



Unifier

UNITED UNIVERSITY PROFESSIONS

◆ FARMINGDALE CHAPTER ◆

MARCH 2022



In This Issue

- ◆ Professionals' Corner
PAGE 2
- ◆ President's Message
PAGE 3
- ◆ UUP College Scholarship Fund
PAGE 4
- ◆ Poor People's Campaign
PAGE 5
- ◆ Establishing the Right to Organize
PAGE 6
- ◆ The Beckoning
PAGE 7
- ◆ Post Graduate Scholarship Fund
PAGE 8
- ◆ Overtime Eligibility
PAGE 9
- ◆ Letter to the Editor
PAGE 10
- ◆ Exam Fee Reimbursement Program
PAGE 12
- ◆ IDAP
PAGE 13
- ◆ UUP Organizing Academy
PAGE 14
- ◆ Pre-Retirement Workshop
PAGE 16

UUPF Celebrates Women's Scholarship

Thursday, April 12, 2022, 11:00 a.m. ◆ Ward Hall Great Room

Presenters:

Dr. Rita Austin: Medical Laboratory Technology

Nurse-Medical Laboratory Scientist: A Pilot Study to Improve Knowledge and Attitude Through Interprofessional Education

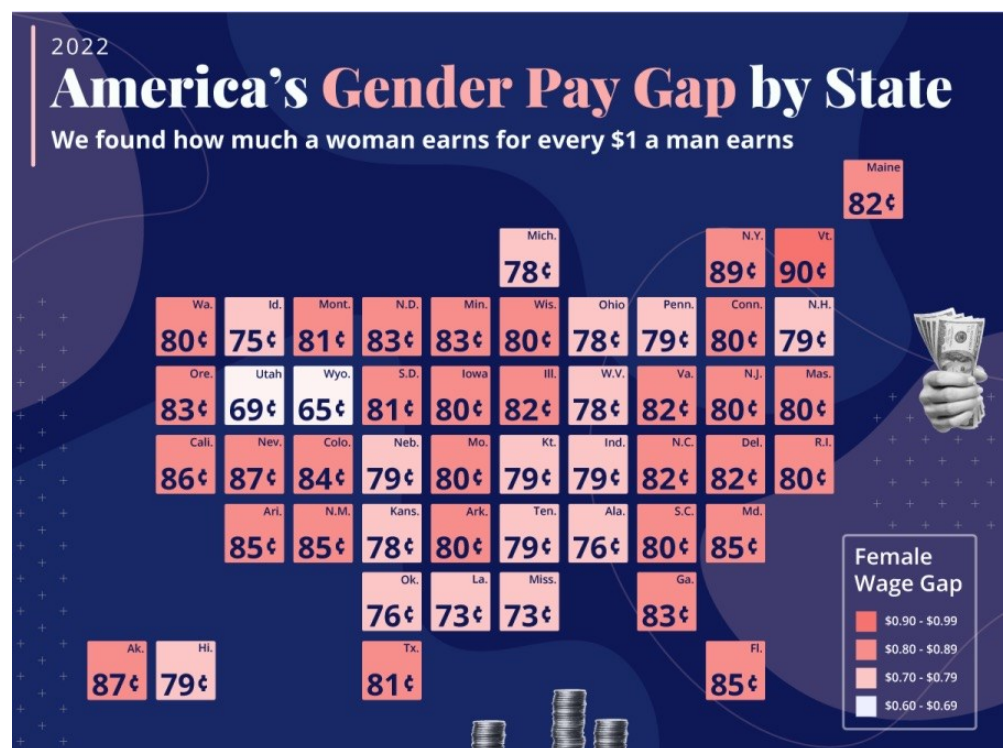
Dr. Nicole Holton Brathwaite: English and Humanities

The Role of the Digital Tool *hypothes.is* in Successful Student Writing

Dr. Gozde Ustuner: Automobile Technology

Electrocatalysts with Low Platinum Content in Fuel Cell Reactions

Lunch Will be Served



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GENERAL MEMBERSHIP Meeting

Thursday, March 24, 2022 ◆ Gleeson 104 ◆ 11:00 am

Link for virtual participation will be sent via email

Unsure of your active membership? Enroll today:

<https://uuphost.org/myuup/Membership/RegForm.php>



Professionals' Corner

Hear Ye, Part-Timers

By Solomon Ayo

Part-time professionals are part of the fabric that holds FSC together. Like full-time employees, part-time professionals play a critical role in the day-to-day function of our college. UUPF takes part-time professionals' concerns very seriously.

Appointments

There are different types of part-time appointments, each with their own rights and privileges. You should receive a new appointment letter, signed by the college president, for every new term. Please make every effort to compare each to the last, to ensure consistency. There should be no changes in your appointment that were not discussed with your immediate supervisor prior to your last evaluation. If there are, inquire about them immediately with your supervisor, and with UUPF.

Each appointment letter should state your professional rank and official state title, the type of appointment (temporary or term), and your annual salary or rate of pay. While a part-time professional can be hired into a term position, most are usually temporary. Term appointments are earned after four (4) consecutive temporary appointments. So you should see that change in your fifth appointment letter. The biggest difference is that a temporary employee can be

terminated at any time, but a term appointment earns a 45-day notice of non-renewal.

Your letter should also reference your effective date of employment (start date), and the duration of employment (last date). For more details about different types of appointments and about the professional appointment letter, please visit page 3 of the UUP Professionals Guide: <http://uupinfo.org/reports/guides/ProfessionalsGuideRevised100614.pdf>

Job Rights & Benefits

Part-time professionals – you have the right to see your official personnel file, maintained by and located in Human Resources. If you earn any awards, licenses or certifications, or if you receive any letters of commendation, you should forward copies to your personnel file. You should also expect notice when others place items into your file. If you have not done so in a long time, make an appointment to review your file. There should be a log in the front cover listing the names and dates of documents submitted, all of which you have the right to see. It should also contain all of your appointment letters, performance programs and evaluations. If you have difficulty accessing your file, or have questions regarding the items in it, please contact me.



