

# Negotiations

September 2012



United University Professions: The nation's largest higher education union

## Negotiating a contract in difficult times

**U**UP's contract talks have been in process for more than a year, with progress made on many items and resolution of existing disagreements pending.

UUP's Negotiations Team presented its contract proposals to State negotiators Aug. 26, 2011. Since then, there have been 25 formal negotiations sessions and many additional off-the-table discussions aimed at clarifying information and exploring ways to arrive at compromises over difficult issues.

### Who UUP negotiates with

UUP's 15-member Negotiations Team, headed by Chief Negotiator Jamie Dangler and Associate Chief Negotiator Mike Smiles, negotiates with representatives from the Governor's Office of Employee Relations. The State's chief negotiator, Joseph Bress, was appointed by and represents Gov. Andrew Cuomo. The State's negotiations team also consists of representatives from SUNY, the NYS Division of the Budget, and the NYS Department of Civil Service.

### Governor's demands; UUP's challenges

Gov. Cuomo presented all NYS employee unions with the same key demands: no across-the-board raises for three years, nine furlough days, and



El-Wise Noisette

UUP Chief Negotiator Jamie Dangler, right, updates delegates to the 2012 Spring DA on the status of contract negotiations with New York State.

increases in the employee share of health insurance premiums and costs for out-of-network provider use in the Empire Plan. Most of the other NYS employee unions settled their contracts within the past year, including the Civil Service Employees Association (CSEA), the Public Employees Federation (PEF), the Police Benevolent Association of New York State (PBA of NYS), and the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA). All of these contracts contain the governor's key demands.

However, each of them has unique features that provide some offsets to the immediate economic hardship their members are experiencing because of givebacks to the State. For example, all other NYS employee bargaining units have salary structures that provide incremental increases (commonly referred to as salary steps) and longevity increases. Some of these contracts also contain other provisions that serve to offset immediate losses.

The state's insistence on key similarities in all its union contracts has presented particular challenges for UUP because of our unique characteristics as a union.

Unlike all other NYS employee bargaining units, UUP does not have a salary structure that provides salary step or longevity increases. We have no other predictable salary increases to offset years with zero across-the-board raises, and offsets contained in other union contracts will not apply to our members.

### Need for fairness, equity for all UUPers

UUP continues to press for a contract that is fair and equitable in relation to other bargaining units and in terms of its application to all of our members.

Our union is a highly diverse group in terms of the salaries, working conditions, and part-time/full-time status of our members. UUP represents 35,000 professionals and academics at SUNY's state-operated teaching hospitals, university centers, comprehensive colleges, technical colleges, and specialized institutions.

A cookie-cutter contract presents serious challenges for ratification.

### Limit on information-sharing

UUP's Negotiations Team cannot reveal details about ongoing negotiations because UUP and the State have agreed to strict

*(continued on back)*

### About UUP ...

P.O. Box 15143 ■ Albany, N.Y. 12212-5143  
518-640-6600 ■ fax: 866-812-9446  
800-342-4206 ■ www.uupinfo.org

*President* Phillip H. Smith  
*VP/Professionals* J. Philippe Abraham  
*VP/Academics* Jamie F. Dangler  
*Secretary* Eileen Landy  
*Treasurer* Rowena J. Blackman-Stroud  
*Interim Membership Dev. Officer* Robert E. Rees

Representing 35,000 academic and professional faculty on 29 State University of New York campuses. Affiliated with New York State United Teachers, the National Education Association and the American Federation of Teachers, Local 2190/AFL-CIO.

(continued from front)

ground rules prohibiting release of such information to the public. Violation of those ground rules would jeopardize negotiations. The most we can communicate is information about the process in which we are engaged or information that has already been officially released to the public.

### Where we stand at this point

UUP and the State have reached understandings on numerous monetary and nonmonetary contract items, which must be verified in the context of a complete, final agreement.

For many months, UUP and the State have been engaged in a continuous proposal/counterproposal process. Negotiations involve compromise, as well as maintenance of important bottom-line criteria for reaching an agreement. Deliberation over items that remain unresolved will continue as the fall semester gets under way.



