Retirement Health Benefits Threatened for Public Employees

BY AMY TODD, ASSISTANT EDITOR, UNION NEWS, ANTHROPOLOGY

We tend to think of Massachusetts as a union-friendly state. However, the introduction of House Bill 59, An Act Providing Retiree Healthcare Benefits Reform, is a sober reminder that we are not immune to legislative attacks on public sector workers.

On October 31st, members of our campus unions, along with a diverse cross-section of public sector workers, packed the Gardner Auditorium of the State House to voice their opposition to the bill. Peggy Walsh (Senior Lecturer, English) observed that members of the Public Service Committee “listened and were moved, ethically, intellectually, and emotionally, by the anti-bill testimony. They did not adjourn until they had heard every single person who wanted to speak.”

The bill proposes alarming changes to retiree health care benefits for state and municipal workers. It seeks to increase the minimum years of creditable service required to receive health benefits in retirement from 10 to 20 years. The proposed legislation also significantly increases the premiums paid by retirees with less than 30 years creditable service.

Proponents of the bill, including MTA leadership, accept the claim that the healthcare system for public sector workers is not “sustainable” and that the solution is to cut benefits promised to retirees. However, many unions, locals of the MTA, and union members argue that the crisis has been “manufactured.” In the analysis of UMass Boston’s Professional Staff Union, three factors are responsible for the crisis: rising health care costs due to the absence of a single payer system, regressive tax cuts over the past 20 years, and attacks on pensions, including “questionable accounting rules” supported by the corporate-backed American Legislative Exchange Council, which seeks to defund public institutions.

Many of the state and municipal workers, as well as legislators, who testified against the bill noted that downgrading retiree healthcare benefits would represent a moral failing on the part of the state and municipalities. Workers are recruited into the public sector not for the pay but for the promise of security in retirement. Current retirees and certain employees nearing retirement age would be exempted from the proposed changes. It became clear during the hearing, however, that even grandfathering all existing employees would not erase this moral failing or deal with practical considerations of running the public sector.

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Dear Colleagues:

Welcome to the 8th issue of Union News. As usual we've got interesting stories about, for example, the proposed retirees' health insurance changes and the non-tenure track organizing going on around Boston.

Salary Raises

I remind you that you'll get the last negotiated raise for this contract in January 2014. You'll get an average of a 1.75% salary increase; 0.50% is across the board and 1.25% is merit.

Negotiating Parking & Transportation

The FSU (with other UMB unions) continues to try to engage the administration in negotiations over parking and transportation. We have not had a response from them to our latest proposal. Note that there has been no increase in parking rates since we began this process over 2 years ago – which is itself a good thing.

ORP section 60 Pension Reform legislation

Those of you in the ORP retirement system have been notified that you will be given a one-time opportunity to switch to the state retirement system (SERS) sometime this Spring. We've sent you a recent email suggesting you start thinking now about whether you want to switch or not. For some of you, switching can make a substantial difference in your expected retirement income. (This legislation is due to several years of effort by Massachusetts' public higher education unions).

Our next collective bargaining agreement

We start bargaining our new contract this Spring. We have a negotiations committee which determines which issues will be put on the table; (much of this is based on the bargaining survey you completed earlier this fall). Anyone is welcome to help out; our next meeting is Tuesday, December 3rd, 12:30, in the FSU office. The bargaining team (who will do the actual bargaining with the administration) includes Christopher Fung, Marlene Kim, Jonathan Millman, Tina Mullins and Amy Todd.

Catherine Lynde, FSU President

FSU SAYS FAREWELL TO DANIEL FINN

LORENZO NENCIOLI, MEMBERSHIP COORDINATOR, UMASS FACULTY STAFF UNION

On August 15th, 2013, FSU Administrative Assistant Daniel Finn said goodbye to the FSU and to UMass Boston to pursue a law degree. Daniel, who is a UMB alumnus, worked for the FSU for one year. He came to us with a passion for social justice and for public higher education (during his time at UMass he also worked for the Campaign for the Future of Higher Education). He also came with a singular devotion to detail that allowed him to perform the complicated administrative tasks of the FSU with great skill. Daniel was a lively presence in the union office and we are sorry to see him go. We wish him all the best on his future endeavors. But luckily for us, we have Michelle Tsiakaros to fill his shoes. Michelle started as the new FSU Administrative Assistant in late August. She also has a background in social justice and labor activism having volunteered for Massachusetts Jobs with Justice. We are very happy to have her on board.

