

WHAT WILL NYSUT DO FOR MANHATTAN COLLEGE ADJUNCTS?

Many members of the administration have been asked their opinion of what NYSUT will do for the adjunct faculty who teach at Manhattan. We also have been asked why the College is not explaining what it can do for adjuncts. As you all know, many of our adjunct faculty have taught at the College for years and have expressed their commitment to the College. Perhaps the best way to answer these questions is to explain the limits on the College, to look at NYSUT's promises and to look at what NYSUT has achieved for adjuncts at other independent colleges.

Q. Why hasn't the College told adjunct faculty what it can do for them going forward rather than just talk about NYSUT?

A. The College wants to engage in that conversation but cannot. The NLRB is very explicit as to what the employer – the College – can say to employees once NYSUT filed the petition for an election. If the College during this time explained to adjuncts what it wants to change or discussed specific changes it can put in place promptly with adjuncts, NYSUT would go to the NLRB and bring a charge against the College accusing it of violating the labor law. Because of these rules the College is very limited in what it can specifically say. NYSUT is under no such legal restraints. During an election campaign unions take advantage of the fact that employers are prohibited from discussing specifics but the union can promise anything. That is why the College has been asking adjuncts to give Manhattan an opportunity to work directly with the adjuncts to bring about change without the rigid rules of the NLRB and NYSUT complicating the process.

Q. What has NYSUT promised to Manhattan College adjuncts?

A. No one has been able to identify anything that NYSUT has specifically stated it can achieve if it becomes the exclusive representative of the adjunct faculty. In its initial letter last September NYSUT mentioned wages and health benefits.

Q. Has NYSUT explained what it can do for wages and health benefits?

A. We have not heard any explanation beyond negotiating wages and benefits if NYSUT wins an election.

Q. Has NYSUT achieved gains at any other campus for adjuncts?

A. You can review the collective bargaining agreements that NYSUT has negotiated for Pace University adjuncts and for adjuncts at Marymount Manhattan College and make your own decision. The collective bargaining agreements are on the Pace and Marymount Manhattan websites and can be made available to you by NYSUT if you ask.

Q. What improvements did NYSUT get for Pace adjunct faculty?

A. Pace University adjunct faculty voted for NYSUT representation in 2004. The first contract was signed in March 2009 according to the document on the Pace website. Salary continues to be based on credit hours taught. The base salary increase effective September 2008 was 3%, **but only 1.5% was given to all adjuncts**. Of course NYSUT reports that the Pace dues are 1.5% of gross pay. The remainder 1.5% went into a merit pay pool to be distributed by the university to adjuncts. The per credit rates bargained for adjunct assistant professors were, for example, \$925 a credit or less than \$2800 for a three credit course. It took almost 5 years to bargain that salary level.

Q. Did Pace adjuncts get health benefits?

A. Pace University agreed that starting in 2009-2010 it would allocate a maximum of \$25,000 a year to be awarded to adjuncts towards health insurance premiums. Since it is reported that Pace has more than 1000 adjuncts, that is \$25,000 divided by 1000 adjuncts every year. We understand that NYSUT has asked adjuncts to apply annually for grants toward health insurance costs. NYSUT reports that **ten** Pace adjuncts have been given partial assistance for health benefits – 10 out of 1000+ adjuncts.

Q. Do Pace Adjuncts now have guarantees of reappointment?

A. Again we think you should review the contract yourself to determine the answer. You will see during the review that the contract states that: “Appointments carry no guaranteed course or credit load and there is no presumption of reappointment thereafter. ... [and] ... Scheduled courses may be cancelled or reassigned prior to the first class being held due to insufficient enrollment, for academic, programmatic, or budgetary or other reasons determined by the university.” This contract language for Pace of course reflects the reality that adjunct appointments are based on the specific needs of a program or department during a specific semester and it may not be feasible for a college to agree otherwise. If Manhattan College had to bargain with NYSUT it would do so in good faith and is not trying to predict the outcome of any bargaining that could occur in the future.

Q. Did any other changes result from the NYSUT contract for Pace adjuncts?

A. The Pace contract provides that all adjuncts pay dues monthly by signing an authorization card to have the dues deducted from their paycheck and paid to NYSUT. The contract requires that adjunct faculty who do not sign a card authorizing the payment of dues will have the equivalent of dues and assessments automatically deducted from their salary monthly by Pace as a condition of employment and those funds will also be paid to NYSUT. The actual pay increase adjunct faculty achieved in the agreement may be close to the amount of dues they now pay to NYSUT.

Q. How many adjuncts at Pace supported NYSUT at the time of the election?

A. It was reported that approximately 308 adjuncts voted for NYSUT in May 2004. While less than one-third of the adjuncts at Pace favored the union, all adjuncts are represented by NYSUT, which collects dues from more than 1000 Pace adjuncts.

Q. Do adjunct faculty have any other option but to continue to negotiate if they do not like the proposed terms of a collective bargaining agreement?

A. Sometimes the parties bring in a mediator, someone trained to help them arrive at an agreement. Sometimes the parties consider a strike. It was reported that 79% of NYU adjuncts this fall voted to authorize a strike if bargaining by the UAW for them failed.

Q. Did adjuncts at Marymount do better than Pace with their NYSUT contract?

A. Each contract is different. You can review the Marymount Manhattan contract on their website or from NYSUT. Marymount's election was in 2006 and their first contract was signed in December 2009. You will see that the contribution for health benefits at Marymount Manhattan is a maximum of \$12,000 a year for all the hundreds of adjuncts employed each semester. In addition, negotiations raised the 3-credit course salary to \$2900. However, similar to the Pace contract, Marymount's position on reappointment in the contract is that adjuncts who have taught a minimum of 6 semesters will get "good faith" consideration for reappointment to teach the same course if offered, reserving to the Marymount the authority to make the decision on reappointment for a variety of reasons.

Q. Do Marymount Manhattan adjunct faculty have to pay dues?

A. Just like in the Pace agreement, as a condition of employment as an adjunct faculty member at Marymount, each adjunct must pay dues or the equivalent of dues each month. The college collects the dues and dues equivalent amount from every adjunct and provides those monies to NYSUT.

Q. What can NYSUT do at Manhattan College?

A. We understand that bargaining is a process that has to be based on what the parties can agree to do. Bringing in a union does not improve the financial condition of a college or change the nature of adjunct employment -- adjunct jobs vary from semester to semester and from department to department. It is not full time employment and cannot be equated to the terms and conditions of full time employment. With limited resources and constraints on tuition increases, a college has to balance what it agrees to do for staff with what it knows it can do. All of us would like to have more funds and resources. But when a union wants a college to sign a contract that makes promises about wages and benefits three years from the date it is signing the agreement, colleges have to be prudent and cautious to be confident that they can meet those terms in an uncertain future. NYSUT will not be paying the wage

increases or benefits so the burden falls on the college.

Q. What choices do adjunct faculty have at Manhattan College?

A. Adjunct faculty should vote. Do not let others make your important decisions. You may vote for NYSUT if you think it can accomplish your goals right now or you can vote against having NYSUT and decide to retain your own right to speak directly with your chair or dean about your employment at the College. Manhattan College has a unique opportunity right now to work with everyone to shape a better future. Give the College's leadership a chance. But Vote.