## Negotiations Team

### Chair/Chief Negotiator

Jamie F. Dangler, Cortland

### Associate Chief Negotiator

Michael C. Smiles, Farmingdale

### Members

Edison Bond Jr., Brooklyn HSC  
Charles Callahan III, Brockport  
Raymond P. Dannenhoffer, Buffalo HSC  
Patricia D. Ghee, Buffalo State  
Frances L. Goldman, Binghamton  
Richard B. Kelder, New Paltz  
Carolyn S. Kube, Stony Brook HSC  
Michael J. Lyon, Upstate Medical Univ.  
Pamela J. Malone, Empire State College  
James J. McDermott, Oneonta  
Robert E. Rees, Alfred  
Jason J. Torre, Stony Brook  
Anne Wiegard, Cortland

### Role of UUPers in contract ratification

When negotiations conclude, the Negotiations Team will present a tentative agreement to the UUP Negotiations Committee, which consists of one representative from each of UUP's 32 chapters, plus an additional part-time professional and part-time academic.

The Committee then makes a recommendation to the UUP Executive Board regarding ratification and, pending board approval, members vote on the contract. A neutral third party, often the American Arbitration Association, conducts the ratification voting process.

### Negotiations Team needs your support

Negotiations Team members have spent countless hours over the last year doing their best to represent *all* of UUP's bargaining unit members. Every hour spent at the negotiations table requires many additional hours of preparation—collecting information, analyzing data, developing strategies, considering new approaches and possible compromises, and assessing the impact of each successive state counterproposal on various constituencies within UUP. They are volunteers and receive no payment for their work. Every hour they spend in Albany results in an hour of work they need to make up when they return to their campuses or an hour away from their families. Every hour they spend traveling to Albany (including travel from far corners of the state such as Buffalo, Alfred, and Stony Brook) they need to make up when they return to

their campuses or experience as lost time with their families.

Your continued support of the Team's efforts to arrive at a new contract is much appreciated.

### Implications of working under an expired contract

UUP's contract expired July 1, 2011. But under the Triborough Amendment provisions of the Public Employees Fair Employment Act (the "Taylor Law"), all contract articles continue until a successor agreement is ratified, except for provisions that expired on specific sunset dates. This means that while monetary and some other dated provisions of the 2007-2011 contract expired, all other contract protections, including health benefits provisions, remain in place.

### Stay informed

As negotiations proceed, UUP members will be kept informed through regular website postings, mailings from President Phil Smith, and articles in *The Voice*. Periodic updates and other information will be sent to chapter presidents for distribution via chapter websites, newsletters, fliers and meetings.

Members are encouraged to periodically check the UUP website ([www.uupinfo.org](http://www.uupinfo.org)) for postings at the "Contract Negotiations" link on the home page.

Feel free to contact Chief Negotiator Dangler at [contract@uupmail.org](mailto:contract@uupmail.org) for further information or to submit questions or comments.

---

## Negotiations Committee members

Steven E. Abraham, Oswego  
Caroline B. Bailey, ESF  
Jacqueline G. Berger, Empire State College  
Rowena J. Blackman-Stroud, Downstate Medical  
Peter G. Bradford, Buffalo HSC  
Carol V. Braund, Upstate Medical  
David G. Curry, Plattsburgh  
Jamie F. Dangler, Chair/Chief Negotiator, Cortland  
Clifford D. DaVis, Cobleskill  
John J. Delate, Purchase  
James A. Dix, Binghamton  
John R. Driscoll, Cortland  
James D. Engle, Morrisville  
Edward T. Felton, New Paltz  
Candelario Franco, Old Westbury  
Carol Gizzi, Stony Brook HSC  
Ray D. Gleason, Alfred

John P. Leirey, System Administration  
Candace A. Merbler, Albany  
Jeffrey L. Miller, New Paltz  
Lori M. Nash, Oswego  
Kim Oliver, Optometry  
Gary O. Owens, Brockport  
Yolanda Pauze, Farmingdale  
Laura S. Rhoads, Potsdam  
Rafael F. Romero, Utica/Rome  
Arthur M. Shertzer, Stony Brook  
William M. Simons, Oneonta  
Richard A. Stempniak, Buffalo State  
Margaret K. Stolee, Geneseo  
John W. Taylor, Delhi  
Idalia Torres, Fredonia  
Barbara E. Warkentine, Maritime  
Ezra Zubrow, Buffalo Center  
TBD, Canton