

THE FORUM

September 2010

Your UUP Albany Chapter Newsletter

Issue 115



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President's Corner

Here Come Those Changes!

In the May 2010 newsletter, I called it "A Time of Rapid Changes". Now it is September 2010 and those changes are here. Many of you are making major decisions to enter the next phase of your journey and enter into retirement. Others are still unsure of their status, and the threat of looming program cuts sits right above your forehead in ever-changing shades of white to dark gray, depending upon the rumor you heard that day. And yes too, some of you have already learned of a non-renewal for next year.

For those of you entering your retirement phase, I wish you all the best in your future endeavors, and add my personal thanks for all you have done for the University at Albany. A gentle reminder to all of those retiring that you must be a "signed" member of UUP as you enter into retirement status in order to maintain that status in retirement and be eligible for dental and vision plans for retirees. (See your paystub – must say UUP member, not UUP Fee Payer. If it says Fee Payer, contact the Chapter Office at 442-4951 and we will get you a membership card to sign!)

For those of you sitting under the changing cloud cover, I wish I could make you a promise, but I can't. Decisions are still being made by administrators here on campus as well as at the Chancellor's level about what might stay and what might go. In times like this, you have to wonder – do I run away now or take my chances? There are no easy answers and the final decision is yours. But I have always believed in this University, and I know it will continue to be great. It will however, undergo some degree of change. Ah change, the one thing in life we like least.

Changing the face of the University, that is what these times bring to us. Change ... a time of additional unknowns, changes in assignments, changes in who is responsible for what – all with that level of uncertainty that makes us uncomfortable.

As we move through these uncertain times with an abundant number of changes, let us try to **support one another**, to **reach out to our brothers and sisters in need**, and to **not forget those who will either willingly or unwillingly leave the halls of the University at Albany**. Yes, all a form of **solidarity** – which is more important now than ever before.

-Candace A. Merbler

Who's Who in the Albany Chapter?

Chapter Officers

President	Candace A. Merbler	cmerbler@uamail.albany.edu
VP Academics	Ivan D. Steen	oralhis@albany.edu
VP Professionals	J. Philippe Abraham	pabraham@uamail.albany.edu
Secretary	Carol H. Jewell	cjewell@uamail.albany.edu
Treasurer	Alison B. Olin	abs@albany.edu
Part-Time Concerns Rep	jil hanifan	jeh81@cnsunix.albany.edu
Grievance Chair	Greta Petry	gpetry@uamail.albany.edu

Academic Delegates

Name	Department
Ivan D. Steen	History
Jogindar S. Uppal	Economics
Lee Bickmore	Anthropology
jil hanifan	English
Sarah Alice Knapp	Retired Member
Gail Landsman	Retired Member
Larry Wittner	History
James Collins	Anthropology
Michael Knee	University Libraries
Don Cohen	Professor Emeritus
Rodney Patterson	Retired Member
Bret Benjamin	English
William Reese	Philosophy

Professional Delegates

Name	Department
Candace A. Merbler	University Libraries
J. Philippe Abraham	Career Services
Sally D'Alessandro	Conflict Res. & Civic Responsibility
Greta Petry	Media Relations & Comm.
Patrick Romain	EOP
D. Ekow King	Multicultural Student Affairs
Roberto Vives	Athletics & Recreation
Carol H. Jewell	University Libraries
Betty Shadrick	Graduate Studies
Thomas C. Hoey	Telecommunications
Francely Jaquez	Student Services Center
Professional Alternates:	
Jack Gendron	Financial Aid
Nancy Keelen	Sponsored Funds
David G. LaComb	Fac. Acq.
Robert See	Operating Systems
Stephen Kudzin	Financial Aid

EDITORIAL POLICY: The opinions expressed in *The Forum* are those of the writer and the University at Albany Chapter of UUP and do not necessarily reflect the position or policies of United University Professions.

