

Union News

Connecticut State University
American Association of University Professors

Dues Increase Challenged at CCSU; Council to Discuss By David Walsh, CSU-AAUP President

Prior to the dues increase vote, CSU-AAUP sought advice of our attorney, Gregg Adler, to interpret Article VII of the CSU-AAUP constitution, which relates to dues. In regards to Article VII(C), Attorney Adler interpreted the constitution as requiring a simple majority of the membership as the standard for approval. CSU-AAUP ran the election on the basis of this interpretation, which was also consistent with my interpretation of the clause.

When the ballots were counted on Friday, November 18, CSU-AAUP met this standard as the results were 485 in favor, 266 opposed, one abstention, and 16 invalid; and a victory was announced.

Later that day, a member challenged the outcome of the vote based on his interpretation of Article VII(C). It was his belief that a majority of the active

membership was needed to pass a dues increase, and this was not met. The member cited other areas of the constitution where the language more clearly states that a simple majority was required as the standard of approval.

The member's challenge was sent to Attorney Adler, and we asked him to re-interpret Article VII(C) with the member's argument in mind. Attorney Adler came to the same conclusion as he had previously, that a simple majority was the standard of approval for a dues increase.

He also suggested that if possible, we contact the original drafters of the constitution to ask their intent of Article VII(C). David Newton and Kerry Grant (past CSU-AAUP Presidents) were contacted and they stated that they intended that the normal meaning of a

majority vote apply - a majority of those participating in the election.

However, Attorney Adler advised us that the ultimate determination of this question lay in the hands of the CSU-AAUP Council. The matter will therefore be referred to the CSU-AAUP Council for discussion at its meeting scheduled for December 15, 2005, and all options will be discussed. Once a determination has been made, we will email our members a statement of the Council's official position, and an announcement will also appear in the first edition of the CSU-AAUP Newsletter in 2006.

If you have any questions or concerns, please do not hesitate to contact the AAUP office at (860) 832-3790. Have safe and happy holidays!

Local Chapter News

CENTRAL

Several issues related to faculty load have recently come to the Chapter's attention. The first is that faculty teaching "under-enrolled" courses with less than 9 students have been receiving prorated load credit on the basis of .33 load credits per student. The CSU-AAUP Contract does not allow for pro-rated load credit. The second issue involves faculty who agree to teach "under-enrolled" courses as independent studies. It is arguably inappropriate for students to receive credit for a course that is actually taught as an independent study. The third issue regards the university's non-compliance with the terms and conditions of a 2000 Overload Grievance Settlement which requires a plan for reduction of excessive overload university-wide. All of these issues are presently being discussed with

the Chief Human Resource Officer as well as the Chair of the Curriculum Committee, the Chair of the Graduate Studies Committee, and the Provost, where necessary.

EASTERN

The AAUP chapter at ECSU offered recommendations to the CSU-AAUP Council and the Administration regarding procedures for an expedited tenure review of the Endowed Chair of Sustainable Energy. The CSU-AAUP Council has authorized David Walsh, CSU-AAUP President, to enter into an agreement with the CSU Board of Trustees regarding this matter. President Walsh will use ECSU-AAUP's recommendations as a guide during negotiations. This agreement will only apply to this one instance and will not establish a precedent.

SCSU

SCSU-AAUP has come close to an agreement with the Administration regarding the overload grievance. Currently, 75% of full-time faculty at SCSU have an overload of 12 credits or more. The Administration would like to settle this grievance, however, they are worried that if they implement the overload agreement, then they will have to rely more on part-time faculty and the cap will be exceeded.

WCSU

The Library Director at WCSU announced that two faculty lines in the library are being converted from AAUP lines to Administrative & Residual Employees Union lines. WCSU-AAUP and CSU-AAUP are opposing this proposal and will be investigating this further.

