

The Official Newsletter
of United University
Professions Buffalo
Center Chapter at the
University at Buffalo.

UUP NOW!



ISSUE 1 FALL 2015

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WELCOME

Thank you for taking the time to read our new UUP Buffalo Center Chapter Newsletter, UUP NOW! The Communications Committee decided to start a seasonal newsletter for our members. We hope to provide you with important and useful information. If you are interested in submitting an article, or assisting in any fashion, we welcome your ideas or contributions.

- UUP Buffalo Center Chapter
Communications Committee

UPCOMING EVENTS

■ **September 24**
Buffalo Center Boat Cruise
5:30 pm – 8:00 pm
Buffalo Harbor

■ **September 26**
UUP/UB Football Tailgate
12:00 pm – 3:30 pm
Stampede Square

■ **September 30**
Negotiations Luncheon
12:00 pm – 2:00 pm
Main Stage CFA

■ **October 2-3**
**2015 Fall UUP
Delegate Assembly**
Buffalo Hyatt Hotel

■ **October 6**
Chapter Board Meeting
12:00 pm – 2:00 pm
UUP Chapter Office

■ **November 10**
Chapter Board Meeting
12:00 pm – 2:00 pm
UUP Chapter Office



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United University Professions (UUP), a state-wide local of New York State United Teachers (NYSUT), is the bargaining unit for faculty and professional staff members employed by the State University of New York (SUNY) at all of its campuses and health sciences centers. In this capacity, UUP negotiates the employment contract between those members and the State of New York and represents those members and their interests throughout the life of the contract. The contract describes the terms and conditions of members' employment, including salaries, performance programs and evaluation processes, conditions governing disciplinary actions, minimum and maximum salaries for each salary level (SL), health benefits, grievance procedures and a wide range of other rights, including parking at a minimum fee, tuition-free courses, and Individual Development Awards. The UUP Benefit Fund also FUNDS and monitors dental insurance and vision care programs, which are administered by the state. The union studies many aspects of our working life and recommends improvements, attempts to correct problems, address injustices, and assure that all members receive rights and due process guaranteed by the contract and by the Taylor Law. It also support a broad range of political actions through members' voluntary contributions to Vote COPE, the NYSUT Political Action Committee, which funds lobbying efforts on behalf of public education at all levels. The union also sponsors many projects here at UB, such as voter registration drives, Take Our Daughters to Work Day, career development workshops, and scholarships for SUNY students.

MESSAGE FROM THE PRESIDENT



Dear Members,

The Buffalo Center Chapter of UUP is proud to introduce our new seasonal newsletter.

It will serve as another way for our chapter to provide you with important, up-to-date information for your benefit and that of your families.

In the past year, this chapter has undergone major changes. We have enlarged our office; established new online and face-to-face channels of communication and information with our members, rebranded ourselves, and now serve as a more effective conduit between you and the larger collective institution of organized labor in WNY.

We face new challenges, of course. These include upcoming and possibly contentious contract negotiations and our work with members to resolve an increasing number of workplace problems and contract violations and offer to referrals to agencies charged with the enforcement of state and federal labor and civil rights laws.

We also will have to deal with the consequences of an upcoming U.S. Supreme Court decision that threatens to seriously weaken public sector unions throughout the country (for details on that case see the message from our NYSUT Labor Relations Specialist Tara Blumberg in this issue).

These are just a few of the reasons we need to be connected and informed. Please keep an eye out for emails from UUP, and regularly check our new chapter website at <http://www.uupbuffalocenter.org> and this newsletter for the latest news on issues that are likely to have an impact you and your work life.

As I said, contract negotiations are coming up, so please take advantage of the September 30 meeting with our statewide negotiations team to insure that your voice is heard and your interests are represented at the bargaining table.

As always, if any questions or concerns arise, our office is open and available to assist.

Remember,

"The People United Will Never Be Defeated"

- Frederic Rzewski

Tom Tucker, president
UUP Buffalo Center Chapter
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ATTENTION PROFESSIONALS

Anyone having trouble obtaining comp time for extra hours worked beyond your normal professional obligation. Please contact: **Patricia Donovan**, grievance chair for professionals at (716) 628-0604 or pdonovan@buffalo.edu

Hi, my name is Maureen Kanaley, newly elected vice president for Professionals. I am interested in hearing from you and any professional concerns you may have. Please send me your ideas, proposals, observations. I would also like to hear about what you would like us to do, such as workshops or social get-togethers. Please feel free to contact me at kanaley@buffalo.edu.