Departmental Representatives

Name	Department	Name	Department
Elaine Amabile	Info Tech Client Svc	David LaComb	Architecture & Eng.
Erik Andersen	Student Fin. Svc.	Garland Lala	Atmospheric Science
Sue Barnes	CETL	Karen LaRocque	VP for Enrollment Mng
Gregory Baron	University Libraries	David Lewis	Geography & Planning
Erin Bell	Epidemiology	Ron McClamrock	Philosophy
Lee Bickmore	Anthropology	Stephen Murphy	Univ. App. Dev.
Janice Bogan	VP for Research	James Pasquill	International Program
Joanne Carson	Art	Patrick Romain	EOP
Michael Cooper	Rockefeller Institute	Charles Schaninger	Marketing
Diana Edelson	CCI Dean's Office	Brenda Seckerson	EAP
Jeff Gerken	Institutional Research	Margi Sheehy	Reading
Jean Guyon	University Libraries	Ivan Steen	History
Charles Hartman	East Asian Studies	Lisa Trubitt	Office of CIO
Helmut Hirsch	Biology	Jogindar Uppal	Economics
Timothy Hoff	Health Policy	Roberto Vives	Athletics & Rec.
Janine Jurkowski	Health Policy	Jennifer Watson	Facilities Mgmt
Pierre Joris	English	Ellen Weatherby	Registrar's Office
Michael Knee	University Libraries	Benjamin Weaver	Prov. & VP Acad. Affairs
		James Wessman	LACS

Are You a Member?

Thomas P. DiNapoli New York State Comptroller		JOHN DOE		Total Gross	Fed Taxable Gross
Advice # 123456789		Pay Start Date 07/13/2009		Current	1234.56
Advice Date 07/12/2009		Pay End Date 07/27/009		YTD	45,678.90
Department ID 1234		Pay Rate 78,910.11		Net Pay 1,234.56	
EARNINGS			TAX DATA		
	Hrs./Days	Earnings	Federal	State	NYC
Regular Pay Salary Employee	3456.78	45,678.90	4	4	
Location Pay	56.78	678.90	2	0	
BEFORE TAX DEDUCTIONS			AFTER TAX DEDUCTIONS		
Regular Before Tax Health	456.78	1,234.56			
Supplemental Ret. Annually Prog.	678.90	5,678.90			
TIAA Retirement Before Tax	56.78	1,234.56			

CHECK PAY STUB TO MAKE SURE

In order to be a member of the union, your paycheck **must** say "UUP Member." If it says "UUP Agency Fee," then you are included in the Professional Services Negotiating Unit, but are *not* a member of the union.

UUP Membership Entitles You To:

- Vote on collective bargaining agreement
- Maintain UUP membership after retirement and be eligible for benefit programs
- Hold union office
- Upon separation of service, obtain Associate Membership with NYSUT and be eligible for benefit programs
- Attend union meetings
- Elect union leaders on your campus and choose your representatives at the state and national levels

Please contact your chapter officers for a membership card.

Officers' Corner

From the Vice President for Academics

Ivan D. Steen
Vice President for Academics

Welcome to the 2010-2011 academic year, a year that promises to be a very difficult one. We all know that the state faces serious budgetary problems, and as usual, SUNY will be taking more than its fair share of funding cuts. On our campus that will result in elimination of programs, non-renewals of contracts, and even the possibility of retrenchment of staff. For everyone, there will be pressure to do more with less. While we all want to be cooperative and do the best job we can to educate our students, we must be mindful that we do not end up with a permanent increase in our workloads. If you are told to do more than you traditionally have been doing, contact me. If you are asked to volunteer to do more, the decision is up to you. However, if you agree to take on additional responsibilities because you want to be a good citizen, be sure to get it in writing that this is a temporary and voluntary act on your part, and is not to be construed to be a part of your normal obligation. You don't want to find yourself being punished for your generosity. If you believe involuntary changes are being made in your terms and conditions of employment, please contact me by email at: oralhis@albany.edu; or by phone at: 442-5372.