All part-time professionals earn vacation and sick days. Your appointment letter identifies other benefits for which you are eligible. Effective July 1, 2015, you can accrue sick and vacation at ¼ days each per month, based on a starting minimum annual salary of **\$13,508**. Sick and vacation accruals increase incrementally over time. You can contact the UUP Benefits office for details, and then verify with FSC HR that you are on track. Health insurance coverage requires a minimum salary of **\$14,430** per year, which your appointment letter should also indicate.

If there is a permanent and significant increase in your responsibilities, like full-time professionals, all part-timers can request a promotion and/or salary increase. All professionals are required to have a performance program. It should specify and describe your duties and respon-

...continued on page 15

President's Message

On March 6, more than 1,000 fellow unionists and students from all over NY state rallied in a show of solidarity for public higher education. More than a decade of financial neglect has left many campuses in dire economic conditions. UUP & PSC/CUNY are asking for a half-billion dollars in funding to make up for years of underfunding by the State.

As it stands, the current funding for SUNY campuses is \$694,194,600, of which Farmingdale receives \$11,108,600 or 1.60%. UUP is asking the state for \$100 million of additional funding, the TAP/Excelsior gap elimination, and \$53 million for hiring new faculty. This additional funding would add more than 4 million dollars to our campus operating budget.

With gas prices reaching nearly \$5/gallon, an inflationary rate of 7.9%—the highest in 40 years, and current rent rates at levels never seen before, UUP continues to advocate for better salaries, better benefits, and better working conditions for all its members. The uphill fight to fully fund SUNY campuses and public teaching hospitals continues. That is why I would like you to join me in writing a letter to our elected state officials, urging them to include additional funding in the budget for SUNY campuses and teaching hospitals. We are hoping for a minimum of 1,600 letters to Gov. Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assem-

bly Speaker Carl Heastie, and your Senate and Assembly representatives. Please help us reach our goal by clicking on the following link <https://actionnetwork.org/letters/tell-albany-to-fully-fund-sunys-campuses-and-public-teaching-hospitals> (or copy and paste the link into your internet browser and press enter). Just fill out the required information and press the red “Start Writing” button.

It is important to mention that with fifteen of SUNY’s state-operated campuses and two SUNY public teaching hospitals in counties with poverty rates higher than New York state’s overall poverty rate of 12.7%, our SUNY campuses are the most direct route to economic development so necessary for many communities across our state.

The Great Resignation Movement

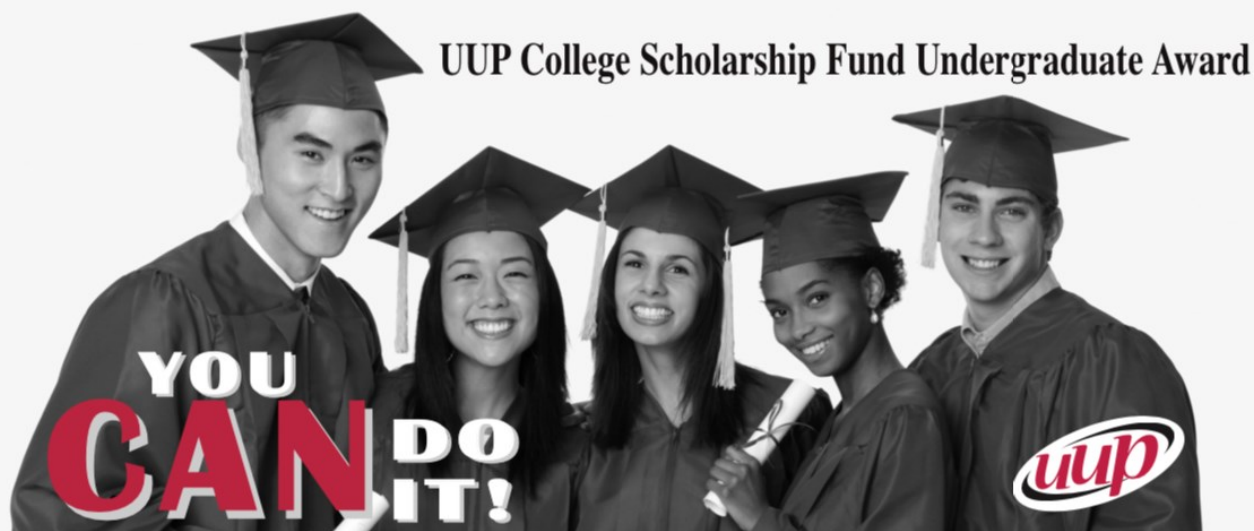
The Great Resignation is a phenomenon proposed by Professor Anthony Klotz of Texas A&M University in May 2021. Prof. Klotz predicted that many workers would leave their jobs as more people reevaluated their employment choices during the Covid-19 pandemic. By September 2021, nearly 4.4 million workers quit their jobs causing labor shortages across the U.S. and although the trend has slowed, a recent Pew Research Center survey of 965 U.S. adults revealed **the top 5 reasons why they left their jobs in 2021:**



Reason	%
Pay was too low	63
No advancement opportunities	63
Felt disrespected at work	57
Childcare issues	48
Not enough flexibility in hours	45

From these results, it is important to note that childcare issues & flexibility in work hours can be easily accommodated by telecommuting. The SUNY Telecommuting Pilot Program was last extended on January 1st and set to expire on June 30th. UUP will continue to press for an additional extension of the program.

In Solidarity
Harry Gabriel Espallat



UUP College Scholarship Fund Undergraduate Award

The UUP College Scholarship Fund was created by the union to celebrate its members' commitment to academic excellence and the life of the mind, and to their endeavors in the promotion of social justice.

The UUP College Scholarship Fund gives scholarships in honor of UUP members and their families who have donated generously—in time and money—to the scholarship fund. UUP awards scholarships to recognize:

Eugene P. Link — A SUNY Plattsburgh professor emeritus of history who taught in New York's state university system for 35 years, the late Eugene Link was a highly regarded and respected professor. He dedicated his life to working families and to students who demonstrated an interest in unionism and the larger labor movement.

Robert F. Carter and Katherine K. Carter — The late Robert Carter was a SUNY Oswego associate professor of history and a UUP member for more than 25 years. His late wife, Katherine, made several generous donations to the scholarship fund in his memory.

