



INSIGHT

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STONY BROOK CHAPTER OF
UNITED UNIVERSITY PROFESSIONS

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A Few Words from Your Chapter President

John P. Schmidt

Worker Bias.....

According to the New York Times (January 2, 2005), the rulings of the National Labor Relations Board in recent months have generally been tilted in favor of employers. It has become more difficult for tempo-

rary workers to unionize and for unions to obtain financial information from companies during contract negotiations. In a decision that will affect 87% of American workers, the NLRB has denied nonunion employees the right to have a co-worker present when managers call them in for investigative or disciplinary meetings.

Some academic experts on labor relations say the recent rulings are so hostile to unions and to collective bargaining that they run counter to the goals of the National Labor Relations Act, the 1935 law that gave Americans the right to form unions. The Board's defenders say it is merely continuing a long tradition of swinging back and forth: toward management when a republican is in the White House and toward labor during democratic presidencies.

The labor board has five seats and the president appoints members to five-year terms. There are two vacancies at present with a current 2-1 Republican majority.

In October, the Board upheld a company's decision to fire a worker who had asked a colleague to testify before a state agency to support her claim of sexual harassment by a manager. The National Labor Relations Act prohibits employers from retaliating against workers who engage in concerted activity for mutual protection, but the Board found that the fired woman was acting only in her interests and not for mutual protection to safeguard other workers from harassment.

Closer to campus, the NLRB has ruled that teaching assistants do not have the right to unionize at private universities.

UUP and its affiliate organizations (NYSUT and AFT) repeatedly endorse office holders and would-be office holders who have and will support labor's agenda.

the TSUNAMI DISASTER

AmeriCares

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Stamford, CT 06902
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www.americares.org

American Friends Service Committee

AFSC Crisis Fund
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Philadelphia, PA 19102
(215) 241-7000
www.afsc.org

Direct Relief International

27 South La Patera Lane
Santa Barbara, CA 93117
(805) 964-4767
www.directrelief.org

International Committee of the Red Cross

www.icrc.org

Save the Children

54 Whilton Road
Westport, CT 06880
1-800-SAVETHECHILDREN
www.savethechildren.org

UNICEF

www.unicef.org

Why? We are all questioning why. Is it an act of God? Is it a natural disaster over which we have no control? How could this have been prevented? Why such horror and loss and death? And the horror continues. Children are being kidnapped and sold into cheap labor, prostitution, slavery, and so on. Families are broken, left with nothing. We need to help in any way we can. For your own peace of mind and the good of mankind, do whatever you can to help these poorest of poor people in their hour of need.

HOW YOU CAN HELP THE VICTIMS OF THE TSUNAMI

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Save The Date!!

The Annual UUP Dinner Dance will be held
Friday, February 11, 2005
at the **Three Village Inn** in Stony Brook
7:00 PM to 11:00 PM.

A delicious dinner and a DJ for dancing will make for a memorable evening. Tickets are \$25.00 per person and must be purchased in advance.

Please contact Corinne Burns at the UUP office (631) 632-6570



Why VOTE/COPE Is Important To You

UUP is the organization that fights for the betterment of SUNY. UUP uses its Political Action arm and the financial backing of VOTE/COPE to display SUNY's strength and value. UUP works with NYSUT to speak with Legislators and the Governor about SUNY and our issues, and reinforces how valuable SUNY support is within the state.

Every organization has to advocate for itself to pursue and attain goals. Vote/Cope is UUP's advocate arm, the group that works with Legislators to tell them what the Higher Education Institution (SUNY) and its employees need, and why we are important enough to gain their attention.

You should contribute to VOTE/COPE to help yourself. How can Vote/Cope help you? Vote/Cope has already won our membership several significant gains. In the recent past, VOTE/COPE has won COLA (Cost of Living Adjustments) for retirees. This will not only help those of our retired brothers and sisters that are near and dear to our hearts, but will also carry over to help us as well. VOTE/COPE has also been fighting to work on Tier equality. For those of us in the Tier system, member contributions cease after the tenth year of membership. In essence, you start your 11th year with a nifty 3% raise – all because of VOTE/COPE influence. VOTE/COPE's next goal is equality – so that those of us in the ORP would only have to contribute through our tenth year. However, given the difficult financial times that the state is in, this will not be an easy fight. We need contributions from every member because your dollars and voices carry all the way from Stony Brook up to Albany. Imagine if we could tell the governor and the legislators (who rely on our local votes to remain in office) that our campus cares enough about this and other issues to put our money (and our votes) where our mouths are – we can go much further towards success. Please contribute \$1 per pay period. If you can contribute more, that's even better! Every \$1 counts.

