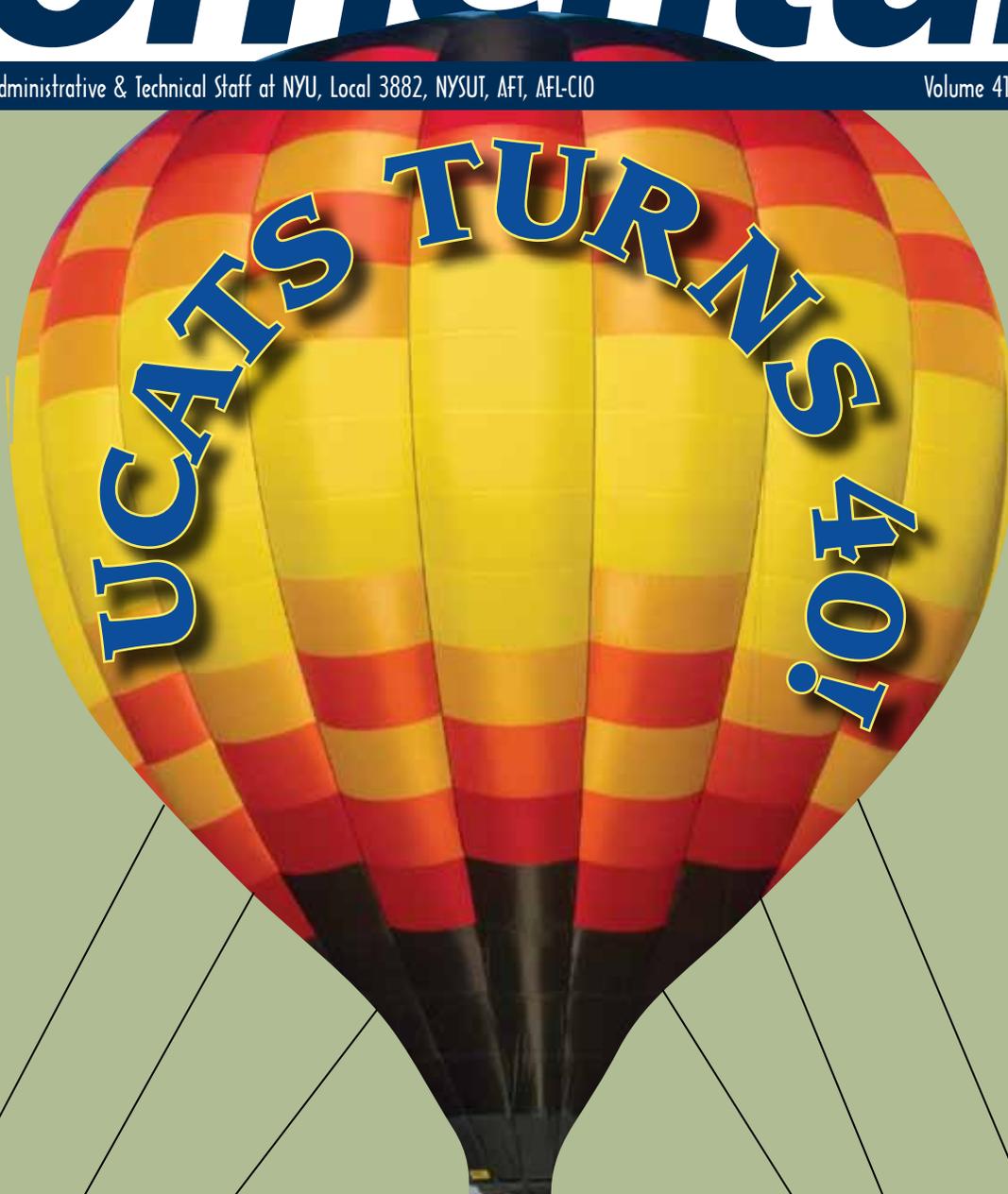


UCATS *Momentum*

Union of Clerical, Administrative & Technical Staff at NYU, Local 3882, NYSUT, AFT, AFL-CIO

Volume 41 2020 Issue 2



Collective Bargaining Agreement

PRESIDENT'S LETTER

PAGE 2

A GOOD YEAR?

