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<https://uupinfo.org>

**Echo** 



# Alfred UUP News

Volume 8, Issue 9

May 2021

## Chapter Election Results

### UNITED UNIVERSITY PROFESSIONS OFFICIAL 2021 ELECTION REPORT ALFRED CHAPTER (40835)

Election results are listed in descending order of votes received. Tie votes are listed in rank order as determined by lottery. Winners are designated by an "X" except for delegates. Delegates are listed in rank order of votes received.  
\* = NO ONE ELECTED — Call the Co-Chairs of the Constitution and Governance Committee.

The term of office for each position is from June 1, 2021 through May 31, 2023.

#### PRESIDENT AND DELEGATE

Candidate	Total	Winner	Notes
Bitterman, Albert E	74	X	
Petrick, Joseph A	69		
Dunn, Laurie L.	1		

#### VICE PRESIDENT FOR ACADEMICS AND DELEGATE

Candidate	Total	Winner	Notes
Hoffman, Alexandra C	46	X	
Bitterman, Albert E	36		
Dunn, Laurie L.	1		
Petrick, Joseph A	1		

#### VICE PRESIDENT FOR PROFESSIONALS AND DELEGATE

Candidate	Total	Winner	Notes
Schultze, William H	46	X	

#### SECRETARY

Candidate	Total	Winner	Notes
Panter, Linda K.	12	X	
Hoffman, Alexandra C.	3		V
Alger, Erica L.	1		V
Bitterman, Albert E.	1		V
Vavrek, Christopher R.	1		V

#### TREASURER

Candidate	Total	Winner	Notes
Buell, James F	115	X	
Ebert, Joseph A	1		

#### WELLSVILLE CAMPUS VICE PRESIDENT

Candidate	Total	Winner	Notes
Traugh, Gregory H	113	X	

I = ineligible for office

V = ineligible to serve due to receiving less than 5 votes

We certify that this election was conducted in accordance with the UUP election procedure and that this report constitutes the official election report. Ties were resolved by lot.

#### Signatures on File

Rob See, Michael Barclay  
Co-Chairs, Constitution and Governance Committee

#### Signature on File

Jeri O'Bryan-Losee  
Secretary-Treasurer

Tellers: List of tellers on file.

Date: Sunday, May 2, 2021

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**UNITED UNIVERSITY PROFESSIONS  
OFFICIAL 2021 ELECTION REPORT  
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**DIVERSITY, EQUITY, AND INCLUSION OFFICER**

Candidate	Total	Winner	Notes
Bitterman, Albert E	74	X	
Vavrek, Christopher R	59		

**MEMBERSHIP DEVELOPMENT OFFICER**

Candidate	Total	Winner	Notes
Guthrie, Jennifer A.	11	X	
Hoffman, Alexandra C.	4		V
Bitterman, Albert E.	1		V
Burch, Debra A.	1		V
O'Brien, Danyelle A.	1		V

**OFFICER FOR CONTINGENTS**

Candidate	Total	Winner	Notes
Hoffman, Alexandra C	64	X	
Vavrek, Christopher R	63		

**ACADEMIC DELEGATE**

Candidate	Total	Rank	Notes
Packard, Earl D	68	1	
Keeney, Ronald H	57	2	
Panter, Linda K.	8	3	
Vavrek, Christopher - Ineligible	1		I
Dunn, Laurie L.	4		V
Bloxson, Mark J.	1		V
Green, Danielle R.	1		V
Hoffman, Alexandra C.	1		V
Vlakancic, Alan Howard	1		V

**PROFESSIONAL DELEGATE**

Candidate	Total	Rank	Notes
Schultze, William H	36	1	
Gleason, Ray D	36	2	

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Co-Chairs, Constitution and Governance Committee

**Signature on File**

Jeri O'Bryan-Losee  
Secretary-Treasurer

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## Collective Bargaining: The Taylor Law

There has been recent interest on the part of UUP members at other chapters in pursuing the option of going on strike if the state impedes progress in upcoming contract negotiations. It is illegal for public service unions in New York to go on strike, but in the past there have been job stoppages or threats of such actions. For example, last year the New York City chapter of the United Federation of Teachers prepared to go on strike over concerns about returning to class during a pandemic, but the issue was settled.

What follows is an explanation of the prohibition of striking by public service employees in New York State, and a brief explanation of the Taylor Law.