The University system is looking for more recognition and financial support from the state. The more money and support the state gives SUNY, the better SUNY can be for all of us. One of UUP's goals is for the governor to show support for SUNY by avoiding layoffs. This goal is near and dear to all of our hearts, not only for our own job security, but because if we can avoid layoffs and maintain labor peace, we can continue to attract the best faculty, staff and students to Stony Brook, maintaining it's high level of esteem throughout the academic world. Call your Chapter Office at (631) 632-6570

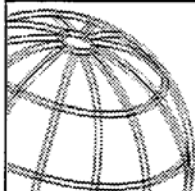


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1/05

Ask Lisa!

Question: What is the Fair Labor Standards Act (FLSA) and how are the new changes going to effect UUP members?

Answer: The Fair Labor Standards Act (FLSA) is a federal labor law. It contains the minimum wage provisions, Equal Pay Act, child labor restrictions, and a variety of other federal labor and employment law sections. A key provision of the Act is that most employees must be paid time and one-half for overtime "hours worked".

In April 2004, the FLSA regulations pertaining to exemptions from minimum wage and overtime pay for executive, administrative, professional and computer employees were revised. These exemptions are commonly referred to as the "white collar" exemptions. Additionally, changes were made to the salary tests and duties tests under the regulations.

The fundamental rule is that all employees who work more than 40 hours per week are entitled to overtime pay unless they fall under one of the FLSA exemptions. These exemptions are narrowly defined and it is the responsibility of the employer to prove that an employee is exempt. To qualify for an exemption, an employee must satisfy a duties test, a salary level and salary basis test. These tests are very specific. Employees must earn a minimum of \$455 per week for the "white collar" exemption to apply.

SUNY has agreed that there will be no negative impact on UUP members. Everyone who is currently eligible for SLSA overtime will continue to get it. Each campus is looking at all its employees to see whether the new rules make additional employees eligible. United University Professions has no objection to SUNY's attempt to comply with the law.

If you have any questions, please contact your UUP Office.

ACTION PLAN Wal-Mart

Written by José Feliciano

At the Delegate Assembly in Albany this month, Jose Feliciano of Stony Brook and other Statewide Executive Board members plan to introduce a resolution to the Executive Board which, if approved, would then be brought to the floor of the Delegate Assembly, calling on UUP to approach all our affiliate organizations (NYSUT, AFT, AFL-CIO, PSC, Statewide Labor Councils) and set up a Joint Task Force to address a litany of issues concerning Wal-Mart. At this time it is unclear exactly what the charge will be for this proposed



Task Force, but the hope is to convince these organizations to join in an aggressive fight against the policies and practices that Wal-Mart uses to deny employees the rights given them by the Fair Labor Standards Act (FLSA).

Many ideas have been circulated on what this fight would look like, and how best to utilize the resources available from these affiliates. Providing information on the methods used by the giant retailer, and detailing the negative effects these practices have on communities are some of the ideas that would be explored. Any and all thoughts on this issue are welcome, and suggestions on other means to employ would be greatly appreciated. Email: jose.feliciano@sunysb.edu

Do YOU Shop at Wal-Mart?

