



Alfred UUP News

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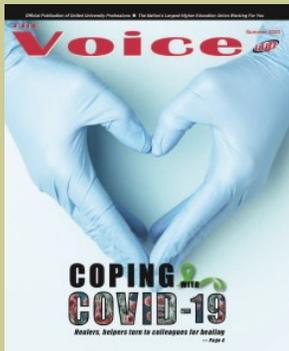
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Read the Voice and Echo at <https://uupinfo.org>



Volume 8, Issue 2

September 2020



SUNY Oswego Stops In-person Classes for Two Weeks

SUNY Oswego is the latest SUNY campus to pause in-person learning on campus due to the coronavirus pandemic.

The college will shift to all-remote classes for the next two weeks; the change is effective Sept. 19. The campus has not closed nor are operations being shut down; in-person classes are set to resume Oct. 5, according to campus President Deborah Stanley.

The decision to move to remote classes came after the campus reported more than 80 COVID-19 cases in less than a week. Stanley made the announcement in a letter on the SUNY Oswego website, which can be accessed at <https://www.oswego.edu/safety-on-campus/message-from-the-president/suny-oswego-enter-temporary-pause-person-learning>.

The action at Oswego follows the end of in-person classes at SUNY Oneonta earlier this month. What follows is a statement by UUP President Kowal on SUNY Chancellor Jim Malatras' Sept. 3 announcement that SUNY Oneonta will end on-campus instruction for the fall semester to stem spread of the coronavirus:

"Regrettably, SUNY Chancellor Jim Malatras was forced to end in-person classes and activities at SUNY Oneonta and send students home for the remainder of the fall semester. Given the growth in the number of positive coronavirus cases on campus, UUP supports this move. We will work with SUNY and the campus administration to ensure the health and well-being of the entire Oneonta community.

"The risk to students, faculty, staff and the Oneonta community has become far too great to resume on-campus classes and activities. The only way to contain the virus is by sending COVID-negative students home safely and providing remote instruction. This is the right move.

(continued on page four)

Labor-Management Meeting Notes, September 16, 2020

UUP Members Present: Joe Petrick, Bill Schultze, Jamie Guilian (LRS).

Members of Administration Present: Skip Sullivan, Kristin Poppo, Greg Sammons, Joe Greenthal, Wendy Dresser-Recktenwald, Maria Bordeaux, Marilyn Robin.

The Alfred Chapter of United University Professions presented several questions to campus administration, as follows. Summaries of administration responses are in italics:

- The State University of New York and United University Professions negotiated a Memorandum of Understanding regarding mandatory COVID 19 testing of employees on September 14. What is the current state of COVID-19 testing?

Capacity of COVID-19 pool testing has been increased, and will continue to increase. There were 372 tests this week, and 720 pool tests are projected for next week. In addition, one to five long swab tests are available via UPMC at St. James Hospital in Hornell for students or staff with symptoms of concern. Waste water testing will soon begin in a cohort-based testing strategy. Reflux testing in groups of 12 swabs will be conducted, and any cohorts with positives will then be analyzed for individual cases.

Antigen testing will perhaps be available in two weeks. Results of Becton-Dickenson mid-long swab tests will be available in 15 minutes, as opposed to a 24 hour turnaround at UPMC. The Quidell units that had been ordered are also soon expected.

As for contact tracing, information is provided to the Allegany County Department of Health, which is the entity with legal authority to quarantine students and staff. Twelve people at Alfred State College have been trained and are doing most the work regarding contact tracing. In the instance of the positive case, faculty were tested along with students in a cohort. The college is interested in testing populations that make sense to test. Cohorts of students, faculty and staff are being tested, for example students and faculty in the Nursing Department who have a higher risk due to travelling to clinical sites.

- As a follow up, the UUP Chapter asked about a rumored resubmission of the reopening plan.

The most recent submission of the plan was on August 20. A testing plan that had been required by SUNY was submitted this week. The testing plan is being reviewed by SUNY and the college is awaiting approval.

- There had previously been a question about what appeared to be conflicting information about the use of face shields by students and faculty. What is the current status of the use of face shields?

Conflicting information resulted from advice from different external organizations, such as the Center for Disease Control and the New York State Department of Health. The college is adhering to a standard found in New York Forward. Students may receive medical accommodation for using face shields, and faculty using face shields during lectures must mask outside of class. Classes are being recorded in part for students with disabilities.

- Faculty have expressed concern about large class sizes and lack of social distancing, for example with class sizes over 50 people.

