



the advisor

SUNY Upstate Medical University

PRESIDENT'S CORNER

Spring is usually a very busy time of the year for us and this year is no exception. We have been visiting with state legislators in their home offices as well as two trips to Albany, to ask for support of the three state hospitals. This year the Governor removed \$78.6 million from the operating budget and put it in the capital budget. The hospitals need the operating monies not the capital monies to run the hospitals. All of the legislators came through with their promise to us to return the money to operating funds. Each house placed it in their individual budgets and we have heard that it is being put back in the full budget. Now it's up to the final negotiations with the Governor as to whether it stays in the final state budget. They all are very familiar with the DSH payments program and they said they would work to support the hospitals receiving their fair share.



Carl Pettengill
UUP Chapter President

The contract has proved to be a challenge so far. The blame for the holdup is not the Governor this time, but SUNY and the Chancellor. It has been very difficult to get them

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Thank You for Your Advocacy

Rich Veenstra, Academic VP + Chapter Political Coordinator

These UUP Upstate Medical University Chapter members deserve a special note of thanks for participating in our Advocacy activities in Albany and In-District in support of the UUP 2018-19 budgetary and legislative agenda: Yolanda Beckon, Deb Benware, Carol Braund, LaRhonda Caver, Horace Ivey, Mike Lyon, David Peckham, Carl Pettengill, and Paul Stasior. Together, we met with all five of our local legislators and just as many Assembly members and Senators from across the State delivering the message that the \$78.6 million subsidy to the three SUNY-operated hospitals, including Upstate University Hospital, had to be restored in the 2018-19 Budget or all three SUNY Hospitals (including Downstate and Stony Brook) would face fiscal deficits. We also advocated for legislation mandating that NYS match the federal Disproportional Share (DSH) payments with Medicaid dollars and require NYS to pay all future DSH payments owed to the public hospitals, restoration of \$5.3M in funding for the Equal

Opportunity Program/Equal Opportunity Center programs and centers, and adding \$65M to the budget to close the "TAP Gap", the cost of the Tuition Assistance Program to the SUNY operated campuses. We discussed these and other agenda items during our Albany Advocacy days on January 30th and February 13th, and In-District Advocacy days on February 8th and 9th. All of our regional legislators, Assembly members Pamela Hunter, William Magnarelli, and Al Stirpe and Senators David Valesky and John DeFrancisco were supportive of our UUP 2018-19 budgetary requests.

The good news is that both the Senate and Assembly One-house proposals restored the \$78.6M subsidy to the three SUNY-operated hospitals. We called the local offices of all five of our local State Legislators on March 15th to thank them for their support in restoring the SUNY Hospital subsidy and emphasized that it is crucial that this legislative recommendation be included in the

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to come to the table. We are getting closer and the remaining items concern money issues. We held a rally on March 1st, (see photos) along with all of the other SUNY campuses, to show the Chancellor that we want a fair contract. The theme was respect. All of the other unions have on base incentives in one form or another besides the 2 percent on base each year negotiated in their current contracts. UUP does not. We had discretionary awards until SUNY refused to put them on base and instead doing it as a lump sum. We are asking for the same respect as the other unions enjoy and that we be allowed to have incentives on base as well.

At the time of writing this, UUP is running a post card campaign at all the campuses to collect over 10,000 cards to present to Chancellor that asks her and SUNY for a fair contract. Anyone can sign these cards, you, members of other unions, and someone off the street. Our national affiliates have contacted the Governor on our behalf and asked him to push for a settlement. UUP has been talking to the Governor's and SUNY staff. We're very close, we just need SUNY to come to the table and negotiate fairly. Mike Lyon has been replying to members concerns and questions about the contract. Mike is on the contract negotiations team and I often forward members emails to him so you can get your answer directly from him. However, remember that he is limited on what he can share, due to private bargaining agreements.

Unions are again under attack at the national level. Jamie Dan-

gler, our State VP for Academics, spoke at the rally about the Janus court case (more later in this issue). This case was heard in the Supreme Court in February. It is a union busting case pushed by large Super PACs and Corporate owners to get rid of the unions or lesson their bargaining power. All public unions are in jeopardy across America. Please remember that the benefits you enjoy were fought for and maintained through bargaining power. I'm not just talking about the financial ones, but also work day hours and rights, vacations, sick pay, job protections and worker safety. We are trying to get the word out on this and also update data bases at all chapters. You may get a call or a knock on your door from a fellow Upstate member doing this. Please be courteous and take a moment of your time for your fellow member. We should hear in the next month or two the results of the court case.



