

**LOCAL 1796**  
**At**  
**William Paterson University of New Jersey**  
**General and Executive/Local Council Meeting**

**Date:** October 19, 2004  
**Location:** Student Center, Rooms 203-205  
**Time:** 12:30 pm – 1:55 pm

**Present:** Robert Bing, Dee Catarina (Special Education and Counseling), Rodney P. Cauthen, Robert Chesney (Biology), S. H. Chung (Chemistry and Physics), Ted Clancy, Deborah Davis, Wartyna Davis, Linda Gazzillo Diaz, Iris Torres DiMaio, Linda Dye, Donna Fengya (Mathematics), Amy Giovanetti (Exercise and Movement Science), Claudia Goldstein (Art), Eleanor Goldstein, Joyce Heavey, Phoebe Jackson (English), Daphne Joslin (Community Health), Richard Kearney, Christine Kelly (Political Science), Robert Kovaleski, Ileana LaBergere (Women's Studies), Kem Louie (Nursing), Charles Magistro, Judy Matthew (Library), Ed Matthews, Vernon McClean (African, African-American and Caribbean Studies), Alberto Montare (Psychology), Irwin Nack (History), Behnaz Pakizegi, Diana Peck, John Peterman (Philosophy), Janelle Pinkston, Martin Rudnick, Ray Schwartz, Shari Selke, Cindy Simon, Peter Stein (Sociology), Paul Swanson (Economics and Finance), Sue Tardi, Stacy Toriello, Diana Van Boerum, James Wilkerson (Accounting and Law), Chriss Williams (Communication), Sherry Xu, Melda Yildiz (Secondary and Middle School Education), Steve Young, Nick Yovnello

**Items distributed to the Council and General Membership:**

- 1) Minutes of September 21, 2004 General and Executive/Local Council Meeting
- 2) Dues Rate as of September 1, 2004
- 3) Curriculum Transformation Negotiations (College of New Jersey), dated March 29, 2004
- 4) Draft MOA #62 – V 4.17 (College of New Jersey) dated October 12, 2004
- 5) Draft Memorandum of Agreement #62 – Curriculum Transformation at the College of New Jersey, revised October 16, 2004
- 6) Draft MOA #62 – V 4.17 dated October

**1. Call to Order**

The meeting was called to order at approximately 12:45 pm.

**2. Items of Business**

Bing announced that there are two items of business: (a) political endorsements and (b) a discussion of health/pension benefits.

State Council representatives Nick Yovnello, Steve Young, and Deborah Davis were introduced.

**3. Approve Minutes of the September 21, 2004 General Membership and Executive/Local Council Meeting**

A motion to approve the minutes was moved by Matthew, seconded by Catarina. Approved unanimously.

**4. Health and Pension Benefits**

Steve Young conducted the discussion. He began by acknowledging questions submitted to him by Tardi from members of the Local. He indicated that he would answer them in a broad manner at the meeting and provide more detailed replies by email to the Executive Board for subsequent distribution to the membership.

Question #1 – If one leaves the university prior to tenure, will one’s pension benefits be lost?

Answer: Tenure is unrelated to this issue. The question of whether one can retain pension benefits is determined by the applicable vesting rules for benefits . Benefits will not be lost if the required vesting period (13 months) has been met.

Question #2-A: Can pension benefits be taken in a lump sum?

Answer: Yes.

Question #2-B: Is this a good thing to do?

Answer: This decision should be made in consultation with a financial planner, as there are tax implications and other issues that should be considered before making such a move.

Young recommended an AFT publication on preparation for retirement, available from the Union’s web site. He also recommended WPUNJ’s benefits page, which is fairly thorough, as a good information resource. The State of New Jersey also publishes a document on pensions and the Alternate Benefit Plan (ABP), and Young made reference to an ABP Frequently Asked Questions document distributed at the meeting.

Question #3: Can an individual with 25 years of service to the state retain health benefits after retirement under the contract?