Once again, there has been conflicting recommendations from various organizations. The college is following guidelines set by New York Forward for non-public (as opposed to public) gatherings. Thus, for practical purposes a class is considered a non-public gathering because the attendees are recurring and are not random people. With public gatherings there is no real element of control, and it becomes more difficult to do contact tracing. Sizes of gatherings is a "gray area" in which there are no hard recommendations. It is also the case that when offered the choice the Nursing Department rejected splitting classes of over 50 students. In other classrooms and labs in which density is in question Facilities will continue to review social distancing.

(continued next page)

- The chapter had a question had been raised about the “stop the clock” memorandum from SUNY titled “Authorizing additional year to service limit to continuing appointment for current non-tenured faculty” that was issued by Chancellor Johnson on May 6, 2020.

Faculty who do not yet have continuing appointment are automatically being granted an extra year before being considered for continuing appointment. Those interested in continuing the original schedule for continuing appointment must opt out [see page 6 of this newsletter]. The question was, who is tracking the extra year on the salary roster? The Provost’s Office is tracking the eligibility of employees for continuing appointment and Human Resources continues to send information to SUNY about personnel, but SUNY will be making the changes to the schedule that come back to the UUP chapters.

- The Alfred UUP Chapter asked about security at the Northland Training Center.

A contracted security company continues to be employed at Northland, and they are currently reviewing their procedures with the assurance that they would tighten security. Students and faculty have to use identification cards to enter the facility, and swipe access can be denied on an individual basis. There is interest in a Buffalo Police Department substation in the neighborhood. SUNY has no police jurisdiction at Northland because it is not a SUNY owned or controlled building.

- LRS Jamie Guilian asked whether there was an appeal process between application to HR and filing a discrimination complaint with Equal Employment Opportunity Commission (EEOC).

There is no intermediary appeal between HR and EEOC. Some Alfred State employees have been granted accommodation for work-from-home based on relevant medical documentation. If employees persist in requesting accommodation, they can ask to be sent for a “fit for duty” examination by qualified medical personnel.

- Vice-President for Professionals Bill Schultze asked about the recent positive case and about placing students in quarantine.

The campus responded quickly to the event of the positive case. We are hopeful that the precautions taken by students and staff to distance, stay masked and use good hygiene will prevent further spread.

- There have been a number of questions from faculty relating not only to class size, but also scheduling, campus policies, and other issues. The beginning of the semester was comparatively chaotic.

Some of the difficulties with the start of the semester were caused by delays in receiving products, such as Hovercams. Other problems resulted from having to change course schedules to provide classrooms with proper social distancing. Administration is interested in knowing the problems experienced in the fall 2020 semester so that they may be corrected so that the spring 2021 semester might begin more smoothly than the fall 2020 semester.

The next Labor-Management meeting is scheduled for October.



No Discrimination

Several UUP members have expressed interest in union involvement in cases of discrimination. Members who have concerns about discrimination on campus that they want to discuss with UUP may contact Vav Vavrek at vavrekc@alfredstate.edu.

Article 10 of the *Agreement Between the State of New York and United University Professions* (i.e. the union contract, excerpted below) precludes UUP chapters from grieving claims of discrimination with the exception of those cited in Article 10.3. The UUP chapter advises those members who experience discrimination at Alfred State College to contact Human Resources.

At the suggestion of UUP Chapter President Joe Petrick, Alfred State College Faculty Senate recently formed an Equity, Inclusion, and Diversity Committee. The formation of such a committee had been suggested by the SUNY University Faculty Senate resolution "Establishment of Standing Campus Senate EID Committees" available at http://www.sunyufs.us/uploads/1/1/6/9/116933050/183-02-01_eid_campus_senate_eid_committees.pdf. Those interested in participating with the EID Committee should contact Faculty Senate Chair Earl Packard.

ARTICLE 10

No Discrimination

§10.1 The State agrees to continue its established policy prohibiting discrimination on the basis of sexual orientation and all forms of illegal discrimination, including but not limited to discrimination with regard to race, creed, color, religion, national origin, sex, age, disability or marital status.

§10.2 UUP agrees to continue its established policy prohibiting discrimination on the basis of sexual orientation and all forms of illegal discrimination, including but not limited to discrimination with regard to race, creed, color, religion, national origin, sex, age, disability or marital status.

§10.3 Neither the State nor UUP shall deliberately discriminate against an employee as a result of the proper exercise of the employee's rights guaranteed by the Public Employees' Fair Employment Act.

§10.4 Claims of discrimination under Sections 10.1 and 10.2 shall, at the election of the employee, be subject to review in accordance with State and Federal procedures established for such purpose, but shall not be subject to review under provisions of Article 7, Grievance Procedure, of this Agreement.