One of the reasons for our financial woes, we often are told, is that tuition money is not kept on campus, but instead goes into a state account, and that funds in that account are "swept" by the state to take care of other fiscal obligations. We hear this so often that we accept it as fact. Have any of you tried to check this for accuracy? Well, I have. Yes, tuition and other funds collected by SUNY do go into a state account; but it appears that only SUNY has access to that account, and that the money may be used only for the benefit of SUNY. (This information may be found in the New York State Education Law, Section 355, and in the New York State Finance Law, Section 99e.) Why, then, do we not see substantial increases in operating funds when tuition is raised? That is not because the state "sweeps" that money away; rather, the state makes a commensurate cut in its appropriation to SUNY. Does anyone really believe the scenario would be any different if tuition and fee moneys remained on campus?

Professional Employees & Performance Programs

J. Philippe Abraham
Vice President for Professionals

Your Performance Program determines to a great extent what happens to you as an employee of the University at Albany. As such, it is essential that close attention be paid to it by BOTH supervisor and supervisee. The Performance Program guides you in the everyday discharge of your functions as well as BEING the instrument that your supervisor will use to evaluate you at the end of each year. Your performance program and related evaluation also impact your renewal, if you are on a term appointment, and subsequent permanent appointment, and let's not forget recommendations for a Discretionary Salary Increase (DSI).

While ensuring that a Performance Program is in place for each employee in her/his charge is a supervisor's province, the supervisee can also be helpful in aiding the supervisor in coming up with this collaborative document. How you may ask? By paying close attention to the dates when yours is due, giving your supervisor a "kind reminder," and by providing her/him with a Performance Program draft prepared by you. This step not only helps reiterate the collaborative aspect of putting together a Performance Program, but it also prompts your supervisor to start thinking about drafting the document; in addition, it gives them a beginning from which to build.

UAlbany's leadership team has worked over many years to make a few important items part of the requirements for supervisors to be eligible for DSIs. Management has been a good partner in trying to tackle this issue.

For this round of DSIs, Management gave supervisors a certain deadline to get all of their paperwork in order, including Performance Programs, Evaluations and Term renewals, for

(continued on p. 6)

Use TripMark.travel for all your travel needs!

Next time you're making travel plans, be sure to check out the newest travel discount program endorsed by NYSUT Member Benefits Corporation, TripMark.travel.

When you plan your next vacation, flight or cruise with TripMark.travel, you can enjoy great deals on the most beautiful vacation spots in the world. This program provides NYSUT members and their family and friends with online and offline (toll-free travel agents) leisure travel benefits.

TripMark.travel allows you to effortlessly book flights, hotels, vacation packages, car rentals and cruises online for personal and business travel needs. With a simple interface and advanced encryption technology, your information is safe and secure, giving you peace of mind as you plan your next trip. Your information will never be shared or sold to any third parties.

Offline, toll-free agents are standing by, waiting to assist you if you prefer speaking to an agent. Agents can be reached between 8:30 a.m. and 5:30 p.m., ET. Please note: At this time, travel agents cannot book airline flights. You can either book flights online or call the airline directly.

To help in your planning, TripMark offers destination guides. These guides offer recommendations for top-rated attractions,

TripMark.travel is a NYSUT Member Benefits Corporation (Member Benefits)-endorsed program. Member Benefits has an endorsement arrangement of 25% of net revenue for this program. All such payments to Member Benefits are used solely to defray the costs of administering its various programs and, where appropriate, to enhance them. Member Benefits acts as your advocate; please contact Member Benefits at 800-626-8101 if you experience a problem with any endorsed program.

Agency fee payers to NYSUT are eligible to participate in NYSUT Member Benefits-endorsed programs.

restaurants and hotels, as well as providing general information for thousands of destinations.

Maybe you'd just like to plan a road trip, but you aren't sure where to go. The TripMark.travel site presents you with many options, anywhere from one hour to six hours away from a specified zip code, in any direction you choose.

Planning a family reunion?
Vacationing with friends?
TripMark.travel can help you with group travel.

