



INSIGHT

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Newsletter of the **Stony Brook West Campus Chapter** of United University Professions

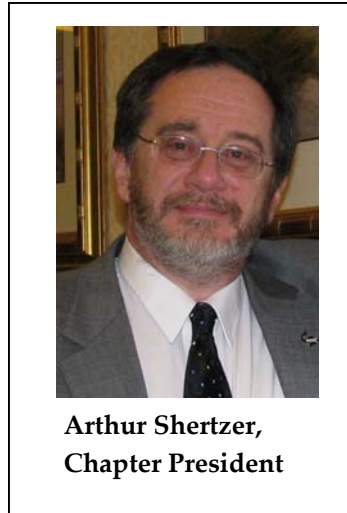
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NEWS FLASH: On-going developments regarding the furlough issue will be addressed on the website with updates and news. UUP has *not* been contacted by the Governors Office regarding the 4% raise nor the furlough. Instead, we have reached out to them to discuss this matter and possible alternatives. Please watch the website for developments.



NEVER AGAIN



As we approach the end of another semester, we are sending another class of students into a very unstable world. In fact, we are all trying to exist in an unstable world and more directly, in a very unstable State.

New York is a mess. This is no news to anyone; or at least it should not be. I have spent the last six months talking to our local legislators on the phone, in their offices and in Albany. In the case of Albany, every Tuesday, UUP participates in what is known as Advocacy Day. This is the day that most of the State Assemblypersons and Senators receive visitors who plead for their individual or group concerns. We always

have appointments, as do most others. As I have sat, waiting my turn, and as I walk from appointment to appointment, one sees an amazing array of interest groups doing the same thing we do.

One sees Pepsi Delivery Drivers advocating against the soda tax and then a group of Long Island religious leaders advocating for their cause. Literally, dozens of groups with hundreds of people besiege our legislators.

SUNY is there as well.

Historically, UUP has worked in a tentative partnership with SUNY to if not overtly advocating for appropriate funding, we have worked behind the scenes to achieve the same goal. Over the years we have managed to restore monies lost and to keep the SUNY agenda as close to the front burner as possible given the intense competition from the myriad of other advocacy groups.

That was until this year.

This year, SUNY decided to present a reconstituted version of the Buffalo 20-20 plan and called it PHEEIA.

I will not reiterate our issues with PHEEIA, they are well *continued on page 2*

known. What I want to suggest to you is that for the first time, UUP and SUNY have worked against each other and as a result, PHEEIA failed and as of this writing, we got no money.

However this year turns out...furloughs? Job cuts? Restorations? We cannot approach next year in the same manner.

It is foolish to think that the legislature will jettison SUNY. Rather, we absolutely must join together... SUNY and UUP and hammer out an acceptable agenda and then bring it to the legislators.

And, lastly, you...all of you... absolutely must join with us in an effort to make the State fund us appropriately. If you add all of the SUNY employees and students and their parents, a conservative estimate is that we have approximately 2.5 million people directly affected by what happens to SUNY.

We must get off the couch and demand what we need to do what we are all here to do... Educate and train our next generation of leaders, thinkers and workers. We can **Never Again** become as divided as we have been this year.

United we stand, divided we beg!

