

Phone: 814-227-2420

[www.apscuf.org](http://www.apscuf.org)

January 2018

**Executive Committee:** President – Ray Feroz; Vice President – Joyce Overly; Secretary – Christopher McCarrick; Treasurer – Linda Lillard; Delegates – Ray Feroz, Barry Sweet; Jonathan Touster, Annette Rosati, Lorie Taylor; Alternate Delegates – Ellen Foster, Jennifer May, Cristin Ketley, Karl Sprenger, Jacqueline Knaust; Coaches President – Sean Esterhuizen; Coaches Vice President – Al Modrzejewski; Coaches' Grievance Chair – Eric Laughlin; Venango Campus – Renee Bloom; CAP – Joseph Croskey; DRC – Amy Love-Conner/Mary Buchanan; Grievance – Mary Buchanan/Mark Kilwein; Health & Welfare – Marilyn Howe; Legislative – Jonathan Touster; Membership – Paul Klenowski; Negotiations – Ray Feroz; Nominations & Elections – YooJin Ha; Social Justice – Amy Conner-Love; Public Affairs/Relations – Christopher McCarrick; Student Liaison – Naomi Bell O'Neil; Rules & Bylaws – Carey Childers; Mobilization Co-Chairs – Lorie Taylor & Jacqueline Knaust; State Temporary Faculty Committee – Michael Hissam; State APSCUF Executive Council – Joyce Overly

## The President's Message...

Dear Colleagues,

Welcome back! Hope you had an enjoyable holiday break!

I have asked past chapter presidents (Emeritus!) to provide a column for each upcoming spring newsletter. The first one, from Jamie Phillips, is inside. He gives us all practical information on the topic of grievances. Thanks Jamie!

Thanks to everyone who responded to the chapter survey. We'll compile the results and use them to inform our spring semester planning (and beyond!).

Starting with this Newsletter, we will be sending you both hard copies and electronic copies. Over communication is a good thing.

Have a great semester!

In solidarity,  
Ray



### **WELCOME BACK RETURNING APSCUF MEMBERS!!**

**Michael Coulter – Social Sciences**

**Angelica Perez-Johnston – Human Services, Rehab, Health & Sport Sciences**

**Virginia Seybold – Nursing**



### **CONGRATULATIONS & BEST WISHES TO OUR RECENT RETIREE!!**

**Linda Cheresnowski – Libraries**



## **SPRING 2018 MEETINGS** (Please mark your calendars!)

### **EXECUTIVE COMMITTEE (EC)**

**(Rhea Conf. Room @ 3:30 pm)**

Tuesday, January 30  
Tuesday, February 13  
Tuesday, February 27  
Tuesday, March 20  
Tuesday, April 3  
Tuesday, April 17 (Spring Elections)  
Tuesday, May 1

### **DEPARTMENTAL REP COUNCIL**

**(Rhea Conf. Room @ 3:30 PM)**

Tuesday, February 6  
Tuesday, March 6  
Tuesday, April 10

### **SPRING 2018 MEET & DISCUSS**

Friday, February 2 – Pre-Meet & Discuss  
Friday, February 16 – Meet & Discuss  
Friday, March 9 – Pre-Meet & Discuss  
Friday, March 23 – Meet & Discuss  
Friday, April 6 – Pre-Meet & Discuss  
Friday, April 20 – Meet & Discuss

### **GENERAL MEMBERSHIP MEETING/ SPRING ELECTION'S "MEET THE CANDIDATES FORUM"**

Tuesday, March 27 – 250/252 Gemmell

### **LEGISLATIVE ASSEMBLIES**

February 8-10, 2018 (Wyndham, Gettysburg)  
April 12-14, 2018 (Toftrees, State College)



**GENERAL APSCUF & BARGAINING UNIT MEETING** is scheduled for Tuesday, March 27, 2018, @ 3:30 pm in 250/252 Gemmell Student Center. This meeting will also include "Meet the Candidates" Forum for the 2018 Spring Elections. Please "pencil in" this meeting in your meeting calendar.

**NOTE:**  The General Spring Elections will be held on Tuesday, April 17th.

## **SPRING 2018 SUPPLEMENTAL PAYMENTS SCHEDULE**

(See inserted memo)

Overload and Related Payments – March 16, 2018

Distance Education Payments – April 13, 2018



**FACULTY AND COACHES ORIENTATION INTERNSHIP PROGRAM** - Applications are now being accepted from interested APSCUF members. The orientation internship is intended for APSCUF members who have some local APSCUF responsibility and are interested in expanding a working knowledge of the union. It provides opportunities to observe the entire spectrum of union administration and interact with the staff who serves in various capacities. The

program is designed to provide an impetus for APSCUF members to prepare for increased local and/or state responsibilities. Internships shall be for a one-week period during the summer months. Please find the application with details inserted in this newsletter.