Lastly, we are planning on holding a Benefits Fair sometime in April at the Downtown and Community campuses. The UUP Benefit Trust staff from Albany will come here with various vendors to give you information on all of the programs and discounts available to UUP members. This includes a new mortgage program that just came out for medical staff and members too. There is more info in this issue of the Advisor but I must point out that to take advantage of these and other programs you **MUST BE A MEMBER**, not a fee payer. So you fee payers sign and return the membership form at the back of this issue and get access to some of the great benefits the union has been able to get for you.

THE BENEFITS OF UUP

Whether you're currently retired or just thinking about retirement, you don't have to stop being active in UUP.

Being a UUP member when you retired from SUNY means you are eligible to continue your membership as a retiree—and to receive the benefits of retiree membership

- \$1,000 of UUP Life Insurance coverage;
- Value Advantage discount vision program;
- Opportunity to purchase UUP's voluntary dental and vision plans;
- Opportunity to purchase the Hyatt Group Legal Services plan;
- Opportunity to participate in and/or purchase NYSUT, AFT and NEA discounted programs and services; and
- Discount products and services from: Apple; AT&T; BJ's Wholesale Club; Brooklyn Nets; Enterprise Rent-a-Car; Goodyear; Liberty Mutual; Mirabito Fuel; and Sprint.



COARM Chair
Jo Schaffer

In addition, UUP retiree members have the right to vote and to serve in elected and appointed positions, such as the chair of the Committee on Active Retired Membership (COARM). The COARM chair also serves as the elected delegate to UUP Delegate Assemblies and as a nonvoting member of the UUP Executive Board. Retired members may be elected as a regional COARM representative, or as a chapter Officer for Retirees.

For more information, go to

www.uupinfo.org



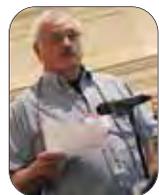
NYSUT

The following benefits are among those endorsed by NYSUT Member Benefits:

- Catastrophe Major Medical
- Legal Service Plan
- Car, Boat, Renter's and Homeowner's Insurance
- Long-term Care and Term Life Insurance Plans
- Equifax Credit Watch Gold

- Preferred Savings Plus
- Consumer Credit Counseling Service
- Car and Truck Rental Discounts
- Tunstall Medical Alert
- Heat USA
- Bose®
- The Buyer's Edge
- Working Advantage
- MAP (Email Service)
- Defensive Driving

For more information on costs and services, go to www.memberbenefits.nysut.org



SUNY

- State residents over age 60 may audit, at no cost, any courses offered by SUNY on a "space available" basis.
- There may be a \$2,000 or \$3,000 death benefit (depending on how and when you take retirement) for retirees at no cost.

Check with Human Resources for more information on these and other benefit opportunities.

NATIONAL AFFILIATES

UUP members can shop and compare insurance programs, discounts and online purchasing through NYSUT Member Benefits and UUP's national affiliates—the American Federation of Teachers and the National Education Association.

For more information on costs and services, go to

AFT+ Member Benefits
1-800-238-1133, ext. 8643

www.aft.org/benefits

NEA Member Benefits
1-800-637-4636

www.neamb.org



MISSION STATEMENT

of the Committee on Active Retired Membership

The UUP retiree organization (COARM), through education and action, shall advocate for retiree benefits on the state and national levels for current and future retirees and for the UUP agenda for public higher education, and shall work with other organizations to improve the lives of seniors.

 Retired Membership Application
Please supply the following information.

Retired from: Campus _____ Date of Retirement _____
 Email _____ Home Phone _____
 Name _____
 Address _____
 City _____ State _____ Zip _____
 Non-SUNY Email _____

Dues are assessed on an annual basis.
 Send check for \$50 payable to: United University Professors
 P.O. Box 15143, Albany, N.Y. 12212-5143
 Current retiree members need not return this application.