Part-time Faculty News

USE IT OR LOSE IT — TRAVEL AND FACULTY DEVELOPMENT FUNDS

As a part-time faculty member, you are eligible to apply for faculty development grants and up to \$600 for travel expenses incurred while attending professional seminars, workshops, conferences or educational exchanges. These funds are available every year and in the past have been underused. Please contact your Department Chairperson or your local AAUP office for more information.

CONTRACT NEGOTIATIONS

To prepare for upcoming contract negotiations, the CCSU-AAUP Part-time Advisory Committee will begin reviewing contract language from other institutions across the United States and Canada relating to part-time faculty at their January meeting. In particular, the committee will attempt to identify model language in regards to benefits and working conditions, especially job security.

Civil Union Benefits

State employees entering into a civil union will be entitled to all the same pension and health care benefits that were afforded to same sex domestic partners. To obtain health care and/or pension benefits, you must submit proof of civil union to the Retirement & Benefit Services Division of the State Office of the Comptroller. Be advised that outside the annual health care open enrollment period employees may only add (or delete) partners and eligible dependent children to (or from) their existing coverage. During the open enrollment period, which is conducted in May and results in changes that take effect on July 1, employees are permitted to make revisions to their carriers and plans.

Employees seeking only pension protection for their same sex domestic partners should be instructed to complete proof of a civil union and submit it, along with supporting documentation, to their employing agency. In turn, employing agencies should submit these materials to the Division at the address referenced earlier in this memorandum along with the notation that the employee is not seeking health care benefits at this time.

If you have any questions regarding benefits for civil unions, please contact the Retirement & Benefit Services Division at (860) 702-3480.

Legislative Update: CSU-AAUP Wage Re-Opener

CSU WAGE RE-OPENER

The CSU-AAUP membership voted overwhelmingly to approve the Proposed 2005-2006 Contract Re-opener Agreement on Salary and Special Funds by a vote of 767 to 5. As you may remember, the agreement features a 5% increase to the full-time payroll and part-time faculty pay rates for 2006-2007, and a 5% increase to Special Funds, which are those specified in CBA 12.10, including Travel, Faculty Development, Research Grants, Curriculum-related Activities and Retraining Funds.

The CSU Board of Trustees unanimously voted to approve the Agreement at their meeting on Thursday, October 6. After the Board voted, we attempted to get the Agreement on the agenda of the Legislative special session in October. However, the General Assembly limited the special session to a few select issues and the General Assembly would not agree to hear our Agreement. It will be heard when they return to session in January.

Chancellor's Search Advisory Committee Update

The Chancellor's Search Advisory Committee is a fifteen member committee composed of four AAUP members, two management/confidential representatives, two SUOAF/AFSCME members, two students, four "at large" representatives and one CSU System Office management/confidential representative. The Committee is chaired by David Walsh, professor of Political Science at SCSU and President of CSU-AAUP.

The committee was charged with providing input into the criteria for the selection of a new chancellor, reviewing the resumes of those candidates under consideration, providing advice to focus on the top candidates, participating in the interview process for the finalists, and

making a recommendation to the Trustees' Search Committee for nominees to be considered for appointment.

After a lengthy search and interview process, three candidates have been identified as finalists for the position of Chancellor for CSU. The candidates are Lloyd Benjamin, President of Indiana State University; Ronald Applbaum, President of Colorado State University-Pueblo; and David Carter, President of Eastern Connecticut State University.

As part of the interview process, forums were held the second week of December to give students and staff from each of the four universities and the System Office the opportunity to meet the candidates and ask questions.

The Search Advisory Committee will meet to review the candidates and send feedback to the Board of Trustees on December 13. The Trustees' Search Advisory Committee will then begin the process of selecting the finalist, and an announcement should be made by mid-January.

The Committee would like to thank the Board of Trustees and Chancellor Cibes for allowing faculty and staff input in the search process. We would also like to thank Chancellor Cibes for his dedication and commitment to the CSU System for the past 11 years.