PAGE 3

EXECUTIVE COUNCIL
ELECTION ANNOUNCEMENT

PAGE 5

INVOLUNTARY TRANSFERS

PAGE 6

Happy 40th Birthday UCATS!

■ *Stephen Rechner, School of Law*

“You gain strength, courage and confidence by every experience in which you really stop to look fear in the face.”

—Eleanor Roosevelt

When our current EC reminded me that an issue of Momentum was long-overdue, I had no idea what we could report, what we had accomplished nine months into a pandemic, or what I would write for this President’s letter until I remembered that UCATS turned 40 this year. NYU clerical and technical workers voted to unionize in 1979 but we signed our first collective bargaining agreement (CBA) in 1980. We have negotiated ten CBAs since then. It has been a long road that seems to never end—it’s not supposed to.

40 Years of Union Achievement

- Wages quadrupled
- Long Term Disability benefit sextupled
- Longevity increases established
- Longevity increases improved 3 times
- Marital benefits for same-sex couples
- Vision Plan
- Employee Assistance Plan
- Commutation Expense Reimbursement Accounts
- Parental Bonding Leave
- Sick Leave for family care established
- Sick Leave for family care expanded
- Dental Plan improvements



Stephen Rechner

- Transfer rights improved
- More vacation time earned sooner
- Improved language for vacation approvals
- Improved language for leave approvals
- Staff training
- Pension calculation more than doubled
- Retirement plan choice established

Every challenge we have overcome, every crisis we have averted, and every wage/benefit improvement we have achieved through collective bargaining, took the time, sweat, and sometimes tears of a team of UCATS members. That team is the UCATS Executive Council (EC). For our EC, the pandemic that has upended the world since March is just another challenge we will overcome.

What steadies the UCATS ship is the CBA. While NYU has most decision-making rights—the right to hire, fire, discipline, lay-off employees, once NYU makes their decision, our CBA dictates

to NYU how they must treat a UCATS member. The CBA tells NYU how much they have to pay our members, the benefits they have to provide, what they must do for a member who is laid off, and it requires NYU to participate in a 3-step grievance process if they decide to discipline a UCATS member.

In good times, in normal times, it is easy to lose sight of the necessity of our CBA, and maybe, to even ask, “Why do I need a union?” In times of crisis, the answer to that question is clear. We live in a world of cycles. The best of times never last, but neither do the worst. Our CBA smooths the impact of those cycles on your well-being as an NYU employee. We have to be

(Continued on page 4)

UCATS
Momentum

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Newsletter	

It was a very good year – **NOT!**

■ *Christopher Crowe, Bobst Library*

Sisters and brothers, it's been a horrendous year—there's no other way to say it. We have seen our politics become more fiercely divided than at any time in living memory. We are witnessing, as of this writing, the first defeated POTUS refuse to concede an election or begin the peaceful transition of power; we witnessed unrest in our cities amid a much needed racial reckoning; and we are trying to survive the worst pandemic in a hundred years. This pandemic, which has killed over 250,000 Americans, has crashed the economy for all but the wealthy and upended everyone else's life.

In times like these it is easy to feel isolated and hopeless, but you should know you have never been alone. Our union has been there with you through all this. And while it cannot fix our national politics or resolve an election or cure COVID, it HAS been there ensuring your employment and your safety on the job.

NYU may decide but CBA rules

UCATS has been engaged in discussion with NYU regarding COVID and the issues it presents for our members from the beginning. We have a grievance in progress over NYU's refusal to pay our members they designated as essential personnel, who were therefore, required to work the first three days of the shutdown in March, time-and-a-half pay for those three days, as required by our collective bargaining agreement (CBA).

