

The Economic Crisis:

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Dates to Remember

- 2/20:** DEC submits evaluations and appropriate recommendations of first year renewal candidates (August hires) to the Dean
- 2/25:** Dean submits recommendations of first year renewal candidates (August hires)
- 2/27:** Provost takes required action and informs first year renewal candidates (August hires) of his/her decision; DEC receives and reviews records and notifies second year or later renewal candidates (August hires) that they must be evaluated
- 3/5:** University-wide Promotion and Tenure Committee submits recommendations for penultimate year tenure candidates (August hires) and promotion candidates to the Provost
- 3/13:** DEC Chairperson informs second year or later renewal candidates (August hires) in writing of the evaluation process
- 3/18:** CSU-AAUP/SUOAF-AFSCME Lobby Day
- 3/30:** Second year renewal candidates (August hires) submit relevant materials for consideration to the DEC

Union News

CSU-AAUP

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Are You a Member?

All full and part-time teaching faculty, counselors, librarians, coaches and athletic trainers are members of the bargaining unit, however you must declare your desire to be a member of the professional organization of AAUP. The dues rate is the same, regardless of your membership status, but being a member entitles you to benefits such as discounts on car rentals, cell phone service, tires, select amusement park admissions, and legal services. In addition, you will be able to take advantage of group discount rates for automobile, homeowner's, life, and professional liability insurance. However, one of the most important benefits afforded to members may be the right to vote in AAUP elections and the right to run for office (please see the article on page 5 regarding upcoming elections). If you are unsure of your membership status, do not hesitate to sign up on our website, www.ccsu.edu/aaup/csu. Where you may also view the many benefits available to members as well.

Tired of Renting Academic Regalia?

Oak Hall Cap & Gown Company offers AAUP members excellent prices on academic regalia. Robes are available in a variety of fabrics, as well as hoods, caps, tassels and garment bags. Own your regalia, tailored to your measurements, and wear it with pride! Contact your local AAUP office for a price list and order form.

View the CSU-AAUP
 Annual Report online at
www.ccsu.edu/aaup/csu under
 "Documents." If you would
 prefer a printed copy, please
 contact Ellen Benson at (860)
 832-3793 or
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President Walsh Discusses the Economic Crisis

CSU-AAUP President David Walsh was invited to speak on each campus about the economic crisis that Connecticut is facing. This is the most challenging economic crisis of our lifetime and the ability of the university to remain accessible to students and funding for the university will be at stake. He assured members that they are protected by two contracts: 1) the CSU-AAUP Contract is in effect until 2011 and our wage increases effective for the last pay period in February (appearing in the second paycheck in March) will occur as planned and 2) the State Employees Bargaining Agent Coalition (SEBAC) Agreement which protects healthcare and retirement benefits for most unionized state employees until 2017. Even if the SEBAC leadership were to approve changes to the healthcare and retirement agreement, the members of each bargaining unit would still need to ratify the changes. If two of the member unions did not have enough votes in the affirmative to ratify the agreement, then it would not be approved.

What We Need to Do to Protect Ourselves

President Walsh called upon members to help with our educational campaign: write letters, talk to friends, talk to legislators, etc. about the following two items: 1) how your work benefits Connecticut's future, and 2) why cuts to CSU would be detrimental. CSU-AAUP is jointly sponsoring a Lobby Day with SUOAF-AFSCME on March 18 and we need faculty and students to attend. We'll have buses available if needed. Lobby Day is extremely important and should be a priority for all members. In addition, SEBAC plans to have an organized march of all state employees on March 24 (more information forthcoming). We need everyone's help with these events. The dangers of what could be lost are significant.

Details of the Crisis

The numbers change daily. Currently, the prediction is for a deficit of \$920 million this year (FY2009). The deficit for FY2010 and 2011 have been predicted to be approximately \$3 billion each year but will likely total around \$7 or \$8 billion – and that's of a \$36 billion budget, so it's estimated as a 17.5% deficit.

There are huge unfunded liabilities on our benefits. The state is underinvested by \$24 billion in retirement and \$26 billion in healthcare. That's more than three times the size of the state budget.

SEBAC

SEBAC began preparations for the negotiations with the state in late spring and summer as news of the economy continued to worsen. CSU-AAUP receives strength and solidarity by its affiliation with SEBAC as we're aligned with some of the largest unions in the United States. These unions are able to provide public relations specialists, lawyers, etc. and we are able to benefit from these valuable resources. SEBAC has already raised nearly \$250,000 for its public relations campaign that will run through the end of March.