To get started, visit www.memberbenefits.nysut.org and click on TripMark in the Featured Discounts section on the home page. There, you'll find toll-free numbers for reservations, cruises and group travel, as well as a link to a NYSUT member-specific TripMark website. Or give Member Benefits a call at

800-626-8101.

TripMark.travel provides you with one-stop shopping for all your travel needs:

- Reserve hotels and rentals, flights, cruises, car rentals and vacation packages,
- Browse destinations,
- Plan road trips, and
- Book group travel.



News & Notices

Individual Development Awards Program

This program provides funds for individual awards of as much as \$1,000 to assist the professional development of the University's fulltime and part-time teaching and library faculty and professional employees. **The eligibility status for part-time employees corresponds to the criteria used for the determination of health benefits – i.e., part-time teaching faculty must be the instructor of record for at least two semester-length courses in at least one semester of the 2010-11 academic year; part-time professional staff must meet a minimum annualized salary requirement. To confirm your eligibility status, you may contact the Benefits Office (437-4700).**

In this application cycle, requests may be submitted for reimbursement for activities conducted retroactive to July 2, 2010, through July 1, 2011. **In accordance with statewide guidelines, at least 15% of the allocation will be targeted to eligible part-time employees.**

Eligible members are limited to only one funded activity in response to this solicitation. Activities must fall within the following categories:

- Basic, applied or historical research
- Curriculum or instructional material development
- Workshop, seminar, internship or course work (not covered by Contract Article 46 or SUNY tuition waiver)
- Conference participation or attendance
- Preparation of material for publication
- Grant proposal development
- Artistic or creative endeavors
- Professional reading or independent study
- Other work-related professional development projects or activities

Applications must be received in the Provost's Office (UNH308) by Friday, November 12, 2010. Awards will be announced as soon as possible following the application due date. An original plus five copies of the application form and supporting materials must be submitted; CVs are NOT required. Application forms are available on the web at:

<http://www.nysuup.lmc.state.ny.us/forms/app.html>

or may be obtained by contacting the Provost's Office (956-8030). Questions regarding this program may be directed to Associate Vice President William Hedberg in the Provost's Office:

whedberg@uamail.albany.edu

(Professional Employees & Performance Programs, continued from p. 4)

every supervisee in their charge (per the guidelines which Human Resources sent to all members of the UUP bargaining unit).

We advise supervisors and supervisees who are part of the UAlbany UUP chapter to be vigilant about ensuring that everyone is in compliance with the rules as stated in the contract. Please remember that the leadership of this chapter stands at the ready and is willing to assist you in any way we can. Remember, we are here to help all our sisters and brothers. Don't hesitate to contact us!

APPENDIX A-13 of the Policies of the Board of Trustees outlines the procedural steps regarding evaluation of professional employees as follows:

Section 4 - Evaluation

(a) Each professional employee in the Professional Services Negotiating Unit shall have his performance evaluated by his immediate supervisor formally, in writing, once each year during the term of appointment and as changing conditions warrant, except where the employee is serving his final year in the University following notice of nonrenewal. Such evaluation shall be based on a performance program determined by the immediate supervisor after consultation with the employee, a copy of which shall be given to the employee.

(b) Performance shall be characterized, in summary, as either satisfactory or unsatisfactory. A professional employee whose performance is characterized as "unsatisfactory" in a written report resulting from a formal evaluation may seek review of such report by the appropriate professional staff committee established for such purpose.

Benefits Update

This benefit update addresses some of the upcoming provisions included in the national health care reform, likely to affect members and bargaining in the near future. Further analysis, technical corrections and regulations are still pending.

National health care reform overview- The program builds on the current employment-based health insurance system. It helps more than 32 million people afford coverage by providing financial support based on need, stronger regulation of the insurance industry. It reforms the health care system to eliminate waste and achieve better outcomes for patients.