Gertrude A. Butera — The late Gertrude Butera's unrelenting fundraising efforts helped the scholarship grow since its inception in the mid-1980s to a sustained fund that rewards exemplary SUNY undergraduates. She was named an honorary trustee in 1993.

One-time scholarships of \$3,000 are awarded to SUNY undergraduates who demonstrate a commitment to academic excellence, social justice issues and labor ideals. The union gave its first undergraduate scholarships in 1988.

Who's Eligible

UUP College Scholarship Fund undergraduate applicants should:

- *Be full-time undergraduate students at a state-operated campus of SUNY who have completed at least 18 credits and have a cumulative grade-point average of at least 3.75;*
- *Exhibit dedication to the goals of the trade and labor union movements. In addition, applicants must demonstrate high integrity, a tireless quest for excellence in both academic and personal endeavors, and service to the community;*
- *Submit a copy of their official transcript(s) from each college/university attended;*
- *Be in active, full-time attendance carrying a current load of at least 12 credits; and*
- *Demonstrate dedication to labor union values and social justice.*

In addition, applicants must show evidence of good character and service to SUNY and the community through letters and other documents.

A Selection Committee will review all applications and choose candidates to be interviewed. The number of scholarships awarded will be determined by the Trustees of the UUP College Scholarship Fund.

Finalists will be interviewed by the Trustees or their designees.

How to Apply

A complete list of UUP scholarship eligibility requirements and applications may be obtained from campus **financial aid offices**; on the UUP website at <https://uupinfo.org/awards/>; or by writing to **UUP College Scholarship Fund, P.O. Box 15143, Albany, N.Y. 12212-9954.**

Poor People's Campaign

A National Call for Moral Revival

By Lou Scala

On Thursday, March 10, 2022, the UUPF Executive Board unanimously passed a resolution, by a vote of 16 -0, endorsing the Poor People's Campaign – A National Call for Moral Revival. RESOLUTION to endorse the June 18, 2022 Poor People's and Low Wage Workers Assembly and Moral March on Washington D.C., including mobilization for this event by the UUPF Chapter in concert with UUP statewide and the Long Island Federation of Labor. RATIONALE:

WHEREAS, The Poor People's Campaign was established in 1967 by the Rev. Dr. Martin Luther King Jr. to address poverty - at that time there were 40 million poor - and economic injustice in the United States, and having been reestablished in 2018 by the Rev. Dr. William J. Barber II (Repairers of the Breach), and the Rev. Dr. Liz Theoharris (Kairos Center), and

WHEREAS, there are over 8 million people in New York State and 140 million nationwide who

are poor, low wealth, or just one emergency away from economic ruin, and

WHEREAS, in an address to the Hungry Club Forum on May 10, 1967, the Rev. Dr. Martin Luther King Jr. identified the three evils of racism, poverty, and war, and WHEREAS, today's poor are threatened by the intersecting injustices of poverty, systemic racism, denial of health care, ecological devastation, the war economy and militarism, and a distorted moral narrative of religious nationalism, and

WHEREAS, the Poor People's Campaign: A National Call for Moral Revival has called people to come to Washington D.C. on June 18, 2022 for the Poor People's and Low-Wage Workers Assembly and Moral March on Washington and to the Polls, and

WHEREAS, the goals, methods, and purposes of the Poor People's Campaign and the June 18th rally and march are consistent with the goals, methods, and purposes of



UUP. THEREFORE, BE IT

RESOLVED, That the Farmingdale Chapter of United University Professions (UUPF) endorses the June 18, 2022 march and national mobilization in Washington, D.C., sponsored by the Poor People's Campaign: A National Call for Moral Revival, and that our Chapter will act to mobilize for this event on campus, within UUP statewide, within the Long Island Federation of Labor, and within the wider social movements on Long Island – Louis Scala will lead this work for UUPF; those interested should contact Louis at louscalae-volv@yahoo.com, and

BE IT FURTHER RESOLVED, that UUP Statewide take up this call and mobilize members statewide to promote this important social and economic justice action. ♦

ACADEMICS, SAVE THE DATES:

Academic Program Management — Ensuring Term and Continuing Appointment Thursday, April 21, 2022 from 11:00 pm to 12:15 pm
Labor Relations Specialist, Tammy Mays, will be reviewing the Collective Bargaining Agreement (Article 30). Dr. Vicki Janik, Prof. Joe Betz and Prof. Lou Scala will provide information about the CCTA process and helpful hints to avoid pitfalls along the way.

Salary Compression 101

Thursday, May 12, 2022 from 11:00 am to 12:15 pm
Tammy Mays and Mary Taber, UUP's Research & Policy Analyst, will be making a presentation on Salary Compression. Bring your questions!

Establishing the Right

To Organize and Bargain Collectively — Railway Labor Act of 1926

By Daniel Scott Marrone

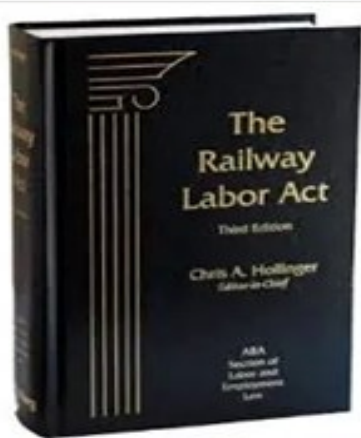
Prior to 1926, there were no federally-guaranteed legal rights for workers to organize and bargain collectively. This changed with the Railway Labor Act of 1926. In the decades prior to this legislation, the U.S. population skyrocketed. Much of that increase was due to waves of immigrants, most especially from Asia as well as southern and eastern Europe. Many of these immigrants soon sought workplace protections provided by unions. To block immigration and to stifle the organized labor movement in the U.S.A., anti-immigration and anti-union laws were enacted such as The Immigration Act of 1924 (also called the Johnson-Reed Act). This law established insidious “quotas” that served to severely limit Asian immigrants. In the early 1920s, the largest, single group of U.S. workers were those connected to the nation’s transportation network—the railways. In 1922, railway owners reduced the wages of railroad shopmen. In response, 400,000 of these workers went on strike. U.S. Attorney General Harry Daugherty won a sweeping injunction to crush the nationwide strike of

railway workers. The workers, facing harsh penalties, were forced back to work. The strike injunction also could be and was applied to workers in other industries. It was painfully evident that workers’ rights during this time existed on shaky ground. However, in 1926, the worker-favorable Railway Labor Act was enacted. The RLA has been referred to as the “Bible” of U.S. organized labor.

