

VANGUARD

Official Newsletter of the Adjunct Faculty Association at Nassau Community College

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Recently, I received an email from an adjunct who prefers to remain anonymous. The questions posed in this email are reflective of questions that I have received from a number of adjuncts over the past few weeks. My reply was as follows:

Good morning,

I appreciate your kind words about how we, your leadership team, AFA Officers and Executive Board, along with the Department Representatives who comprise our Representative Assembly, have brought our union to where it is today.

Believing that the Janus case would not go our way, we took steps to blunt its effect on our ability to serve and protect you and our membership. As the result of our campaign to convert agency fee payers to reaffirmed members and to reaffirm those who were members, our membership has swelled to 1,627 people. Considering that when we took office two and one half years ago we numbered 796, this is a monumental accomplishment. Chief Information Officer Richard Erben led this effort and our Department Representatives worked tirelessly to make this happen.

You ask: *“As long as those who “free ride” can share in the hard-fought, fairly-won contractual guarantees and benefits, what is their incentive to support a union?”*

Based on provisions found within the Janus Supreme Court decision, current labor law and a law recently passed by the NYS legislature and signed by Governor Cuomo, free riders - those who choose not to join the union - will not be able to avail themselves of many of the services now provided for free to members. For example, non-member free riders (NMFR) lose their right to be represented by the union when they are charged with insubordination, sexual harassment, or violation of a student’s civil rights. Moreover, and most importantly, we have no obligation to provide legal representation to NMFR if they are fired without cause. Further, the union has no obligation to provide other kinds of legal representation to NMFR. Based on what we believe to be true at this time, the adjunct will now have to pay these costs themselves. At our last Step 3 grievance just two months ago, a fired adjunct was reinstated. Because we were able to research and present the facts along with the proof needed to substantiate those facts, the college’s eyes were opened and they agreed that reinstatement was the right thing to do. This process cost the AFA well over \$10,000. If a settlement was not reached and the process went on to the arbitrator’s ruling, the cost could have gone well beyond \$20,000.

You ask: *“Who will accompany a non-member free rider to hearings when they are charged with violating a student’s civil rights, or improperly assigning a grade, or of mistreatment of a student in or outside of the classroom, or sexual harassment?”*

Not us. Moreover, **another major benefit of union membership** is our ability to make things right for members before charges are filed. The goodwill we have generated across campus has enabled us to work out fair solutions with the college and our members before charges are filed. We are not obligated to do this for NMFR.

You ask this great question and provide a possible answer:
“As long as those who “free ride” can share in the hard-fought, fairly-won contractual guarantees and benefits, what is the incentive to support a union?”

The incentive to support the union is that paying your fair share is the right thing to do. It is right to pay your own way. When adjuncts decide to accept the union’s benefits and protections without paying their share to support those activities, it quickly becomes a situation whereby maintaining those benefits and protections becomes very difficult. If we were to lose seniority we would face the plight of adjuncts across the country who are routinely released for no cause other than earning more than newer adjuncts would. Free riders who expect others to pay their way when they are capable of doing so invite the disdain of those they expect to pay their way. Yes, they are entitled to the protections and benefits that the contract affords, however, as I previously stated, it is my belief after reading the Supreme Court’s Decision, current labor law and a law recently passed by the NYS legislature and signed by Governor Cuomo, **that they are not entitled to the services the AFA provides to enforce those provisions. They must go on their own without the collective clout, and resources that have stood our members in good stead over the past 40+ years of our existence.**

In closing, one might believe that they will never be brought up on charges, or face a contractual violation. However, if that day should come it can be a frightening experience. For the past 40+ years, the AFA was there to stand by the side of our members. Countless individuals who came up against such circumstances had the peace of mind to know that their union was there for them from the first hearing to as far along the process that we had to go. Moreover, they found comfort in knowing that we have one of the best labor attorneys in our country to fight for them.

Stefan Kromprier
President
Adjunct Faculty Association

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