An Explanation of the Retirement Changes

Our members, like other state employees, have been alarmed by the recently announced changes to the State's retirement and investment plan options. The issues are complex as they involve interaction between the Comptroller's office, individual plan vendors and the new plan administrator. Following is an explanation of the background and issues surrounding the changes to the plans.

Prior to the start of the State's Request for Proposal (RFP) process, SEBAC met with the Director of the Retirement Division regarding the State's proposed changes to the three defined contribution plans (457 deferred comp, 403(b) and ARP). At that meeting, the State's primary objectives for restructuring the plans were outlined. The unions stated that they were supportive of enhancements/improvements that would be beneficial to participants in the plans, but were clear that they would object to any changes that would result in the elimination of any of the current investment options in the Alternate Retirement Program (ARP).

During the review (RFP process) of the eleven responses that were received, TIAA-CREF's response contained administrative fees that were higher than four other vendor responses. TIAA-CREF was contacted and asked to consider lowering their fees. They refused to do so.

The State's original goal was to send out the informational materials for the new plan at

the beginning of the fall semester. In September, the unions became aware that the State Retirement Division was involved in several legal disputes with TIAA-CREF that were delaying the finalization of the investment fund options. An additional matter that contributed to the delay was a TIAA-CREF shareholders' meeting that voted down proposed fee increases for a number of funds. That resulted in TIAA-CREF's elimination of some funds from its offerings. The decisions on final investment fund options were made just prior to the 403(b) and ARP transition booklets going to press.

CSU-AAUP was very unhappy with the inadequate and untimely communication from the Comptroller's Office to state employees. We expressed our concern regarding the timing of notification, since this time of year is especially busy for faculty. We do not think that faculty should be expected to make decisions that greatly impact their financial future at such a busy time and on such short notice. As a result, the Comptroller's Office expanded the number and length of the enrollment meetings on all four CSU campuses and the Director of the Retirement and Benefit Division offered to come to the campuses to answer faculty concerns.

Please see the questions and answers regarding the retirement changes on page 4. If you have any additional questions, please call the CSU-AAUP at (860) 832-3790.

Faculty Union Group Condemns Threats of Retaliation at NYU

At its semi-annual meeting on Saturday December 3, the Collective Bargaining Congress of the AAUP adopted the following statement in support of the striking graduate-student employees at New York University:

The Collective Bargaining Congress (CBC) of the American Association of University Professors (AAUP) supports the graduate employees at New York University (NYU) in their call for continuing recognition of their union and their democratic decision to strike. The CBC deplors the threat of retaliatory actions against striking graduate employees. Following the AAUP's 1991 Statement on Collective Bargaining, we maintain that all university employees should have the right to organize and to exercise their voice in determining the terms and conditions of their employment without fear of retaliation.

On behalf of the 28,000 unionized academic employees we represent, the CBC calls on NYU President John Sexton to rescind immediately his threat to retaliate against workers exercising their democratic rights.

Contract Spotlight: Department By-laws

From Article 5.21 and 5.21.1 of the CSU-AAUP Contract:

Each department shall have written by-laws consistent with the CSU-AAUP Collective Bargaining Agreement (known as the "Agreement") and procedures established pursuant to this Agreement describing its structure and procedures; such bylaws shall require approval by a majority of the full-time department members and the appropriate Dean. A copy of such bylaws shall be filed with the Senate, the respective Dean, the Vice President for Academic Affairs, and the local AAUP Chapter. When the appropriate Dean finds departmental by-laws to be unworkable or inconsistent with this Agreement or with procedures established pursuant to this Agreement, the Dean may require appropriate changes. The Dean and members of the department shall

strive to resolve any disagreements. Any unresolved dispute between a department and the Dean shall be referred for a final binding resolution to a committee of three (3) consisting of a designee (not in the affected department) of the AAUP Chapter President, a designee (not the Dean involved) of the President, and a designee agreeable to both Presidents.

