

**To: Karen Putterman, M.D., MPH**  
**From: Alex E. Bernstein, Executive Director AAUP-UMDNJ**  
**Re: Class Action Grievances**  
**Date: March 27, 2007**

Enclosed please find two (2) class action grievances AAUP is filing on behalf of all faculty to protect their rights. Given the exigency of this issue, I am requesting a grievance meeting with the Deans and you as soon as practicable and a response to the grievances by April 17, 2007, as is required by the AAUP Contract.<sup>1</sup>

It continues to be AAUP's hope and intention to resolve this matter promptly and amicably through negotiation.

The faculty and AAUP welcomes the opportunity of working with you toward achieving our mutual goals of patient care, teaching, and scholarship and are prepared to meet with University representatives at the earliest time in order to resolve this issue.

Encls: 2 Class Action Grievances

Cc: Robert L. Johnson, M.D.	(By fax to 973-972-7104)
Peter S. Amenta, M.D., Ph.D.	(By fax to 732-235-6315)
Cecile A. Feldman, D.M.D., MBA	(By fax to 973-972-3689)
Thomas A. Cavalieri, D.O.	(By fax to 856-566-6865)
Susan W. Salmond, R.N., Ed.D.	(By fax to 973-972-7453)
Audrey R. Gotsch, DrPH, CHES	(By fax to 732-235-9755)
AAUP Council	(By Email)

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<sup>1</sup> Article V(D)(1) requires the University to discuss the grievance with the grievant and render a decision to the grievant within twenty one (21) days after receipt of the grievance.

**GRIEVANCE PROCEDURE FORM**  
(Attach additional sheets when necessary)

This grievance is being submitted pursuant to the collective negotiation contract between the University and the AAUP Council of Chapters UMDNJ

**SUBMITTED BY:** AAUP on behalf of

1. all tenured bargaining unit members and
2. all bargaining unit members with term contracts during which UMDNJ is implementing a salary reduction

**Name of Faculty Member:** CLASS ACTION                      **Title:** CLASS ACTION

**UMDNJ Unit:** ALL UNITS                                      **Department:** ALL DEPARTMENTS

This is a class action grievance filed on behalf of all faculty referenced in #1 & #2 above.

**STEP ONE (To be forwarded to appropriate Deans)**

Robert L. Johnson, M.D. – New Jersey Medical School  
Peter S. Amenta, M.D., Ph.D. – Robert Wood Johnson Medical School  
Cecile A. Feldman, D.M.D., MBA – New Jersey Dental School  
Thomas A. Cavalieri, D.O. – School of Osteopathic Medicine  
Susan W. Salmond, R.N., Ed.D.– School of Nursing  
Audrey R. Gotsch, DrPH,CHES – School of Public Health

**Date of Grievance:** Continuing    **Date of event giving rise to grievance:** Continuing

**Subject of grievance:**        **XX Article V.§B(1)**                      **XX Article V. §B(2)**

If grievance is contractual, state article and paragraph claimed to be violated:

**Article XXVI – Paragraphs A, B, C & D and Side Letter of Agreement on Faculty Practice/Patient Services Salary Components and Academic Base Salary on page 100 of the AAUP Contract.**

If grievance is non-contractual, state which written University policies, rules or procedures are claimed to be violated:

**UMDNJ BYLAWS, INCLUDING BUT NOT LIMITED TO  
ARTICLE I, SECTION 4.2.7  
ARTICLE IV, TITLE F, SECTION 5  
ARTICLE VI, TITLE C**

**Faculty member's statement of facts giving rise to the grievance:**

The University has violated **Article XXVI – Paragraphs A, B, C & D of the AAUP Contract and ARTICLE I, SECTION 4.2.7, ARTICLE IV, TITLE F, SECTION 5, AND ARTICLE VI, TITLE C OF THE UMDNJ BYLAWS** by implementing salary reductions to tenured faculty members and faculty members with term contracts during the term of their contracts without cause.

**Remedies Sought:**

1. Cease and desist from implementing salary reductions and
2. Honor Term Contracts – Reinstatement of Salaries; and
3. Back pay (as necessary).