Catherine Lynde, FSU President
Adjunct Action

JENNIFER BERKSHIRE, NEWSLETTER EDITOR

Adjunct faculty members at Tufts University recently voted to unionize, becoming part of Adjunct Action, a new adjunct organizing initiative backed by SEIU. The Tufts faculty are part of a growing adjunct uprising around the country and right here in the Boston area. Adjuncts say that unionizing represents their best hope of improving wages, benefits and working conditions.

What’s behind the uptick in organizing? Adjuncts say that the answer can be found in the numbers. According to a recent New York Times story, part-time and non-tenure track faculty now represent upwards of 75 percent of the academic teaching force. And even as tuition costs have soared, spending on instruction has declined. The result: an enormous pool of increasingly restive academic laborers.

According to SEIU, part-time faculty held 50 percent of teaching jobs at colleges, up from 22 percent in 1970. Adjuncts on average earn about $3,000 per three-credit course. About 80 percent of adjuncts do not get health insurance from their college and about 86 percent do not receive retirement benefits. Here in the Boston area, the numbers of non-tenured faculty are even higher. According to SEIU, 66.8 percent of Boston-area instructors are non-tenure track and 42 percent are part-time.

In April, SEIU convened a city-wide kickoff for Adjunct Action, drawing more than 100 adjuncts from area schools. The event also drew supportive students from Tufts, Northeastern and Emerson. Speakers including Maria Maisto, an adjunct professor and a founder of the New Faculty Majority, an organization that works to advance professional equity for contingent faculty, told the crowd that student learning outcomes are inextricably linked to the conditions their professors work under. “Faculty working conditions are student learning conditions,” she said. “If faculty working conditions continue to decline, both they and students suffer,” she said.

Adjunct Action organizing director Todd Ricker, the organizing director for the Adjunct Action, told adjuncts that the decision about whether or not to organize comes down to a simple question: “Do you want things to change or do you want things to remain the same?” he asked. “Forming a union is easy,” Ricker added, “but it’s not simple,” requiring patience, dedication and a willingness to face institutional resistance.

Adjuncts at Bentley College in Waltham know exactly what Ricker is talking about. They recently came up short in their bid to form a union of adjuncts there, losing an election by two votes —98 in favor, 100 against. The adjuncts are appealing the result of the vote. One adjunct, who asked not to be identified, says that he’s hopeful that he and his contingent colleagues will ultimately prevail.

The appeal is still pending, so the final chapter in the story remains unwritten. But the success rate of follow-up elections is generally good, and this won’t be the last try. The Bentley administration’s herculean efforts to ensure defeat yielded only a razor-thin margin facilitated by the government shutdown, hopefully a rare event. Recent conversations with Bentley employees in several categories reveal that many staff and faculty believe that collective bargaining will improve conditions at work.

Even as Bentley adjuncts await the results of their appeal, adjuncts on other area campuses are planning their own organizing efforts. At a November 1st Adjunct Symposium organized by Adjunct Action, contingent faculty members came together, including via social media, to chart the next stage of this unique city-wide effort. One likely arena: Northeastern University which is home to an estimated 1,400 adjuncts.

To find out more about the Adjunct Action campaign visit http://adjunctaction.org/category/boston-campaign/
UMass Faculty Member Runs for President of the MTA

DAN CLAWSON, DEPARTMENT OF SOCIOLOGY, UMASS AMHERST

An effort is underway to dramatically change the MTA by electing a new president and supporting new policies. The candidate leading this effort is Barbara Madeloni, a faculty member at UMass Amherst. Barbara is an impressive figure, and she is part of a larger movement, Educators for a Democratic Union, that includes K-12 teachers across the state.

In addition to our campus unions, faculty members at UMass Amherst and UMass Boston are also part of a statewide union, the Massachusetts Teachers Association (MTA), with 113,000 members, including local colleagues in the Classified Staff Union and Professional Staff Union. The MTA has the potential to be an incredibly powerful force in education and in politics more generally: our members are in just about every city and town, teachers are widely respected, and the MTA has a forty million dollar per year budget.

In the past dozen years, however, the MTA has not been a leading voice opposing the assault on higher education and on education more generally. Instead of growing an engaged membership to resist the attacks on public education and offering a strong vision, it has tried to limit the damage from one or another assault through compromise. During this time state appropriations have been reduced (substantially), tuition and fees have gone up, students have taken on more debt, and the number of administrators (and their pay) has increased.

Barbara Madeloni wants to make the MTA a leader in refuting attacks on public education and articulating and fighting for a vision of high quality, low cost public higher education. In order to accomplish these goals, she is looking to involve members and allies in building coalitions around a shared commitment to the public good.

