

American Association of University Professors

COUNCIL OF CHAPTERS

Winter 2005/2006

Newsletter

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Administration Objects to AAUP Exercising Legal Rights to Protect Faculty

UMDNJ Administration is claiming that AAUP should not be allowed to exercise our legal rights to fight for faculty interests by filing a case with the New Jersey Public Employee Relations Commission (NJ PERC). Such a claim by the Administration goes beyond a simple disagreement over the facts of a particular case and challenges AAUP's basic right to engage in the protected legal activity of filing an Unfair Practice Charge (UPC) with NJ PERC. Whether the facts of the underlying case matter for you personally, **this issue deserves your attention because UMDNJ Administration is objecting to the mere fact of AAUP trying to protect faculty interests through a NJ PERC case.**

AAUP filed an Unfair Practice Charge with NJ PERC in February 2005 charging that UMDNJ violated the law by altering a condition of employment without first negotiating with AAUP. In the UPC, AAUP is objecting to UMDNJ unilaterally eliminating a portion of a faculty member's compensation, specifically a patient service component or clinical supplement. (NJ PERC refers to this UPC case as CO-2005, 220). A meeting was held with AAUP and UMDNJ by NJ PERC on June 22, 2005 in an attempt to resolve the matter, but no resolution occurred.

On Aug. 3, 2005, the Administration filed an UPC (NJ PERC refers to this UPC case as CE-2006, 003) against AAUP, charging that AAUP's February 2005 UPC filing (CO-2005, 220) is, in and of itself, a violation of law. While UMDNJ Administration is certainly entitled to dispute the charges AAUP makes with regard to the protection of faculty salary components in CO-2005, 220, it will have its chance to do so before the NJ PERC in that case. The Administration's filing of CE-2006, 003 was therefore, at its very best, unnecessary and a waste of resources. AAUP is, of course, continuing to pursue the original case (CO-2005, 220), to protect faculty rights with

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Receiving Your Raise(s) And Retroactive Pay: More Money in Your Pocket as of Oct. 21, 2005

The collective bargaining agreement between the American Association of University Professors at UMDNJ and the Administration of UMDNJ (the "AAUP Contract") provides for yearly salary increases to academic base salary, the most recent of which were effective on Sept. 4, 2005, and which began to appear in Faculty and Librarian paychecks on Oct. 21, 2005. (A chart of scheduled increases provided in the current AAUP Contract may be found on page five of this *Newsletter*).

As a result of the AAUP Contract, Faculty (other than School of Nursing Faculty) should already have received, retroactive to Sept. 4, 2005, a 2.0% across-the-board increase (not dependent on merit). Faculty (other than School of Nursing Faculty) who received a satisfactory evaluation for the 2004-2005 academic year, should have received (or should soon receive), retroactive to Sept. 4, 2005, a merit increase between .25% and 4.0%, with an average merit increase of 2.0% (in addition to the across-the-board increase). Similarly, Librarians and School of Nursing (SN) Faculty should have received a 2.5% across-the-board increase retroactive to Sept. 4, 2005 (not dependent on merit), and should have received an average merit increase of 2.5% retroactive to Sept. 4, 2005.

In order to be eligible for these increases, Faculty and Librarians must have been employed by UMDNJ as of Feb. 1, 2005, as these raises are based on service rendered during the academic year prior to their effective date, *i.e.*, the 2004-2005 academic year. If you were employed after Feb. 1, 2005, you will be eligible to receive the across-the-board and merit increases provided in the AAUP Contract with an effective date of

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Sept. 3, 2006, and later.

The 2.0% (or 2.5% for SN and Librarians) across-the-board increase for eligible Faculty and Librarians should have been reflected in your paycheck dated Oct. 21, 2005. In addition, a small lump sum amount, to cover the amount due to you as a result of the retroactive nature of the across-the-board increase, should have been included in your Nov. 4, 2005 paycheck.

Librarians who received a satisfactory (or better) evaluation for the 2004-2005 academic year should have received a merit increase between .25% and 5.0%, with an average merit increase of 2.5%, as well as a lump sum amount to make the merit percentage increase retroactive to Sept. 4, 2005, in their Oct. 21, 2005 paychecks (along with the 2.5% across-the-board increase).