§10.5 Claims of illegal discrimination under Section 10.3 shall be subject to review under either provisions of Article 7, Grievance Procedure, of this Agreement, or provisions of the Public Employees' Fair Employment Act at the election of the employee, but in no event shall the employee be permitted to elect review in both forums.

SUNY Oswego (Continued from page 1)

"We also continue to hold to our position, which was stated in June, that baseline testing should have been put in place for the arrival of students at SUNY campuses. Since SUNY did not choose this course, the decision to require surveillance testing at all campuses is a welcome step.

"The situation at SUNY Oneonta is urgent and UUP appreciates the seriousness SUNY has shown in dealing with it. We are hopeful that these actions will stop the virus from spreading further and will spare thousands of students, faculty, staff and community members from possibly contracting COVID-19. More importantly, it will save lives.

"UUP urges students, faculty and staff at all SUNY colleges and universities to wear face masks and practice social distancing at all times. We must all work together to keep each other safe."

Memorandum of Understanding Between The State University of New York And United University Professions Regarding Mandatory COVID 19 Testing of Employees In the Professional Services Negotiating Unit

Due to the unprecedented public health crisis presented by the COVID 19 pandemic and the critical need to quickly identify and control the spread of COVID 19 infections on state-operated SUNY campuses, and in the best interest of the entire SUNY community, the State University of New York and the United University Professions hereby reach the following agreement:

- 1) Effective immediately and continuing through December 31, 2020, all state operated colleges, universities, and hospitals shall conduct testing of Professional Services Negotiating Unit (PSNU) employees who are required to report in person to campus to conduct some or all of their work obligation.
- 2) The campus will consult with their UUP chapter representatives in development of the testing protocol of the PSNU.
- 3) Testing of PSNU employees shall be conducted in concert with regular surveillance testing in campus plans required under the Chancellor's September 3, 2020 directive, no less frequently than testing that occurs for the student population, utilizing self-administered saliva tests, short swab rapid tests, or other short swab tests selected by the campus. If a campus elects to utilize long swab testing employees will not be mandated but may be asked to volunteer for the test. Employees to be tested in each testing cycle shall be selected to best ensure that potential outbreaks across the campus population can be identified.
- 4) The campus testing plan and associated information regarding how samples for testing are constructed, including such things as the size of pools and the number and demographics (e.g. which departments or units are represented) of employees to be tested in each testing cycle shall be provided to UUP chapter representatives on each campus.
- 5) Procedures must ensure that:
 - a. The identity of individual employees selected for testing each week remains confidential and is only accessible on a need to know basis.
 - b. The testing is conducted in manner which protects the privacy of the employee being tested to the extent possible.
 - c. The identity of any individual employees who test positive remains confidential to the extent possible.
- 6) Employees subject to testing shall be tested during their regular work hours. The testing shall be conducted without cost to the employee.
- 7) Test results shall not be retained in personnel files or other personnel records and shall not otherwise be retained by the campus any longer than is necessary to comply with public health requirements associated with the COVID 19 pandemic or used for any purpose other than compliance with such public health requirements
- 8) Employees who are quarantined or isolated following a positive test at public health, medical or campus direction shall be allowed to telecommute to the greatest extent possible. If telecommuting is not possible, the employee shall be permitted to use applicable statutory leaves in accordance with state and federal law and leave accruals as contractually appropriate.
- 9) Any conflict arising from this MOU may be raised by a campus or a UUP chapter representative to the signatories of this agreement, or their designees for prompt response and resolution.
- 10) This agreement shall expire close of business on December 31, 2020 unless extended by mutual agreement between the parties.

For the State University of New York: Jim Malatras, Chancellor
For United University Professions: Frederick E. Kowal, President

Dated: September 14, 2020

Take Action for HEROES Act, Taxes on the Ultra-rich

UUP was the first union in New York to launch a coordinated effort for the passage of the CARES Act, and now is leading with its affiliate on an important federal aid package that would go far in helping the state and SUNY rebound from the financial devastation caused by the coronavirus pandemic.

A UUP letter-writing campaign has generated hundreds of letters from UUPers to congressional members, urging the Senate to approve the HEROES Act—approved in May by the House of Representatives—or a Senate equivalent. Now, UUP is working with its national affiliate, the AFT, on the “Don’t Forfeit Our Future” campaign to urge the Senate to pass the HEROES Act.

“Our union is also at the forefront of pushing for approval of taxes on multimillionaires and billionaires who live in the state,” said UUP President Fred Kowal. “Passage of taxes on billionaires and millionaires would generate billions in additional state funding that could be used to help alleviate a state deficit that could be as high as \$20 billion.”