There are two acts which constitute the health care reform legislation:

1. Patient Protection and Affordable Care Act (PPACA) or "Affordable Care Act"- This is the national health care reform act Public Law No. 111-148 enacted March 23, 2010.

2. Health Care and Education Reconciliation Act of 2010 or "Reconciliation Act" – Public law No. 111-152 signed March 30, 2010, made modifications to PPACA.

UUP represented employees are not likely to see many changes to their present health insurance as a result of national health care reform. Most of their health plans are very comprehensive as a result of collective bargaining and many New York state mandated benefits. The primary issue for UUP represented employees is to keep the coverage affordable for both employers and members. There will be more emphasis on preventive care, the management of chronic conditions and the delivery of cost effective care.

"Grandfathered" health plans- The effective date of certain provisions depends if the health plan is a "grandfathered" plan, defined as a health plan which existed prior to March 23, 2010, the date of enactment of PPACA. The benefit to the plan sponsor is that they do not have to comply with all of the group market reforms.

Some provisions apply to **both** grandfathered and non-grandfathered plans. These include:

Beginning for health plan years on/after September 23, 2010:

- Coverage for adult children to age 26
- No lifetime or annual dollar limits on essential services (restricted annual dollar limits permitted prior to 2014)
- No rescissions except due to fraud
- No pre-existing exclusions for children under age 19
- Adherence to a minimum medical loss ratio (insured plans only)

As of March 2012:

- New standards for summary of benefits and other materials for participant disclosures, using Health and Humans Services definitions

Plan years beginning in 2014:

- No pre-existing conditions for any participant.
- Waiting period for new hires limited to 90 days
- No annual dollar limits on essential benefits

Non-Grandfathered Plans

Health plans can lose grandfathered status if they eliminate a benefit for a condition, increase coinsurance cost sharing, raise fixed amount cost sharing by more than 15% plus medical inflation, increase employee premium share more than 5%, purchase a new health policy and implement certain changes in annual and lifetime limits. Locals should not assume that retaining grandfathered status is desirable and each situation should be evaluated. The federal government predicts that by 2013, 45% of large employer plans will lose grandfathered status.

These provisions apply only to non-grandfathered plans:

Beginning for health plan years on/after September 23, 2010:

- Designated preventive care services with no cost sharing
- Emergency care-same co-pay/coinsurance for in and out-of-network without prior approval
- No referrals necessary for OB-GYN and pediatrician, and can designate as primary care provider
- New standards for internal and external appeals
- Non-discrimination favoring highly compensated employees (already applies to self-insured only)
- Quality reporting

Plan years beginning in 2014:

- Maximum out-of-pocket limits and deductibles (based on IRS health savings account maximums)
- Coverage for routine services provided in connection with clinical trials
- Covered services provided by any health care provider acting within scope of license

Collectively-bargained plans- All collectively bargained plans, both private and public sector, must comply with the same group market reforms applicable to other grandfathered plans with the same effective dates. This includes the expansion of adult child coverage.

A special rule applies only to **insured health plans** pursuant to a collective bargaining agreement ratified before the date of enactment, March 23, 2010. These plans are considered "grandfathered" plans, at least until the date on which the last agreement related to the coverage terminates. The NYSHIP Empire Plan and the NYSHIP HMOs are considered insured plans. Prior to the termination of the collective bargaining agreements, changes can take place which ordinarily would result in the plan losing its grandfathered status. After the date on which the last collectively bargained agreement terminates, the grandfathered status of the insured plan is subject to the same rules which apply to plans which are not collectively bargained. If it has lost its

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(Benefits Update, continued from p. 7)

grandfathered status, then provisions applicable to non-grandfathered plans will become effective immediately.

Self-insured plans are not subject to this special rule and must follow the rules applicable to non-collectively bargained grandfathered health plans.

There are other questions which still need to be addressed such as contract re-openers, which do or do not involve health insurance. If you have specific questions, please let your labor relations specialist know.