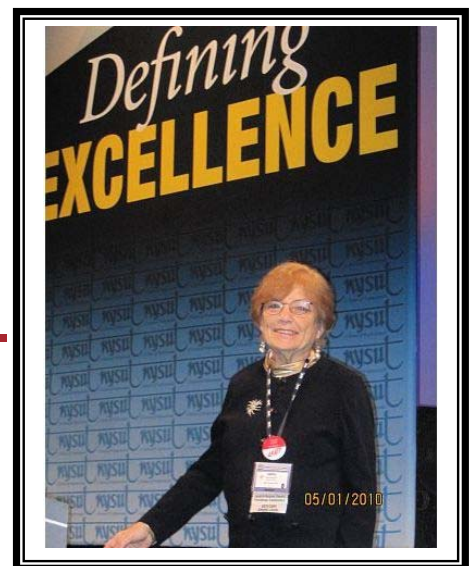
COMP TIME VERSUS OVERTIME

Submitted by John Marino, UUP Statewide Vice President for Professionals

Many professionals in SUNY normally work a professional tion and are not tied to particular hours, although they work 37.5 to 40 hours a week depending on campus past practice. These employees are classified as "exempt" and are not eligible to receive overtime under the Fair Labor Standards Act (FLSA). However, they are entitled to compensatory time for service worked beyond their normal professional obligation as defined in the second type of compensatory time in Appendix A-29 of the Agreement between New York State and UUP. Under the FLSA, professional employees whose professional obligation is directly tied to hours worked are classified as "nonexempt" and are eligible for overtime after working 40 hours. You must determine whether you are "exempt" or "nonexempt" to know which type of compensation you are entitled to receive. If you need help determining your category, contact your UUP chapter officers. If you are "nonexempt" and work more than 40 hours in a week, those overtime hours are calculated at 1.5 times your normal hourly wage. Up to 240 hours of overtime can be banked. (Please note that because of the 1.5 times the hourly rate factor, you actually worked 160 hours in order to bank the 240 hours.) After you have accumulated 240 hours in your bank, you must be paid for your overtime, which will show up in your bi-weekly paycheck. Whenever you are faced with an overtime situation, it is important to get your supervisor's approval before working the extra hours. Your supervisor only has the option to approve or not approve the extra hours. If you are classified as "nonexempt," according to the FLSA you cannot work overtime without the appropriate compensation. All professionals who are "exempt" from earning overtime can earn compensatory time. Compensatory time has been around for a long time and it is defined in our contract (Appendix A-29). Comp time can be earned for performing your duties beyond your normal professional obligation and can be used at a mutually agreed upon time in the future. It is not accrued hour for hour or by any other factor. A sample memo is included at the end of Appendix A-29 and can be used to document the compensatory time. There are many different scenarios in which you can earn compensatory time. Whatever it may be, you should get the compensation commitment before you do the extra work. From time to time, members tell me that their supervisor says that overtime and comp time do not exist in SUNY. That is absolutely not true. They do exist, and there is contract language and federal law to prove it.

NOTE WORTHY

Kudos to Judith Wishnia (right) who won the Ted Bleeker Award for the best newsletter in the entire state, including newsletters of active chapters. Judy is the editor of *The Active Retiree* and received this award from NYSUT President, Dick Iannuzi, at the 2010 Representative Assembly in Washington, D.C.



END OF THE SPRING SEMESTER: IT'S REFLECTION TIME

Written by Edward J. O'Connell, Grievance Officer for Professionals

I was wondering about Pres. Stanley and how his rookie year has been going. On October 14, 2008, I gave testimony in front of the Presidential Search Committee. Looking back on that day, the budget deficit signs were clearly flashing **Red** on the SUNY dashboard and I shared the following comments.

"I started at Stony Brook University on this very date – October 14th; thirty two years ago and certainly, like many in this room, I have witnessed the various transformations and evolutions that the University* and the SBUMC have journeyed through over the decades. Now we stand at another SBU crossroads (i.e. pivotal transition years); where we have to search for a new leader for this very good institution. I say very good because we are not yet a great institution and that major goal (going from Good to Great) is what I feel our next SBU President should

focus on. Jim Collins (author of Good to Great) would refer to this task as a BHAG = a big hairy audacious goal. **The next President will have to orchestrate the SBU move from a good institution to a great one; while at the same time fighting a very serious budget battle (i.e. facing possible 25% cuts) and negotiating with a State that is losing revenue on a daily basis (i.e. Wall Street accounting for 20% of that revenue).**

From my point of view, this task is going to take a Level 5 Executive for SBU to be able to make this leap from a Good Institution to a Great One. **Level 5 Executive Highlights**, as described by Jim Collins author in his most recent book titled Good to Great, refers to a five-level hierarchy of executive capabilities, with level 5 at the top. Level 5 leaders embody a paradoxical mix of personal humility and professional will. They are ambitious, to be sure, but ambitious first and foremost for the Institution, not themselves. They are fanatically driven, infected with an incurable need to produce sustained results. They are resolved to do whatever it takes

to make the Institution great, no matter how big or hard the decisions. They are rigorous not ruthless.

Level 5 leaders display a workman like diligence – more "plow horse" than "show horse." More like Lincoln and Socrates than Patton or Caesar."

Last touch: I think the selection committee picked the right "Level 5" President to lead us through this very turbulent time in SUNY's history. President Stanley has been faced with the worst budget that I have seen in my 33 years at SBU. In addition, President Stanley has been making the hard decisions as he negotiates this budget gap and continues to focus everyone on the SBU mission of excellence in our Education, Healthcare and Research programs. In closing, I am calling on all UUP members to support President Stanley and Chancellor Zimpher as they launch a new Strategic Plan for SUNY that provides a road map to recovery for Stony Brook, SUNY and for New York State.