<http://www.apscuf.org/wp-content/uploads/2016/12/facultyinternship2016newform.pdf>



**TAX DEDUCTION CHANGES for 2017:** TAX SEASON IS HERE! IF YOU ITEMIZE, PLEASE NOTE THE FOLLOWING 2016 FEDERAL TAX DEDUCTION FOR UNION DUES OR FAIR SHARE PAYMENTS: NINETY-ONE (91%) PERCENT OF UNION DUES ARE DEDUCTIBLE WHEN FILING YOUR FEDERAL INCOME TAX RETURN. NON-MEMBER FAIR SHARE PAYMENTS EQUATE TO NINETY-ONE (91%) PERCENT OF UNION DUES AND ALL OF THESE PAYMENTS ARE DEDUCTIBLE. (See memo inserted in this newsletter.)

**APSCUF's "MEMBERS ONLY" SITE:** Are you registered for the MEMBERS ONLY site? To get yourself registered, go to [www.apscuf.org](http://www.apscuf.org). Here is the direct link to the registration page: <http://www.apscuf.org/membersonly/membership-registration/>. There you will find all the information on APSCUF's Special Services such as discounts on magazines, rental vehicles, amusement parks, Verizon Wireless, etc. etc.





## ***IN THE SPOTLIGHT***

with

Past Chapter President Jamie Phillips



### ***Article 5: To Grieve or Not to Grieve***

The single most important feature of our contract is the right of faculty to file grievances. Without this right it would become extraordinarily difficult for the union to ensure that any aspect of the CBA is followed or that any rights afforded to faculty in the CBA are protected. Thus, the right to grieve is of paramount importance.

#### **What is a Grievance?**

A grievance, by definition, is an “allegation that an act by a manager or someone authorized to act by a manager constitutes a violation, misinterpretation, or improper application of a specific article(s) and/or a section(s) of an article of the Collective Bargaining Agreement and a statement of the remedy being requested.” A written grievance, then, is constituted by two features: (1) a statement of the alleged contract infraction and (2) a statement of what the grievant wants done as a consequence of this infraction—the remedy. In point of fact, grievances are not expected to be heavily detailed or argued. They should simply be brief, but accurate, statements of fact. Faculty are allowed to write and submit grievances on their own, but I would encourage any faculty member who has not written a grievance to ask for help from our local Grievance Committee.

#### **Timeliness**

Critically, faculty must submit their grievance in a timely fashion. Failure to do so will void any chance of the grievance being addressed. Article

5: Section C states “written grievance(s) shall be submitted to the President or his/her designee within forty (40) calendar days of the occurrence giving rise to the grievance or within forty (40) calendar days of the date on which the grievant or grievants learned of such occurrence.” The only exception to this is when the “grievable act” occurs during the summer between May 1<sup>st</sup> and September 1<sup>st</sup>. The chief moral to draw from this is the following: if you suspect that your rights under the CBA have been violated, you should probably just go ahead and file a grievance to avoid time expiring.

#### **Resolution**

The resolution of any grievance can be swift or slow and is often determined by how willing the Administration is to accept that a contract violation has occurred and by how willing the Administration and the faculty member are to fight the grievance through to arbitration. Some grievances are resolved almost immediately and some can take years to reach a final conclusion. But this latter fact should not be given too much emphasis. My position is that no member of the faculty should stand for their rights being violated. What is more, faculty who are willing to stand up for their rights will not be alone. They will have the Union standing with them.

Jamie Phillips  
President Emeritus (that is a made-up title),  
Clarion APSCUF



## **Reminders**

- **CLARION APSCUF 2018 FALL SCHOLARSHIPS:** Applications are now available for the *Clarion APSCUF Fall 2018 Scholarships* (\$500 each) to be awarded to six (6) currently enrolled Clarion University students. Instructions and applications can be downloaded from the web at: [www.apscuf.org/universities/clarion](http://www.apscuf.org/universities/clarion). Deadline for application is **Friday, March 23, 2018 by noon**. We are asking once again for you to please announce this scholarship to your students in your classes along with posting this link in each of your D2L course-sites. In advance, the Scholarship Committee wants to thank you for your assistance.