Highlights of some provisions which can affect bargaining:

- **Tax-free coverage for adult children to age 26** - Health plans with dependent coverage must cover adult children to age 26 regardless of student status or financial dependency, effective the first plan year on/after September 23, 2010. This does not apply to separate vision and dental plans.
- **Removal of lifetime/annual limits** - No lifetime dollar limits and only limited annual limits on essential benefits, effective the first plan year on/after September 23, 2010.
- **Section 125 flexible spending accounts** - Effective in 2013, an annual limit of \$2,500 is applicable to Section 125 flexible spending accounts. This may be less than the amount currently in a local's contract and may result in tax consequences for members.
- **Preventive services** - Some preventive care services will no longer require cost sharing. This affects non-grandfathered groups, effective the first plan year on/after September 23, 2010.
- **Over-the-counter drugs (OTC)** - Beginning in 2011, OTC drugs are only reimbursed under a flexible spending plan, health reimbursement arrangement or health savings account, if a physician's prescription is obtained.
- **W-2 Reporting** - In 2012, information regarding the cost of health insurance will appear on the employee's W-2. This is informational only.
- **Summary of benefits and coverage** - All insured and self insured plans must provide a standardized summary to plan participants beginning in March 2012.
- **Wellness incentives/penalties** - Effective in 2014, employers may provide financial incentives/penalties for the achievement of a health standards (examples: not smoking, weight control, etc) up to 30% of the cost of the coverage. This was previously capped at 20%.
- **Waiting period for new hires** - Effective in 2014, limits any waiting period for non-grandfathered coverage to 90 days.
- **Pre-existing conditions** - Eliminated for children, beginning for health plans renewing on/after the September 23, 2010, and for adults in 2014.

- **Health Insurance Exchanges** - States are required to set up health insurance exchanges where individuals and small groups (100 or less) can purchase affordable coverage. Exchanges may be expanded to larger groups.

- **Financial penalties for employers with 51+ workers** - Beginning in 2014, fines if coverage provided by employer is unaffordable and low wage workers purchase insurance through the exchange.

- **Excise tax on high cost plans** - A 40% excise tax on health plans, not on individuals, for amounts in excess of \$10,200 single and \$27,500 family beginning in 2018. This includes health plans, health reimbursement arrangements, flexible spending accounts, employer contributions to health savings accounts and supplementary health insurance. It does not include separate vision or dental plans. The NYSHIP Empire Plan is expected to be subject to the excise tax based on current trends.

- **Early Retiree Reinsurance** - Beginning in June 2010, employers can apply for federal reimbursement for 80% of the claims \$15,000-\$90,000 for pre-Medicare retirees over age 55. Employers must use the money to lower health plan costs, but cannot decrease their share of the premium. The health plan must have a chronic and high cost condition management program in effect at the time of application. There is \$5 billion allocated to this temporary program set to expire in 2014. The Department of Civil Services is applying for the reinsurance on behalf of those enrolled in NYSHIP.

- **Federal funding for Medicare Advantage plans** - Federal overpayments to private insurers are frozen in 2011, and reduced thereafter to be tied to original Medicare costs and quality ranking. This can result in large increases in premiums for Medicare Advantage products or reductions in benefits. Many of the NYSHIP HMO plans offer Medicare Advantage plans to state retirees if Medicare is their primary coverage.

- **Medicare Part D prescription drug** - Income related surcharges will be imposed on Part D premiums for high income retirees (\$85,000 single/\$170,000 couples) beginning in 2011.

In 2011, Medicare Part D beneficiaries who reach the "donut hole" in which participants pay 100% of the cost their prescription drugs will receive a \$250 one time payment. The donut hole will be phased out by 2020. This does not affect NYSHIP Empire Plan participants. It can affect participants in a NYSHIP Medicare Advantage HMO who have a Part D prescription plan with a "donut hole".

If you have any questions, please contact your UUP Labor Relations Specialist.