Answer: This depends on the specific circumstances of the person’s service. Yovnello noted that pensions and health benefits are generally non-negotiable, even though they are in the contract at the Union’s insistence. Each administration has sought a reduction

in the state health benefits program. He indicated that when McGreevey took office, the state benefits office sought an increase in deductibles and co-payments. The Union took up this fight and managed to reduce the increase to about a third of what the state proposed. Yovnello indicated that the Union remains committed to the preservation of benefits and will fight against attempts to erode them in new contracts or in other state actions.

Young indicated that based on recent news reports he believes that health benefits for retirees is likely to be under attack for some time.

A member asked whether the State can change the benefits for individuals who are already retired. Young acknowledged that this can be done. Yovnello added that the Health Benefits Commission is vested with this power and that only the vigilance of the Union is likely to keep such moves in check. Young suggested that a legislative strategy was most likely to yield good results on this front.

Question #4-A: Does one lose health and pension benefits if one moves out of New Jersey?

Answer: No.

Question #4-B: Can one transfer benefits to another state plan?

Answer: One can transfer from NJ Plus to the Traditional plan in-house, but no new hires can go into the Traditional plan. The Traditional plan has the most options for benefits transfer, but it is going to be phased out. Under the contract, employees with a minimum of 25 years of pension credit service (pp. 126-127 in the contract) have the greatest freedom to make changes in health coverage plans.

Yovnello urged members to support the legislative strategy effort by contributing to COPE in addition to the limited portion of union dues that can be used for this purpose.

In reply to a question from the floor, Yovnello provided a basic outline of the terms of the traditional plan by comparison with NJ Plus and the HMO plans.

There was some discussion of death benefits. Young noted that upon retirement, it is important that members who want to obtain a plan that includes a spousal death benefit must specify this in selecting their policies. Davis emphasized the desirability of carefully reviewing all benefits documents and undertaking proper financial planning, preferably in consultation with an expert advisor to deal with tax implications and other issues.

Question #5: A member who changed employment from Montclair State University to WPUNJ and lost service credits wants to know if these can be recovered.

Answer: It is not possible to provide a specific answer without more details about the

individual circumstances.

Tardi thanked Yovnello, Young, and Davis. Yovnello urged the membership to contact the Local as a first step whenever they have questions about their health/pension benefits. He indicated that it is unwise to rely upon the Human Resources Office for conclusive answers to important questions.

Tardi stated that if members have additional questions these should be submitted to the Local's Executive Board.

#### **5. President's Announcements**

- 1) Tardi announced that a Union observer would be permitted on the ART Committee, thanks to the cooperative efforts of Dr. Sesay and Dr. Jemmott.
- 2) Tardi announced that Barbara Bohny in Nursing has pancreatic cancer and is currently undergoing chemotherapy but has no sick days left to use. Tardi indicated that she would send an email appealing for members to donate sick days to Bonnie and detailing the procedure for doing so (up to 10 days per member can be donated, subject to eligibility).

#### **6. Political Endorsements**

Simon moved a motion to endorse John Kerry for President, seconded by Montare. The motion was approved on the basis of a floor vote, with 39 voting in favor, 6 abstentions, and none opposed.

Montare moved a motion to endorse Rep. William Pascrell in the 8<sup>th</sup> Congressional District election, seconded by Simon.

Discussion: A member commented that Pascrell has not campaigned actively for Kerry. Simon disputed this claim. Tardi and Bing spoke in defense of Pascrell with respect to relations to AFT Local 1796.

The motion was approved on the basis of a floor vote, with 42 voting in favor, 3 abstentions, and none opposed.

#### **7. Items From the Floor**

Christine Kelly distributed the American Democracy Project brochure to the members and spoke briefly about upcoming ADP-endorsed events.

Tardi announced that in recent discussions with the Provost, the Provost acknowledged that there were some inequities with respect to the allocation of resources and release time. Tardi indicated her intention to move forward with the Administration on this topic.

**8. New Business**

A member indicated that the Administration issued a memorandum regarding the review of student evaluations with faculty in connection with the assessment of tenured faculty. Tardi clarified the assessment policy. She noted that no changes in policy had been made.

**9. Adjournment**

Montare moved a motion to adjourn, seconded by Clancy. Approved unanimously.

The meeting adjourned at 1:45 pm.

Respectfully submitted,

Richard Kearney, Recording Secretary

[Edit: November 10, 2004]