)
- Women's Concerns (Chair: TBA)

For additional information about Chapter Committees contact Bret Benjamin <[bret.benjamin@gmail.com](mailto:bret.benjamin@gmail.com)>.

Recently, UUP members found that their paychecks once again went through some considerable changes. While we received a 2% raise on our base salary, we also found ourselves subject to another round of temporary cuts—the so-called “Deficit Reduction Program” as mandated by the Governor’s office & part of the Agreement between the State of New York & UUP. To help explain the intricacies of our checks, we asked Chapter Vice President for Academics Barry Trachtenberg to break down his paycheck & explain the various parts.

Most NYS public employee salaries can be found at <http://seethroughny.net>. Paychecks starting on 9/24/14 reflect a 2% increase.

I give \$10 per paycheck to UUP's Vote-Cope. It's NYSUT's non-partisan action fund that coordinates the voluntary contributions of members & supports NYSUT-endorsed candidates & campaign committees that are pro-public-education & pro-labor. It's how I support UUP's political activity. Member dues aren't permitted to be used for such purposes. Learn more at <http://uupinfo.org/legislation/pdf/votecope2014.pdf>

These are my UUP membership dues. Only 1% of my pay. All employees covered by the Agreement pay these dues, whether or not they are UUP members. UUP membership, however, gives one the right to vote in Chapter & Statewide elections, & have a say in UUP decisions at all levels.

Are you a member? If this portion of your pay stub says "UUP Agency Fee", you are part of the bargaining unit and hence paying dues, but YOU ARE NOT A UUP MEMBER. To become a member, please sign and complete a simple application available at <http://uupinfo.org/membership/welcome.php>.

I get reduced rates on auto insurance because of the New York State United Teachers (NYSUT) Benefit Trust. NYSUT is a federation of more than 1,200 local unions, including UUP. NYSUT is affiliated with the American Federation of Teachers (AFT) and the National Education Association (NEA). To learn about UUP benefits, see <http://uupinfo.org/benefits/>

I donate to the UAlbany Fund through payroll deduction. Each donor gets to decide which program to dedicate the gift. See more at: <http://www.albany.edu/giving/>. One worthwhile group is the Disability Resource Center. <http://www.albany.edu/disability/>.

State Comptroller DiNapoli has been a great friend to Labor & Higher Education!

"14-16 08 DRP - 2.000%" refers to the Deficit Reduction Program that will "extract" pay from UUP members checks through the 6/17/2015 paycheck. UUP members are "loaning" NYS 4 days worth of pay interest free this year, which will be repaid to us in the final two years of the contract.

"13-15 08 DRP - 2.500%" refers to the Deficit Reduction Program monies that were "extracted" from UUP members pay during the last fiscal year. UUP members "loaned" NYS 3 days worth of pay that year, which will be repaid in the final two years of the contract. We were also toughed for 2 days without pay in fall 2013.

What's with all of this extra pay? I taught online winter & summer classes for UAlbany. I also conducted some evaluations for Empire State College. The "Imputed Income", which reads as earnings, is actually the "penalty" that my unmarried domestic partner & I pay for being on the same family insurance plan. Since our Civil Union isn't recognized by the US federal government, we get taxed on the value of the insurance.

This is my "flex spending" fund, which gets taken out of my paycheck pre-tax, & I can use it for health related expenses like co-pays & other those uncovered by health care. The 2015 open enrollment period for NYS employees will begin on October 6, 2014 & run through November 7, 2014. See <http://www.flexspend.ny.gov/> for more information. It's a good way to pay for many health costs on pre-tax dollars. There is even a generous option for paying for child care costs.

I use Mary E. Stokes, of <http://www.stokeswealthsolutions.com> for my retirement planning. She specializes in working with UUP members.

I give to UAlbany's State Employee Federated Appeal (SEFA) campaign, & target my gift towards local causes that I support, such as the Humane Society & Transportation Alternatives. See more at <https://online.ogs.ny.gov/sefa>.