Go Seawolves!

Legal questions have a way of piling up...

Maybe it's time to consider enrolling in the Legal Service Plan!

Stuff happens. You may be facing a speeding ticket, a house closing, a divorce, identity theft, elderly parent issues, and the list can go on and on. In today's world, at some point, you'll most likely need the advice or services of an attorney.

When that time comes, you can turn to the Legal Service Plan endorsed by NYSUT Member Benefits Trust.

When you enroll in the plan, you'll receive a multitude of benefits for personal legal matters. Anytime you wish to talk with an attorney, whether for advice or consultation, you have toll-free access weekdays during normal business hours. There's even a toll-free hotline for emergencies occurring beyond these hours.

You'll receive two, hour-long office consultations with a plan attorney, legal document review and legal letters written on your behalf.

If a problem can't be resolved by letter or phone, you'll be referred to a plan attorney. Referral attorneys are located throughout the continental US and charge plan members \$200 an hour or 40 percent less than their standard hourly rate, whichever is lower.

Many personal legal matters have fees that are capped, and there are guaranteed discounts on probate fees and personal injury cases.

Also included is a Legal Security Package each year of plan enrollment. This package includes forms to request a:

- **Simple will** - allows you to select a guardian for your children and beneficiaries of your estate. Without a will in place, the state makes these decisions. A will also speeds up the probate process and makes settling your estate much easier.

- **Power of attorney** - allows you to give another person the right to sign your name and transact your financial affairs.

- **Living will** - enables you to express your wishes regarding end-of-life treatment.

- **Health care proxy** - allows you to appoint someone to make medical decisions on your behalf if you are unable to make them yourself; it also contains directions regarding organ donation.

The plan offers advice and guidance with identity theft issues, debt consolidation and mortgage foreclosure.

You can purchase an Elder Law rider to help you in

your health and estate planning as well as assisting you with these issues for your parents and grandparents.

If you have a business of your own, for example, a rental income property, you can purchase the Business Protection rider to obtain business legal services.

To find out more, call Member Benefits at 800-626-8101. Or go to www.memberbenefits.nysut.org to view or print a brochure and enrollment form. You can also enroll online.



For information about contractual endorsement arrangements with providers of endorsed programs, please contact NYSUT Member Benefits or refer to your NYSUT Member Benefits Trust Summary Plan Description.

Agency fee payers to NYSUT are eligible to participate in NYSUT Member Benefits-endorsed programs.

UUP CHAPTER OFFICERS ON THE MOVE IN ALBANY.



Above, Chapter President, Arty Shertzer, instructs Southampton students on the basics of advocacy prior to their meetings with



Charles McAteer (left) of Stony Brook questions a figure at the UUP Finance Committee Meeting in Albany, April 8, 2010. Charlie presented the Chapter Budget at the April General Membership Meeting. The budget was approved and can be found on our website at www.uupsbu.org.

Right, Chapter Grievance Office, Ed O'Connell (right) keep cadence with his drum at a Rally opposing SUIY budget cuts at the Winter Delegate Assembly in



Left UUP Chapter Vice President for Professionals (center) shakes hands with Assemblyman Steve Englebright at the NYSTU Higher Ed Advocacy Day in Albany on March 2, 2010. McAteer talked about UUP's opposition to SUNY's proposed Public Higher Education Empowerment and Innovation Act (PHEEIA) and discussed how access to the University – and an affordable college education – would be blocked for thousands of New Yorkers if lawmakers approve the plan.

NEW UUP BENEFITS

Buyer's Edge Inc

This is a consumer buying service that guarantees the lowest prices on most major purchases. Go to BuyersEdgeInc.com (username: 214, Password: member1)

Tripmark.travel

Introducing the official travel benefit for NY-SUT members. TripMark.travel (similar to Expedia .com) is the newest and best choice to plan your next trip while taking advantage of great deals to the most magical and beautiful destinations in the world.

It's one-stop-shopping for all your travel needs. Visit www.TripMark.travel to find your next light, hotel, cruise, or vacation package. Be sure to sign up to get notified of special events and deals.



By the
numbers

Did you know that

15.3%

of people in the United States
don't have health insurance?