NJMS, SPH, NJDS and most RWJMS Faculty who received a satisfactory (or better) evaluation for the 2004-2005 academic year should have received a merit increase between .25% and 4.0%, with an average merit increase of 2.0% (in addition to the across-the-board increase already received), in their paychecks on Nov. 18, 2005 or Dec. 2, 2005. In addition, on Dec. 16, 2005 or Dec. 30, 2005, such Faculty should receive (or should have received) a lump sum amount to make the percentage increase retroactive to Sept. 4, 2005.

Similarly, eligible School of Nursing Faculty should have received their merit increases between .25 and 5.0%, with an average merit increase of 2.5% (in addition to the across-the-board increase already received), in their paychecks no later than Dec. 16, 2005, and should also receive their retro pay amounts on December 16 or 30 (though some SN Faculty have reported receiving their increases earlier). Unfortunately, due to Administrative issues (unrelated to the merit of the faculty involved), the merit increases of twenty-five Faculty members from RWJMS, as well as all Faculty members at SOM, have been delayed, probably until Dec. 16, 2005 or Dec. 30, 2005.

The information in this article is as of Dec. 9, 2005. AAUP had initially planned to hold this *Newsletter* until we could report definitively on all increases, but the diffuse timing of the Administration's payment of these increases made further delay of this *News-*

letter imprudent. AAUP is working with the Administration to assure that all remaining Faculty-member increases will be paid as soon as possible.

As the Administration's method of paying increases can lead to confusion as to whether you have received the increase(s) to which you are entitled, please see "How Can I Determine If I Have Received the Increase(s) To Which I Am Entitled?" at page three of this *Newsletter*.

Administration Objects...continued from page 1

regard to components of faculty compensation, and will also defend against the Administration's August 3 filing (CE-2006-003). A pre-hearing conference has been scheduled by NJ PERC for both these cases on Dec. 13, 2005.

If you'd like to learn more about the charges in this case, please visit aaupumdnj.org and click on "Clinical Supplements UPC (Dr. S. Klein)."

Newark Chapter Provides Support to Katrina Victims

When Hurricane Katrina struck, the leadership of the Newark Chapter of AAUP-UMDNJ, led by UMDNJ-Newark Chapter Vice-President Dr. Hugh Evans, decided to take immediate action. A donation of \$1,000 for the 2005 Hurricane Relief Fund was sent by overnight mail to the American Red Cross on Sept. 2, 2005 from the UMDNJ-Newark Chapter of AAUP. Dr. Evans says: "This donation epitomizes our dedication to helping others in desperate need due to this unprecedented catastrophe. We can be proud to have shown our compassion to those harmed in this disaster."

How Can I Determine if I Have Received The Increase(s) to Which I Am Entitled?

Please review the article entitled "Receiving Your Raise(s) and Retroactive Pay: More Money In Your Pocket Beginning Oct. 21, 2005" on the first page of this *Newsletter*. Given that your paycheck may change (or may have changed) as many as four times related to the implementation of the Sept. 4, 2005, across-the-board and merit increases, AAUP has received a number of requests asking how best to determine if you have received the increase(s) to academic base salary to which you are entitled. Given that the Administration has not yet (as of Dec. 9, 2005) included all merit increases or retroactive pay amounts in paychecks for all Faculty, you may not yet be able to do a complete verification that you have received everything to which you are entitled. We recommend that you verify what you can now, and do a second check in a month or two.