FOR ALL MEMBERS

Our next LEAD Institute offering is:

Workshop: "Introduction to Collective Bargaining"

Here is the link for "Introduction to Collective Bargaining and archived webinars:

<https://uuphost.org/leadinstitute/RegFormArchive.php>

Leadership - Education - Action - Development Institute was created for you!

You can learn about promotions, job protections, continuing and permanent appointment, the grievance process and much more.

To register click on Link above. The courses are free, are less than an hour long and you can decide when and where you want to access it.

ATTENTION PROFESSIONALS!

This is your real "professional obligation!" The UUP Contract Negotiations are about to begin again.

September 30 meeting is your chance to define changes you want to see in the next UUP-NYS contract: Noon-2 pm, CFA Mainstage. Be there.



If you haven't met me, I am Mike Formato, negotiations officer for professionals in the Buffalo Center Chapter, an elected position.

I need your help.

As we approach the negotiations process for our new contract, I suggest we remember George Santayana's 1905 warning that those who do not remember the past are condemned to repeat it.

Two things I ask you to remember are these:

1. We have a blatantly union-busting governor still angry over the fact that many public service unions, including this one, did not endorse his candidacy. Andrew Cuomo never forgets. He gets even. Note the post-negotiation attack on the Public Employees Federation. Classy.
2. The last UUP-NYS contract, negotiated on the state side by an anti-union "consultant," and the disappointment it provoked, fueled in part by its promise of three years without a raise, followed by the governor's decision to temporarily snatch a sizable hunk of our bi-weekly salaries to "help balance the state budget." "How much did your check go down? \$50? \$70? I guess that showed us."

Now we are to begin again.

As in the past, the UUP state president has appointed a negotiations team to meet with the Governor's Office of Employee Relations and other parties (which have in the past included the Civil Service Commission, NYSHIP and SUNY) and come up with a new contract.

By the time that contract is given to us, we will be powerless to affect the outcome, except by voting the agreement up or down.

Right now, however, we are in a position to strongly influence just what that negotiating team asks for or demands and we invite you to take part in that process.

First, by attending a meeting with the head of our statewide negotiating chair, J. Philippe Abraham, state UUP vice president for professionals, to tell him what you want changed in the contract. That meeting will take place Wednesday, Sept. 30 from noon to 2 p.m. in the Center for the Arts Mainstage.

In addition, I will be meeting over the next several months with professional employees from any and all units who make the request, to collect their concerns and demands related to the upcoming contract.

You want a meeting? Contact me. Information below. I want to hear from you so I can advise the negotiating team.

The voices of SUNY Central and college and university administrators have many avenues by which to make themselves heard, some official and others not. Many well-heeled interests have fueled the governor's notorious anti-public education stance. They have paid dearly to be heard loudly.

I learned many years ago that the rich can afford to be strong and the rest of us can't afford not to be. This is your chance to speak the truth to power. Do not be silenced by two of our major opponents, ignorance and apathy.

Please join us on September 30 and be heard. This is what democracy looks like!

Michael Formato, negotiations officer for professional employees
UUP Buffalo Center Chapter
formato@buffalo.edu



2015 Buffalo AFL-CIO Labor Day Parade.



Members gather in the chapter office for Taco Tuesday

FRIEDRICHS VS. CALIFORNIA TEACHERS ASSOCIATION:

A pivotal case on union rights goes before the Supreme Court

On June 30, 2015 The U.S. Supreme Court today agreed to hear a California case next fall challenging the requirement that teachers contribute to unions, even if they don't join them or agree with their positions on issues. Since 1997, unions largely have been allowed to collect dues from all private or public employees they represent. Those who object don't have to contribute to political or lobbying activities, but as "fee payers" they must chip in for the unions' efforts in fighting for better wages, benefits and working conditions; in other words, contribute their fair share. In New York State, public employees -- like those represented by NYSUT -- can join the union or opt to pay a fee toward the union work that benefits them. The loss of those revenues could potentially put a fiscal strain on unions across the nation. That's what will be at stake when the high court hears the Friedrichs vs. California Teachers Association case, probably in December.

What you need to know

The Issue:

A legal case now before the U.S. Supreme Court, *Friedrichs vs. California Teachers Association*, poses a potential threat to the strength of public-sector unions nationwide. What's at stake is the principle of "fair share" — that all who benefit from union representation should share fairly in the costs of that work.

