

Working under an expired contract: What is and isn't protected by Triborough

The 2011-2016 collective bargaining agreement between New York state and UUP expired July 1, 2016. But under the Triborough Amendment of the Public Employees Fair Employment Act (the "Taylor Law"), almost all benefits provided by the expired contract continue until a successor agreement is ratified.

The exceptions are those benefits that expire on specific "sunset" dates. Generally, this means that while certain specific benefits have ended until a new contract is negotiated, most contract benefits, including such things as current compensation; health benefits and leave provisions; grievance and due-process provisions; appointment, evaluation and promotion procedures; and notice of nonrenewal and retrenchment protections continue.

Where We Stand on Specific Contract Items—Highlights

The following highlights the status of major contract issues of significance to UUP members.

SALARY PROVISIONS—ARTICLE 20

Across-the-Board Salary Increases

Members will continue to receive their current salaries. There will be no across-the-board salary increases until they are provided for in a new contract.

Discretionary Salary Awards

Under the terms of the 2011-2016 agreement, one more round of Discretionary Salary Awards will be distributed by Dec. 31, 2016.



KAREN L. MATTISON

NEGOTIATIONS TEAM MEMBERS IDALIA TORRES OF FREDONIA, LEFT, JASON TORRE OF STONY BROOK AND PAMELA MALONE OF EMPIRE STATE LISTEN AS BILL TUSANG OF COBLESKILL, FORE, MAKES A POINT AT A RECENT MEETING.

Salary Provisions that Continue under Triborough

- Location Stipend (Downstate & Mid-Hudson Adjustment)
- Inconvenience Pay
- On-Call/Recall Pay
- Service Awards:
 - For full-time employees: A one-time \$500 payment shall be added to basic annual salary at:
 - Continuing appointment
 - Permanent appointment
 - Second five-year term Appendix A appointment
 - Completion of seven years in Lecturer, Appendix C (Fundraising), and Appendix B-4 Division III Sports titles.
 - For part-time employees: A \$500 lump-sum bonus payment (not added to basic annual salary) after eight years of consecutive service at the campus at which they are currently employed, and every eight years thereafter.

MEDICAL, VISION, DENTAL, LIFE INSURANCE BENEFITS—ARTICLES 39 & 40

All New York state health benefits provisions and all programs administered by the UUP Benefit Trust Fund (vision, dental and life insurance) continue.

About UUP ...

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Productivity Enhancement Program—Appendix A-26

2016 was the last available year for the “PEP” program. This program allowed employees who accrue vacation leave to exchange two or three days of vacation time for a credit toward the cost of their health insurance premium. PEP will not be available again unless negotiated in a successor contract.

JOINT LABOR-MANAGEMENT COMMITTEE GRANT PROGRAMS—ARTICLES 42-45

Programs such as Individual Development Awards, Drescher Leaves, Calendar Year Employee Leaves, and Campus Grants will have no additional funding after expiration of the contract.

However, under the 2011-2016 agreement, UUP and the state agreed to an allocation of money for these programs during the 2016-2017 academic year. Grant application processes are in place for the fall 2016 semester.

WORK-LIFE SERVICES PROGRAMS (FAMILY BENEFITS & EAP)—ARTICLES 46 & 47

The following NYS Employee Work-Life Services programs continue:

- Employee Assistance Program (EAP)
- Grants and technical assistance for worksite child care centers
- Pre-retirement planning information
- Pre-Tax Savings Programs: NYS-Ride, Health Care Spending Account, Dependent Care Advantage Account

DCAA Employer Contribution

The \$300-\$800 annual employer contribution to Dependent Care Advantage Accounts expires with the 2011-2016 agreement, even though the DCAA pre-tax savings program will continue.

DEFICIT REDUCTION PROGRAM—ARTICLE 53

The state’s Deficit Reduction Program for NYS employees has ended. Deductions from UUP employees’ paychecks, which occurred over two academic years (2013-2014 and 2014-2015), are now being repaid. Repayment of seven days’ pay began in July 2016 and will continue over a total of 39 pay periods.

LEAVE DONATION PROGRAM—APPENDIX A-45

This program continues, allowing UUP members who accrue vacation leave to donate leave credits to any UUP bargaining unit member (or other state bargaining unit or M/C employee) who has exhausted leave benefits and is in need of leave due to illness.

VOLUNTARY REDUCTION IN WORK SCHEDULE PROGRAM—APPENDIX A-46

This program continues, allowing employees to voluntarily trade income for time off. It provides a way for UUP members to bank leave credits for use at a later time and can help with planned family care or other events that would otherwise require an unpaid leave, thereby protecting health insurance coverage.

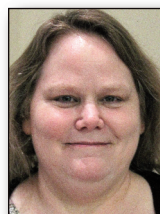
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