Paycheck Date	What Paycheck Should Reflect
10/07/05	<ul style="list-style-type: none"> • should reflect your FY2005 Academic Base Salary
10/21/05	<ul style="list-style-type: none"> • for NJMS, NJDS, RWJMS, SOM and SPH, should reflect a 2.0% across-the-board increase to FY2005 Academic Base Salary • for SN and Librarians, should reflect a 2.5% across-the-board increase to FY2005 Academic Base Salary • for Librarians who qualified for merit increases, should also reflect a merit increase to FY2005 Academic Base Salary • for Librarians who qualified for merit increases, should also reflect a one-time lump sum retroactive pay amount to make the merit increase retroactive to Sept. 4, 2005
11/04/05	<ul style="list-style-type: none"> • for NJMS, NJDS, RWJMS, SOM, SPH and SN, should reflect a one-time lump sum retroactive pay amount to make the across-the-board increase implemented on Oct. 21, 2005 retroactive to Sept. 4, 2005
11/18/05	<ul style="list-style-type: none"> • for NJMS, SPH and some RWJMS faculty who qualified for merit increases, should reflect a merit increase to FY2005 Academic Base Salary
12/02/05	<ul style="list-style-type: none"> • for SN, NJDS and all but 25 remaining RWJMS faculty who qualified for merit increases, should reflect a merit increase to FY2005 Academic Base Salary (though some SN faculty have reported that they received their merit increases earlier)
12/16/05 and/or 12/30/05	<ul style="list-style-type: none"> • for SOM, and remaining 25 RWJMS faculty who qualified for merit increases, should reflect merit increases to FY2005 Academic Base Salary • for NJMS, NJDS, RWJMS, SPH, SN and SOM, should reflect a one-time lump-sum retroactive pay amount to make the merit increase retroactive to Sept. 4, 2005 • The Administration has indicated that it is their goal to have all remaining faculty merit increases (including retroactive pay) in paychecks no later than Dec. 30, 2005

As Faculty paychecks began to reflect increases on Oct. 21, 2005, we recommend your using an earlier paycheck (Oct. 7, 2005 for example) to make the salary comparison to determine if you have received your increases. Subtract the amount of your academic base salary in your Oct. 7, 2005 paycheck from the most recent paycheck that you have received that does not contain a retroactive pay lump sum. (If you don't know which portion of your salary is academic base salary, please see the description two paragraphs below). The difference, multiplied by twenty-six paychecks a year, should be, at minimum, 2.0% higher (2.5% for Librarians and SN Faculty), and if your merit increase had already been paid, it should reflect that increase as well. (If you don't know the amount of your merit increase, please see the description three paragraphs below).

Example, if you are a NJMS or SPH faculty member who had an academic base salary on October 7 of \$100,000 and you are entitled to a 1.5% merit increase (with the 2.0% across-the-board increase from Oct. 21, 2005) your academic base salary on Dec. 18, 2005 should be \$103,500.

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**AAUP-UMDNJ
Newsletter**

The *Newsletter* is published by the UMDNJ Council of AAUP Chapters.

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How Can I Determine...

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Example, if you are a Librarian who had an academic base salary on October 7 of \$50,000 and you are entitled to a 3.0% merit increase (with the 2.5% across-the-board increase) your academic base salary on Oct. 21, 2005 should be \$55,500. Given that a one-time lump-sum retro pay amount may have been included in your October 21 paycheck, please use your November 4 (or later) paycheck for comparison purposes.

If you don't know what your academic base salary is, you may learn it by reviewing your most recent appointment letter, or by asking your Department Administrative Coordinator or School Faculty Coordinator. In some cases, AAUP also has this information, and you may contact us. If you are uncertain as to the amount of your individual merit increase, you may ask your Department Administrative Coordinator or School Faculty Coordinator. AAUP should also have this information, and so you may contact us at council@aaupumdnj.org, 2-5875 or 5-4196.

If your paycheck has not reflected the across-the-board increase and the retroactive pay required by the AAUP Contract, or the chart above indicates that you should already have received your merit pay percentage, and you have not, please contact your Department Administrative Coordinator or School Faculty Coordinator to find out why. If you cannot resolve the matter at your Department or School level, please contact AAUP-UMDNJ staff members: Amy Reeder (5-4196/reeder@aaupumdnj.org) or Ada Crespo (2-5875/crespo@aaupumdnj.org).

