

The **UCE Rebel**

Shedding Light on the Union at F.I.T.

For the latest in the struggle for fair representation for all members of the UCE of FIT, visit us at:
http://www3.fitnyc.edu/raymond_noonan/; select PERB Cases or UCE Rebel.

Letter to the Executive Committee and Other Updates

Raymond J. Noonan, Ph.D.

In the second issue of *Union Rebel*, we published the letter I wrote to the Executive Committee regarding four high-priority issues that I believed needed their immediate attention. I noted that I had delivered copies of the original letter for every EC member to the Union office. When I asked to attend the Executive Committee meeting on April 12, I was invited to do so by President-Elect Juliette Romano (it seems UCE members may not attend unless specifically invited). I intended to follow up the letter at the meeting. While there, I found out from several Committee members that they had not received the letter. When I later checked at the Union office to see if the letters had been distributed, I was told that Executive Committee members do not have mailboxes in the Union office, that I should have sent them directly to their individual offices. I asked for a contact list, and found out that no such thing existed, that it was up to me to look them up myself and mail them. Noting that they don't make it easy for members to contact their elected officials, I

asked why I hadn't been told this when I dropped them off. So, as a public service to the UCE membership, the *UCE Rebel* plans to offer you the contact information of your UCE Executive Committee next year if they don't do it.

Members might be interested in what happened at the Executive Committee meeting I attended as well. First, there was no agenda, which is not a good sign. Some useful announcements were made, including the passing out of the Election Report to EC members, which had to be returned when done; it could not be made public. Then, they went into private executive session.

As we try to make the Union leadership more responsive to the needs of *all* members of the UCE, it is important for as many members as possible to try to attend our General Membership Meetings. If we are unhappy with the directions the UCE has taken in the past and want to help change it, we need to come to the meetings.

Raymond J. Noonan, Ph.D., is an assistant professor and former chairperson of the Health and Physical Education Department.

Room for Improvement Noted in Election Process

Raymond J. Noonan, Ph.D.

On Friday, April 1, I took the opportunity to observe the counting of votes by the UCE Nominations and Elections Committee at 1 p.m. in A802. It was a fascinating process to watch, this being the first time I availed myself of the opportunity to do so as a result of my new role as an activist in the renewed FIT union reform movement. All in all, I salute these dedicated workers who conscientiously volunteered their time to do this important job for the Union. Although I have heard allegations from members that vote-tampering may have occurred in years past, I do not believe it could happen at this stage without some extraordinary collusion, which, given the membership of the Committee, I would consider to be extremely unlikely.

The process was simple, if tedious: Names were called out from the outer envelope and checked against the master membership list for verification; the envelopes were opened and the

contents were placed in another pile; then when the voter verifications were completed, the actual vote counting began. Small groups were formed to work on staff and faculty votes separately. Finally, the votes were recounted to assure that the same results were achieved.

The observation process was simple as well. I sat and watched the voter-verification process, then walked around observing the small groups as they counted the votes. It was all open and transparent as it seemed to me it should be. Only toward the end of the counting did one officer say she felt uncomfortable with my seeing the vote tallies of other candidates, likening it to my sitting in the voting booth seeing something I shouldn't see. I countered that that was not the case, but more like my watching the opening of the voting machines when the votes were being tallied. The anonymity of no voter was compro-

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About the UCE Rebel

UCE Rebel is the voice of fair representation at FIT. It was created to foster a greater awareness of the Union at FIT, to bring to light abuses against members using the power of the Union, and to find effective solutions to the problems facing us all. We seek your support to make the Union at FIT what it was meant to be—a union for *all* members of the UCE.

The name of our publication draws inspiration from the *Woman Rebel*, the newsletter created by Margaret Sanger in the early women's and birth control movements to help empower women and couples to determine their own futures. It is our hope that we can empower our members to work together for the benefit of all members, not just those with their own personal special interests that benefit only themselves and their friends. In short, we hope to foster an atmosphere of unity, fairness, and reform of the leadership that too often seems to foster divisiveness and cronyism.

Contact us if you have a story to tell or would like to contribute to the *UCE Rebel*.

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Room for Improvement Noted in Election Process

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mised and I saw no reason that the vote totals should be secret. I was allowed to see my own total (37), with which I was pleased, but everyone else's was secret [see sidebar, "Embarrassed by Full Election Results Disclosure?"].