Barbara Madeloni was born and raised on Long Island, the seventh of thirteen children, and received a Doctor of Psychology degree. She practiced as a psychotherapist for fifteen years before deciding she needed to be a teacher to address the social and political issues that mattered to her. After getting a Master of Education degree from UMass/Amherst, she taught high school English at Frontier Regional and in Northampton, and then joined the UMass Secondary Teacher Education faculty where she taught for nine years.

The MTA president is not elected by a vote of the full membership, but rather by a vote of the delegates to the May Annual Meeting. Barbara has been going around the state, meeting with union boards, and even more so with rank-and-file members, to hear their concerns and their dreams, and to work together to transform the MTA. Her opponent is Tim Sullivan, the sitting vice-president of the MTA, who had expected to run unopposed.

Dan Clawson is a sociology professor at UMass Amherst and serves as the MTA board member representing the UMass Amherst Massachusetts Society of Professors and the UMass Boston Faculty Staff Union. To learn more about Barbara Madeloni and Educators for a Democratic Union, visit: www.educatorsforademocraticunion.com

UMASS FACULTY MEMBER RUNS FOR PRESIDENT OF THE MTA. (PHOTO CREDIT: RENE THEBERGE.)
Scholars for Social Justice

Tell us about Scholars for Social Justice—what does the group do?

Scholars for Social Justice is a group of academics who are invested in social justice and are interested in fighting corporatization both inside and outside of the university. We’ve currently got just over 300 members and they come from all over the state from Amherst to Boston. We try to amplify their voices and connect them to opportunities for activism on issues that matter most to them.

So members aren’t only focused on issues related to higher education then.

The idea is to build a network of academics but also connecting academics to the larger community. Let me give you an example. Last year the head of the adjunct union at UMass Lowell, Ellen Martins, was dismissed by the university. She was one of the original organizers of the union and Scholars for Social Justice was able to get a petition out that was helpful in union negotiations. Ellen ended up getting her job back. But while all this was going on the members of the adjunct union also mobilized to support workers at Walmart who’d been fired or disciplined for protesting low wages there. It’s a great example of what we’re capable of doing.

As we detail on page 3, there’s a lot of organizing happening among adjuncts in the Boston area. Is Scholars for Social Justice involved in this?

Absolutely. Many of our members are adjuncts, which isn’t surprising given that 75% of university courses are now taught by contingent faculty. We see our primary focus as being about the corporatization of higher education and that process falls heavily on adjuncts, in fact corporatization creates adjuncts.

Talk a little more about this idea of corporatization. What does it mean for students and teachers here in Massachusetts?

Not only do adjunct and contingent labor make up the bulk of our academic labor force but nonprofit universities are starting to look more and more like for-profit operations. For example, at BU, students can pay a little extra in order to get a penthouse room with a view of the river. Here at UMass Boston, international students who don’t meet the admissions criteria can attend the university by paying a for-profit company called Navitas. These students, who are typically wealthy, pay Navitas, which then pays UMass Boston. Arrangements like this are more and more common.

Student debt is another big issue that seems like it has the potential to really fuel grassroots activism. Is this something that Scholars for Social Justice is interested in?

I’m glad you asked. As it happens we’ve got a big meeting coming up on December 3rd (for details see calendar on page 7), it’s the inaugural Massachusetts meeting of the Campaign for a Debt Free Future. The meeting is open to students, alumni, adjuncts, tenure-track faculty, union members. We want to find out what kind of work people are already doing and how we can collaborate. One issue that’s definitely on our radar though is the idea of debt forgiveness for adjunct faculty. Adjuncts are overwhelmed with debts. Many of them get PhDs or masters degrees and go onto the job market and, if they’re lucky, they’ll earn $3K per class. In places where there is a lot of adjunct organizing happening, there are increasing calls for some kind of student debt forgiveness for adjuncts. We got into debt because we wanted to teach and there has to be some accountability in the profession.

Gillian Mason was an adjunct faculty member at UMass Boston and now works as an organizer for Massachusetts Jobs with Justice. For more information about Scholars for Social Justice contact gillian@massjwj.net.
Prior to the 09-12 contract, calculating sabbatical time was a simple affair. Tenured faculty with 6 years of service could take a full-year sabbatical at 50% pay or a one semester sabbatical at 100% pay. Once the sabbatical was over, faculty members would be eligible for a subsequent sabbatical after another 6 years. While this worked well for many of our members it presented a number of problems for others. Not all faculty members could adhere to a rigid 6 year wait between sabbaticals to conduct their research. For them unique and time sensitive opportunities to conduct research often presented themselves after 2, 3, 4, or 5 years rather than 6.