Chapters and Council Elect New Representatives

Congratulations to the new 2005-2006 RWJ/SOM Executive Committee, Newark Board of Governors, and AAUP-UMDNJ Council of Chapters Officers and Members! Thank you to all members who participated in the balloting. Your 2005-2006 leadership is as follows:

RWJMS/SOM Chapter

President: Frederick Lepore, Neurology, RWJMS

Vice President: John Lenard, Physiology & Biophysics, RWJMS

Secretary: Paul Stein, Teaching Labs, RWJMS

Treasurer: Jerome Langer, Molecular Genetics, Microbiology, & Immunology, RWJMS

Past President: Nancy Stevenson, Physiology & Biophysics, RWJMS

Council Members

Catherine Monteleone, Medicine, RWJMS

David Riley, Medicine, RWJMS

Rocco Carsia, Cell Biology, SOM (*alternate*)

Monica Roth, Biochemistry, RWJMS (*alternate*)

Executive Committee Members

Adrianna Cordal, Psychiatry, RWJMS

Thomas Morley, Medicine, SOM

Robert Nagele, Molecular Biology, SOM

Frank Wilson, Neuroscience & Cell Biology, RWJMS

UMDNJ-Newark Chapter

President: Hugh Evans, Pediatrics, NJMS

Vice President: John Bogden, Preventive Medicine & Community Health, NJMS

Secretary: Maya Raghuwanshi, Medicine, NJMS

Treasurer: Margaret Dreker, George F. Smith Library

Past President: Talib Najjar, Oral & Maxillofacial Surgery, NJDS

Board Members

Anthony Boccabella, Radiology, NJMS

Gill Diamond, Oral Biology, NJDS

Emanuel Goldman, Microbiology & Molecular Genetics, NJMS

Joel Holtzman, Community Health, NJDS

Roger Howell, Radiology, NJMS

Marc Lavietes, Medicine, NJMS

Mukund Modak, Biochemistry & Molecular Biology, NJMS

Satish Mullick, Restorative Dentistry, NJDS

Christine Rohowsky-Kochan, Neurology & Neurosciences, NJMS

Robert Schwartz, Medicine, NJMS

Elizabeth Sosnowska, George F. Smith Library

George Studzinski, Pathology & Laboratory Medicine, NJMS

New Representatives...*continued from previous page*

Frances Ward, MSN Program, SN
Barry Zweig, Oral & Maxillofacial Surgery, NJDS

Council

At its organizational meeting on November 30, the Council elected the following officers: **President:** Frederick Lepore; **Vice President:** Hugh Evans; **Secretary-Treasurer:** Jerome Langer.

Thanks are also due to the RWJMS/SOM Executive Committee Nominating Committee: Frederick Lepore, Catherine Monteleone, Robert Nagele and Paul Stein (Chair), and the UMDNJ-Newark Chapter Nominating Committee: Anthony Boccabella, Satish Mullick, and Robert Schwartz (Chair).

Salary Increase Charts

NJMS, NJDS, RWJMS, SOM and SPH Faculty Salary Adjustments

9/4/05	2.0% Across-the-Board (ATB)
	2.0% Merit (.25%-4.0% range)
9/3/06	2.25% ATB
	2.25% Merit (.25%-4.5% range)
9/2/07	2.0% ATB
	2.0% Merit (.25%-4.0% range)
8/31/08	3.0% ATB
12/28/08	3.0% Merit (.25%-6.0% range)

Librarian Salary Adjustments

9/4/05	2.5% Across-the-Board (ATB)
	2.0% Merit (.25%-5.0% range)
9/3/06	2.75% ATB
	2.75% Merit (.25%-5.5% range)
9/2/07	2.5% ATB
	2.5% Merit (.25%-5.0% range)
8/31/08	3.5% ATB
12/28/08	3.5% Merit (.25%-7.0% range)

School of Nursing Faculty Salary Adjustments

9/4/05	2.5% Across-the-Board (ATB)
	2.0% Merit (.25%-5.0% range)
9/3/06	2.75% ATB
	2.75% Merit (.25%-5.5% range)
9/2/07	2.5% ATB
	2.5% Merit (.25%-5.0% range)
8/31/08	3.5% ATB
12/28/08	3.5% Merit (.25%-7.0% range)

