

Balance Sheet



January 2008

Balance Sheet

- **Editor:**
Lorenzo Harrison

- **Contributors:**
Blaine Browne
Cathy Leisek
Jim Lansing
Damon Davis
Debbie Nycz

Inside this issue:

Special Magistrate Update	1
Amendment 1	1
At the Impasse Hearing	2-3
Vote Now !!!!!	4
Order UFF Polo Shirts	4
Labor Ball	5
Membership Form	5

Special Magistrate Up-Date



As most of you know, the College(Administration and/or Board of Trustees) declared impasse during the first week of October. After some time, a Special Magistrate was chosen and we held a two day hearing on December 17th and December 19th of last year. The hearing days were long and lasted until 6PM each of the two days.

Before I go on, I would like to thank all Faculty that took time out of their days off to sit through all or part of the two sessions. That was yeoman's work. The hearings were not overly exciting. There were a couple of times when things were said that let you know where people stood on certain issues. Those were worth the time and effort to be there!

Dr. Daniel Rieger is currently writing a brief to be sent to the Special Magistrate Thomas W. Young. This too is a great deal of work and I do not envy him

this task. It will be sent off on Tuesday. So far he has done an excellent job representing us at the hearing and in the writing of his brief. Once Magistrate Young has the briefs, he will write up his response and this will be sent to both parties.

Daniel and I will read over his decision and share our feelings with the executive Council. At which point we will notify all Faculty about our decision to accept the decision or not. We will then have to wait and see what the Board of Trustees does. If they reject it, they will have to set up a hearing and sit as an impartial third party to decide what will go into the contract. UFF may pull a couple of the items we know we will not win to shorten the length of this hearing. The Faculty will then have to vote on the contract.

If anything else comes up before that, Daniel or I will let you know.

Till then, in solidarity,

Deborah M. Nycz
President, UFF-BCC

Amendment 1 – Why you should not vote for it!

Amendment 1 sounds really good. Your homestead exemption will double and you can take your tax savings with you. Is there anything in the amendment that stops cities from raising taxes every year? No! Could you end up paying more than you do now in a couple of years? Yes!! For these reasons alone you should not vote for this amendment to the Florida Constitution. But there are other reasons.

1. With a drop in revenue, cities will have to cut their budgets. Where will the cuts come from? Will they come from fewer Police, Firemen, and other city workers? Most likely!! While they may not cut the numbers, there may be no new hires to replace those that leave! This will lower response time and that would cause more damage and perhaps, loss of life.

Cont'd on page 3



At the Impasse Hearings

Having been present for most of the two days of impasse hearings that took place on December 17th and 19th, I thought it might be useful to offer a summary (however impressionistic) and some observations for the benefit of those who were unable to attend. First, however, it is important to acknowledge the time and hard work that a number of individuals devoted to these proceedings, so as to ensure that the faculty's case was fully and forcefully presented to Special Magistrate Tom Young. This year's chief UFF negotiator, Daniel Rieger, has gone far beyond the call of duty in rising to the demands of that position, both in the course of lengthy and often frustrating negotiations, and in the events that followed the administration's declaration of impasse. He has, in recent months, sacrificed many weekends in order that the faculty's positions on numerous contract issues might be most ably defended. Debbie Nycz has likewise been a tireless advocate for the faculty, doing much to facilitate Dan's work at the hearings. Several faculty witnesses, most notably Steve Watnik and Maria Bernal-Dobek, contributed testimony that was crucial to UFF/BCC's presentations before the special magistrate. I apologize to those other individuals whose activities were central to our cause and who remain unmentioned here – though I took detailed notes during the hearings, about half of them disappeared in the rush of the holiday's activities, so I am compelled to fall back on memory alone at some points, an increasingly problematic approach for someone who optimistically describes himself as "middle-age." Lastly, it pleases me to no small extent to note that during two very long days of hearings, both sides and all parties conducted themselves with admirable civility. The hearings took place in an atmosphere of mutual respect where even humor was not uncommon, and if there was any rancor between the two sides, it remained undiscovered. One can only hope that such commendable behavior is infectious and comes to reside in other college bodies.

At the impossibly early hour of 8:00am on Monday, December 17, the hearing commenced at Tigertail, where the college presented first, leading off with a PowerPoint presentation of such epic proportions that it would have tried the patience of Job. It did, in fact, try the patience of Dr. Rieger, who, after about twenty minutes, asked if both sides might not agree to simply "stipulate" to the generally mundane information that was being presented. After this was agreed upon, events proceeded marginally faster. A parade of administration officials appeared as witnesses, their apparent strategy being to plead that the college was so committed to implementing numerous initiatives geared toward "student success" that there simply were no funds left for faculty compensation. The day's chief disappointment came in the apparent unwillingness of several administration witnesses to concede that faculty played any significant role in student success. Responding directly to such an inquiry from Dr. Rieger, Vice President Angelia Millender steadfastly refused to acknowledge any significant faculty contribution, instead crediting any achievements to overall institutional factors. On the other hand, I am compelled to note that Mr. Bill Pennell graciously asserted that faculty were central to student success. Most of Monday was taken up with the administration's case, which was ably argued by their lawyer, Mr. Paul Lopez, whose sunny disposition and articulative abilities portend a bright future for him in television broadcasting should he choose to forsake his current profession. In the course of periodic cross-examinations of college administrators, Dr. Rieger did his utmost to reveal the weaknesses in those arguments. Not until about 2:30 in the afternoon was UFF able to begin its presentation, which was to include a variety of compensation, benefits and workplace issues. UFF's general thrust was to maintain that faculty salaries have seriously languished in recent years, especially in light of the inflationary trend in south Florida and proposed increased healthcare benefit costs, and that this decline is largely the result of misplaced college priorities, wherein faculty salaries are