The “Roaring Twenties” decade was so named for the rise of “Speakeasies,” flappers, bobbed hairdos, the Charleston dance, and “Tommy Gun”

gangsters. Beyond these crazy happenings, there also persisted an increasingly troubling problem: workers’ earnings increases failed to keep up with inflationary price increases. In a note of irony, a century later we now face the

same problem! Workers protested. The decade following the Great War saw an escalating number of worker walkouts and strikes. The most serious labor dispute was between railway owners and workers that emerged in the early 1920s. As noted, the



workers’ strike was crushed in 1922. Back at work, the workers were angry beyond belief. By 1926, the workers had had enough! They threatened an even more encompassing strike that would force a standstill in the nation’s transportation infrastructure—at the time heavily dependent on railways since interstate highways, thruways, and modest-costing airfares were not yet in existence. Thus, a major catastrophe loomed if the nation’s railways ceased operating. In response, President Calvin Coolidge, a staunch Conservative Republican, used a page out of Progressive Republican Theodore Roosevelt’s handbook. The 26th president successfully intervened in the 1902 coal miners’ strike and set a precedent for subsequent presidents. The 30th president dove into the 1920s railway workers/owners dispute and surprisingly, but welcomingly, sided with the workers and supported the Railway Labor Act.

The RLA applied not only to

...continued on page 16

The Beckoning

By John Decarlo

the onerous odor of smoldering smoke
from charred and crushed debris
like a father of a newborn babe,
I wake every few hours on
the basis of instinct and turn on the news
anxiously checking for the heartbeat of major cities
feeling for breath of besieged citizens

but in the primeval like cave
tender mother love
holds babes on her breast while
stoking the smoky and withering fire –
steadfastly staring the saber tooth tiger – down

and with more than the sparkle of lady luck
she whispers from the trenches with
an angelic touch – offering a vision
which frames all else in proper perspective:

Oh—may we dive deeply & freely within the Eternal
Moment...

Listening

Trembling

Transcending...

organ tissues armed like steel
blood coursing like electrical currents
nerves standing tall like ancient Celtic warriors –
holding a bridge, at all costs, as if
Hell It-Self is crossing its blackened bile like waters

Listening

Trembling

Transcending...

despite their delineated borders
their empathy flows like blood through
opened vessels and supportive capillaries -

bridging barriers and differences -
welcoming refugees from afar

even German Pacifists,
still undone by their own past deeds,
understand that peace and pure love
without armed resistance –
is ripped and torn as leaves in autumn breeze

Listening

Trembling

Transcending...

Clusters of eggs
Clusters of ants
Clusters of worms
Clusters of sanctions

Yet, cluster bombs – like Macbeth's murdering of sleep –
Amounts to the evisceration of babes

Listening

Trembling

Transcending...

we bow and kneel before the heavens
embracing even our billionaire Russian brethren
contemplating vast filaments of primal gases and dark matter
elongated as hundreds of millions of light years

spinning like giant turbines
twisting wildly as run-a-way windmills –
guiding the evolution of stars and galaxies of the cosmos...

Listening

Trembling

Transcending...

we are speeding along a highway
suddenly – the car in front of us – has stopped!!
we hit the brake – Hard!!!

but we quickly realize: there is not enough space and time
everything Slows Down – before the IMPACT...

Listening

Trembling

Transcending...

it's happening again: history is being hijacked!!

the hives of bees
the collective colonies of ants
the species homo sapiens – have been derailed by a
drunken engineer

Listening

Trembling

Transcending...

the onerous odor of smoldering smoke
from charred and crushed debris

Lingering in the Eternal Moment...





UUP College Scholarship Fund Post Baccalaureate Award



UUP College Scholarship Fund Post Baccalaureate Award

The UUP College Scholarship Fund was created by the union to celebrate its members' commitment to academic excellence and the life of the mind, and to their endeavors in the promotion of social justice.

In 2010, Trustees of the UUP College Scholarship Fund established the William E. Scheuerman Post Baccalaureate Scholarship. Scheuerman served as UUP president from 1993-2007.

One-time scholarships of \$3,000 are awarded to SUNY post graduate or professional school students who demonstrate a commitment to academic excellence, social justice issues and labor ideals.

Post baccalaureate students from the following colleges and universities are eligible to apply:

Albany	Maritime
Alfred	New Paltz
Binghamton	Old Westbury
Brockport	Oneonta
Buffalo State	Optometry
University at Buffalo	Oswego
Cortland	Plattsburgh
Downstate Medical Ctr.	Potsdam
Empire State College	Purchase
Env. Sci. and Forestry	Stony Brook University
Fredonia	SUNY Polytechnic
Geneseo	Upstate Medical Univ.

Who's Eligible

UUP College Scholarship Fund post baccalaureate applicants should:

- *Be registered, full-time graduate or professional school students at a SUNY state-operated campus;*
- *Possess the qualities and values represented by UUP: A dedication to the goals of the trade and labor union movements; integrity; a quest for academic and personal excellence; and service to the community;*
- *Have completed at least nine credits and hold a cumulative grade-point average of 3.95; and*
- *Applicants for law and health sciences programs must have completed at least one semester.*

In addition, applicants must show evidence of good character and service to SUNY and the community through letters and other documents.

A Selection Committee will review all applications and choose candidates to be interviewed. The number of scholarships awarded will be determined by the Trustees of the UUP College Scholarship Fund.

Finalists will be interviewed by the Trustees or their designees.

How to Apply

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Overtime Eligibility

UUP Fact Sheet: Fair Labor Standards Act

What is the Fair Labor Standards Act (FLSA)?