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final NYS 2018-19 budget that is due April 1st. It was also requested that they support the Hannon Senate Bill S2546 and the companion Gottfried Bill A3126 in the Assembly that “Directs the Department of Health to make additional payments for inpatient services provided to recipients of medical assistance by certain public hospitals”, basically the DSH payment mandate to NYS to match the federal funds dollar-for-dollar and make the payments owed to the public hospitals, e.g. our three SUNY-operated hospitals. Both bills currently reside in Committee and will hopefully make it to the floor of both Houses and pass with bipartisan support so that the Executive Branch will feel compelled to sign the bill into law and comply with its provisions. Thank you all for your help and hope I can count on you again when needed each and every year.



UUP Delegates (from left to right), Carl Pettengill (UUP Upstate Medical Chapter President), Rich Veenstra (UUP Upstate Medical Chapter Vice President for Academics and Statewide Executive Board Member), Justin Norman (UUP Professional Delegate, Oswego Chapter), Mike Lyon (UUP Upstate Medical Chapter Academic Grievance Officer, former Chapter President, UUP Statewide EB member, and Membership Development Officer), Horace Ivey (retired, UUP Upstate Medical Chapter Academic Delegate), LaRhonda Caver (UUP Upstate Medical Chapter Professional Delegate, red UUP shirt), Yolanda Beckon (UUP Upstate Medical Chapter Professional Delegate), and Carol Braund (UUP Upstate Medical Chapter Professional Delegate and former Chapter President) meet with Senator John E. Brooks, NY Senate District 8 on Long Island (right) during the UUP Delegates Advocacy Day in Albany on January 30th.

Seeking US faculty participation in a national study of “microaggressions”

This invites you to participate in a study of microaggressions that people may experience or witness on a day-to-day basis. Faculty members of all genders, races/ethnicities, and disciplines are invited to participate (if working in the U.S., and NOT at UMass. Lowell).

Participants will be asked to:

- Complete a 20-minute baseline questionnaire on the first day of participation
- Complete a 2-4-minute daily survey for 30 consecutive days thereafter, at a time in the afternoon/evening that works for you

- Be asked to report personally experienced and/or witnessed microaggressions in your work environment

The first 150 participants will receive an Amazon gift card as a token of appreciation for your time and effort. The amount is based on your level of participation, up to \$50.

If you are an academic, please consider participating and forwarding to friends and colleagues. You may sign up at: <https://www.uml.edu/Research/ADVANCE/initiatives/daily-diaries.aspx>



Upstate on Parade

Members of the Physical Medicine and Rehabilitation Department participated in the 2018 St. Patrick's Day parade representing Upstate's Comprehensive Stroke Center. Members included (L-R): Brianna Wootton, Danielle Wheeler-Vickery, Gesine Hodges, Emily Talbot, Olivia Wattles, and Christine Whitney



DEFENDING OUR UNION

Fact sheet: *Janus v. AFSCME Council 31*

[View AFSCME's video – "Janus v. AFSCME"](#)

[View AFSCME's video – "Union Fair Share Fees Explained"](#)

Q: What is *Janus v. AFSCME Council 31*?

A: *Janus* is a lawsuit bankrolled by a well-known pair of anti-union organizations, the [The National Right to Work Foundation](#), and the right-wing [Liberty Justice Center](#). The suit was filed on behalf of [Mark Janus](#), a union-represented child support specialist in Illinois. The \$71,000-per-year Illinois public sector worker doesn't think it's fair that he should have to pay fair share fees to AFSCME—the union that represents his bargaining unit. **The U.S. Supreme Court heard the case Feb. 26. A ruling is expected by June.**

Q: What is the case about?

A: The case challenges the right of public sector unions to collect fees—referred to as "agency fees" in New York—from anyone who benefits from collective bargaining. *Janus* questions the constitutionality of the concept of "fair share"—that everyone who enjoys benefits and protections of a negotiated contract should pay their fair share of the cost for that work. Sound familiar? *Janus* is almost identical to 2016's failed *Friedrichs v. California Teachers Association*, a union-busting case that ended in a 4-4 deadlock after the unexpected death of conservative Justice Antonin Scalia in February 2016. But things have changed. In April 2017, the Republican-led Congress confirmed the very conservative [Neil Gorsuch](#), a Trump appointment, to the Supreme Court. Just how conservative is Gorsuch? Well, [Five Thirty Eight.com](#), a nationally known and respected website that highlights opinion poll analysis, politics and economics, found that Gorsuch, during his first term on the court, positioned himself further to the right than Scalia, who many experts believe would have cast the deciding vote for *Friedrichs*.

Q: Is there more to the story?