argued, will bring numerous deleterious future consequences, including a growing difficulty attracting qualified faculty. The college's assertion that low salaries were a product of unique budget problems was a focal point for Dr. Rieger's cross-examinations. I found it troubling that Dr. Edna Chun, Vice President for Human Resources, was unable or unwilling to answer Dr. Rieger's query as to what the inflation rate in south Florida was. That figure was over 4% during the fall, and a recent newspaper article pegged it at a staggering 5.8%, the highest in the nation. Regardless, it is not an irrelevant or inconsequential fact. I was also baffled by the administration's repeated pious contention that their salary offer of \$1000.00 to the base was a product of their tremendous concern for the financial status of those faculty on the low end of the pay scale. That \$1000, it was repeatedly asserted, was proportionally much more for those in the lower salary categories than it was for senior faculty, the implications being that the administration's compassion for the lowest amongst us trumped an across-the-board percentage increase, and that senior faculty were somehow selfish in asking for a percentage increase that would benefit them disproportionately in terms of actual dollars. These are intriguing, if illogical, arguments – no administration witness addressed the issue of how \$1000 ostensibly buys more for lowest paid faculty than it does for those in the higher brackets. One did not have to be a mathematician to calculate that, after taxes and proposed higher healthcare costs, that much-vaunted \$1000 probably wouldn't pay the utility bill for more than a couple of months at best, for either the lowest or the highest-paid faculty. At about 6:30, the hearings were continued until Wednesday, and shifted to the board room downtown.

Cont'd from page 1

2. With the drop in revenue, the money needed to run our Universities and Community Colleges would have to be cut. Would this mean no raises again next year? Most likely!!! With a cost of living at 5.8%, the highest in the country, this would really put us in a hole! How and when would we be able to make this up. The rate things are going, probably, never. That would make bargaining even more contentious.

3. Is saving an average \$20/month worth the problems that it would cost? I think not!

I would urge all of you registered voters to vote now or on January 29th against this amendment. What little you save is not worth the price!

Deborah M. Nycz
President, UFF-BCC

Cont'd from page 2

At 10:00 am on the 19th, the hearing was reconvened, this time with a somewhat expanded faculty presence. The special magistrate had decided to permit the inclusion of several issues that he had disallowed the previous day, which was a victory for UFF. Chief issues for discussion were the Health Benefits Task Force (or committee), summer compensation and UFF's proposal for a college-wide definition for seniority, the importance of which is immediately evident to any faculty member. Speaking for the administration, Dr. Chun was unwilling to even concede that the current contract did not include any definition of seniority, and offered no credible justification for the administration's opposition to such a definition. Later that afternoon, she recanted somewhat, agreeing that there was no extant contractual definition of seniority, but then reiterated the college's disingenuous contention that the definition should be a departmental decision. During the discussion of the crucial issues of faculty compensation, Steve Watnik did creditable service as a UFF witness, effectively speaking to the need to increase starting salaries by increasing the salary table. Steve also spoke to faculty resentment over being asked to serve multiple times on the same search committee, only to see qualified finalists rejected without explanation by administration officials. That the administration failed to comprehend the intent of this particular UFF bargaining proposal (that faculty be compensated for serving on repeat searches) became evident in the course of the hearings. The college attorney argued gamely, if unconvincingly, that serving on search committees was a tremendous boon to faculty, as they could include such service on their vitas. The college also sought to establish that compensation for service on repeat searches would tempt avaricious faculty to line up in hopes of serving on those searches that might be expected to be repeated. I can't speak for all faculty, but my own questionable powers of prescience would definitely preclude this unlikely scenario - back in 1972, I recall, I was thoroughly convinced that George McGovern was going to win the presidency. I can't imagine being able to predict which searches might repeat.