SEBAC's position is that this crisis is not a budget crisis, but rather an economic crisis. The crisis did not come about because government costs too much. It has reached a crisis stage because normal economic conditions have fallen (income tax revenue, sales tax revenue, etc.). In fact, Connecticut has one of the smallest governments in the country (49th). Connecticut's income tax is not progressive and our sales tax is lower than states around us. There is a progressive coalition, of which SEBAC is a part, which aims to bring awareness that state government provides services that are essential. Using the crisis as a means to transform the state and get rid of regulatory agencies is anti-stimulus. The Governor's budget will not help Connecticut get out of the economic crisis.

Relations with the Rell Administration

The first mention by the Governor that she wanted to talk to the unions came on December 9, but it took two weeks for a letter to actually come to SEBAC Chief Negotiator Dan Livingston. SEBAC was invited to a meeting with Governor Rell on November 6, which was simply a presentation about the economic situation, mainly the federal economic situation.

The first session with the Rell Administration took place on January 14 and was limited to procedures and ground rules for negotiations. It lasted just under one hour.

Subsequently, two substantive meetings took place on January 28 and February 10, but the process is very slow-moving and political. Press releases by SEBAC were sent to all members to update them

Why YOU need to Attend CSU-AAUP/SUOAF-AFSCME Lobby Day

CSU-AAUP and SUOAF-AFSCME will be jointly sponsoring a Lobby Day on Wednesday, March 18, beginning with a legislative breakfast at 8:30 and followed by meetings with individual legislators. AAUP and CSUS are up against some harsh realities this year. The Governor recommended CSUS' budget be cut 5% in FY2009 and another 5% over the biennium (FY2010-2011), including the loss of 295 full-time positions at the university. The Governor is also seeking approximately \$300 million in concessions from state workers and is currently negotiating with the State Employees Bargaining Agent Coalition (SEBAC). The Governor and the public are outraged over double-dipping (working part-time for the state while collecting a pension) and a number of these employees work at the public universities in Connecticut. As a result, the Governor is using public opinion as a means to gain control of hiring in higher education. Governor Rell recently proposed a bill that requires the Universities to get Office of Policy Management approval for our hiring. **These actions threaten our wages, benefits, working conditions, and the university's ability to function as it has in the past.**

Every single CSU-AAUP member could be significantly affected if these measures are approved. There is nothing more important than attending Lobby Day this year to fight these measures. We need faculty to explain to legislators how higher education works. Legislators need to understand what faculty members do. Most importantly, legislators need to understand that cutting higher education in a down economy may save some money today but it will contribute to a downward spiral of Connecticut's economy in the future. If Connecticut wants to have a highly skilled and flexible workforce in the future, we need our legislators to protect and support higher education during these hard economic times.

Lobby Day is critical this year, and AAUP asks that you make every effort to attend on March 18. We will be providing transportation if there is enough interest. If you know of students who you think would be interested as well, please let them know.

If you plan to attend, please contact Ellen Benson at bensonell@ccsu.edu or (860) 832-3793 so that we may begin contacting your legislators to set up appointments.

***HELP PROTECT YOUR
WAGES, BENEFITS, AND
WORKING CONDITIONS***

**CSU-AAUP/
SUOAF-AFSCME**

Lobby Day

Wednesday, March 18
*Breakfast & Meetings with
Legislators at the
State Capitol*

**Please contact Ellen Benson
at bensonell@ccsu.edu or
(860) 832-3793
if you plan to attend**

National AAUP Briefs

Reprinted from National AAUP

Science and Human Rights

The AAUP is pleased to be a participant in the newly established Science and Human Rights Coalition, organized under the auspices of the American Association for the Advancement of Science. The coalition is a network of scientific and professional associations devoted to facilitating communication and partnerships on human rights within and across scientific communities, and between these and human rights communities.

Coalition members include Scholars at Risk, an organization with which the AAUP has worked in the past and which promotes academic freedom and defends the human rights of scholars and their communities worldwide.

Read a description of the coalition's inaugural meeting in the *Nation* at <http://www.thenation.com/doc/20090209/shah>.

Ruling in Harassment Case

The U.S. Supreme Court on Monday, January 26 unanimously ruled that federal anti-discrimination laws do protect employees who cooperate with internal investigations of alleged harassment, even when no EEOC charge has been filed.