DOL Chart. Application of the New Health Reform Provisions of Part A of Title XXVII of the PHS Act to Grandfathered Plans at: <http://www.dol.gov>

"Regulations on Grandfathering under the Affordable Act" June 2010 Bulletin, the Segal Company at www.segalco.com

Chapter Activism

Events on September 29th and October 7th in Opposing Privatizing Public Education

Jim Collins

The Albany Chapter of United University Professions (UUP), working with other unions, student organizations, community groups and academic departments will host three events opposing cutbacks in public education. There will be workshops discussing local, national and international trends in the struggle for accessible public education, k-12 and postsecondary; workshops drawing connections between the nation's war budget and decline in support for public education and public services; and there will be a public rally against all efforts to privatize public education, calling for full support for accessible education.

Events:

Wednesday, September 29th in the Standish Room (Science Library) at the University at Albany

- **Workshop on Funding for Public Education Locally, Nationally & Internationally**
Standish Room, 5:00-6:30
Speakers will include UA faculty and students and representative from area teachers' unions
- **Workshop on the Costs of War and the Struggle for Public Services**
Standish Room, 7:30-9:00
Speakers will include members of Bethlehem Neighbors for Peace and Vietnam Veterans for Peace as well as a representative from the National Priorities Project, a research and policy foundation that studies the domestic costs of US military spending

Thursday, October 7th

- **A Rally as part of the National Day of Action Against the Privatization of Public Education.**
12-2, tentative location: front of the Campus Center at the University at Albany.
Activities will include speakers from student groups, unions, and community organizations. Sponsored by the Albany Chapter of UUP)

Albany Newspaper Guild update on Times Union Employees Removed from their Jobs

The Times Union broke the law when it removed workers from their jobs when the newspaper was supposed to be negotiating layoff criteria – and broke the law again when declaring impasse in those negotiations, a judge has now ruled.

Administrative Law Judge Mark Carissimi ordered the newspaper to return the 11 affected employees to their jobs or similar jobs and to make them financially whole for lost wages and benefits. The Times Union also was ordered to return to the bargaining table with the Newspaper Guild of Albany/CWA.

The decision is important not only for those laid off last year. It also means no other employees can be subject to similar treatment in the future, and it sets a precedent that bars other private-sector employers from similarly walking people out during layoff negotiations.

The judge rejected the Times Union's argument the Guild was unwilling to negotiate over layoff criteria. In fact, the judge says, the union made a proposal the day before impasse was declared the company described as "movement" on the union's part.

After only two days of bargaining over layoff criteria, the Times Union removed employees from their jobs last July. The newspaper's own story called the action layoffs.

For the full story (and latest updates on this situation) see

<http://albanyguild.wordpress.com/2010/08/23/judge-rules-the-times-union-broke-the-law/>



Making Strides Against Breast Cancer Annual Walk

Albany Chapter UUP Team

For several years now, I have committed to be Team Captain for the Albany Chapter UUP Team in support of "Making Strides Against Breast Cancer". This cause is very near and dear to me as I am walking for my mother, my son-in-law's mother, a dear friend of mine, as well as all those who have family or friends affected by this cancer. The first time I walked as a team member, I was overwhelmed with the spirit and support of all those who participated in this event. Most everyone wears pink in recognition of this cause--men, women, children and yes, even pet dogs! To hear the stories of those who are in this fight and of survivors, are very touching and inspiring.

The UUP Albany Chapter has again formed a team to honor and celebrate breast cancer survivors, educate women about early detection and prevention, and raise money to fund lifesaving research and support programs to help fight breast cancer. It is a good way to get out there, get some fresh air and exercise and show our support in this worthwhile cause. Please consider either joining the Albany Chapter UUP team in walking and/or support.