When the hearing broke for lunch around 1:00 pm, I had to head home to prepare for an overseas trip beginning the next day. I'm told that the hearings continued until about 6:30, that UFF made its case in a commendable fashion, and that all the principals left in an absolutely exhausted state. Incidentally, it might be well to remember that we cannot accurately know why some administration witnesses made the statements that they did. Many may simply be, by dint of their positions, compelled to carry the board's arguments, and we cannot know what their private sentiments are. Accordingly, it might behoove us to be generous, or at least non-judgmental, in our evaluations. As to the process, in more recent days Dr. Rieger has lived a monkish existence in order to compose the UFF's brief to be submitted to the special magistrate by January 22. Next, I am informed, the special magistrate will issue his decisions, and then both UFF and administration have the option of endorsing or rejecting them. Ultimately, as Florida is a "right to work" (or "right to be exploited") state, the special magistrate's decisions are not binding. It may well be that the board of trustees will simply ignore all that has transpired and impose a contract. Those who are tempted to wring their hands over this possibility, and who might dwell disproportionately on the Borg greeting from the *Star Trek: Next Generation* series ("Resistance is futile"), would do well to ponder what future we, as faculty, would face if we failed to stand up for our rights, and for what is right. The existentialist creed, it might be remembered, holds that even in the face of the meaninglessness of existence, there is a modicum of victory to be had in struggling to give meaning to existence. I think we've already achieved far more than that in fighting for what we believe to be just, regardless of whether our efforts are rewarded immediately or at some later date. I refuse to believe that our efforts have been for naught, especially long before any decision is rendered. And again, I commend those who have dedicated their time and energies to this endeavor.

Blaine T. Browne / History / North

Vote Now !!!!!

Your vote will count; don't be fooled by the negative publicity associated with the primaries. Word has it that all parties will seat their delegates when push comes to shove. Convince your associates, friends, and family to vote on January 29th, 2008.

Early voting has started and ends on January 27th. The election is on Tuesday January 29th. Note: the property tax reform "Amendment 1" is our issue.

Make your voice heard! Exercise this precious right! Get out to vote!

Catherine Leisek
Faculty Senate, President



US House Representatives Ms. Debbie Wasserman-Schultz and Mr. Alcee Hastings with Ms. Catherine Leisek, Faculty Senate President

Order a UFF Logo Shirt Today

Please send me a United Faculty of Florida Polo shirt. I have enclosed \$20.00 (check) to cover the cost of the shirt and shipping.

Name: _____

Address: _____

_____ Phone: _____

City _____ State _____ Zip code _____

Shirts are two button, short sleeve polo style in navy blue with a contrasting white stripe on the collar and sleeves and UFF embroidered on the upper left and United Faculty of Florida on the left sleeve. They are made from a stain-resistant cotton-poly blend.

Shirt Size : (mens cut chest sizes) \$20.00

.. Small (34-36)

.. Medium (38-40)

.. Large (42-44)

.. Extra Large (46-48)

.. X-X Large (50-52)

Please allow up to four weeks for delivery. Return this form to: United Faculty of Florida 306 East Park Ave. Tallahassee, FL 32301

**United Faculty of
Florida at
Broward Community**

Damon Davis
Membership Chair
Central Campus #19/122
ddavis@broward.edu
phone: 954-201-6539

UFF/BCC is on the Web!
<http://www.uff-bcc.org>

DEBBIE NYCZ
President
201-6744

DAMON DAVIS
Vice-President
201-6539

ALAN APPLEBAUM
Treasurer
201-6578

DANIEL RIEGER
Archivist/Secretary/Chief Negotiator
201-2451

BOB HEPPLER
Communications
201-6896

EDERAZO
College-wide
Contract Enforcement
201-6489

JIM LANSING
Gov. Relations/
Political Action
201-2296

DANIEL RIEGER
Negotiations
201-2451

MARIA BERNAL-DOBEK
Public Relations
201-2481

DAMON DAVIS
Membership
201-6539

NEIL LINGER
Research
201-6482

Membership Form

I authorize Broward Community College to deduct per pay period from my pay, beginning with the pay for the first full period commencing at least seven (7) full days from the date this authorization is received by the College, membership dues in the United Faculty of Florida in such an amount as may be established from time to time in accordance with the Constitution and By-Laws of the UFF and certified in writing to Broward Community College by the UFF Secretary-Treasurer. And I direct BCC to pay over the sum or sums so deducted to the UFF Secretary-Treasurer.

This authorization shall continue until either (1) revoked by me at any time upon thirty (30) days written notice to the college and the UFF, (2) the cessation of employment, or (3) my transfer out of the bargaining unit.

Employee's Signature

Date

Print Name

Campus

Home Address

Building/Room BCC Phone

City/State/Zip Code

Department

Social Security Number

Home Phone

Dues payments to UFF and FEA-NEA are not tax deductible as charitable contributions for Federal Income Tax purposes. However, they may be tax deductible under other provisions of the Internal Revenue Code. Please return this form to Damon Davis, Bldg. 19, Rm. 116A, Central Campus, x-6539. Dues are 1% of your regular salary and may be deducted from each paycheck. If you wish, dues may be paid in one lump sum. †

AFL-CIO Labor Ball

The UFF Broward chapter has continued its 10-year long tradition of participating in the annual Labor Ball sponsored by the Broward AFL-CIO. The Diplomat in Hollywood is the usual site because it is a union hotel and has the capacity for a large group. The Labor Day event is not only an opportunity have some camaraderie and hear good music from a live union dance band, but also to network with Labor and political leaders from both local and state levels. Damon Davis and Jim Lansing represented our chapter, and "worked" the room making new and reinforcing existing political contacts.

Jim Lansing,
Government Relations Chair