Enter the flexible sabbatical leave policy which the FSU negotiated for the 09-12 contract. The flexible sabbatical policy allows tenure system faculty to accumulate credit toward sabbatical for each semester of work. Credits can be banked (if desired) so that the leave can be taken when opportunities arise, rather than only during every seventh year of employment. This policy allows for a full year/full pay sabbatical to be taken if enough credits are banked. It prevents the loss of sabbatical credits if you choose to delay taking your sabbatical beyond year seven. It also allows sabbaticals to be taken early.

This is how it works: after six years of full-time equivalent service, tenured faculty members will be eligible for a one semester sabbatical leave at 100% of salary, a full academic year of sabbatical leave at 50% of salary, or two non-consecutive semesters of sabbatical leave each at half salary (for part-time faculty members, full-time faculty members who were previously part-time, or calendar year faculty members these percentages will vary- contact the FSU office for details). In other words, a tenured faculty member’s first sabbatical must be taken in the ‘traditional’ way. But once the first sabbatical leave is taken, subsequent sabbatical leaves can be taken in three ways:

- Single semester at a pay rate determined by the accrued sabbatical credits, up to a maximum of 100% of your salary
- Full year at a pay rate determined by the accrued sabbatical credits, up to a maximum of 100% of your salary
- Two non-consecutive semesters at a pay rate determined by the accrued sabbatical credits, up to a maximum of 100% of your salary

Tenured faculty members will be eligible for subsequent sabbatical leaves at a salary percentage based on their accrued semesters of full-time equivalent qualified service. Qualified service includes all semesters after the initial sabbatical leave that have not been used for any prior sabbatical leave up to 100% pay. Qualified service excludes any year during which a sabbatical leave is taken. Faculty members may determine the number of sabbatical credits they devote to any sabbatical leave. (Faculty members should be aware that any sabbatical leave taken at less than 50% pay will suspend payment of benefits during that sabbatical leave.)

Here are a couple of examples of how a faculty member could use the flexible sabbatical:

1) A faculty member is granted tenure after 6 years. They begin their first sabbatical at the start of their 7th year (remember, the first sabbatical is either 1 semester at full pay or 2 semesters at half-pay each). Now, instead of waiting another 6 years for their 2nd sabbatical the faculty member decides to take a 2nd sabbatical two years after the end of their 1st sabbatical. Looking at the chart, you see that 2 years (or 4 semesters of credit) would allow the faculty member to be paid 33% of their salary for a one semester sabbatical or 16.7% of their salary for a 2 semester sabbatical.

2) A faculty member is granted tenure after 6 years. They begin their first sabbatical at the start of their 7th year. Instead of waiting 6 years for their 2nd sabbatical the faculty member decides to take a 2nd sabbatical 10 years after the end of their 1st sabbatical. Looking at the chart, you see that 10 years (or 20 semesters of credit) would allow the faculty member to take a 1 semester sabbatical at 100% of their salary and a 2 semester sabbatical at 83.3% of their salary.

An important note needs to be added to example #2. If the faculty member takes a single semester sabbatical they would accumulate enough credits to be paid more than 100% of their salary. However, 100% of salary is the maximum allowed under the sabbatical leave policy. Furthermore, those credits do not carry over once the sabbatical is completed (this applies to both single and two semester sabbaticals).
English Department
Now Home to Official
FSU Subcommittee

JOHN HESS, ENGLISH

Benjamin Franklin once astutely observed that small everyday actions and improvements are what lead to great achievements. These are wise words and I think they apply to union work as much as to Franklin's reform projects. It is the everyday small actions that build a trust and a culture around and about the FSU. If the FSU can become a part of the daily experience of its members, then it is solidly grounded. In this vein I would like to report about a recent medium-sized step forward in the English Department that was built upon patient and constant work over several years.

In the recent reorganization of the Freshman English section of the Department, an FSU sub-committee was established as a permanent part. The English Department has always been friendly and supportive of the FSU, but this recent achievement officially affirms the importance of the FSU, enshrines the union even deeper into the departmental culture, provides a recognized vehicle for department members to relate to the FSU, and facilitates the training of future activists.