In New York State, the law says that if you choose not to be a union member, you must still pay your "fair share" for the union's work that benefits you — for example, the higher salaries and benefits that unions negotiate, better working conditions, health and retirement benefits and so on. The law protects the "free speech" of those who are opposed to union membership by establishing a second option — "fee payer" — for those who opt out of full union membership. Fee payers contribute only toward the services that benefit them, but no one is or can be forced to join a union, pay union dues or contribute to political activity they don't support.

UUP employees can join the union or they can opt to pay a "fair share" toward the union work that benefits them. This "fair share" is also called an agency fee.

In *Friedrichs v. California Teachers Association*, some individuals have gone to court insisting they should be able to be "free riders." They want to share in the benefits of a unionized work place without contributing their fair share —or any share at all — but they want to still be entitled to union representation and to all the benefits and contract protections the union negotiates.

A decision by the Supreme Court could come as early as December 2015. It likely would take effect immediately.

Frequently Asked Questions

Q: What would it mean if the Supreme Court says workers can opt out of a "fair share" fee in a unionized workplace and become free riders?

A: An adverse decision — which would run contrary to decades of law reinforcing union rights — could land like a wrecking ball aimed at union solidarity. Unions would be in the unfair position of still representing workers, negotiating on their behalf and improving their working conditions without the law's safety net requiring that all who benefit share in the costs. Dues-paying members would have to pay for the equal representation provided to non-members. This could undo union solidarity and destabilize the labor movement. We could expect that anti-union PACS would spend millions on campaigns attacking unions and urging members to become "free riders." It could eventually decimate the union.

The best way to keep UUP strong is to understand that strong unions benefit workers:

- Salaries are higher in unionized workplaces.
- Health benefits, paid time off and retirement security are significantly better in unionized workplaces.

FRIEDRICH VS. CALIFORNIA TEACHERS ASSOCIATION:

A pivotal case on union rights goes before the Supreme Court

- Unions have achieved due process and basic job protections non-existent in non-unionized workplaces.
- Through unions, employees have a voice in safety, in working conditions and in ensuring high standards for their professions and in the services they provide.
- Where unions are strong, wages and benefits for all workers are better than in states with no union presence. It is against individuals' self-interest to weaken a union in their workplace. Advances come from strong unions where member solidarity is steadfast and members are mobilized.

In New York State, unions are the essential force providing a counterweight to bad public policy, worker exploitation, corporate greed, unsafe conditions and other violations of best educational practice.

As UUP starts to prepare for the next round of Contract negotiations, our strength at the table will be directly impacted by our membership v. agency fee payer numbers. If you haven't signed a membership card, please do so. Your voice counts, more so now than ever.

Q: How is a non-unionized workplace different?

A: There is no freedom of speech: if you speak out of turn you can be punished and even terminated.

A: You are guilty until proven innocent: an employer can terminate you for any reason or no reason at all, as long as you cannot demonstrate that such termination was due to a violation of your statutory rights e.g., against unlawful discrimination.

Q: Why do I need a union? I can handle my own affairs and would rather keep my dues:

A: This may be true, but the chances are that you might need help somewhere along the way. What about your colleagues? They need your help. Do you think an individual could accomplish the same results as the collective voice and power of the union?

A: Having a union changes the basic power relationship at work. Employees come together to collectively advocate for fair workplace rules, job security and better benefits. With a union, employees are no longer subject to the discretion of the employer.

For more info on this topic, please go to our website home page www.uupbuffalocenter.org and www.uupinfo.org

Tara Singer-Blumberg, labor relations specialist
UUP Buffalo Center Chapter
tsinger@nysutmail.org

ARE YOU A MEMBER OR A FEE PAYER?

It makes a big difference when it comes to negotiating and voting on the new contract

Do you know that 80 percent of your colleagues are full members of UUP? Those who are not are called "agency fee payers" and although they also pay the monetary equivalent of dues and receive all union benefits, they will not be entitled to vote on the upcoming contract that will have a major impact on their work life.

We hold that a strong and active union membership is essential to protecting your employment rights at the University at Buffalo. We also believe that with fewer fee payers and more full members, UUP and our affiliated unions, NYSUT and AFT can more effectively lobby for increased support for higher education.

If you are a fee payer, the most important reason to become a member, however, is that we need your input.

- We want to know what you think about how the chapter and the statewide union operates
- We want to know what changes and improvements you want to see in the contract. What works? What doesn't? What needs to change?

As a fee payer, you cannot offer such assistance. Only full members of the union can set our bargaining agenda and we will be contacting them over the coming month to get their help in establishing our negotiation priorities.