The ruling came in *Crawford v. Metropolitan Government of Nashville and Davidson County*, a case in which the plaintiff alleged that she was fired in retaliation for her participation in an internal investigation conducted by her employer. Colleagues of Vicky Crawford had complained that their manager had sexually harassed them, and when an investigator from the school district spoke with Crawford about these allegations, Crawford (not one of the original complainants) told the investigator that the manager had also made sexually explicit remarks and gestures toward her. The manager was not disciplined, but Crawford and two others who responded to questions as part of the internal investigation were later fired.

Lower courts had said that Crawford was not protected against retaliation under Title VII of the Civil Rights Act because she had not initiated the complaint and had not engaged in "active" opposition to the harassment.

"This is a very gratifying ruling," says AAUP senior counsel Rachel Levinson. "The Supreme Court recognized that this interpretation had left employees unprotected and left employers free to retaliate in certain circumstances. This plugs a critical hole in the protections provided by Title VII."

The AAUP submitted an amicus brief to the court in

this case, arguing that Congress intended Title VII's protections to be broadly construed to provide employees with an incentive to participate in internal discrimination investigations or oppose discriminatory acts and to provide employers with an incentive to conduct internal investigations. The brief, which was authored with the National Employment Lawyers Association, the National Employment Law Project, and Public Justice, P.C., also noted that both employees and employers would be subject to increased risk and uncertainty if the law was construed as affording protection only to those who initiated complaints. If an employer cannot assure its employees that they will not be disciplined for participating in an internal investigation prior to the filing of a formal charge, then employees may protect themselves by filing charges more often.

In its opinion, the Supreme Court ruled that the opposition clause of Title VII, among other things, "forbids retaliation by employers against . . . an employee who speaks out about discrimination not on her own initiative, but in answering questions during an employer's internal investigation." In reaching this conclusion, the Court said the lower courts misread the law.

"Nothing in the statute requires a freakish rule protecting an employee who reports discrimination on her own initiative but not one who reports the same discrimination in the same words when her boss asks a question," Justice David H. Souter wrote.

Elections Reminder

There will be several elections taking place this spring. CSU-AAUP and SUOAF-AFSCME will be electing a representative to the Standing Advisory Committee to the Board of Governors for Higher Education (BGHE). In addition, CSU-AAUP will be electing officers, including President, Vice President, Treasurer, and Secretary. Finally, chapter elections will be held on each campus. Check with your local AAUP office to find out which positions are open for election. Nomination forms will be distributed early in the semester. If you are interested in running for any of these offices and would like more information, please contact your local AAUP office.

All CSU-AAUP bargaining unit members will be allowed to vote in the BGHE election, however membership is required for voting in the CSU-AAUP Officer Elections. Please contact the AAUP office if you have questions about your membership status.

Economic Crisis

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about the negotiations after these meetings. There are a number of all day sessions that are scheduled and intended to produce results, but little has been presented at this point. SEBAC has indicated that it would work with the Rell Administration if the right conditions were established.

Governor Rell's people are asking for approximately \$300 million in concessions from SEBAC, which amounts to about 10% of the deficit. In the last economic crisis, Governor Rowland asked for approximately 30% of the deficit to come from state employees' benefits.

CSU Administration

To date, there has been no attempt by CSU to negotiate with CSU-AAUP on anything. If a dean tells you to increase class sizes beyond the contractual limit or extend special appointments beyond two years, please understand that these things have not been agreed to by the union and you need bring it to our attention. It is possible that some administrators may try to nickel and dime our membership to gain some small concessions here and there, but faculty should not agree to them. Any and all changes to our Contract must be negotiated. President Walsh sent a letter to Chancellor Carter citing some examples of what we felt were potential contractual violations and Chancellor Carter wrote to each of the Presidents about this matter.

If the Governor's proposed budget that was revealed on Feb. 4 were to be enacted in FY2009, CSUS would take a 5% cut; the Governor already ordered a 3% cut earlier this year and announced on Feb. 4 that she would cut CSUS another 2%. For FY2010 and 2011, Governor Rell recommended a cut that totaled 5%. Normally, a budget has to increase by 4% to maintain current services. In terms of positions, there would be a loss of 200 for FY2010 and 95 for FY2011. These positions would include searches not yet fulfilled. We have no details about what areas of the academy these positions would come from. According to the CSU administration, the last group to be cut would be faculty.

In terms of dollars, the Governor's budget represents \$15 million cut from the operating budget and \$5 million for benefits in FY 2009 and \$25 million for the next two years.

CSU-AAUP will keep members updated on the economic crisis. We also encourage our members to visit the coalition's website, <http://inthistogetherct.org/>, which contains updates and detailed information on the state's economic crisis.

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