- **2018 STATE APSCUF ANNUAL SCHOLARSHIP: For Family Members of APSCUF/APSCURF Members Only:** State APSCUF is now accepting applications for their annual scholarship program. The scholarship award of \$3,000 will only be presented to one (1) eligible applicant in his/her higher education career in August 2018. An eligible applicant must be a “family member” of an APSCUF/APSCURF member in good standing or an APSCUF staff member and must be enrolled at one of the fourteen (14) state-owned universities. Deadline is **March 2, 2018**. For more information on eligibility and to download the complete application, go to <http://www.apscuf.org/wp-content/uploads/2017/05/APSCUFStateScholarshipProgram2018.pdf>.
- **HEALTHY U** participation deadline is **May 31, 2018**. Please **DO NOT** wait till the last minute! And when completed, be sure to print out your “HOORAY” page showing your name and date completed!! **TEMPORARY FACULTY: Please note that if you are a temporary faculty member enrolled with Highmark for major medical, you should participate in this program for it affects your premium contributions too for the upcoming 2018-19 AY.**
- **REMINDER TO NEW FALL 2017 PART-TIME TEMPORARY FACULTY:** If you were a new part-time temporary faculty member for the fall 2017 semester and have returned for the spring 2018 semester, please contact Jan Walters in the APSCUF office for a *PA Faculty Health & Welfare Fund* enrollment card and instructions. YES, you do have some partial vision and dental coverage. This is no cost to you! For detailed coverage for part-time temporary faculty, go to <http://www.pafac.com/ptbenefits.htm>.

## APRIL 2018 ELECTIONS

NOTE: Normally included in the January newsletter are the 2018 Spring Election information and qualifications on positions available for APSCUF Offices, Contractual Committees, and Coaches Positions. Instead, this information will be included with the Nominating Petitions packet that will be sent out through campus mail or via US Postal service to off-campus faculty on February 1st. All Nominating Petitions must be returned by **NOON, WEDNESDAY, FEBRUARY 28** to YooJin Ha, N & E Chair, c/o APSCUF Office, Rhea Building. Additional nominating petition forms may be obtained from the APSCUF office.



### SPRING 2018 ELECTION CALENDAR

- **Thursday, February 1:** Nominating petitions along with information and qualifications for vacant positions will be sent to faculty and coaches and will be also available in the APSCUF office
- **Wednesday, February 28:** Nominating petitions due by Noon to YooJin Ha, Chair, Nominations and Elections Committee, c/o APSCUF Office, Rhea Building
- **Monday, March 5:** Candidate Statements due from candidates to be published in the Clarion APSCUF March Newsletter (e-mail to [jwalters@clarion.edu](mailto:jwalters@clarion.edu) )
- **Tuesday, March 6:** Slate of candidates and statements distributed with Clarion APSCUF March newsletter
- **Tuesday, March 27:** “Meet the Candidates” Forum @ 3:30 pm in 250/252 Gemmell Student Center - Candidates introduced; comments and questions
- **Tuesday, April 3:** Distribution of ballots by interdepartmental mail/US Postal Service/E-mail
- **Monday, April 16:** Absentee Ballots are due by Noon in the APSCUF Office, Rhea Building
- **Tuesday, April 17:** Elections: 9 am till 4 pm - Clarion Campus, Carlson Library and Suhr Library, Venango Campus - Announcement of Winners

January 24, 2018

Dear APSCUF Local Chapter Offices:

Attached for your review are the instructions from the Chancellor's Office to the University Human Resource Directors regarding authorization for the **2018 Spring Overload/Related Payments and Distance Education payments**.

Please make your faculty aware of the attached/following dates and deadlines:

### **OVERLOAD AND RELATED PAYMENTS**

According to the attached instructions, overload and related payments must be submitted locally between now and by no later than February 23, 2018.

Overload and related payments will be included in the **March 16, 2018** paychecks.

If a faculty member has not received an overload payment in his or her March 16, 2018 paycheck, there are three likely possibilities: either (1) the faculty member has not yet earned credit overload (see explanation below); or (2) the paperwork to authorize the payment was not sent to your Payroll Office; or (3) your Payroll Office has questions about the paperwork.

In any case, please keep in mind that the affected faculty member will have forty (40) days from March 16, 2018 to file a grievance if he or she has not received an overload payment or disputes the amount paid. This means that such grievances must be filed at Step Two of the Grievance Procedure by no later than April 25, 2018 in order to be timely.