At every semester-ending gathering of the FE faculty we ensured that there would be a presentation by the FSU to speak about the union and make sure members understood their contract, their rights, and their obligations. We also made sure that when members came to us with questions or issues those issues were promptly addressed and resolved as best they could be, thus building the trust that is essential if any union is to function effectively and to grow over time. In this way, FE members have come to rely upon the union, know their rights and be willing to assert them when necessary.

I think what has happened in the English Department could well be a kind of template for other departments, while still keeping in mind that not every department has had enlightened leadership as in English and many departments are much smaller. I think that as the FSU moves forward it is important to recognize what real, effective militancy is as opposed to bombastic "sturm und drang," and to develop strategies and policies that reflect the wisdom of Franklin's advice. I would be glad to speak with anyone who has any curiosity about what we have done in English.
Retirement Health Benefits Threatened for Public Employees, continued from cover

While a document posted on the MTA website observes that under the current system “A person can work for the state or a municipality from, say, 25 years old to 35 years old, spend most of his or her career in the private sector, and come back at what would be his/her retirement eligibility date and collect full retiree health benefits,” there is no evidence that is a common work history. Rather, based on the many testimonies from public sector workers at the State House, a far more typical scenario is choosing to enter the less-lucrative public sector, often later in life, with the intention of working through, and even beyond, retirement age.

Workers enter the public sector later in life for very good reasons, as many testified. Women often delay entry into the workforce to care for children. Workers may spend years in the private sector garnering valuable experience, which they later bring to the public sector. Workers may also need to acquire formal training prior to employment, as is the case for most higher education faculty. According to the National Science Foundation, in 2011, the average time between completion of a bachelor’s degree and doctorate was 9.1 years. In fact, as Jeff Keisler (Professor, Management Science and Information Systems) noted in the Spring 2013 Union News, recruiting and retaining high quality workers will be compromised by passage of the bill, since public sector workers are paid less than their private sector counterparts.

House Bill 59 is particularly harmful to part-time employees, from cafeteria workers to crossing guards to adjunct faculty. As Bob Rosenfeld (Senior Lecturer, Philosophy) noted in his testimony:

I am currently in my 30th year of teaching at UMass Boston. If I get credit for all the time I should, I will have achieved 17 years of creditable service by June 2014, a figure that has fortunately been augmented by my having taught at ¾ time (instead of just half time) for about a decade. Nevertheless, I would not qualify under the proposed new requirements. If I continue to teach at ¾ time for the next four years, I will reach the 20-year mark in June 2018 – a full year after I become eligible for Medicare. To reach the 30-year mark, at ¾ time, would require an additional 13-1/3 years beyond that.

At UMass Boston, lecturers who have taught full-time for many years are never guaranteed a full course load. At any point, any lecturer may have a class canceled because it does not meet the minimum enrollment requirement set by administration. Lecturers’ workload may also be reduced when tenure stream faculty are hired. All this adds to lecturers’ retirement insecurity.

Outside the Gardner Auditorium, a lively conversation erupted among a group of retired teachers who could not understand how the MTA leadership could support a bill that so negatively affected its members. Educators for a Democratic Union, a progressive caucus of the MTA, wondered the same thing, and submitted a New Business Item at the 2013 delegates meeting calling on the MTA to formally oppose the bill. In response, the initial enthusiasm among MTA leadership for the bill has subsided to some degree. They now recognize some of the problems raised above, and are pressing for the bill to be modified.

Nevertheless, there remains a fundamental disagreement about the role of the MTA (and unions generally) in shaping the conversation about retiree health care benefits and other high-profile issues. MTA members who defended the bill at the 2013 delegates meeting expressed fear that if it does not pass, cuts to retiree benefits might be even more draconian. One could imagine, for example, legislation to end retiree health-care benefits altogether. Other delegates, however, including members of EDU, questioned the strategy of agreeing to cuts in the hopes that those who seek to erode the public sector will simply go away, happy with the compromise.

It is not too late to get involved in this fight. All the campus unions are urging members to send their testimonies to the Chairs of the Public Service Committee. William Brownsberger, Senate Chair, can be reached at William.Brownsberger@masenate.gov. Aaron M. Michlewitz (House Chair) can be reached at Aaron.M.Michlewitz@mahouse.gov. You should also contact your state senator and representative.

Regardless of the outcome of House Bill 59, there is no reason to think attacks on the public sector will not come back in one guise or another. House Bill 59 is a reminder that we must be alert and prepared to respond to such attacks. The response, which brought together public sector unions from Corrections United to the Massachusetts Organization of State Engineers and Scientists to locals of the MTA, is a reminder that there is strength in solidarity.

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