Recommendations: I do not believe the voting process is at risk at the counting stage. There are just too many people who want the process to be done right, fairly and honestly. However, the official vote counts should be released at the conclusion of this meeting to prevent the doctoring of results later on in the process. If we don't know what the vote count was at the conclusion of the official counting, we won't know if the published results match. This is another example of the kind of secrecy about Union activities that harms our membership and discredits unionism instead of empowering and protecting us. We saw it with the "gag order" clause requested by the Union in the Stipulation of Settlement in the improper labor practice I filed with PERB (see *Union Rebel*, no. 2, March 2005, and my website below), which would have disallowed publication of the settlement or even speaking about the case, which we opposed. Secrecy fosters doubt.

Real threats of security breaches do exist, however, that could compromise

the election process if someone wanted to do so. For example, when I dropped off my ballot, I saw that the envelopes were left out in the open, and was told that they would later be transferred into a backroom for storage. I saw no way that anyone could know who had access to the returned ballots before they were counted.

The most serious hole in the security that I see in in the verification process. What needs to be instituted that would eliminate this threat is, rather, a *voter authentication* process. In the present context, an unscrupulous person or persons with access to the ballots could, given the relatively few members who vote, easily identify groups of individuals who have not voted and simply print their names on bogus ballots. The voter-verification process simply identifies members, it does not verify that the ballots were actually sent by the individuals whose names appear. Such a scheme would be relatively difficult to detect, as it is unclear whether the ballots are destroyed after an election, or whether they are preserved as part of the Union's historical record. And no candidate should be counting ballots to avoid the appearance of impropriety.

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We Made the Front Page of the UCE Unionews!

Raymond J. Noonan, Ph.D.

In a stunning example of "methinks thou doth protest too much," two unsigned articles about my victory in the improper practice charges I brought before PERB and the *UCE Rebel* appeared in the April 2005 issue of the award-winning UCE publication, *Unionews*. Nowhere was there mention of any of the results of the recent election, which were certainly known by the middle of April. Maybe that was a printing error and was supposed to appear on the blank second page. Or maybe it wasn't as important.

Although I was pleased about the articles because they got the word out that we exist to members I may have missed in the far corners of the College, I thought it important to note for *Unionews* readers that the exact text of the Stipulation of Settlement in the PERB cases appears in

the second issue of the *UCE Rebel* as well as on the Web at the address noted below. You may notice a disconnect between the actual agreement and the spin of the unnamed author of the page-one article in *Unionews*. In fact, what I lost were the lost wages I believe I was entitled to because of the tainted election for chair last year, but what I won was an unscheduled new election later this year, a contractual "right" I've been told I have but which I cannot locate in the Contract (please tell me where it is). And I *can* reopen this case with PERB if they fail to live up to or violate the agreement in any way.

Regarding the second article, it would be interesting to know who thought the *UCE Rebel* was an official publication of the Union. Now I can see why someone might want *that* info to be kept secret.

Embarrassed by Full Election Results Disclosure?

If you decide to run for office, can you imagine being embarrassed because you received a low number of votes? Well, that is the rationale behind our Union's apparently ongoing decision and past practice of not providing its membership with the full disclosure of the number of votes received by individual candidates. What this does in actuality is to deny the membership information about the relative strength of candidates for office in terms of political power. For me, the *real* embarrassment is the number they *do* publish: 272—the number of members who actually voted, about 20%!

—Raymond J. Noonan, Ph.D.

What Needs to Be Fixed?

- Address the inequities for adjuncts with regard to part-time day versus part-time evening status.
- Schedule regular general membership meetings in accordance with the UCE Constitution and Bylaws, which state that they be held at least twice each academic year. *It should be put on the calendar in advance to avoid conflicts.*
- Immediately include the positions of Executive Vice President and Vice President for Faculty on the current election ballot to properly fill these positions. [*Too late now, so have new elections to fill those positions.*]
- Provide a more appropriate method for receiving and counting Union election ballots that ensures that no vote-tampering occurs.
- Amend the UCE Bylaws to provide for an orderly line of succession in the event an officer leaves office during his or her term.
- Establish a grievance database, including both formal and informal resolutions, to permit equitable treatment for everyone. It is clear that "connections" can affect the outcome of a dispute.
- Revise contractual provisions regarding non-faculty voting on matters properly under faculty jurisdiction and expertise, e.g., curriculum development.
- Bring new blood into the contract negotiation process—as well as the Union leadership—to encourage movement toward a new contract.

For more info: http://www3.fitnyc.edu/raymond_noonan/perbcases.htm