Please remember that most faculty members who teach 15 credits in the fall do not earn overload credit in the fall even if they are scheduled to teach 12 credits this spring, as their workload could be modified to 9 credits in the spring, making them ineligible for overload compensation. If the faculty member actually does teach 12 credits this spring, he or she will have then earned the credit overload this spring.

### **DISTANCE EDUCATION PAYMENTS**

According to the attached instructions, distance education payments must be submitted locally between now and by no later than March 23, 2018.

Distance Education payments will be included in the **April 13, 2018** paychecks.

If a faculty member has not received a distance education payment in his or her April 13, 2018 paycheck, either the paperwork to authorize the payment was not sent to your Payroll Office or your Payroll Office has questions about the paperwork. In any case, the affected faculty member will have forty (40) days from April 13, 2018 to file a grievance if he or she has not received a distance education payment or disputes the amount paid. This means that such grievances must be filed at Step Two of the Grievance Procedure by no later than September 30, 2018 (summer extension) in order to be considered timely.

I recommend that you contact the administrators on your campus who are responsible for entering this information to make sure that the input of both forms of compensation are done in a timely manner.

If you have any questions regarding this matter, please do not hesitate to contact or mail me. Have a great semester.

Sincerely,  
Mary Rita DuVall, MILR  
Head of Labor Relations  
State APSCUF



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BLOOMSBURG	CALIFORNIA	CHEYNEY	CLARION	EAST STROUDSBURG
EDINBORO	INDIANA	KUTZTOWN	LOCK HAVEN	MANSFIELD
MILLERSVILLE	SHIPPENSBURG	SLIPPERY ROCK	WEST CHESTER	

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December 14, 2017

Dear Colleague:

This letter is important to you only if you deduct union dues or fair share payments as an ordinary and necessary business expense on your **Federal** Income Tax Return. It does not address the State Income Tax Return because each state is different. If you do not deduct union dues or fair share payments, you do not need to read any further. If you do deduct union dues or fair share payments, the following is very important.

Since January 1, 1994, an amendment to the Internal Revenue Code prohibits the deduction of that portion of your union dues or fair share payments which is used for lobbying purposes. Mack Gerberich and Associates has advised us that for 2017 the non-deductible percentage of union dues which was used for lobbying was nine (9%) percent. Therefore, ninety-one (91%) percent of union dues are deductible. Non-member fair share payments equate to ninety-one (91%) percent of union dues and all of these payments are deductible.

If you use a professional tax preparer, please remember to provide this information.

Sincerely,

Kenneth M. Mash, Ph.D.  
President

KMM:amm



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### **FACULTY AND COACHES ORIENTATION INTERNSHIP PROGRAM**

The orientation internship is intended for APSCUF members who have some local APSCUF responsibility and are interested in expanding a working knowledge of the union. It provides opportunities to observe the entire spectrum of union administration and interact with staff who serve in various capacities. The program is designed to provide an impetus for APSCUF members to prepare for increased local and/or state responsibilities. Internships shall be for a one-week period.

Applications for an APSCUF internship should be sent to the State APSCUF President. The APSCUF President will review applications for the internships and award them to applicants on the basis of the staff's capacity to accommodate an intern at the requested time. All applications should be submitted at least six weeks prior to the date the internship could begin.

The charge for the hotel room and meals at the hotel will be paid directly by APSCUF. An expense voucher will be used for other expenses and travel within the limits of the APSCUF per diem and travel policy up to \$500.00 per week.

Complete the application form in duplicate, sending the original along with application materials to the address shown on the front on this form. Maintain the duplicate for your files.

Approved by Legislative Assembly 9/81  
Amended by Executive Council 1/04

**APPLICATION FORM**  
**APSCUF FACULTY AND COACHES ORIENTATION INTERNSHIP PROGRAM**

NAME: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_ HOME TELEPHONE: \_\_\_\_\_

UNIVERSITY: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

UNIVERSITY ADDRESS: \_\_\_\_\_ UNIVERSITY TELEPHONE: \_\_\_\_\_

UNIVERSITY EMAIL: \_\_\_\_\_

APSCUF role(s) and responsibilities at local level: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Dates desired for one week orientation internship:

1st choice \_\_\_\_\_ 2nd choice \_\_\_\_\_ 3rd choice \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please attach to your application a recent resume and letters from two APSCUF members recommending you for the internship. Also please attach to your application a proposal for any activities you would especially like to engage in while in the APSCUF Office. Staff scheduling will be considered in selecting dates.

RETURN TO: Kenneth M. Mash, President  
319 North Front Street  
Harrisburg, PA 17101

Date received at State APSCUF Office: \_\_\_\_\_