Source: www.afl-cio.org

55/25

In response to a number of questions concerning the so-called "55/25 Retirement Incentive," which was recently signed by Governor Pateron, a Q & A now appears on NYSUT's web site:

http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/retirement_14836.htm

Please note that SUNY has not yet announced the "Open Window" for people to take advantage of this plan. And...please also note...this plan is for people in the ERS or TRS retirement systems only. At this time, there is no plan available or (to my knowledge) under discussion to cover the Optional Retirement System.

-SUBMITTED BY ARTY SHERTZER

RETIREE PARKING PRIVILEGES

Retired employees are eligible for parking privileges based on the union associated with the last day of employment. The University currently offers parking rates to comply with the Staying Connected Program as follows:

Surface Lots: Parking privileges can be maintained upon request by use of affiliate permits which have the same use as faculty/staff permits with a more frequent (free) renewal process. This is available to all retiring employees.

Garage: Employees wishing to continue their garage card payment and use after retirement can do so. Transportation and Parking Services will honor their prior rate structure.

-SUBMITTED BY ARTY SHERTZER

RETIREMENT 102 BY JUDITH WISHNIA, RETIREE

One of the joys of retirement is having the time to read and given the absence of lecture or conference deadlines, one can read for pleasure in fields other than one's discipline. Although I am addicted to mysteries, as a European historian, I also find it fascinating to read the many new books in American history. Some weeks ago I read a biography of Frances Perkins, the Secretary of Labor in the cabinet of Franklin Delano Roosevelt. What a fantastic woman: it was she who worked with FDR to pass legislation that gave us unemployment insurance, social security, the minimum wage and of course, the National Labor Relations Board. The only proposed legislation which did not go through was....SURPRISE....universal health care.

Reading about the New Deal was, as Yogi Berra said, like déjà vu all over again. The New Deal achievements were attacked, as are the Obama proposals today, as socialist, communist, restrictive of free trade and finally, of promoting laziness! But after reading this carefully researched book, I found myself getting angry with the author. She made it sound as if all those labor laws had sprung full grown from Frances Perkins' own experiences. There was little mention of the role of labor unions that had been fighting for these laws throughout the twentieth century. It was the miners and John L. Lewis, the Reuther brothers and the auto workers who faced billy clubs and bullets fighting for the rights of workers who were the real authors of the New Deal.

The importance of union activity and demands has been left out of today's political analysis as well. In the discussion of the origins of employee health insurance, the usual line is: there were wage controls during World War II so in order to compensate workers who could not have their wages raised, employers gave them health coverage. It sounds as if the idea for health insurance coverage was the brilliant idea of hundreds of CEOs who, out of the kindness of their hearts, wanted to reward their hard working employees. Once again, the unions are left out. It was the unions who said, you can't pay us, give us health insurance!

Finally, my anger at the denigration of labor unions was further intensified when I read the comments of the CEO of a big box chain who was refusing to allow his workers to organize a union. His father had been a union activist, but the son asserted, unions were necessary in "those days," now employers are more enlightened and unions are unnecessary. Tell that to Walmart!

As they say in the ads, it was the unions who gave us the weekend and the eight hour day. But it was also the unions who gave workers the wages, the security and respect to build what is called the "middle class." For us in academe, it is the union that fights for our benefits, for our job security, for academic freedom and for a secure retirement. In the past decade, state legislatures have cut funding to their universities and we have seen tenure eroded in colleges and universities across the nation as poorly paid adjuncts replace full-time faculty and those lucky enough to get full-time status frequently get only short-term contracts. Now in this time of crisis when New York State is cutting its support of SUNY so severely that many are advocating a turn toward privatization and many of our members are facing layoffs, where would we be without a union. In the private sector, we have watched as many workers have seen their benefits eroded, their retirement security destroyed. We can be sure that without union protection, tenure would disappear completely as would the benefits which are now guaranteed in the union contract. We must continue to support our union, UUP, as it fights to improve funding for SUNY schools, to maintain tenure and health benefits. At the same time we must continue to support the entire union movement, to help rebuild their power, for ourselves and for the generations to come. At the Delegate Assembly meetings, we begin the opening session with the singing of Solidarity Forever.



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The Chapter Office is open Monday through Friday, 9:00 a.m. to 3:00 p.m.

The Executive Board meets on the third Tuesday of the month at noon. All members are encouraged to attend. Please contact the Chapter Office for exact meeting date and time.

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Visit our website at www.uupsbu.org

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