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ADJUNCT
AFA
FACULTY
ASSOCIATION

From the President's Desk



Stefan Krompfer

First off, and most importantly, I thank Dr. Gene Decker for his dedicated service to the AFA. Back in late December when our newly elected Treasurer turned down the position for personal reasons before taking office Dr. Decker agreed to serve as Acting Treasurer until a new election could be held. Working with Dr. Decker over the past five and a half months has been both gratifying and instructive. Based on our conversations over the past month, I am very pleased to know that Dr. Decker will continue to work for the betterment of our adjunct population.

After reading a recently published statistic stating that since February 15th, 2015, one hundred and thirty five adjuncts chose to join the AFA, a colleague asked, “Why do you think so many adjuncts who chose not to join the AFA in the past are doing so now?” I answered as follows: there are many reasons but the main one is communication. Because we are now able to respond quickly to our members when they have a pressing problem that needs solving or a job related question that requires a timely answer, is why so many adjuncts in such a short period of time have chosen to join the AFA.

It is the change in philosophy to a member driven focus that has attracted many new members as they now see and understand the value of becoming a member. NCC Adjuncts are discovering that the two way interactive communication system created by our Chief Information Officer Richard Erben enables us to respond quickly to issues such as the excessive withholding in Summer Session I paychecks; an adjunct’s report of a possible violation in the course assignment process as stated in our contract that resulted in the adjunct losing a course assignment they were entitled to; the worry of a group of adjuncts that they are about to lose their jobs because of new staffing strategies by the administration or a charge of harassment by a misguided student against a wonderful, dedicated adjunct, alleging that their civil rights had been violated.

Just a reminder, you can contact me at 631-796-2115 or at stefcarol7@aol.com. You will find contact information for AFA’s Executive Board and all of our Department Representatives online at myafaonline.org.

Stefan Krompfer
President
Adjunct Faculty Association

What's New

Unclaimed Money

Now that I've got your attention, we need to address a very important issue. I estimate that we have approximately 1600 inactive adjuncts who still remain on the official adjunct membership rolls. We have been told by various departments that some of these individuals have not worked in over 10 years and others have moved out of the state. They remain on the official rolls because they never sent a letter of resignation to Human Resources. Consequently, they have unofficially separated from the college and, as a result, did not receive a cash out for their unused leave days.

I made an official inquiry with Payroll as to the formula used to convert unused leave days into a cash out payment. Payroll responded very quickly with the formula for both classroom as well as non-classroom adjuncts. That formula will be posted on our website at <http://myafaonline.org>

If you intend to end your adjunct employment, please be sure to do it officially with a letter to Human Resources so that you receive your cash out payment.

WE NEED YOUR HELP: If you have stayed in touch with any faculty that you know have stopped working adjunct, please forward this email to them or speak to them regarding this matter. In the end it is UNCLAIMED MONEY.

Room Change

If you check the first page of this month's *Vanguard*, you will notice a small change in our mailing address at the college!

In an effort to enhance the services that we currently provide to our rapidly growing membership, it became necessary to move to a location that will provide more space. Consequently, the AFA leadership requested, of the College, an office and conference room that are more suitable for a union that represents well over 1000 adjuncts each semester. The College acknowledged that request and construction commenced shortly thereafter.

We are happy to announce that the College has completed the first phase of the construction for the new AFA office. On Wednesday, July 8th, 2015, the AFA office will be relocated to C 2073. In the weeks ahead the College will be working on constructing our conference room, which will be located at C 2077.

Richard D. Erben
Chief Information Officer
Adjunct Faculty Association

When those working adjunct assignments at NCC this summer noticed an error in their paychecks during this summer session, they immediately contacted the AFA leadership. On June 23rd, the AFA Chief Information Officer, Richard Erben, sent out the following email to all adjuncts:

“Dear Colleagues,

We began receiving notifications yesterday, Monday June 22, 2015, from adjuncts across campus informing us that their net pay was far less than what they anticipated. We immediately placed an official inquiry with NCC Human Resources and NCC Payroll. Later yesterday afternoon, we were informed by the NCC Payroll Supervisor that she was working with Nassau County Payroll attempting to ascertain what took place. Earlier this morning, I was notified by the NCC Payroll Supervisor that they are continuing to work with Nassau County Payroll in an attempt to determine what has happened. I was further informed that the inquiry is being handled by Mike Grunwald, Nassau County Payroll and Benefits Director. Mr. Grunwald is aware that excessive taxes were withheld and he is looking into the matter.