The Wage and Hour Division of the Department of Labor was created with the enactment of the Fair Labor Standards Act of 1938. FLSA originated as part of President Franklin D. Roosevelt's New Deal domestic program. This landmark legislation had a significant impact on the labor movement. The act has gone through several amendments throughout the years to include child labor protections, extension of coverage to government workers (1966), the addition of the equal wage act, Consumer Credit Protection, and the addition of the Family Medical Leave Act. The FLSA requires employers to pay employees the minimum wage—and overtime pay of at least 1.5 times the regular hourly rate of pay—for employees who work more than 40 hours in a week. Overtime is applicable for “non-exempt” (overtime-eligible) employees. FLSA Section 13.1 (a) allows for certain employees to be exempt from the protections in the Act. These overtime-exempt duties include executive, administrative, professional, computer, and outside sales. There are additional exemptions for certain higher education faculty and professionals. For an employee to be exempted from FLSA overtime provisions, they must pass a salary test and job duties test. Such tests are performed by human resources personnel, following U.S.

Department of Labor standards to determine what jobs are overtime and non-overtime exempt. The determination of exempt or non-exempt is only based on job title in limited circumstances where the position requires independent judgement. The position is obtained only after advance knowledge in a prolonged and specific field of study. What does this mean for a UUP member?

- a. UUP non-exempt employees are overtime eligible:
 - a. In Section 3s(1)(C) Compensatory Time: Under certain prescribed conditions, employees of State or local government agencies may receive compensatory time off, at a rate of not less than one and one-half hours for each overtime hour worked, instead of cash overtime pay. State and local government employees may accrue up to 240 hours. An employee must be permitted to use compensatory time on the date requested unless doing so would “unduly disrupt” the operations of the agency.
 - i. If a non-exempt employee is assigned to work, no more than a 40-hour work week but works more than 37.5 hour work week they will accrue the worked 2.5 hours in “gap time” compensatory time. Any assigned time worked additional time over 40 hours will be accrued at time and a half the employee’s hourly rate.
 - ii. Holiday, sick or vacation time are excluded from the calculation.

- iii. This value of unused compensatory time hours is paid out on separation from state employment at time and a half of the current salary.

- b. Some campuses have local understandings that eliminate the 240 compensatory time requirements before overtime is paid. What does this mean for UUP exempt employees?

- a. These employees are not overtime eligible, but they can negotiate comp-time with their supervisor. (See contract Appendix A-29)
- b. They also have defined performance programs or term appointments which give them some protection from added duties or gives us the member the ability to negotiate for more pay. ◆

Additional Overtime and Other Supplemental Payment Information:

- US Department of Labor, Wage and Hour Division General Guidance: <https://www.dol.gov/agencies/whd/overtime/general-guidance>
- US Department of Labor, Wage and Hour Division Overtime Exemptions: <https://www.dol.gov/agencies/whd/overtime/fact-sheets>
- As of Jan. 1, 2020, the new federal overtime rule raised the salary threshold to \$684 a week (\$35,568 annualized) from \$455 a week (\$23,660 annualized) for overtime eligibility. <https://www.dol.gov/agencies/whd/overtime/2019/index>

SUNY Supplemental Payments for Exempt Employees:

- SUNY 'Also Receives' Policy: https://www.suny.edu/sunyp/documents.Cfm?doc_id=899
- SUNY 'Extra Service' Policy: https://www.suny.edu/sunyp/documents.cfm?doc_id=419

UUP Contract:

- Link to the contract: <https://uupinfo.org/contract/pdf/20162022NYSUUPAgreement.pdf>

Letter to the Editor: **Forced Out!**

By Terry Esnes-Johnson

I worked for 42 years at Farmingdale State College, which is most of my adult working life. I always enjoyed outstanding performance reviews over those many years, and finally occupied one of the most trusted positions of responsibility on the campus, Dean of Students. Suddenly, and without warning, I was abruptly escorted off campus by police and was instructed not to return. This is my story:

I was working late, alone in my office on the evening of January 27, 2020, when I was surprised by two University Police officers. They entered my office, presented me a letter, and told me I had to surrender my FSC ID card, my office keys, and leave campus immediately, not to return without first contacting Human Resources. The letter they presented to me from the Director of Human Resources (HR) instructed me to work from home as of that moment (pre-Covid) which management claimed was in accordance with the NYS/UUP Agreement paragraph 19.10.c.

Paragraph 19.10 does not refer to this. Entitled "Resignation in Lieu of Discipline," 19.10.c speaks to the right of the accused to file a grievance. I had not received any notice of discipline prior to this police escort, nor had I ever in my 42 years of service. I now believe that this sudden removal was an attempt to frighten and intimidate me into resigning or

retiring long before I ever planned. The message from management was clear to me: resign now, or we will serve you a notice of discipline.

My case was turned over to a NYS United Teachers (NYSUT) Labor Relations Specialist (LRS) as is UUP practice with these cases. They advised me to work from home, since I still had my full pay and benefits, until the matter could be resolved. In mid-March, Covid-19 shut down most of the campus, and I waited for further action. Nothing happened for 5 months and when I inquired repeatedly about why I was being treated in this way – I felt that I was being treated like a criminal – management responded by telling me I could resign since I was eligible to retire. During this entire time, as per the letter's instruction, I dutifully called "in" and "out" every day awaiting any instruction for "work from home." This was a challenge as all my email access was removed by January 28 preventing me from directly using campus, union, and administrative resources. I was prohibited from returning to campus starting with my police escort off campus property in late January.

Due to the lack of communication from the campus, I was forced to draw my own conclusions. Because I believed they wanted to get rid of me because of my age, during the second week in March, I decided to file an age discrimination complaint. I requested permission to return

to my office for access to my records, files, and emails to support my age discrimination complaint, but management denied that request and continued their ban of me from the campus. I could access nothing.

I still refused to resign, despite continued reminders from management that I could resign in lieu of discipline. Since I refused, they developed a case against me. Sometime between my removal by police in January and early May, FSC management entered my office and began to dig through my workspace and files, apparently seeking materials to create a case against me and serve a notice of discipline on me.

I received my first-ever-in-42-years, Notice of Discipline in late May 2020. It was filled with allegations related to job performance or time and attendance. I had never before heard about such issues whatsoever from any of my supervisors or from any other campus individual. Never.