As of this writing, we have avoided layoff bloodbaths that employees at other colleges/universities



Christopher Crowe

have suffered. To the extent this is due to the University's strong financial position, or to its recognition of the fact that it would cost more to shed staff only to hire them back once the crisis passes, we are nonetheless appreciative.

We cannot prevent NYU from deciding to lay off employees as a cost-saving measure, but if they do, our CBA tells NYU what they must do for each impacted member. We actually have strong language in our contract that requires NYU to do the following when they lay off one of our members:

1. Notify UCATS first, so we can reach out to our member
2. Two-weeks notice to our members
3. Severance pay based on years of service
4. Recall rights for 6 months
5. And, in some instances, bumping rights

If someone is laid off, UCATS will work with them to ensure they get all they are due under our CBA. It is probably fair to say NYU hates our recall and bumping rights and so our contract language has almost certainly served as a deterrent to layoffs as the cost-cutting strategy of first resort.

It should be noted that we negotiated our layoff language in our first contract FORTY years ago, and we defended it in 2011 when NYU proposed a few dollars more of severance in exchange for eliminating recall and bumping rights, to which we said, "NO." Honestly, we could not possibly negotiate our current layoff language now, in the midst of a global financial crisis, as a response to a layoff after the fact, so we are, in fact, far ahead of the curve on this issue.

What UCATS is doing

Whether you are back working onsite, or continuing to work remotely, UCATS is here to ensure your rights on the job and your safety in the workplace. As more of us have gone back to our workplaces, the issues of health, safety, and job security have become ever more vitally important and UCATS leads the way in holding NYU accountable.

In August we joined with a number of other campus unions and student groups to put out a statement concerning the safety of reopening and demanding certain measures to keep us healthy. You can read it here: <https://tinyurl.com/y5jt8ne6>. It was quickly reported by 'Gothamist' and NYU was forced to respond publicly.

Our two great organizers, Linda Wambaugh and Matt Siliciano have spent much of their time since March working on these issues; they have fielded innumerable inquiries from members on all sorts of pandemic matters—from questions about compromised immunity, to COVID testing, to the availability of personal protective equipment, to

(Continued on page 7)

Notice of Election for UCATS Executive Council

Term: May 1, 2021-April 30, 2023

Nominations Meeting

When: Thursday, March 8, 2019, 5-6 p.m.

Where: via Zoom; email info@ucats3882.org to receive link

ON APRIL 30, 2021, the terms of all Shop Stewards and Officers of the UCATS Executive Council expire. Council elections ensure that your union is run democratically. Elections are required every 2 years by our constitution; this is your opportunity to choose your leadership team for the next two years and, if you wish, to become a part of the team. At the meeting UCATS members will nominate candidates for Shop Stewards and Officers.

Election Process

▶ March 8, 2021, 5-6 p.m. Nominations meeting via Zoom where members will nominate candidates for steward/officer positions; the meeting will be open for one hour but you do not have to enter promptly at 5 or stay for the full hour. To register and receive the Zoom link email info@ucats3882.org; **YOU MUST REGISTER IN ADVANCE TO RECEIVE**

THE ZOOM LINK FOR THE NOMINATIONS MEETING;

- ▶ Members can self-nominate at the meeting;
- ▶ If you wish to be nominated for Shop Steward but cannot attend the meeting, someone from your college/administrative unit can attend the meeting to nominate you;
- ▶ If you wish to be nominated for an Officer position but cannot attend the meeting, any UCATS member attending the meeting can nominate you;
- ▶ Nominations can only be made by UCATS members attending the March 8 meeting as per the by-laws of the UCATS constitution;
- ▶ March 9-15, an election committee, comprised of UCATS members not running for office, will contact each nominee to confirm the acceptance of

Happy 40th Birthday UCATS!

(Continued from page 2)
union members all of the time so that the CBA is in place to protect us in the challenging times.