“America cannot return to work, back to school and back to our lives without crucial federal and state investments,” he added.

“It’s up to all of us to speak out and tell the Senate to approve the HEROES Act and the state to pass taxes on the ultra-rich.”

UUP members can help by:

- Telling their senators to support the HEROES Act via AFT’s Action Link at <https://bit.ly/314b1FX>
- Writing a letter urging senators to fund state and local governments at <https://bit.ly/2PcirBK>
- Sharing this AFT flier on the HEROES Act at <https://bit.ly/2P6MmuW>
- Sharing fact sheets, social media graphics and other materials from AFT’s All In website at <http://allin.rtp.aft.org/heroesact>
- Writing state legislators to tell them to push for taxes on the ultra-rich at <https://bit.ly/2XaVxPB>.



Stop the Clock

Faculty who have not yet attained continuing appointment (tenure) should be aware that they have been granted an additional year to prepare by SUNY, and will have to opt out if they do not want the additional year. In order to obtain the additional year professional (i.e. non-teaching) employees would have to request to “stop the clock.”

The SUNY memorandum “Authorizing additional year to service limit to continuing appointment for current non-tenured faculty” reads in part as follows:

“Each employee who as of May 6, 2020 is currently serving in a position of academic rank who has not yet attained continuing appointment status, and who is not currently under review, shall have an automatic one-year extension of the time to continuing appointment without change in title, full-time equivalent or other employment status. Any employee in a position of academic rank who has not yet attained continuing appointment status may opt out of the automatic one-year extension referenced above and be considered for continuing appointment based on their original schedule by submitting a request, in writing, to their Department Chair, with copy to their Dean and Provost. Timelines for such submission shall be determined at each campus. These provisions shall not apply to any employee in a position of academic rank who has already been provided with a notice of non-renewal.”

SUNY stated the rationale for the change as follows: “The current ongoing public health crisis has caused significant disruption to the traditional academic calendar and operations. This has left many SUNY faculty seeking continuing appointment with disruption in their academic progress toward achieving tenure. Given this significant disruption, SUNY has reached an agreement with the United University Professions (UUP) to allow for a one-time, added year of service for all current non-tenured faculty in these academic ranks. Those faculty wishing to continue within the current track would be allowed to do so after providing notification to their campus.”

Questions about voting this year? Read this!

One thing that most everyone agrees on is that the Nov. 3 election will be one of most important in the country's history.

But the election is complicated this year, in large part due to the coronavirus pandemic. In New York, voters have two options: voting in person and voting with an absentee ballot.

The first step is the same for people who will vote in person or by absentee ballot: Make sure you're registered to vote. You can do that at <https://voterlookup.elections.ny.gov/>.

If you're not registered, you have until Oct. 9 to do so. Go to <https://www.ny.gov/services/register-vote> to find information on how to register.

Then, put on your face mask, go to your polling place on Nov. 3 and vote. Point to <https://voterlookup.elections.ny.gov/> to find your polling place.

Absentee voting

On Aug. 20, the governor signed a law allowing all voters to immediately request absentee ballots; a second law allows ballots to be postmarked the day of the election.

You can apply for an absentee ballot online, by email, by fax or by mail at <https://www.elections.ny.gov/CountyBoards.html>.

The state is still working on setting up an online portal for ballot requests; it is coming soon, according to the State Board of Elections website, <https://www.elections.ny.gov/votingabsentee.html>.

You can also apply in person at your local county board of elections: <https://www.elections.ny.gov/countyboards.html>.

If you don't want to wait, you can download an absentee ballot application at <https://www.elections.ny.gov/NYSBOE/download/voting/AbsenteeBallot-English.pdf> and mail, email or fax it in. Make sure to mark the box that says "temporary illness" if you are requesting the ballot because of coronavirus concerns.

The deadline to apply online or by mail for an absentee ballot is Oct. 27. You can apply for a ballot in person up until Nov. 2. Ballots will start going out in the mail in September.

Once you get your ballot, make sure that you vote and sign it before mailing it in. Detailed information on how to submit an absentee ballot can be found at <https://www.elections.ny.gov/votingabsentee.html>



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Alexandra Hoffman	Officer for Contingents	
Gary Moore	Officer for Retirees	
Earl Packard	Delegate	
Ray Gleason	Delegate	
Laurie Dunn	Delegate	
Jamie Guilian	Labor Relations Specialist	

Visit the Alfred Chapter of UUP on the web at <http://uuphost.org/alfred/>

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