All of my supervisors had rated me as outstanding. My most recently appointed supervisor from late August 2019 had made no changes to my performance program or to any of my evaluations during the last 5-1/2 months of their supervision of me. I believe that the notice of discipline violates the purpose of discipline stated in Article 19 of the Agreement: "Prior to initiating formal disciplinary action pursuant to this Article, the College President, or

...continued on page 11

Letter to the Editor: **Forced Out!**

...continued from page 10

designee, is encouraged to resolve matters of discipline informally..."

Finally, at a formal interrogation with management conducted Friday afternoon, May 29, I was immediately suspended from my employment, with either no pay or being "allowed" to use my accrued vacation and comp time until the completion of the disciplinary process. If this timeline exceeded my accrued time (which it did) I would then be without salary, paying my own medical insurance "out of pocket" until such time that I retired, resigned, or completed the arbitration process.

On June 16th, I received a letter at home from HR notifying me that I had been suspended without pay because "my continued presence on the campus presented a potential danger to persons or property or would severely impact operations." I had not been on the campus since January, so the assertion of "continued presence" was obviously wrong. Further, there was no evidence from management validating "potential danger" such as a threatening statement or some other reason to consider me "dangerous." I continued to resist repeated inquiries from management asking me to resign.

I immediately filed a disciplinary grievance and requested arbitration. I asked to be allowed to return to my office to access my files to defend against

these allegations. At that time management would only permit access to files by requiring me to remotely identify them. I was to recall from memory the location of 42 years of information in my office on campus from which I had been banned for the previous five months. It should also be noted that I was not allowed to retrieve any personal items during this time.

I was finally permitted limited supervised access to my office, along with three high ranking individuals serving in specific roles, in mid-October to address ONLY evidence in my age discrimination complaint. I was permitted no other access to documents that would allow me to defend myself against management's allegations in the forthcoming arbitration. When my office was unlocked, the office was in disarray. It was evident that a search had occurred, including into my locked desk drawers. Drawers were opened, boxes filled with hundreds of opened files and other materials littered the entire room. I was overwhelmed. Initially, management had denied they had done this. Management permitted release of file information only related to the discrimination. I was required to name the documents I wanted, nothing more. Management then reviewed, recorded, copied, and boxed them up to send to my home. It was several weeks before I received the box.

The tremendous financial pressure without my salary was

rapidly building. I was also under severe mental stress and pressure since I was not allowed to return to my office to gather the information I needed to defend myself against the allegations that were related to job performance. My only hope was to get to arbitration quickly so that this could be resolved.

An arbitrator was assigned to my case in August of 2020. The NYS/UUP Agreement requires that the arbitrator hold a hearing within 10 days of that appointment except in unusual cases when the agreement specifies 30 days. FSC management said they would not be able to participate in the arbitration until mid-December. That was a long time to wait without any paychecks, but I was confident that if I could get to arbitration that this matter could be resolved and that I could be restored to my previous position. Through UUPF, I was told that even if I were now cleared, management could decide that I would not be restored to my original position.

Then things became worse. Management reentered my office and dug further to file a second set of charges, similar to the first set, but now covering nearly two decades of service. Additionally, the date was moved for the arbitration of the first set of charges from December to February 2021. My NYSUT assigned attorney advised me that these two sets of charges could not be combined and that I would face the potential of

...continued on page 13



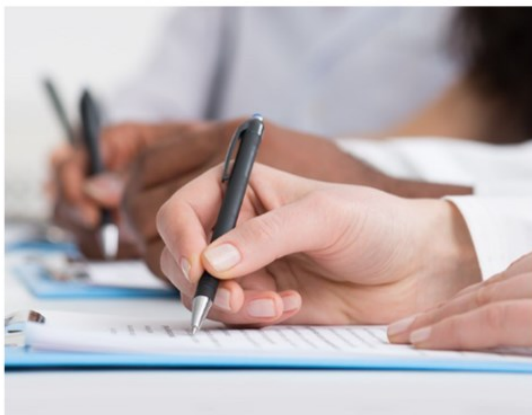
New York State/United University Professions Joint Labor Management Committees

EXAM FEE REIMBURSEMENT PROGRAM

CERTIFICATION LICENSURE EXAM FEE REIMBURSEMENT

The New York State/United University Professions Joint Labor-Management Committees Certification Licensure Exam Fee Reimbursement (NYS/UUP JLMC CLEFR) Program assists employees with the cost of attaining initial certifications, licenses, or designations which are related to their profession or necessary for promotional opportunities and career mobility within the State University of New York (SUNY). Examination fees to renew certifications, licenses, or designations previously obtained by an employee are **not** reimbursable. Maximum reimbursement is \$1,000 for the period **January 1, 2022 to December 31, 2022**.

Please visit goer.ny.gov/nysuupclefr for CLEFR Program Application and Guidelines.



For additional information contact:

NYS/UUP JLMC
2 Empire State Plaza, 8th Floor
Albany, NY 12223

Email: nysuupclefr@goer.ny.gov
Phone: 518.486.4666
Fax: 518.486.9220

Letter to the Editor: **Forced Out!**

...continued from page 11

having to endure more arbitration hearings to get through all of this, even if I were exonerated of the first set of charges. The second set of allegations would, again, suspend me without pay (due to its being a "second offense") and would likely result in termination and loss of all retiree benefits and privileges.

By the end of January 2021, I had been banned from campus for a year and without a salary for over 6 months. The financial and mental stress on my family and me had become too great. I desperately needed income and, I knew if I resigned, I could start to collect retirement income. After fighting against management for over a year, I reluctantly decided to resign and retire.

This was not the way I expected to finish my career at Farmingdale State College.

I believe that there are numerous examples of management's absence of fundamental principles of respect, fairness, and simple kindness in my treatment:

- ◆ Why was any presumed "problem" never mentioned to me before this happened, by anyone?
- ◆ Why was I treated as if I were a criminal with armed police escorting me from my building and banning me from returning to campus property?
- ◆ How was I a "danger," particularly from off-campus? [This accusation was the justification in the letter that ended my salary.]
- ◆ Why did management threaten to fire me immediately without any progressive discipline after 42 years of verifiably exemplary service?
- ◆ Why did management continually delay arbitration despite the 30-day maximum required in the Agreement?
- ◆ Why did management attempt, in my opinion, to effectively ruin my reputation?