A: So much more. *Janus* is the latest in a series of attempt by corporate CEOs and wealthy special interest groups aligned with union-busting billionaires—such as the Koch brothers—to break, split, damage and decimate public sector unions nationwide. The intent is to bankrupt unions by blocking their ability to collect agency fees, a major source of revenue. And that could happen if the Supreme Court rules in favor of *Janus*. Strengthening and growing membership are the only ways UUP and other public sector unions can ensure they won't be weakened by a ruling for *Janus*. Joining and becoming active in your union is a sure-fire way to keep UUP vibrant and vital. The union is for all of us, and it will take all of us to keep this union—and all that it stands for—strong and able to sustain the impact of a Supreme Court ruling for *Janus*. We can do it together! If you haven't joined, please consider joining now. **[CLICK HERE to join UUP!](#)**

Why Be UUP?



The Benefits of Being UUP



UUP's Negotiated Gains



UUP's Legislative Successes



Negotiated Gains for PT Workers



UUP Benefits in Retirement



UUP: An Advocate for SUNY Funding

Defending UUP!



Defend Our Union!



Join UUP! Sign Up Now



Social Media Resources



Fact sheet: *Janus v. AFSCME Council 31* (continued)

Q: I'm still a little confused by the details regarding agency fees and fair share.

A: Here's how it works: Unions negotiate significant benefits for workers; on average, **unionized workers' wages are nearly 30 percent higher than their nonunion counterparts**, according to the AFL-CIO. Unionized workers are 60 percent more likely to have employer-provided pensions, and 80 percent of union workers have jobs with health insurance benefits. Unions also provide job protections and give workers a say in improving their jobs. But unions are also required by law to bargain for all workers in their collective bargaining units, regardless of whether workers join the union. This creates "free riders"—people who receive the benefits of being in a union without paying for them. They would unfairly benefit from the gains won and services provided by the union—which would be paid for by union members. With too many free riders, many unions would eventually run out of funds and fold. If that happens, workers would lose all the benefits negotiated by the union. Agency fees level the playing field. Thanks to *Abood v. Detroit Board of Education*, a landmark 1977 Supreme Court decision, workers who do not join their union must pay their share of collective bargaining costs. Fee payers contribute only toward the services that benefit them—such as higher salaries, health benefits, representation in disciplinary proceedings, job security and job protections. Not surprisingly, public sector union workers in states like New York, which compels bargaining unit members to pay for union representation, **make more their counterparts in so-called "right to work" states** where workers don't have to pay fair share fees.

Q: I'm still confused about *Abood*.

A. In *Abood*, the court basically said that the government, as an employer, should prohibit free riders and should do so by charging fair share fees. However, the Trump administration has a far different take. In a **December 2017 Department of Justice supporting brief**, the DOJ sees free-riders as "compelled riders" who, without choice, subsidize speech about "issues on which they may strongly disagree." They claim that's a First Amendment violation, the crux of the *Janus* case. That premise carries many flawed assumptions, including that the First Amendment unequivocally bars the government from forcing Americans to subsidize speech they don't agree with. Yet, this happens all the time. Tax revenue is often used to push messages and expressions that some taxpayers disagree with, yet taxes are constitutional. Also, the faulty assertion by the DOJ and *Janus* that all collective bargaining is "inherently political" surmises much. Terms and conditions of employment—from the length of a lunch break to workplace safety—are hardly political. In *Janus* world, those that shun the union are forced to "accept" salary raises, health coverage, representation in grievance and discipline procedures, and many other concessions won by unions during collective bargaining. In essence, they're saying that these so-called "compelled riders" must accept higher salaries and other benefits secured for all bargaining unit members by the big, bad union.

Q: Are fee payers required to join a union?

A: Absolutely NOT. The law **DOES NOT** require fee payers to be union members. **NO ONE** can be forced to join a union or contribute dues to pay for political activities.

Q: I heard that unions routinely spend dues on political activities. Is this true?

A: That is a LIE. Dues cannot be spent on political activities. It is **ILLEGAL** in New York for unions to collect and use union dues to support candidates or other political activities. Instead, unions collect voluntary donations for political action funds, like **NYSUT's VOTE-COPE nonpartisan fund**.

Q: So the allegations in *Janus* that it's unconstitutional for unions to collect agency fees are wrong?