Public employees in New York State have the right to be represented by unions and to bargain collectively with their employers for salary, benefits and other terms and conditions of employment. This right should not be taken lightly. It was not recognized in New York until the Legislature enacted the Taylor Law in 1967. Collective bargaining for school employees is currently illegal in five states; severely restricted in four states; and in 11 states, public employers are permitted to bargain with their employees — but most often do not. Private-sector members are covered under the National Labor Relations Act, which likewise establishes the right of private-sector members to organize and bargain collectively.

### The Taylor Law

Before the Taylor Law was enacted, public employees in New York State had no legally recognized collective bargaining rights. Under the Condon-Wadlin Act, a 1947 law that the Taylor Law replaced, striking public employees were penalized by being fired. They could only be reinstated under a three-year pay freeze and five-year probation. The Public Employees' Fair Employment Act (Taylor Law) was enacted in 1967 following a series of public-sector strikes, including the 12-day New York City transit strike a year earlier.

The state Legislature granted amnesty to the striking employees, and Gov. Nelson Rockefeller appointed a committee to recommend legislation regarding public-sector employee rights. The result was the Taylor Law. It formally establishes:

- The right of public employees to organize and bargain collectively with their employers;
- The right to representation by employee organizations (unions) of their own choosing;
- The requirement that public employers (including school districts) negotiate with their employees and enter into written agreements (contracts) with their employees' chosen representatives;
- Procedures for resolving contract disputes (impasses);
- Prohibition of improper labor practices by either side;
- Creation of the Public Employment Relations Board to administer the law; and
- The requirement that bargaining unit members who choose not to join a union pay an agency fee, and that use of the fee for political and ideological purposes only incidentally related to bargaining and to which the agency fee payer objects, is subject to a rebate procedure.

The Taylor Law still denies public employees the right to strike. The penalties for striking are

loss of pay for each day the employee is on strike, plus a fine of an additional day's pay for every day on strike and potential discipline for misconduct.

NYSUT and UUP are always working to win legislation to improve the provisions of the Taylor Law. For example, the 1982 "Triborough" amendment mandated that if a collective bargaining agreement expires, its terms and conditions continue until a new agreement takes effect. That amendment has helped thousands of members avoid hardships when negotiations are impeded by harsh economic conditions, recalcitrant employers or both. An earlier improvement eliminated the "probation penalty" (probation for one year) against tenured teachers who went on strike.

### **Bargaining services**

Employees in an overwhelming majority of school districts in New York State are represented by local unions affiliated with NYSUT, including UUP. While the local union is the bargaining agent for its members, NYSUT provides whatever assistance the union may require to carry out its duties. In many instances, a NYSUT labor relations specialist represents the local union at the bargaining table and in the administration of the collective bargaining agreement. The LRS advocates on behalf of the members at the local level in front of impartial arbitrators and at the Public Employment Relations Board and, for private-sector members, the National Labor Relations Board. He or she works with the local affiliate in the capacity of consultant, communicator, trainer and facilitator to resolve local issues

(Adapted from <https://www.nysut.org/members/member-guide/collective-bargaining>)

## **What Happens When NY Public Service Employees Go on Strike**

If teachers strike, state law (<https://perb.ny.gov/taylor-law/>) requires their employer to deduct two days of pay for every day on which the employer determines they were on strike. School officials may also pursue removal or other disciplinary action against each of them for misconduct.

The union itself faces the loss of its dues deduction privileges, meaning it would have to bill each member for funds that are otherwise collected for them by the payroll office. That penalty applies even if the union doesn't authorize the strike, and has sometimes been applied when a union has failed to prevent unauthorized job actions, such as sickouts.

But the ban on strikes is not self-enforcing: when a strike appears imminent, the Taylor Law requires a school district to seek an injunction against the union. If a court grants the injunction, union leaders face contempt charges, with penalties of fines or jail, if the strike happens. And the union itself can be fined at amounts set at the court's discretion.

Under the Taylor Law, any employee who is absent from work without permission, or who abstains in any part from performing his or her full job duties in a normal manner, while a strike is occurring is presumed to have been on strike.

(Adapted from <https://www.empirecenter.org/publications/what-happens-teachers-strike/>)

## Consolidation a trend in state university systems

Consolidation is the latest buzzword in public higher education.

Even before the coronavirus pandemic, some public university systems saw declining enrollment and changing needs among their students, in terms of what those students wanted to study and how they wanted to get a degree.

The phrases “experiential learning” and “online education” were around long before people were talking about social distancing. The traditional concept of college as a place where a group of 18-to 22-year-olds starts in a prescribed course of study that includes a core curriculum, with that group graduating as a cohesive unit four years later, has long been shifting.