Why did I deserve any of this, particularly after 42 years of service to the College and to thousands of students? The allegations were gathered after I

refused to resign, when I was banned from campus. This allowed management to enter my office and rifle through anything within that office. I had no opportunity to go back to my office to develop a defense for an arbitration hearing. Because management denied me my salary and, consequently, my family's financial stability, I was forced to resign. Be warned that this could happen to anyone.

I was recently elected as a professional delegate to UUP to serve on the UUPF Executive Board (EB) as a retiree. My goal is to share my story with all members and to work with the EB to ensure that this does happen to others.

Hundreds of us, and this includes me, have served the College for many years, often with great affection and sincere loyalty. This is our gift to the college. Management must remember and respect this gift, for the success of the college itself. My experience must not be repeated. ◆

Individual Development Awards Program Now Accepting Applications

The application period for the Joint UUP/New York State Individual Development Award Program (IDAP) will open on April 1, 2022. Applications will be accepted until May 2, 2022. Awards will be made for the period from July 2, 2021 – July 1, 2022. Fifteen percent (\$8,644) of the campus' total allocation of \$57,629 will initially be reserved for part-time faculty and staff. The maximum award from this program is \$2000 per individual applicant, and up to two projects or activities may be funded.

Program guidelines and application materials can be found [here](#) (scroll to the link titled Professional Development, Individual Development Awards Program). Please follow the **Guidelines for Applicants**.

To be considered for an award, applicants must submit all required information including the completed **application form**, a budget summary, an updated brief curriculum vitae, any relevant documents regarding the activity, and documentation on projected costs (check the college webpage on [travel](#) for per diem and mileage rates). For activities that have already taken place, please include copies of receipts and expenses.

Please submit your completed application and materials through this [link](#). Email Jenny Bryer with any questions at FarmIDAP@farmingdale.edu. Applications will be accepted until Monday, May 2, 2022.

UUP ORGANIZING ACADEMY

To Build and Grow Our Union

For new and seasoned UUP union activists who want to:

- Build union power
- Grow UUP's membership
- Learn leadership skills
- Run effective campaigns



The UUP Organizing Academy is a new program for UUP members who are serious about strengthening and growing our union. It will offer 15 workshops on organizing topics such as: one-on-one conversations, campaign planning, managing data, building teams, and more.

We are pleased to offer the first level of training — “Basics of Organizing” — in the Spring semester of 2022! See below for courses and schedules. Members who complete the whole series of courses will have their achievement recognized.



COURSES AVAILABLE Spring 2022: 100-level “Basics of Organizing”



Organizing 101– Organizing Conversations:

The bedrock skill of organizing, there is no substitute for the one-on-one organizing conversation. This workshop will teach you the basic steps of a good organizing conversation, addressing and overcoming objections, and active listening.

Organizing 102 – Leaders, Activists, and

Organizers: Organizing is about bringing people together. Beyond growing the organization, you also need to develop your members into leaders, activists and member organizers. This workshop will teach you about the different kinds of active member, how to identify good potential leaders, and how to recruit them. Essential for building your bench of potential Chapter leaders.

Organizing 103 – Union Visibility: When someone – a UUP member or potential member, another SUNY employee, a student, a visitor, or an administrator – walks through your campus, they should be able to tell that this is a union campus and UUP has a presence. How do we build that presence?

This training will cover the basics of union visibility, including bulletin board maintenance and good use of UUP identifiers.

Organizing 104 – List Work, Charting,

and Mapping: If organizing combines data and relationships, this training introduces the “data” portion. You’ll learn what data you’ll need to keep track of when organizing your Chapter and efficient methods for storing it.

Organizing 105 – Assessments & Debriefs:

After every organizing conversation, we need to stop and reflect. What just happened? What can come of it? This workshop focuses on two key aspects of a conversation campaign: assessments and debriefs. Assessment is a subtler art than it may first appear, and good organizers know that every person can be assessed in different ways. In addition to our own assessments, we need an outside perspective on our conversations. Debriefing is the practice of reporting to another organizer on your conversations to reflect on and really understand them, and how to proceed.



HOW DO I SIGN UP?

Click <https://uuphost.org/orgacademy/> to go to the Course Selection page or scan the QR code.



Email Jordan Helin, UUP Mobilization & Political Training Coordinator, at jhelin@uupmail.org with questions.

Colonial Voluntary Benefits

The UUP Member Services Trust Fund is excited to announce that the Paul Revere Life Insurance Company, through Colonial Voluntary Benefits, will now be offering critical care insurance, short term disability insurance, term and whole life insurance policies to UUP members.

The policies will be available to active UUP members, their spouses, and children, and may be extended to grandchildren.

Open Enrollment for this benefit will begin on 3/9/22 and run through 12/31/2022.

Visit a Digital Postcard that provides links to videos explaining the coverage options and details on how to connect with a Colonial Benefit Counselor to discuss coverage options and enrollment.