A: Correct. Fee payers only pay for services that benefit them—like salary increases, health benefits, job security and job protections. This is how the law protects the free speech and constitutional rights of those who decide not to join the union for political and other reasons.

Staying Safe from Tax Scams

Reprinted from: *Center for Internet Security*

Though Benjamin Franklin is often quoted as saying “in this world, nothing can be said to be certain, except death and taxes,” an updated version for the current day would need to include tax scams. As people nationwide seek to file their tax returns, cybercriminals attempt to take advantage of this with a variety of scams. Hundreds of thousands of U.S. citizens are targeted by tax scams each year, often only learning of the crime after having their legitimate returns rejected by the Internal Revenue Service (IRS) because scammers have already fraudulently filed taxes in their name. The IRS reported a 400% rise in phishing scams from the 2015 to the 2016 tax season. In the state, local, tribal, and territorial government sector during 2017, approximately 30% of all reported data breach incidents were related to the theft of W-2 information, which was likely used for tax fraud.

How is Tax Fraud Perpetrated?

Unfortunately, much of your personal information can be gathered from multiple locations online with almost no verification that the right person is receiving the information. Criminals know this, so they use this trick to get your personal information from a variety of websites and use the information to file a fake tax refund request! If a criminal files a tax return in your name before you do, they will file it with false information to get a large refund, forcing you to go through the arduous process of proving that you did not file the return and subsequently correcting the return. Once they have your personal information, criminals can continue to commit identity theft well beyond the tax season.

Another favorite technique used by criminals during the tax season is sending phishing messages indicating that a new copy of your tax form(s) is available. These emails often impersonate state, local, tribal, and territorial government controller and/or IT departments. They might include a link to a phishing website that uses your organization’s logo and the email might even have the right signature line. If you fill out or attempt to login into the phishing website, the criminals will be able to see your login name and password, which they can then use to try and compromise your other accounts. The more information they gather from you, the easier it is for them to use the information to file a fake tax return in your name.

Tax fraudsters also impersonate the IRS and other tax officials to threaten taxpayers with penalties if they do not make an immediate payment. This contact may occur through websites, emails, or threatening calls and text messages that look official but are not. Sometimes, criminals request their victims pay the “penalties” via strange methods like gift cards or prepaid credit cards. It is important to remember:

- The IRS will not initiate contact about payment with taxpayers by phone, email, text messages, or social media without sending an official letter in the mail first.

- The IRS will not call to demand immediate payment over the phone using a specific payment method such as a debit/credit card, a prepaid card, a gift card, or a wire transfer.
- The IRS will not threaten to immediately notify local police or other law-enforcement agencies to have you arrested for not paying.
- The IRS will not demand that you pay taxes without giving you the opportunity to question or appeal the amount you owe.

What Can You Do?

Here are some basic tips to help you minimize the chances of becoming a victim of a tax scam:

- If you haven’t already, file your taxes as soon as you can... before the scammers do it!
- Be aware of phone calls, emails, and websites that try to get your information, or pressure you to make a payment. If something seems suspicious, contact the organization through a known method, like their publicly posted customer service line.
- Ignore emails and texts asking for personal or tax information. Be cautious as to whom you provide your information, including your Social Security Number and date of birth.
- Don’t click on unknown links or links from unsolicited messages. Type the verified, real organizational website into your web browser.
- Don’t open attachments from unsolicited messages, as they may contain malware.
- Only conduct financial business over trusted websites. Don’t use public, guest, free, or insecure Wi-Fi networks.
- Remember, the “HTTPS” does not mean a site is legitimate.
- Shred all unneeded or old documents containing confidential and financial information.
- Check your credit report regularly for unauthorized activity. Consider putting a security freeze on your credit file with the major credit bureaus if you suspect you have been targeted for identity theft.

If you receive a tax-related phishing or suspicious email at work, report it according to your cybersecurity policy. The IRS encourages taxpayers to send suspicious emails related to tax fraud to its phishing@irs.gov email account or to call the IRS at

800-908-4490. More information about tax scams is available on the IRS website and in the IRS Dirty Dozen list of tax scams.

If you suspect you have become a victim of tax fraud or identity theft, the Federal Trade Commission (FTC) Identity Theft

website will provide a step-by-step recovery plan. It also allows you to report if someone has filed a tax return fraudulently in your name, if your information was exposed in a major data breach, and many other types of fraud.