We hope that if you are a fee payer, you will choose to join UUP at this time and participate in that process. Remember that it will cost you no more to join the union than to be a fee payer and dues money is NOT used for political action.

That said, we realize and respect the fact that not all fee payers will want to join the union. Even if you are not a member, we have the legal obligation to bargain for all employees in the bargaining unit, members or not, and to represent their interests in the bargaining process, in contract implementation and contract enforcement (including the grievance procedure) and we take that obligation very seriously. If you need help, member or not, do not hesitate to call us.

The Buffalo Center Chapter of UUP BELONGS TO YOU! We encourage you to participate in any way possible: to attend meetings, negotiate changes, run for office, be a department representative, assist us with publications, lobbying efforts, resolving grievances, membership development and other work.

While respecting your right to say no, if you are a fee payer, we encourage you to support those who work to ensure your rights as working men and women at UB, by joining us as a full member.

Kenneth Kern, Membership Development Officer
UUP Buffalo Center Chapter
khkern@buffalo.edu

Thomas P. DiNapoli New York State Comptroller				JOHN DOE		Total Gross		Fed Taxable Gross	
						Current	3456.78	1234.56	
						YTD	45,678.90	34,567.89	
Advice # Advice Date		123456789 07/01/15		Pay Start Date Pay End Date		07/01/15 07/15/15		Net Pay 1,234.56	
Department ID		1234				Pay Rate		78,910.11	
EARNINGS				Current		YTD			
		Hrs./Days		Earnings		Hrs./Days		Earnings	
Regular Pay Salary Employee				3456.78				45,678.90	
Location Pay				56.78				678.90	
				TAX DATA		Federal		State	
				Marital Status		4		4	
				Allowances		2		0	
				Add. Amt.					
				TAXES		Current		YTD	
				Fed Withholding		3,456.78		1,234.56	
				Medicare		45,678.90		34,567.89	
				Social Security		3,456.78		1,234.56	
				NY Withholding		45,678.90		34,567.89	
BEFORE TAX DEDUCTIONS				Current		YTD			
Regular Before Tax Health				456.78		1,234.56			
Supplemental Ret. Annually Prog.				678.90		5,678.90			
TIAA Retirement Before Tax				56.78		1,234.56			
				AFTER TAX DEDUCTIONS		Current		YTD	
				UUP Member 26P		34.56		456.78	

Check your pay stub to see if you are a full member

POLITICAL OUTREACH

On your behalf, UUP speaks non-stop with elected officials throughout the state. Those who develop public policy often ask our opinion on public policy, legislation or other matters of public interest, particularly as they apply to public education. We often are able to convince them that satisfying our vested interests translates into votes and that failure to do so will cost them electorally. In this way, we exercise considerable influence on political matters of importance to us.

UUP is a statewide local of New York State United Teachers (NYSUT) and we participate in NYSUT's statewide political action committee or better known as NYSUT PAC. To fund this PAC we need Vote Cope money, which is funded by voluntary donations by our members *outside of dues payments*, and you may recall our regular requests that you contribute to the PAC.

Vote Cope money is used, for example, to purchase tickets to a candidate's political fundraiser or help fund our members' trips to Albany to lobby the governor or legislators, sometimes right on the legislative floor. We lobby locally as well, in support of higher education as well as public education in general. This is a 24/7 business and is one of the ways UUP works on your behalf.

There is great strength and sway in any united effort to get our points across to those in power. However, state law prohibits UUP from using state property or equipment for political activity. That includes the use of our @buffalo.edu email addresses to communicate information about political issues and activities.

So, If you are interested in our lobbying activity, or which to participate in it by, for instance, going to one of those political dinners or visiting legislators to represent UUP and our concerns, all you need to do is to send us your NON-UB EMAIL ADDRESS (@gmail.com or @yahoo.com, for instance) and/or supply us with your cell number so we can send you text message updates.

We will get the word out to you as to what we are up to so you can ascertain whether to become part of an action.

I'm sure you have seen the rallies in Wisconsin and elsewhere by public education union members and we, too, need to organize and be vigilant to ensure that those in office know that UUP members vote, and are watching them to be sure that our interests are protected.

PLEASE JOIN US IN THIS IMPORTANT WORK BY GIVING US YOUR NON—UB EMAIL INFORMATION AND – WHEN TIME PERMITS – JOIN US IN THIS IMPORTANT, FUN AND REWARDING WORK!

We can influence who is elected and we certainly can make our concerns known to sitting elected officials. Please add your voice to those efforts. Our jobs just might depend on it.