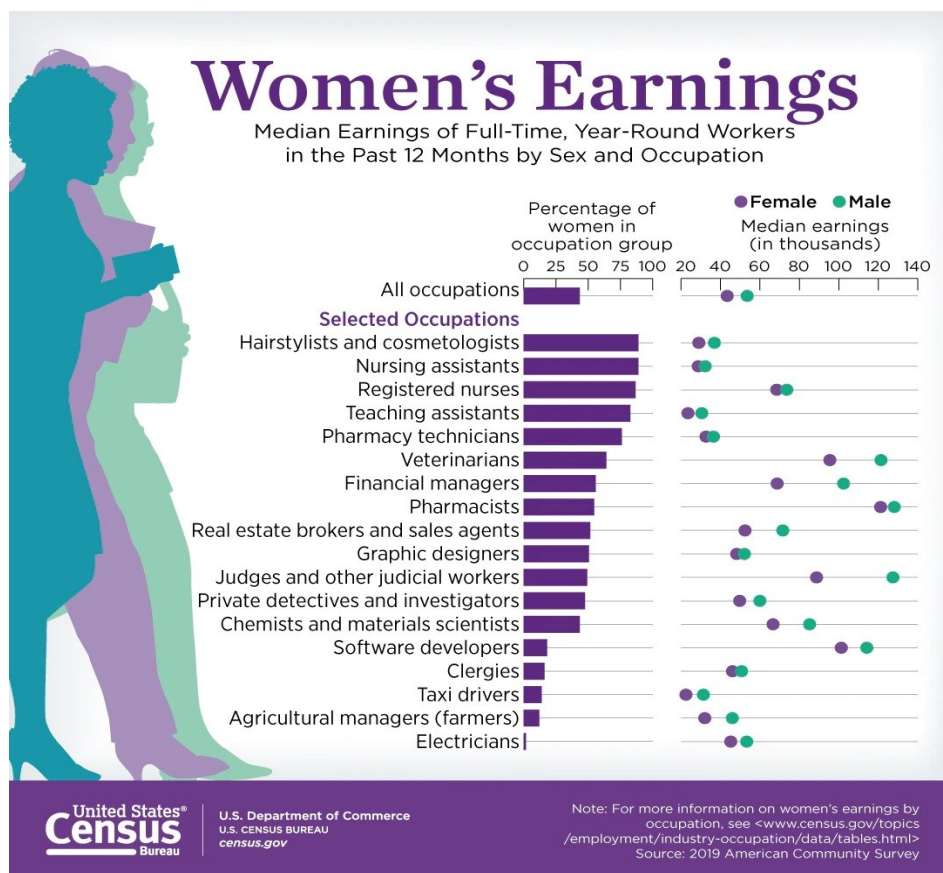
Please call a Colonial Benefits Counselor between 8 a.m. to 8 p.m. EST, Monday through Friday at: 1-866-814-1054.

For more information, visit: <https://flimp.live/UUPCC>.

Professionals Corner

...continued from page 2

sibilities. You cannot be evaluated on anything outside the scope of what is written in your performance program. There are professionals who have claimed to be working past their required weekly hours and above and beyond what they were initially hired to do. Without an accurate performance program, it may be difficult to prove your case. You were hired for a specific job, not one that changes every year – and neither should your performance program. I recommend that you attend UUPF workshops to learn how to manage this very important document. If you have any questions, please contact me. ♦



**Spring Fling
Membership Event
CHANGING TIMES
4pm Tuesday
May 3, 2022
APPETIZERS
& TWO FREE DRINKS
Compliments of
Your UUP Chapter**

Mark your calendar!



FARMINGDALE CHAPTER

EXECUTIVE BOARD

Harry Espallat

President

Lou Scala

VP Academics

Solomon Ayo

VP Professionals

RoseAnn Byron

Treasurer

Ann Noss

Secretary

Vicki Janik

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Debbie Nilsen

Amy Stier

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Diversity, Equity & Inclusion

Darleyne Mayers

EOC

Michael Oil

Grievance: Academic

Michael Oil

Grievance: Professional

Sandy Hustedt

Health & Safety

Michael Canders

Labor/Management

Yolanda Segarra

Library Concerns

Danielle Apfelbaum

Membership

Tom Germano

Newsletter

Yolanda Segarra

Outreach

Darleyne Mayers

Active Retirees

Daniel Marrone

Webmaster

Harry Espallat

Women's Rights & Concerns

Vicki Janik

Railway Labor Act of 1926 ...continued from page 6

those workers that operated the trains, but also to track layers as well as railway-employed teamsters, doctors, nurses, cooks, and clerks. All told, the RLA covered a huge number of workers. The RLA established: (1) the right of labor to organize and bargain collectively without employer coercion; (2) an obligation on the part of employers to exert every reasonable effort to make and maintain collective bargaining agreements; (3) procedures that precluded strikes over union representation and grievance disputes; (4) a requirement that disputing parties consult the National Mediation Board; and (5) “cooling off periods” — weeks, sometimes months, when disputing parties were prohibited from staging lockouts or strikes. It was hoped that during these “cooling off periods” that the disputing parties would distill their aims and thus negotiate based on fewer,

truly “must-have” demands.

Though this 1926 legislation was groundbreaking, it required subsequent changes to address emerging labor/management issues in the rapidly changing mass production-oriented U.S. economy. By the mid-1930s, an additional law was needed to cover all workers and to establish an independent, permanent mediation board. Meeting this challenge, U.S. Senator from New York Robert Ferdinand Wagner (1877-1953) submitted to Congress a proposal to address these issues. Though Wagner’s proposal was fed into the “legislative meat grinder” where numerous give-and-take compromises were made, it ultimately achieved its intended aims. Through the efforts of Wagner, one of the most important laws in U.S. history was enacted with The National Labor Relations Act. This 1935 legislation merged key RLA provisions with federally guaranteed rights and protections applicable to *all* U.S. workers. Additionally, the 1935 law established the National Labor Relations Board. U.S. presidents nominate members to the five-member NLRB, who then are required to be confirmed by the Senate. NLRB members make final decisions that result in legally-binding workplace rules. This 1935 law is often called — justifiably--the “Wagner Act.” Subsequent labor laws have further bolstered worker rights. However, labor unions — such as our UUP--must maintain constant vigil to defend these rights! ♦

SAVE THE DATE

Pre-Retirement Virtual Workshop

With Walter Apple

11:00 am

April 1, 2022

CHAPTER MEMBERS on STATEWIDE COMMITTEES

Solomon O. Ayo

Comm of VPs for Professionals

Amit Bandyopadhyay

Tech Sector

Michael Canders

Veterans

Harry Espallat

Comm of Chapter Presidents

Sandy Hustedt

Grievance, Membership

Vicki K. Janik

Women's Rights and Concerns, chair

Kathryn Machin

UUP Scholarship

Daniel Marrone

Retired Member Governing Board

Darleyne E. Mayers

UUP Executive Board

Diversity, Equity & Inclusion, co-chair

Outreach

Deborah-Ann R. Nilsen

Public Higher Ed

Ann Noss

Membership

Michael Oil

Grievance

Louis Scala

Comm of VPs for Academics

Amy Stier

SOUL

The UUPF Newsletter welcomes articles and letters submitted by members of the Farmingdale community. Remember, this is your newsletter, share your thoughts with us, we want to hear from you. Persons who have material they wish to submit should contact Yolanda Segarra at youupf@gmail.com