UMDNJ Faculty Coordinators

NJMS: Julie McCourt
Telephone: 2-7025/mccourju@umdnj.edu

NJDS: Laura Imperiose
Telephone: 2-4696/imperila@umdnj.edu

RWJMS: Michael Brandli
Telephone: 5-4662/brandlmi@umdnj.edu

SOM: Anne Hanan
Telephone: 6-6997/hananan@umdnj.edu

Michele Bunnion
Telephone: 6-6280/bunnioma@umdnj.edu

SN: Betty Kingsley
Telephone: 2-3222/kingslbe@umdnj.edu

SPH: Connie Maddalone
Telephone: 5-5466/mmaddalco@umdnj.edu

University Libraries: Janice Rettino
Telephone: 2-5317/rettino@umdnj.edu

New AAUP Staff Member

Please welcome our new AAUP-UMDNJ Administrative Assistant, Ms. Ada Crespo. Ada fills the position previously occupied by Ms. Carlene Larnes. Ada comes to AAUP-UMDNJ having worked for over ten years at UMDNJ, first as a Secretary to the Associate Dean for Education and than as a Program Assistant to the National Director of the National Cancer Institute and the National Heart, Lung and Blood Institute (in both cases working with Dr. Beth Alger). Ada works for AAUP-UMDNJ in Newark and she may be reached at 2-5875 or crespo@aaupumdnj.org.

Save The Date! **March 28, 2006** **AAUP Awards Dinner**

The AAUP-UMDNJ Awards Dinner Committee has chosen the following faculty to receive the Arthur Kahn Memorial Award for Service to the AAUP:

Dr. Talib Najjar, for 2003

Dr. Nancy Stevenson, for 2004

Dr. Anthony Boccabella, for 2005

AAUP-UMDNJ will hold a dinner to present these awards and honor these three Awardees at the Spanish Tavern in Mountainside, New Jersey, beginning with hors d'oeuvres at 6:00 P.M. on Tuesday, March 28, 2006.

Please mark your calendars today. Details to follow soon.

Demand and Return Policy

The following is the revised procedure adopted on June 23, 1987 by the Council of AAUP Chapters of the University of Medicine and Dentistry of New Jersey (hereafter "Council") to comply with the requirements of section 2C of Chapter 477, Laws of 1980. Please retain it for your records. It is published annually.

The representation fee amounts to 79 percent of member dues. The amount of representation fee that goes to the Council is equal to the percentage of member dues kept by the Council for Council expenses. The remainder goes to the national AAUP to cover national expenses related to collective bargaining. The Council budget includes only expenses allowable for charge to representation fee payers. This was also the case for last year's budget.

Any person who makes fee payments in lieu of dues who objects to a specific expenditure which the individual believes to be in aid of activities or causes of a partisan political or ideological nature, only incidentally related to the terms and conditions of employment or applied toward the cost of benefits available only to members of the association, shall file written notice of an objection by certified mail to the Representation Fee Review Committee (hereafter "committee") in care of the Executive Director of the AAUP.

Following the filing of such notice, the proportion of the objector's representation fee which is allocated to the expense in question will be placed in an escrow account established by the Council for this purpose pending resolution of the objection.

Objections to expenditures made in any fiscal year must be raised by October 1 of the following year. Individuals not represented by the AAUP at the beginning of the fiscal year may raise such objections within ninety (90) days of the date such representation commences.

An objection may be renewed for each year by written notification as noted above. At least annually, the association shall cause notice of its demand and return system, including the dates for notice of objection, to be printed in its *Newsletter*.

The committee shall be composed of three (3) members of the faculty of UMDNJ chosen by the Council. When the Executive Director receives an objection, it shall be promptly submitted to the committee, which shall consider the objection for timeliness of submission and on the merits. An objector may, at the time of filing the objection, request that an oral fact-finding hearing on the objection be held.

If the AAUP contests the objection, it shall respond to the objection in writing within fifteen (15) working days of its transmittal to the committee. A copy of the AAUP's response shall be served on the individual making the objection. The objector then may, within fifteen (15) working days of his or her receipt of the AAUP submission, respond to the information provided by the AAUP. Upon its receipt of the AAUP response, if any, the committee shall determine whether additional information is necessary to complete the record. It may, in its absolute discretion, seek additional information from the objector or the AAUP or hold a fact-finding hearing on the request of either party.