I made a request to our Payroll supervisor and the Head of HR that as soon as they discover what happened and how it might be able to be rectified that they send an announcement to ALL adjuncts. In any event, as soon as I receive information from the College and/or Nassau County, I will disseminate that information through our email lists.

Rest assured, that we will closely monitor this situation and seek a prompt response from the College.

In solidarity,

*Richard D. Erben
Chief Information Officer
Adjunct Faculty Association at NCC”*

The AFA leadership continued its effort to clarify and expedite possible solutions with the AFA President sending this update on July 1st:

“Dear Colleagues,

Within minutes of our adjuncts receiving their Summer Session I paychecks we knew that Nassau County made a serious mistake computing the net pay that each adjunct received; an excessive amount of withholding was deducted from their gross salary resulting in a significant shortfall in the net amount each adjunct received. As you might imagine more than a significant number of angry and upset adjuncts contacted our office after hearing that they would need to wait until they filed their 2015 Federal Income tax form to recoup the additional withholding tax taken out of their check. We immediately contacted both the Human Resources and Payroll Departments and determined that they were aware of the problem and the college did not expect those affected to wait until tax filing season to be made whole. Very early on and prior to my phoning the two departments our Chief Information Officer Richard Erben sent out an email to all adjuncts explaining that we were aware of the

problem and we were working on getting it resolved. Rich also requested that the College disseminates an official explanation to those affected. We were happy that the college was willing to honor that request and subsequently contacted each individual who was affected. Of important note, Acting President Saunders phoned me early on to assure me that the college was working on the problem and that he would keep me apprised of his/the college's efforts to rectify the situation. From then until now we have received daily updates regarding the college's and the county's efforts to rectify the situation.

It is my belief that both the College and County are working hard to solve the problem at hand. During today's conference call with those college officials tasked with making this untenable situation right, I was most pleased to learn that they are close to offering a solution that will be customized to each member's needs and desires. I also emphasized that solving this problem quickly especially with the fourth of July weekend coming up was imperative.

In closing I do feel the College and the County are close to a solution that makes sense understanding the difficulties presented by IRS rules and restraints that apply to this situation.

*Stefan Krompfer
President
Adjunct Faculty Association at NCC”*

NYSTRS

New York State Teacher Retirement System Seminar Update

Dear Colleagues:

At the suggestion of Bob Gaudino, who attended our recent NYSTRS seminar, I am presenting two documents that I received from our NYSTRS seminar presenter, Winnie Nelson. I believe that NYSTRS members who are contemplating retirement will benefit from these postings. If I may be of further assistance, please do not hesitate to contact me at (516) 541-0594 or e-mail me at Profrenner@aol.com.

Warm regards,
Margaret A. Renner, Ph.D.
AFA NYSTRS Retirement Representative

Return to employment with a NYS public employer after Retirement from NYSTRS

The safest thing members can do to ensure no complications arise concerning their break in service and retirement is for them to resign from all NYS public work, retire, allow a minimum of one business day break from all NYS public work, and only then begin employment after retirement. If they feel they cannot resign from certain duties by their expected DOR, they should consider delaying their retirement until they do cease employment.

However, in the case of a member working full-time for one employer and working part-time for a different employer, a resignation and break in service is only required from the full-time employer.

Retirement from NYSTRS: In order to retire from NYSTRS, an otherwise eligible member under contract must:

- 1) Officially resign from his/her employer,*
- 2) Retire from NYSTRS (no earlier than the day following the effective date of resignation),
- 3) Allow a minimum of one business day to pass; holidays and weekends cannot count as a break. However, a member's date of retirement can count as a break if it falls on a business day.
 - Example 1: The member who ceased employment on 6/30/15 (Tuesday) and retired on 7/1/15 (Wednesday) would be eligible to return to NYS public employment on 7/2/15.
 - Example 2: 7/1/13 was a Monday, so it could serve as the date of retirement and as the one business day break for members who ceased employment on 6/30/13, and the member could return to NYS public employment on 7/2/13.
- 3) And only then can he/she return to public employment.

*An important exception regarding resignation and break in service exists in the case of members working for both full-time and part-time employers. In this specific case, a resignation and break in service is only required

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from the full-time employer; no resignation and break is required from the part-time employer(s). This exception does not apply for members working in both full-time and part-time positions for the same employer.