I am so proud of our current EC members for hanging in there throughout this global health catastrophe. Since the pandemic chased us out of our workplaces in March they have continued to attend our monthly meetings learning to do so virtually; they have also participated in virtual state/national conventions, attended virtual grievance meetings with our organizers Linda and Matt, and six of them

are now serving on different standing committees of our state affiliate, New York State United Teachers (NYSUT).

The leadership pipeline

Next year, right after the holiday, UCATS faces a new challenge: holding an election for the EC that will serve for the next two-year term, May 1, 2021-April 30, 2023. Since some members of the current team will be moving on, having done their fair share, it follows that other members need to step up to fill the positions they are vacating. Our constitution, and the

law—the Landrum/Griffin Act—require that UCATS members elect our stewards and officers. If you look at the list of the current EC and you do not see your school/administrative unit represented, it is up to you and your coworkers to correct that.

You do not have to be a hero or a genius to be a UCATS shop steward; everyone on the EC is an NYU employee with a job title just like yours, who came to a membership meeting where we were nominated to be a shop steward on the EC. Two, four, or six years later

some of us moved up to officer positions. All of us are ordinary people who joined with our coworkers to achieve extraordinary things. Most would agree that it was scary in the beginning, but only until we understood that we were in good company. After what we have all experienced the last ten months the next term should be a breeze.

What defines our leadership team is that we show up. We show up when it is hard, we show up when we are not certain we will prevail, and sometimes, we even show up

(Continued on page 5)

their nomination. If there is any protest to someone’s nomination, the election committee will investigate the protest and make a final determination about their eligibility to run.

- ▶ March 22-April 19 – election period for steward/officer positions where more than one UCATS member has been nominated for the position. For contested positions only, ballots will be mailed to members by March 22 and must be returned by April 19.
- ▶ April 20, 2019 – Ballots will be counted for any contested positions to determine the winner. For uncontested positions the current UCATS Secretary shall cast one vote for those nominees and they will be elected.
- ▶ If you have questions about joining the UCATS Executive Council or the election process, please call UCATS at 646-602-1485 or email info@ucats3882.org.

(Continued from page 4)
 when we know we will not prevail. What has kept me going for 34 years, however, is remembering all the times we showed up, expecting not to prevail, but prevail we did.

I have served on the EC for 28 years, as a shop steward from 1989-1999, and as President since 2003. What keeps me going is looking back on three decades of achievement and of challenges we have met. If you are thinking “this guy is coming to the end of the road” you would be cor-

rect—but not just yet. It is essential, however, that we always have a pipeline of emerging leaders to replace the EC members who move on at the end of their terms.

In this issue is the first announcement of the election process for a new EC that will take place in the spring. We have gone through this process every two years since 1979;

all it takes to succeed is members who are willing to participate, to learn, to show up. **Happy 40th birthday UCATS.** Will we survive and thrive to 50? That is up to you.

AS WE EMBARK on the election cycle for a new leadership team next year here is a list of those who served on our team for the past two years. If you know someone on this list please consider taking a moment to thank them for their service.

UCATS Executive Council Current Term May 1, 2019-April 30, 2021

OFFICERS

Stephen Rechner, President
 Diana Corzen, Vice President
 Christopher Crowe, Vice President
 Sharmaine Griffin, Treasurer
 Rob Lesko, Secretary

WORK LOCATION

Law School
 VP of Student Affairs/HS
 Bobst Library
 SPS
 SPS

STEWARDS

Robert Platt
 Benjamin Carr
 Petra McCalmon
 MJ Cummings
 Vanessa Sejourne
 Jason Singleton
 Larissa McDowell
 Joan Randolph
 Marty Correia
 Anna Kreienberg
 Lisa Steves
 Richard Wager
 David Privler
 Ian Brown
 Camryn Mothersbaugh
 Caleb Savage
 Ariel Raskin
 Aleida Casanas
 Ian Koncagul
 Johanna Tyson