When the committee is satisfied that it has received full submissions from all parties, it shall close the record. The committee shall rule on the objection, in writing, within fifteen (15) working days after the record is closed, and forward its determination to the objector and to the AAUP.

The burden of proof throughout the proceedings shall be on the AAUP. If the objector is dissatisfied with the decision of the committee, he or she may appeal to the State Representation Fee Review Board pursuant to Chapter 477 of the Laws of 1980.

An objector may bypass this procedure and appeal directly to the State Representation Fee Review Board.

AAUP Council of Chapters Budget 2005/2006

REVENUES

Dues	387,400
Representation Fees	259,951
Interest	<u>13,603</u>
Total Revenues	<u>\$660,954</u>

EXPENSES

Payroll	219,323
Payroll Taxes	21,933
Fringe Benefits	109,224
Pension	12,661
Pension Oversight	2,000
National AAUP Dues & Rep. Fees	113,180
State Conference Dues	1,490
CBC Dues	3,782
Legal Fees	50,000
Negotiations Advertising Expenses	0
Arbitration/Mediation	4,000
Accounting & Audit	8,000
Outside Services	6,500
Insurance	10,500
Office Rent	11,000
Dues & Publications	1,000
Travel & Conferences	5,000
Membership Development Activities	4,000
Chapter & Membership Mtg. Expenses	3,000
Awards Dinner	4,000
Lecture	7,000
Dues Refunds	900
Postage & Xerox	3,200
Printing & Stationery	3,000
Telephone & Telegraph	5,900
Office Supplies & Services	4,200
Office Equipment	9,000
Repairs & Maintenance	2,000
Chapter Rebates	3,000
Miscellaneous	<u>2,000</u>
Total Expenses	<u>\$630,793</u>

EXCESS OF REVENUE OVER EXPENSES

\$30,161

Please join! We urge you to become a voting member of the AAUP. WE NEED YOUR SUPPORT!

If you are paying \$15.87 per pay period, you are paying a representation fee, not AAUP dues. AAUP dues are \$20.00 per pay period for (only \$4.13 more per pay period for full membership) 26 pay periods per year.

Dues include local, state and national AAUP membership fees. Members can vote in chapter elections and on contract ratification. Members also learn about **AAUP member benefits** through **Academe**, the AAUP's national magazine.

Once you join, the AAUP will send you a gift to express our appreciation to you for becoming a member.

To join the AAUP, just fill out this authorization form and return it to us at the address below.

UNIVERSITY OF MEDICINE AND DENTISTRY OF NEW JERSEY
AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS (AAUP)
PAYROLL DEDUCTION AUTHORIZATION

Please print clearly:

NAME _____

ADDRESS _____

HOME PHONE _____ OFFICE PHONE _____

ACADEMIC RANK _____ DEGREE _____

SCHOOL _____ DEPARTMENT _____

CAMPUS ADDRESS _____

PERCENTAGE OF FULL TIME EMPLOYED BY UMDNJ _____ SEX: M F

UMDNJ I.D. NUMBER _____ DATE HIRED _____

EMAIL ADDRESS _____ BIRTH DATE _____

(All of the above information will remain in the strictest confidence unless we are otherwise instructed by you.)

I hereby authorize my AAUP Chapter to have deducted from my earnings twenty dollars (\$20.00) dues per pay period, which includes national, state and local AAUP membership dues.

This authorization shall remain in effect unless terminated by me upon written notice of withdrawal or by termination of my employment. The filing of notice of withdrawal shall be effective to halt deductions as of the July 1 or January 1 next succeeding the date on which the notice of withdrawal was filed.

While contributions or gifts to the UMDNJ Council of AAUP Chapters are not tax deductible as charitable contributions for Federal income tax purposes, they may be tax deductible under other provisions of the Internal Revenue Code.

SIGNED _____ DATE _____

PLEASE RETURN TO:

AAUP
American Association of University Professors
Council of Chapters, UMDNJ
30 Bergen Street
ADMC 1426
Newark, New Jersey 07103