Also, in this case, when QTR-78s come in from the part-time employer(s), if they indicate the member was under contract beyond the DOR, this will not jeopardize or alter the member's retirement. TE will contact the part-time employer(s) only to determine the service and salary rendered prior to the DOR, and we will use that information in the pension calculation.

Apart from the previous exception, please note that the minimum one day break in service is required from all public employers. This includes non-NYSTRS public employers. On this point, it may be challenging for us to always know when members report to a non-NYSTRS public employer.

Notices from NYSTRS to Members that advise them regarding the requirement for a break in service:
Estimate Disclaimer: When members request estimates from us, the current estimate disclaimer includes the following paragraph concerning this issue:

Working in Retirement: If you're considering working after retirement and are currently under contract, please be aware you must first resign from your current NYSTRS employer, and have a break in service before returning to work for any NYS public employer. Holidays and weekend days do not constitute a break in service.

Application for Retirement (form RET-54)

When members actually file for retirement from us, the current RET-54 has the following reminder printed just above the space where members are to indicate their DOR:

(Note: Your employment contract must end before your retirement date.) Determined by variations in employment before/after retirement:

Example 1 – Full-Time Only

Member worked full time at District X prior to retirement and will be returning to work with that same employer, or might go to work with another NYS public employer into retirement.

DOR 7/1/15 (Wednesday)

CTD 6/30/15 (Tuesday)

This member may return to work 7/2 since 7/1 is a business day break and he/she DID NOT work that day.

Example 2 – Full-Time Only

Member worked full time at District X prior to retirement and will be returning to work with that same employer, or might go to work with another NYS public employer into retirement.

DOR 7/1/13 (Monday)

CTD 6/30/13 (Sunday)

This member may return to work 7/2 since 7/1 is a business day break and he/she DID NOT work that day.

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Example 3 – Full-Time Only

If that same member retires in a calendar year where the DOR of 7/1 occurs on a weekend.

DOR 7/1 (Saturday)

CTD 6/30 (Friday)

In this sequence of dates, the member cannot return to work before 7/4 since the retiree needs a one business day break (Monday, 7/3) before eligible to return to work.

Example 4 – Both Full- and Part-Time

Member worked for two employers in his/her final year. He/she was full-time at District Y and part-time (e.g., adjunct on contract from May through July) at College Z. The member will not return to District Y after retirement, but the part-time work at College Z spills beyond his/her planned retirement date.

This member must resign from the full-time position at District Y prior to retirement, in order for retirement to take effect. However, the member will not be required to resign or even have a break in service from College Z. This is because only the actual service and salary rendered at College Z prior to the DOR will be used in the benefit calculation. NYSTRS will query College Z to determine the salary earned from College Z prior to the Effective Date of Retirement.

Example 5 – Part-Time Only

Member worked for two employers in the final year before retirement and employment was part-time at both districts. The member plans to return to work at one or both after retirement.

This member must resign from both part-time positions, retire, and allow a one business day break to occur before returning to either or both districts after retirement. In this scenario, because there is not a full-time employer in the picture, all work at part-time employers must show a resignation as well as a break in service.

Compilation of Laws as amended

Compilation of Laws As amended through December 31, 2014

§ 539. Certain actions by retiring members.

1. Notwithstanding any law to the contrary, this section shall apply to any member of the system who

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is otherwise eligible to retire pursuant to the provisions of this article or pursuant to article fourteen or fifteen of the retirement and social security law.

2. Subject to the limitations in subdivisions three and four of this section, a member shall be retired for service or with a deferred retirement allowance, as requested by the member, upon or on a date after the filing of a retirement application with the retirement system.

3. A member shall not file for service retirement or for a deferred retirement allowance any earlier than ninety days prior to the date on which the member desires to be retired.

4. A member shall not be retired under any provision of law until the member has ceased to be paid on the payroll of an employer participating in the retirement. In the case of a member who has the right to retire for disability under article fourteen of the retirement and social security law, disability retirement shall not commence any earlier than the date on which primary social security disability benefits commence.

5. A member may retroactively withdraw his or her retirement for service or with a deferred retirement allowance by filing a revocation of retirement no later than fourteen days following the date upon which the member was retired. The retirement system shall have no obligation to make any payment on account of any service retirement or deferred retirement allowance during said period.