**Signature of Faculty member:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Date of Meeting between Dean and Faculty:**

**Answer by Dean:**

**Signature of Dean: \_\_\_\_\_ Date decision rendered:**

**I do/do not acknowledge settlement of my grievance at Step One.**

**Signature of Faculty member: \_\_\_\_\_ Date: \_\_\_\_\_**

**I intend to appeal the Step One decision and seek arbitration.**

\_\_\_\_\_  
**Date of Appeal**

\_\_\_\_\_  
**Signature of Appellant**

**n.b.: ARBITRATION CAN BE REQUESTED ONLY BY THE AAUP OR THE UNIVERSITY BY WRITTEN NOTIFICATION OF INTENT TO ARBITRATE TO THE OTHER PARTY AND TO THE STATE'S OFFICE OF EMPLOYEE RELATIONS. COMPLETION OF THIS FORM IS NOT SUFFICIENT NOTICE.**

**EXTENSIONS OF TIME LIMITS:**

<b>Requested By:</b>	<b>Date</b>	<b>Step #</b>	<b>Length of Extension</b>	<b>Agreed by</b>	<b>Date</b>

**GRIEVANCE PROCEDURE FORM**  
(Attach additional sheets when necessary)

This grievance is being submitted pursuant to the collective negotiation contract between the University and the AAUP Council of Chapters UMDNJ

**SUBMITTED BY:** AAUP on behalf of

1. all bargaining unit members with term contracts expiring 6/30/07 or later who have been informed of a salary reduction effective upon expiration of their term contract.

**Name of Faculty Member:** CLASS ACTION                      **Title:** CLASS ACTION

**UMDNJ Unit:** ALL UNITS                                      **Department:** ALL DEPARTMENTS

This is a class action grievance filed on behalf of all faculty referenced in #1 above.

**STEP ONE (To be forwarded to appropriate Deans)**

Robert L. Johnson, M.D. – New Jersey Medical School  
Peter S. Amenta, M.D., Ph.D. – Robert Wood Johnson Medical School  
Cecile A. Feldman, D.M.D., MBA – New Jersey Dental School  
Thomas A. Cavalieri, D.O. – School of Osteopathic Medicine  
Susan W. Salmond, R.N., Ed.D.– School of Nursing  
Audrey R. Gotsch, DrPH,CHES – School of Public Health

**Date of Grievance:** Continuing    **Date of event giving rise to grievance:** Continuing

**Subject of grievance:**        **XX Article V.§B(1)**                      **XX Article V. §B(2)**

If grievance is contractual, state article and paragraph claimed to be violated:

**Article XXVII & Side Letter of Agreement on Faculty Practice/Patient Services Salary Components and Academic Base Salary on page 100 of the AAUP Contract.**

If grievance is non-contractual, state which written University policies, rules or procedures are claimed to be violated:

**UMDNJ BYLAWS, INCLUDING BUT NOT LIMITED TO  
Article IV, Title C, Section 5**

**Faculty member's statement of facts giving rise to the grievance:**

The University has violated **Article XXVII of the AAUP Contract and Article IV, Title C, Section 5 OF THE UMDNJ BYLAWS** by modifying faculty salaries without providing appropriate notice of non-renewal.

**Remedies Sought:**

1. Cease and desist from implementing salary reductions;
2. Provide Faculty Appointment letters with identical compensation terms of expired contract;
3. Back pay (as necessary).

**Signature of Faculty member:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Date of Meeting between Dean and Faculty:**

**Answer by Dean:**

**Signature of Dean: \_\_\_\_\_ Date decision rendered:**

**I do/do not acknowledge settlement of my grievance at Step One.**

**Signature of Faculty member: \_\_\_\_\_ Date: \_\_\_\_\_**

**I intend to appeal the Step One decision and seek arbitration.**

\_\_\_\_\_  
**Date of Appeal**

\_\_\_\_\_  
**Signature of Appellant**

**n.b.: ARBITRATION CAN BE REQUESTED ONLY BY THE AAUP OR THE UNIVERSITY BY WRITTEN NOTIFICATION OF INTENT TO ARBITRATE TO THE OTHER PARTY AND TO THE STATE'S OFFICE OF EMPLOYEE RELATIONS. COMPLETION OF THIS FORM IS NOT SUFFICIENT NOTICE.**

**EXTENSIONS OF TIME LIMITS:**

<b>Requested By:</b>	<b>Date</b>	<b>Step #</b>	<b>Length of Extension</b>	<b>Agreed by</b>	<b>Date</b>