WORK LOCATION

Bobst Library
 Campus Services
 Capital Projects
 College of Dentistry
 College of Dentistry
 College of Dentistry
 College of Nursing
 Courant
 FAS
 FAS
 Gallatin
 Provost
 School of Social Work
 SPS
 Steinhardt
 Tisch
 UDAR
 University Enrollment
 VP Stud. Affairs/HS
 VP Stud. Affairs/HS

Involuntary transfers

■ *Anna Kreienberg, Faculty Arts and Science*

It is not an exaggeration to say that when one member's rights are affected, all of our rights are affected. Over the past few months, FAS Human Resources and Employee Relations decided that two UCATS members should be involuntarily swapped from their positions. These members are both Administrative Aides employed in two different departments within FAS, and they have now had their roles exchanged in an unprecedented manner. Employee Relations and FAS Human Resources initiated this involuntary transfer under the guise of it being merely a "supervision change." In fact, we have come to find out that these two Administrative Aides performed completely different jobs, in completely different departments, to the complete satisfaction of the managers to whom they reported, and yet, for no specific reason, are now working completely different jobs, reporting to each other's former manager.

The real reasons NYU has offered for this swap are vague and hard to discern. For one, NYU claims that these members' individual job descriptions and skills are each "better aligned" with the work in their new departments, but we know that at the same time, a new director began his tenure in one of the departments. Additionally, one of the affected members was doing work for both departments for more than a year. As it so frequently happens, management added more responsibilities to this member's workload outside of their initial job description, and they are now using that fact to justify the swap. The fact that new leadership in a department, along with the unending addition of tasks to a worker's responsibilities, can serve as reasons to involuntarily transfer UCATS members sets a dangerous precedent that concerns all of us.

Could this happen to you?

Both members were valued members of their teams where they had been working to the satisfaction of all, and nothing, as far as UCATS leadership can discern, is preventing them from continuing their excellent work in their original roles. Both members are now required to learn completely different jobs, and one of the members is even having to learn how to work in a completely different environment, since they were swapped from a more public-facing NYU department to an academic one. We are dismayed and alarmed by the swap because



Anna Kreienberg

it is so unfair to the two members, who were happy in the jobs for which they were hired. We are also concerned that in the future, other members who have the same job titles will merely be swapped around, department to department, based on the "business needs" of the university.

We are professionals, not furniture

UCATS strongly opposes involuntary transfers and we are deeply concerned about this issue. We want to inform members of this involuntary swap because it could happen to you if NYU gets job-swap happy. If Employee Relations feels that the involuntary transfer of specialized and skilled employees into jobs that they did not apply to, nor interview for, is appropriate, why would they not swap others of us based on the convenience of our supervisors, deans or department heads?

We are a union of professionals with essential skills and training, and we resist the idea that we can be moved around like the furniture. Employee Relations refuses to divulge the real reasons for their action or to even say that this swap was "extraordinary," and therefore, unlikely to happen again. Even worse, they have asserted that it is within management's rights to do this whenever they want to in the future. If this happens to you or a coworker please contact UCATS right away.

UCATS in Action

2ND MONDAY EVERY MONTH SINCE APRIL

THE UCATS EXECUTIVE COUNCIL continues meeting monthly via Zoom to conduct the business of the union and monitor the impact of NYU's pandemic protocols on our members.

MAY 14

NEW YORK STATE UNITED TEACHERS (NYSUT) virtual Representative Assembly (a.k.a. the state convention); Christopher Crowe, Sharmaine Griffin and Stephen Rechner attended.

JULY 28-30

AMERICAN FEDERATION OF TEACHERS virtual convention; Sharmaine Griffin, Christopher Crowe and Stephen Rechner attended.

SEPTEMBER 16

ANNUAL CHILDCARE SUBSIDY meeting with NYU. As negotiated in our 2017 Collective Bargaining

Agreement, the childcare subsidy fund for the 2021 calendar increased by \$5,000 to \$170,000. Normally, unclaimed awards from 2019 would have been added to the \$170,000, but the deadline to submit receipts for 2019 was extended to December 31, 2020, by the CARES Act. Consequently, unclaimed funds for 2019 will be added to the 2022 calendar year fund. UCATS members who met the guidelines for 2021 will receive \$3,185 for one child and \$3,785 for two or more children.