6. An option selection duly filed by the member with the retirement system shall become effective upon retirement. Notwithstanding the foregoing, a member who has been retired for service or with a deferred retirement allowance may file an option selection or change or withdrawal of an option selection previously filed no later than thirty days following the date on which the member has retired; a member who has been retired for disability may file an option selection or a change or withdrawal of an option selection previously filed no later than (i) thirty days following the date on which such member's application for disability retirement was approved by the retirement board or (ii) thirty days following the date on which the member was retired for disability, whichever is later.

7. A member subject to the provisions of this article who has accumulated contributions credited to the member's individual account in the annuity savings fund may elect to withdraw such contributions pursuant to subdivision six of section five hundred.

[Section 539 added L. 2002, ch. 695 in effect June 30, 2002.]

http://www.nystrs.org/main/library/lawbook/2014Compilation_of_Laws.pdf

Letters to the Editor

The views and opinions contained in the “Letters to the Editor” section are solely those of the author. The posting of such letters does not indicate the agreement with the contents by the AFA, its officers, representatives, chairs, employees or associates. Letters to the Editor should be sent to admin@myafaonline.org. Letters should be 200 words or less.



Paul Guadagnino

During the MoA ratification vote, there were opinions back and forth about our MOA. Everyone had a chance to voice their concerns and all members had the opportunity to read and decide for themselves. The membership has spoken and a large percentage of the voters approved the new contract. It is my hope that we accept this and move on. We may not always agree on everything, but we must accept the results of a democratic process.

Going forward, the AFA needs to stay on course as a unified body. I would like to thank the Officers and the Executive Board for all their hard work to improve so many things that really needed updating. Our Union has finally brought us into modern times with technology that makes everything more efficient. The amount of statistical analysis that has been done to confirm who is a full member as opposed to who is an agency fee payer, who owed past dues, who is eligible to vote etc., has been very helpful. Our new website is amazing, full of information and resources. It is now much easier to become a member with the application right at anyone’s fingertips. It provides useful information about meeting minutes, union objectives, and upcoming events.

Also, there is now more transparency about salaries, how money is spent, cost-cutting measures, and fair voting procedures. In my 37 years as an adjunct TA, I wasn’t able to view all this important information. I never received answers to questions I

asked, and believe me, I asked. Now, not only do I receive a response, but the leadership actually wants to know my opinion on things and they ask me what I think can be done to make things even better. I feel more involved than ever before and I am grateful.

Additionally, the Vanguard is finally a newsletter that we can all be proud of rather than the voice of a few people that seemed to only alienate us from those we must deal with. I think so much has changed for the better. Right now, many of us are pleased that our Union is not only giving us information, asking for advice and assistance and making our involvement easier than ever before, but they got us a contract. They mended some fences which is progress and something so many felt had to be done to move forward. I’m sure people feel everything is not perfect yet, but hopefully we can agree that progress was made.

I personally believe more improvements are on the horizon. We must find a way to work together. We should remain unified so we can continue to accomplish great things. The current motto is, “NEW DAY, NEW WAY” and, so far, that’s been a good start.

In solidarity,
Rose Tavitian

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LETTERS TO THE EDITOR

Paul Guadagnino - Editor of the Vanguard

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Good morning, everyone.

I want to congratulate the AFA leadership for the new Vanguard (a very interesting and engaging read), and give a special thanks to Christine Kallinger-Allen for the tribute she wrote about my dear colleague and friend, Louis Buda.

One aspect that was not covered in her detailed narrative about Louis' numerous accomplishments was that he was a dedicated mentor and role model to new faculty members, generous with his time and wisdom. I was very fortunate to have Louis as a mentor from my first day at NCC. We then became friends. He is an exceptional human being with a most interesting background and rich life experience.

Louis cared very much about our students, and showed me how to motivate them. He observed me in the classroom through my series of promotion years,

and always gave me wise and practical recommendations. I learned a great deal about teaching from Louis in the 18 years we worked together as full-timers and adjuncts in the Economics & Finance Department. His students loved him for his stories, his masterful knowledge of economics, his caring teaching methods and also for his sense of humor. If I ever asked one of his former students, sitting in a Microeconomics class with me, "Who did you have for Macro?" the standard answer was, "Buda, I loved him. He is great." That was a hard act to follow. All of us, faculty and students, are going to miss having him around.

Again, many thanks for your tribute, and best wishes to Professor Buda in his well-deserved retirement!

Regards,
Ethel Weeks