Thomas P. DiNapoli State Comptroller		BARRY C TRACHTENBERG	
Advice #	82586505	Pay Start Date	08/28/2014
Advice Date	09/24/2014	Pay End Date	09/10/2014
Department ID	28010	NYS EMP/ID	[REDACTED]
<b>EARNINGS</b>		<b>TAX DATA</b>	
Regular Pay Salary Employee	2,632.99	Federal	\$ 1
14-16 08 DRP - 2.000%	-52.66	State	\$ 0
Imputed Income Regular	136.01	YTD	
Extra Service Amount	272.02	Manital Status	Married
Winter Session	3,640.00	Allowances	0
13-15 08 DRP - 2.500%	-774.36	Add. Amt.	
Summer Service - SUNY	7,400.00		
Imputed Income Special	272.02		
<b>BEFORE TAX DEDUCTIONS</b>		<b>AFTER TAX DEDUCTIONS</b>	
TIAA Retirement Before Tax	62.50	UUPI Vote Cope	190.00
Health Care Spending Account	254.00	UUP Member DRP	25.80
SUNY Tax Deferred Annuity	177.95	NYSUT Benefit Trust	43.44
Regular Before Tax Health	100.00	UAlbany Fund	19.24
Special Before Tax Health Adj		SEFA of the Capital Region	20.00
<b>Current</b>		<b>Current</b>	
<b>YTD</b>		<b>YTD</b>	
2,632.99		10.00	
-52.66		482.70	
136.01		824.09	
272.02		365.56	
3,640.00		380.00	
-774.36			
7,400.00			
272.02			
8,693.28			
-897.24			
5,545.73			
106.55			
2,853.66			
<b>Total Gross</b>		<b>Fed Taxable Gross</b>	
2,580.33		2,125.89	
57,510.45		52,489.16	
<b>Net Pay</b>		<b>1,270.71</b>	
<b>Pay Rate</b>		<b>68,646.00</b>	

I give to UAlbany's State Employee Federated Appeal (SEFA) campaign, & target my gift towards local causes that I support, such as the Humane Society & Transportation Alternatives. See more at <https://online.ogs.ny.gov/sefa>.

I use Mary E. Stokes, of <http://www.stokeswealthsolutions.com> for my retirement planning. She specializes in working with UUP members.

## UPCOMING UUP ALBANY CHAPTER ELECTION

The UUP Albany Chapter election for the 2015-2017 term will be held in **early 2015**.

Every two years, our UUP chapter holds elections for officer and delegate positions. The term of office for this spring's election is June 1, 2015 to May 31, 2017. Officer positions include President, Vice-President for Professionals, Assistant VP for Professionals, VP for Academics, Assistant VP for Academics, Officer for Contingents, Secretary, and Treasurer. UUP delegates attend monthly Executive Committee meetings as well as the statewide UUP Delegate Assembly held three times a year, usually in Albany. Delegates are eligible to serve on statewide and chapter committees.

Although contract negotiations take place at the statewide level, our local UUP chapter is actively engaged in a range of important issues that impact our campus every day such as ensuring the fairness of the tenure and promotion system and appropriate governance, defending the rights of women, persons of color, and those with disabilities, addressing workplace safety concerns, advocating for our campus and protecting your rights to a fair and equitable workplace.

Those who wish to be nominated to run in the election must mail their nomination form so **it is received by the UUP Elections and Credentials Committee by mail on February 4, 2015**. A nomination form and instructions will be mailed to each member in mid-January. Ballots will be mailed to all UUP members in mid-February and due mid-March. To learn more about the officer and delegate positions and deadlines visit: [www.albany.edu/uup](http://www.albany.edu/uup) or for more information, contact the Chapter Elections Committee, Chair, Kate Latal at 459-1238. For detailed information about the election schedule: <http://uupinfo.org/elections/pdf/2015-2017ChapterElectionCalendar.pdf>

Nominees to the Executive Committee are invited to submit a statement of up to 150 words in length (250 words for chapter officers) to be published in the chapter newsletter. The deadline for submitting a statement for publication in the chapter newsletter is February 4, 2015. Statements may be submitted by email to [pstasi27@gmail.com](mailto:pstasi27@gmail.com)

**Please consider running for a delegate or officer position!**

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**Let us know what you think.**

**Send your comments to:**

The editor at:

[pstasi27@gmail.com](mailto:pstasi27@gmail.com)

**Newsletter Committee:**

Jim Collins

Gail Landsman

Marty Manjak

Rob See



## Member Shopping Program *powered by PayCheck Direct*

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call toll-free 866-441-9160 or visit [memberbenefits.nysut.org](http://memberbenefits.nysut.org).**

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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.

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**EDITORIAL POLICY:** The opinions expressed in *The Forum* are those of the writers and the University at Albany Chapter of UUP and do not necessarily reflect the position or policies of United University Professions.



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