Chadwick Residence tapped as Team Upstate's 2018 Your Cause charity

Chadwick Residence for homeless women and their children was selected by Team Upstate for 2018 Your Cause sponsorship. Team Upstate introduced the Your Cause program in late 2015 as a way to feature the volunteer work performed by the Upstate family. Team Upstate has pledged to support Chadwick Residence in 2018 with promotional and financial support through December.

Chadwick Residence was nominated by Upstate's Katherine Magnarelli and Ann Markle. Magnarelli is a board member and recording secretary for the Chadwick board. Markle has been involved with the organization for the past three years. "Chadwick Residence addresses a community health care need by providing supportive housing for homeless women and their children," Magnarelli said. Magnarelli says that in many cases the women who come to Chadwick Residence face a combination of challenges. "Using the tools that Chadwick Residence

provides, these women become empowered as they develop the knowledge and skills necessary to increase their self-sufficiency, become better parents and eventually live on their own again rather than return to homelessness," she said. Magnarelli adds that Chadwick's success rate is more than 90 percent with less than 5 percent of the women in the program returning to homelessness.

Team Upstate works to promote public awareness of Upstate's contributions to the community and to encourage volunteer participation among Upstate students, staff, faculty and retirees. It sponsors many activities and events each year that promote quality of life and maintain Upstate's mission, vision and values.

Visit Team Upstate's Your Cause for more information about the sponsorship program. Visit Chadwick Residence for more information on the organization.



From left, Ann Markle, John Dubiel, president Chadwick Residence Board of Directors, Upstate Medical University President and Health System CEO Danielle Laraque-Arena, MD, FAAP; Katherine Magnarelli; Jenni Gratien, executive director Chadwick Residence; and Zquette Howe, Team Upstate Committee chair



What Do You Do When They Come For You?

KNOW YOUR RIGHTS



Disciplinary Rights: Article 19 of the UUP Contract

Applies to all unit members holding term, permanent or continuing appointment. The first step unit members should take with any disciplinary action is to contact their UUP chapter leadership, who will contact the chapter labor relations specialist. Please review Article 19 of the UUP contract for additional disciplinary and other rights that you have:

<http://uupinfo.org/negotiations/contract.php>



KNOW YOUR RIGHTS

Interrogation Rights

If you believe that you are the target of disciplinary action during an investigative interview, ask for a representative and invoke the following rights:

- 1) You should ask the subject matter before questioning, and have the ability to confer with your representative privately before questioning begins;
- 2) To have your representative present during the interview to provide assistance; and
- 3) To offer statements or evidence to prove or support your version of the incident.

Note: Refusal to answer questions before asserting your rights to a representative could result in discipline for insubordination. Speak to a UUP chapter representative for details.

Suspension or Reassignment Rights

If you are about to be suspended without pay or temporarily reassigned, request a UUP representative be present, and be aware of the following rights:

- 1) You can only be suspended or reassigned if your continued presence at work represents a danger to persons or property or would severely interrupt operations. In such case, a written Notice of Discipline (NOD) must be served to you no later than five days after suspension or reassignment; or
- 2) You can be suspended or reassigned if you have been charged with the commission of a crime. The NOD must be served to you within contractual timelines (Article 19.7 (a)(2)).

Disciplinary Rights

If you are being disciplined, you have the right to request representation, and:

- 1) Details of charges against you must be outlined in a written NOD;
- 2) You must be served a copy of the NOD by certified mail or personal service; and
- 3) You have 10 working days to file a disciplinary grievance to challenge the charges outlined in the NOD.

Note: Additional information may be obtained from your UUP chapter representative.

Negotiations Updates

You've likely heard this already but it bears repeating:

Please go to the following link for the latest update about negotiations:
<https://uuphost.org/myuup/MembersOnly/check.php>

The site is password-protected.

Go to <http://uupinfo.org/negotiations/index.php> to find out how to access the site.