- ★ Wal-Mart's low prices don't come cheap. In fact, each Wal-Mart store employing 200 people costs taxpayers approx. \$420,750 annually in public social services used by Wal-Mart workers whose low wages and unaffordable health insurance mean most of them are among the working poor. That's the finding of *Everyday Low Wages: The Hidden Price We All Pay for Wal-Mart*, a report by the minority staff of the U.S. House of Representatives Education and the Workforce Committee.
- ★ Wal-Mart's employees – more than 70% of them women – are paid an average \$9.64 an hour if they are full-time employees, according to *Business Week*. Yet full-time workers, who comprise only about two-thirds of Wal-Mart's workforce, may be scheduled for as few as 34 hours weekly. Even at \$9.64 hourly, working 34 hours a week, a Wal-Mart employee earns only \$17,043 annually, well under the \$18,850 federal poverty guide line for a family of four in 2004.
- ★ Current and former female Wal-Mart workers say the company has discriminated against them in pay and promotion policies because of their gender. In June, a U.S. District Court in San Francisco gave class-action status to their lawsuit against Wal-Mart, making it the largest class-action lawsuit in U.S. history representing 1.6 million women who have worked at Wal-Mart since 1998.
- ★ Wal-Mart's virulent anti-union policies prevent workers from winning family-supportive wages and benefits. Unionized workers in the retail food industry make more than 30% more in hourly wages than their nonunion counterparts, according to a 2002 report by the Institute for Women's Policy Research. Yet when new employees start at Wal-Mart, they must first watch a video warning them against joining a union, according to author Barbara Ehrenreich, who chronicled her experience working at Wal-Mart in *Nickel and Dimed: On (Not) Getting by in America*.
- ★ With annual sales of more than \$250 billion, Wal-Mart netted \$9.1 billion in 2003 profits, more than twice the profits of its leading retail competitors combined, according to the company's most recent annual reports. Wal-Mart's CEO H. Lee Scott received a double-digit pay increase in 2003, his salary and bonus payments jumping by 26% over the previous year. Including the value of stock received, Scott's pay package soared to \$12.44 million. But many of his 1.3 million Wal-Mart employees are paid so poorly they can't even afford health insurance.
- ★ Whenever a new Wal-Mart opens, small businesses – from dress shops and pharmacies to hardware, auto supply and music stores – close their doors and good jobs disappear. According to the city of Los Angeles' 2003 report on big-box retailers such as Wal-Mart, big box retailers and supercenters "often can result in the reduction of consumer choice due to their tendency to cannibalize competing retail businesses."
- ★ While Wal-Mart kills family retail businesses and pushes out jobs that pay well, it also forces suppliers to relocate their plants overseas to meet its low-price demands. Wal-Mart is the single largest importer of Chinese goods, buying some \$12 billion in merchandise in 2002, nearly 10% of all Chinese goods sold in the United States, which currently has a \$124 billion trade deficit with China. By supporting foreign-made goods on such a massive scale, the company that trumpets its All-American image is creating incentives for corporations to destroy good jobs in the United States.

Visit the AFL-CIO Website
www.aflcio.org for more information.

Reflections of The 2004 UUP Holiday Party!



*By these smiling
faces it seems
a good time
was had
by all!!*



Who's Who at UUP

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http://naples.cc.sunysb.edu/Admin/uup.nsf		

Defensive Driving Class

Date:Tuesday, March 8th & Thursday, March 10th
Time:6:00 p.m. to 9:00 p.m.
Cost:\$25.00 per Person
Place:Stony Brook Union, Room 231
Who: Open to all UUP members and their immediate family members. Checks should be made payable to "NYSUT Benefit Trust". Attendance to both classes is required!!!!
Bring or mail to UUP Office, 104 Old Chemistry, Zip=3475
Office hours are Monday thru Friday, 9:00 a.m. - 3:00 p.m.
 Participants are usually entitled to a 10% discount on their automotive insurance. Check with your provider. The certificate is good for three years of savings!!
 Contact Corinne Burns, Chapter Assistant at 2-6570 or email her at: cmburns@notes.cc.sunysb.edu for more information.

Stony Brook Day in Albany

**Take the Ride.
Show Your Pride.
March 1, 2005**

★

Register online at:
www.stonybrook.edu/albany

or contact Pat Cruso
E-mail: patricia.cruso@stonybrook.edu
Phone: (631) 632-4309

The Chapter Office is open Monday - Friday, from 9 am to 3 pm.
 The Executive Board meets on Alternate Tuesdays at 12 noon, and members are encouraged to attend. Please contact the Chapter Office for exact dates and times. Insight is published by the Stony Brook Chapter of United University Professions. Items for inclusion should be sent to the UUP Office, 104 Old Chemistry, Zip=3475.

Editorial Policy: The opinions expressed in **INSIGHT** are those of the writer and the West Campus Chapter, and do not necessarily reflect the position or policies of United University Professions. **INSIGHT** encourages letters to the editors about union, campus and university issues, politics and other membership concerns. Letters may be sent by email or campus mail and must include the writer's name and daytime phone number. **INSIGHT** reserves the right to edit all letters. **INSIGHT** cannot guarantee that all letters will be published. The final decision is at the discretion of the Editors and/or the Chapter President.
Send letters to: uup@notes.cc.sunysb.edu, or UUP, 104 Old Chemistry, Z-3475



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