Date: Sunday, October 17, 2010
Time: Registration starts at 10 AM, the walk at 12 noon
Location: Washington Park Parade Grounds
Team Captain: Nancy Keelen – loki1205@gmail.com

For more information about the event, to join the walk and/or to make a donation online, consult the UUP Albany Chapter team Web site:

http://main.acsevents.org/site/TR/MakingStridesAgainstBreastCancer/MSABCFY11Eastern?team_id=765049&pg=team&fr_id=27985

Thank you,

Nancy Keelen
 Albany Chapter UUP Team Captain

866-320-4760 (TTY/TTD: 866-228-2809)

www.nysbalance.ny.gov • Username: nys • Password: balance



NYS-Balance, a free resource and referral service, will help you and your family with work, family, daily life, finances, health, and well-being. The NYS-Balance Program is accessible by phone or web 24 hours a day, seven days a week. The service is always confidential and is available at no cost to you or your family. NYS-Balance makes life less complicated.

Additional resources are available through your NYS Employee Assistance Program (EAP).
 For more information about EAP and other Work-Life Services benefits, please visit www.worklife.ny.gov.

Enroll in the Dependent Care Advantage Account and Keep More \$\$\$ in Your Pocket

Do you pay for child care, elder care, or a disabled dependent care in order to go to work? If the answer is yes, then enrolling in the Dependent Care Advantage Account (DCAAccount) may be an excellent money-saving opportunity for you and your family. You keep more money in your pocket because:

- the State contributes money that you can use for eligible expenses
- the money you set aside in your DCAAccount reduces your taxable income

Your household may contribute up to \$5,000 per year (including any employer contribution that you may be eligible for) TAX-FREE to pay for dependent care expenses, including child care and adult daycare, before or after-school programs, family daycare, home aides, nursery school, and summer day camp.

2011 Open Enrollment

The enrollment period for the 2011 calendar year begins on September 20 and ends on Monday, November 15, 2010. Enrollment is paperless and the application process is quick, easy, and secure. You can enroll by Internet or telephone.

Internet Enrollment: Log on to <http://www.flexspend.ny.gov> for the online application. You will also find program information, including a useful tax calculator. The tax calculator shows you how much money the DCAAccount will save you on your dependent care expenses.

Telephone Enrollment: If you don't have Internet access or prefer speaking with a customer service representative, call 1-800-358-7202, and select option 1. The customer service representative will answer your questions and complete the application for you.

Employer Contribution

The employer contribution for the 2011 plan year provides **up to \$800** for UUP-represented employees who enroll. Employees may enroll for just the employer contribution—no match is required. If both spouses are state employees in an eligible bargaining unit, both may enroll for the employer contribution. The 2011 employer contribution rates are:

<i>If your full-time salary is...</i>	<i>The employer contribution is...</i>
Over \$70,000	\$300
\$60,001-\$70,000	\$400
\$50,001-\$60,000	\$500
\$40,001-\$50,000	\$600
\$30,001-\$40,000	\$700
Up to \$30,000	\$800

Open Enrollment Deadline

The 2011 open enrollment period ends at midnight on Monday, November 15, 2010. No applications are accepted after this deadline.

Be Informed and Don't Lose Out!

Learn more about this important benefit and don't miss out on the once-per year open enrollment opportunity to save money on dependent care expenses!

If you have questions about the DCAAccount or would like more information about the program, visit <http://www.flexspend.ny.gov> or call 1-800-358-7202, option 2.

Chapter Website a Winner!

UUP Albany Chapter
University at Albany-SUNY
LCSB 51
1400 Washington Ave.
Albany, NY 12206

Office Phone:
(518) 442-4951

Fax:
(518) 442-3957

E-mail:
uupalb@albany.edu
or
albany@uupmail.org

Chapter Website:
<http://www.albany.edu/uup/>

Statewide Website:
<http://www.uupinfo.org/>



UUP President Phil Smith presents Albany Chapter Webmaster Michael Knee and Albany Chapter President Candace A. Merbler with the award for General Excellence earned by the Albany Chapter website in the 2009-2010 UUP Journalism Competition.

Congratulations to Michael on a job well done!



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As a partner with United University Professions, **HP** is proud to extend eligibility and access to the **HP Academy Store** to all UUP members. The HP Academy Store provides members with a significant education discount on HP's consumer computing and printing products.

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