OCTOBER 23-24

NYSUT SCHOOL RELATED PROFESSIONALS virtual conference; Sharmaine Griffin, Christopher Crowe and Stephen Rechner attended.

NOVEMBER 14

MEETING OF NYSUT PRIVATE SECTOR HIGHER EDUCATION (PSHE) local leaders via Zoom; Anna Kreienberg, Diana Corzen, Rob Lesko, Christopher Crowe attended with Stephen Rechner who chaired the meeting as the NYSUT Director At-large for PSHE.
UCATS RESPONSE TO PANDEMIC ISSUES

UCATS HAS COMMUNICATED regularly with members via email since the start of the COVID crisis. If you received a hard copy of Momentum it is because you are not on the UCATS e-list. To get on the UCATS e-list and stay informed just go to ucats3882.org and scroll to the bottom of the page. If email is not your preferred method of staying informed you can check the Bulletin Board section of the UCATS website weekly for updates. There is a link in the Bulletin Board section of our website to the latest email we sent to members as well as every email we have sent since March.

It was a very good year – NOT!

(Continued from page 3)

violations of safety protocols, to how best to put in requests for accommodations, to every other related issue you could imagine—and they have been in regular contact with NYU management, conveying your concerns and experiences to the higher-ups.

When NYU management knows they are being watched, and closely, they are more likely to find their

better angels. A great deal of the success of the re-opening so far is clearly due to the indefatigable efforts of our organizers, our allies, and the ever-watchful eye of the UCATS leadership team and you, the members we serve.

Brothers and sisters, we have been through plenty and there is more we will endure. Let us continue to take care of each other.

Bulletin Board

WAGE INCREASE

CONGRATULATIONS! You received a 2.5% raise effective September 14, 2020 because of the Collective Bargaining Agreement UCATS negotiated in 2017 which is in effect until 2023. NYU employees not covered by Collective Bargaining Agreements did not receive a raise in September, just one of many cost-saving measures NYU has taken to close what they say is a budget shortfall of \$180 million.

UNION MEMBERSHIP BENEFITS

THERE IS NOTHING like a global crisis to bring home the importance of having a union job and a Collective Bargaining Agreement. Like many employers, NYU is looking to cut costs every which way they can, but they cannot do it by diminishing your union-negotiated benefits or by raising the cost of those benefits to you. Now would be a terrible time to not be able to afford health insurance. There is so much more to union membership than just the benefits we have negotiated into our Collective Bargaining Agreement, and if you go to our website and click on “Member Benefits” we have created a one-stop shopping destination for all of your NYSUT/AFT/NEA member benefits. Take a look, don't miss out, new benefits are added regularly.

SURPRISE MEDICAL COSTS

WHILE THE PANDEMIC headlines trumpet the infection rates and the death toll, the story that is only starting to be told is the cost to patients of lengthy hospital stays and time on those respirators. Even people with “good” health insurance may be hit with medical costs beyond their ability to pay. If you or a loved one are experiencing this, here are some...

Tips for dealing with surprise medical costs –

1. Request an itemized bill.
2. Request a review of the level of care.
3. Look for errors or duplicate charges.
4. Check resources that can help you compare prices.
5. Appeal. Negotiate.
6. Request an interest-free payment plan.
7. Alert the hospital if you are at risk of missing a payment.
8. See if you qualify for financial assistance.
9. If billing department workers are not helpful, email top executives at the hospital.
10. Health Advocate, a **FREE** benefit NYU offers to all employees and family can also help. Call 866-695-8622 or visit their website [HealthAdvocate.com/members](https://www.healthadvocate.com/members).

JOIN THE UCATS ELIST

Get our latest updates in real time. Go to ucats3882.org and scroll to the bottom of the page to sign up.

**HAVE A SAFE AND
HEALTHY HOLIDAY!**