When a dispute arises within a department regarding the application of departmental by-laws, not related to this Agreement, said dispute shall be referred for a final binding resolution to a committee of three (3) consisting of the Chief Personnel Officer and two (2) full-time members (not in the affected department) appointed by the Senate President. Such settlements shall be consistent with this Agreement.

Chancellor Cibes' Retirement Reception

Wednesday, January 18

5:30pm

Aqua Turf Club

Southington, Connecticut

Tickets are \$75 per person, which includes a sit-down dinner and a gift donation in the Chancellor's honor to the CSU System Foundation's Endowed Scholarship Fund. For more information, please contact the CSU Foundation at (860) 493-0099.

Q & A Regarding Retirement Changes

Q. Why were changes made to the retirement options?

A. The state's primary objectives were lowering costs for plan participants; simplifying the investment process; encouraging participation by improving investment options; offering counseling and financial education; and complying with Internal Revenue Codes. The State was able to negotiate a better deal for members by combing all three plans under one administrative umbrella. It is estimated that there will be a \$10 million savings, which would have gone to pay fees and will now remain in individual accounts. There will be 24 investment choices going forward and all funds are 100% portable.

Q. What was CSU-AAUP's position regarding these changes?

A. CSU-AAUP supported expanding the retirement options within the Alternate Retirement Plan but was opposed to eliminating current options.

Q. What is ING's role?

A. ING's role is one of record-keeper and administrator. They will manage the benefit statements, website, and call center. ING does not invest any of the money; it redirects it to the company managing your selected investment options. ING receives no commission on sales and has no stake in where the money goes. The administrative fee for all the funds will now be the same (0.12%).

Q. If I am participating in ARP, do I need to do anything?

A. Yes, you must complete a Beneficiary Designation Form, which is included in the back of the ARP transition booklet.

Q. I am a member of TIAA-CREF Alternate

Retirement Plan, contributing to the TIAA Traditional Annuity which is being eliminated. If I do nothing, what will happen?

A. For accounts that are being eliminated, there is a default arrangement where funds will be mapped to a new, similar investment option. The objective of mapping is to identify investment options that have similar risk and reward characteristics as the current investment options. Participants currently contributing to the TIAA Traditional Annuity, who do not choose an alternative investment fund, as of January 2006, will have their funds deposited into the CT Stable Value Fund (fixed account).

Q. Does that mean that I have to transfer/move my money I've already invested in the TIAA Traditional Annuity?

A. No, you can leave your entire investment or transfer part of your funds out of the annuity. Existing balances will remain with TIAA-CREF unless you elect to transfer them to a new fund. However, you can no longer contribute to the TIAA Traditional Annuity beginning January 1, 2006.

Q. At the time of retirement, can I choose a TIAA-CREF retirement option?

A. At retirement, participants may choose to transfer all or some fund balances to TIAA-CREF and annuitize the funds by choosing a TIAA-CREF retirement option.

Q. Can I continue to consult with a TIAA-CREF representative?

A. Yes, you can continue to speak to TIAA-CREF about your existing account(s) at any time by calling 1-800-842-2776.

Q. How do I make a change to my fund allocations?

A. Everyone will be sent a Personal Identification Number (PIN) in early December, which can be used to make changes through the website (www.CTdcp.com). You can also make changes by calling ING at 1-800-784-6386. Changes to your fund allocations can be made as often and whenever you would like.

Q. Do I have to take action with regard to my 403(b) plan?

A. Yes, everyone has to take positive action. You are required to fill out an enrollment form by December 15 in order to continue contributing without a lapse. Do not feel rushed to make a decision regarding your investment options. If you miss the December 15 deadline, you may still complete the enrollment form at a future date and retroactively adjust your contributions to make up for any missed contributions. Existing account balances remain with the current Financial Services Organization until you elect to transfer them to the new investment fund.

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We're on the web!

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