The pandemic didn’t cause these changes in student demographics and needs; it just highlighted them, helped by a sudden drop in revenue as on-campus attendance and residential life plummeted or stopped altogether last year. Often, the pandemic crash followed years of declining enrollment and underfunding.

Public university systems in at least eight states in recent years have either considered consolidations or have taken steps to start that process: Alaska, Connecticut, Georgia, Maine, Ohio, Pennsylvania, Wisconsin and Vermont.

Usually, these changes are presented as an opportunity for greater efficiency that will benefit students and save money, and even as an opportunity for new revenue, as the historic Ohio University recently announced with its “One Ohio” plan.

Consolidation rarely generates a huge gush of operating funds, but it may allow a university system to rearrange how it spends what money it has. A university system may, for example, put some of its savings on administrative costs into the hiring of more faculty and advisers.

One study of the University System of Georgia found increased student retention and four-year graduation rates after campus mergers, as this [story in the Chronicle of Higher Education](https://www.chronicle.com/article/more-states-are-looking-at-consolidating-their-public-colleges-does-it-work) notes: <https://www.chronicle.com/article/more-states-are-looking-at-consolidating-their-public-colleges-does-it-work>

The latest state to announce campus consolidations is Pennsylvania, which has just announced plans to turn six public universities, all on separate campuses, into two universities. All six campuses are part of the Pennsylvania State System of Higher Education.

However, the plan does not have overwhelming public support. The faculty union, the Association of Pennsylvania State College and University Faculties, said earlier this week that it was still reviewing the new plans.

Read more about the plan in Pennsylvania: <https://www.insidehighered.com/news/2021/04/27/pennsylvania-higher-ed-system-releases-consolidation-plans>

And for a thoughtful essay on the plight of public higher education in Ohio: <https://www.forbes.com/sites/richardvedder/2020/07/20/the-great-college-depression-begins/?sh=71f1d440497b>

## PRO Act reflects a more upbeat prospect for union organizing

If you have ever worked for an anti-union employer, and you've been called into the boss' office and asked, "Are you trying to start a union here?" you will understand the fear that question can trigger – especially if you cannot afford to lose your job.

It is legal to start a union in the U.S., a fact that should be self-evident, but which many employers choose to ignore. This country has a long history of threats, intimidation and not-very-subtle hints to employees that add up to an unmistakable message about trying to organize a union, and that message is: "Don't go there."

That's why UUP and many other labor organizations support the PRO Act (Protect the Right to Organize Act), which has passed the House of Representatives and is now before the Senate.

The PRO Act would strengthen penalties for employers who illegally break unions; make it more difficult for employers to try to block organizing campaigns with lawsuits, and make it easier for workers to secure their first union contracts, among other changes.

President Biden said he will sign the PRO Act into law if the Senate approves the bill. Here's how you can help get the PRO Act through the Senate:

UUP has posted an e-letter that you can send to your senators asking them to approve the PRO Act. Click to send the e-letter: <https://actionnetwork.org/letters/tell-the-senate-support-the-pro-act/>

Click <https://docs.google.com/forms/d/e/1FAIpQLSfpu1OdeSLr3WW2GYKLHwllApqPA5Ovb-kCQm0HMoySodELw/viewform>

to endorse the PRO Act by signing on to an online UUP petition calling for approval of the bill.



# SUPPORT WORKERS' RIGHTS



## PASS THE #PROAct



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Vavrek, Christopher R.	30	3	
Guthrie, Jennifer A.	2		V

**OFFICER FOR RETIREES**

Candidate	Total	Winner	Notes
Moore, Gary E	123	X	
Simpson, Rex A.	1		

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Jeri O'Bryan-Losee  
Secretary-Treasurer

**Tellers:** List of tellers on file.

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Join UUP members, coalition partners, elected officials, and advocates for a series of virtual **roundtable discussions.**

**SUSTAINABILITY ROUNDTABLE**  
April 22, 12 PM

**HEALTHCARE ROUNDTABLE**  
May 6, 12 PM

**HIGHER EDUCATION ROUNDTABLE**  
May 20, 12 PM

**Register at:**  
**[bit.ly/UUP-roundtable](https://bit.ly/UUP-roundtable)**

Chapter Officers		
Joseph Petrick	Chapter President	587-4311
Elaine Burns	Chapter Assistant	587-4186
William Schultze	VP for Professionals	587-4033
Linda Panter	VP for Academics	
James Buell	Treasurer	
Jennifer Guthrie	Membership Development Officer	
Vav Vavrek	Affirmative Action Chair	
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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