Please send your information to Kristen Rinker: [kribuffalo@gmail.com](mailto:krbuffalo@gmail.com) and, if possible, your personal cell number (with area code) so we can text you.

Thank you,

**Timothy A. Tryjankowski,
political outreach coordinator
UUP Buffalo Center Chapter
tatbuffalo@gmail.com**



Tim Tryjankowski talks to members about political action during the Center for the Arts Roadshow.



Communications training in the chapter office.

FIGHT FOR 15 - A BIG WIN FOR FAST FOOD WORKERS IN NYS

On July 26, a wage board convened by Governor Andrew Cuomo recommended at \$15 an hour wage for fast food workers in NYS.

This is a HUGE deal. The Fight For \$15 campaign started in New York almost three years ago with a handful of fast-food workers. Now, with this recommendation – we're on the brink of *winning \$15 for fast food workers across the state*. The fight isn't over yet – the wage board's recommendation will not become law until Governor Andrew Cuomo's administration decides whether or not to implement the recommendation.

Why a Wage Board?

Under New York law, the governor can appoint a wage board, composed of business, labor and public representatives, to recommend raises in occupations where pay is judged too low to support a basic living; the state labor commissioner can then order the increase without legislative approval. Buffalo Mayor Byron Brown chaired the 2015 Fast Food Wage Board.

Although the board did not specify the wage it would recommend, it said a \$15-an-hour wage is consistent with what it found would be the lowest possible rate to meet New York's Self Sufficiency Standard—the minimum it takes to support a family of 4 if you work full time for a full year. At \$15 an hour, if a fast food worker worked full-time, for a full year they would earn slightly above the poverty level for a family of 4. But most fast food workers work part-time and face erratic scheduling. They can also be told to go home if demand is slow during their shift. Fast-food workers who testified at the Fast Food Wage Board hearings described the challenges of surviving on the state's current \$8.75-per-hour minimum wage. They talked about rationing food until payday, sharing rooms and beds to save money on rent, and having to turn to public assistance to make ends meet.

The board also said it will look for ways to encourage fast food corporations to offer employees more consistent hours and more opportunities for full-time work. All three members of the board supported the increase.

In the past, the wage board process has been used to raise pay for tipped workers and young workers. The Acting Labor Commissioner, Mario Musolino, is expected to approve the board's recommendation, which applies to about 140,000 workers in New York who are employed by restaurants with 30 or more locations nationwide. The first of the incremental increases — to \$10.50 within the city and to \$9.75 elsewhere — is expected in December 2015.

Across the state unions including UUP and especially the Service Employees International Union (SEIU) and social justice groups, like Buffalo's Coalition for Economic Justice, supported the Fight for \$15 and helped to organize low wage workers. The Fight for \$15 has called a lot of attention to the issue of low wage work across the nation and mobilized lots of people. The raise itself will probably be only one of several outcomes of the board's action. A fast-food wage of \$15 could push up wages in New York more broadly because it sets a new bar for retailers, home care agencies, and other low-wage employers to meet or exceed.

Why Target the Fast Food Industry?

Why target the Fast Food Industry when there are many other low-wage workers such as health care workers, school bus aides, day care workers? After all, there are many low wage workers on our campus and throughout SUNY.

The fast food industry is very profitable. Most fast food workers currently work for highly profitable corporations like McDonald's Wendy's and Burger King. We, the taxpayers, are subsidizing these low wages through paying for food stamps, Medicaid for low-income workers and families, section 8 housing subsidies and other programs. Our tax dollars are subsidizing the high profits of these corporations and their highly paid executives. Why? These corporations can clearly afford higher wages for their workers.

The Fight For \$15 won in Seattle, in San Francisco, in L.A. – and now we're on the cusp of winning it throughout NYS. A \$15 an hour wage would also address the long-term decline or stagnation in pay or for the vast majority of workers, with low-wage workers particularly hard hit. New York would be following the lead of these three major cities and provide momentum for more victories to come.

Phasing in the Raise - and a union

In NYS the increase would be fully phased in by the end of 2018 for workers in New York City and by mid-2021 for those in the rest of the state. Currently, the minimum wage is \$8.75 an hour and fast-food pay in New York is about \$9 an hour.

The \$15 dollar an hour rate should also be indexed to inflation after it is fully implemented. Even better would be a union, which could monitor both wages and working conditions and press for regular improvements in both. Let's keep the pressure on Governor Cuomo to do the right thing and make \$15 an hour for Fast Food Workers the new law.

**Ruth Meyerowitz, board member/academic delegate
UUP Buffalo Center Chapter**