In Solidarity,
Fred Kowal



The Contract and Retirement



Nearly all of the emails about contract negotiations that are sent to Carl or the other officers, the chapter office, Susan DeCarlo (our Labor Relations Specialist) and even Albany are forwarded to me for a reply. By far the main question is "If I retire before there is a contract settlement will I get the retroactive increases. The answer is **no** and there is nothing you will be able to do about it. This not unlike the across the board pay increases that normally occur on July 1 of each contract year. In order to be eligible for this increase you must be on pay roll June 30 of that year. It doesn't matter if you are hired on July 1. You are not eligible for the increase. Another example is in the retail world, which I frequently hear in car commercials. If you bought a car today and there is a sale tomorrow, you don't get the difference in sale price refunded to you. I know what you are going to say, "I have worked those years and it is unfair that I don't get the retroactive increase". That's true and I agree, but I must point out that fair is not one of the state's MO's. They just don't care if it is fair or not.

One last thing, I need to remind you that whenever agreement is reached, it will likely take, at the very least, two month to present the changes to all the chapters (aka, team road trip, oh boy), print the contract, and finally, get a ratification vote (I believe this alone is one month).

In Solidarity
Michael J. Lyon, PhD
Chapter Academic Grievance Officer
Negotiations Team Member

Here's what you can do to help:

We need your help to advocate for a fair and equitable agreement. Ongoing campus-level support is important for our collective success at the table. Recent campus actions caught their attention. **Thanks to all who stepped up to participate in the March 1 campus actions or have already signed petitions and post cards in support of a fair contract.** We need to keep the pressure on. Please participate in any upcoming "Fair Contract" activities or actions on your campus. Please also:



- Stop by your chapter office or contact one of your delegates before April 10 and sign a "Fair Contract Now" postcard;
- Wear red on Thursdays until we reach a tentative agreement with the state;
- Wear a Fair Contract button or sticker while you are at work;
- Put a Fair Contract bumper sticker on your car; and,
- Attend UUP chapter meetings to discuss the contract and other union issues.

URGENT

from UUP President Fred Kowal

Private companies selling faculty course materials

Possible theft of intellectual property: Faculty input needed for union action

It has come to UUP's attention that private companies such as StudyBlue, Course Hero, and Study Soup are posting course materials such as syllabi, exams, study guides, notes and homework questions without permission from the faculty to whom this intellectual property belongs. Materials can be submitted by students and then sold to other students.



StudyBlue: www.studyblue.com
Course Hero: www.coursehero.com
StudySoup: www.StudySoup.com
Chegg Study: www.chegg.com

To inform UUP or if you have questions, please contact Jamie Dangler, UUP vice president for academics, at jdangler@uupmail.org; 1-800-342-4206.

UUP brought this to SUNY's attention at a Feb. 15 state-level labor-management meeting and we agreed to work collaboratively to investigate and address this problem. Some UUP chapters have already discussed it at campus labor-management meetings and are exploring possible campus actions, including campus Student Code of Conduct and Disciplinary procedures.

UUP is seeking legal advice to consider possible action on behalf of impacted members and we need to identify faculty whose material has been posted without their permission.

We ask faculty to do the following:

- Search the following websites to see if any of your course materials have been posted **without your permission**.
- Inform UUP if your intellectual property appears on any of these sites—or any others you may know of that are posting course materials without faculty permission.

Protect Your Intellectual Property

1. Make sure all your work, including course syllabi and other course materials, includes a copyright notice. In the United States, the copyright notice generally consists of three elements:
 - The © symbol, or the word 'Copyright' or abbreviation 'Copr.';
 - The year of first publication of the copyrighted work;
 - The name of copyright owner.
2. Tell students that posting your course materials without your permission is a copyright violation.
3. Add the following to course materials: "Reproduction of this material is prohibited without the author's consent."

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Horseman of the Trumpocalypse

by John Nichols

Rosemarie Pagano Bundy

Book Review: Horseman of the Trumpocalypse, by John Nichols
We have a New year, 2018, to begin an examination of just where our country is heading. Having just finished reading John Nichols' latest book, "Horseman of the Trumpocalypse", his descriptions and short biographies of all of this administration's appointments to the cabinet positions and Federal agencies made my heart sink. Nichols is from the Midwest and has been writing social and political commentary for several years. He is a regular columnist at The Nation and contributes to several online news feeds. His voice is always reasoned, his comments backed up by quality research and the language stays within the bounds of professional politico-speak sans a descent into the vulgar.

But just skimming over the biographies was a penitential exercise because almost all the positions outlined spell disaster for this country. These are the people that are supposed to keep our government running, see that justice is applied evenly, and keep our 322 million citizens in a reasonably humane situation. Yet, when some of their positions were spelled out in the text one gets a chill understanding where the positions lead.

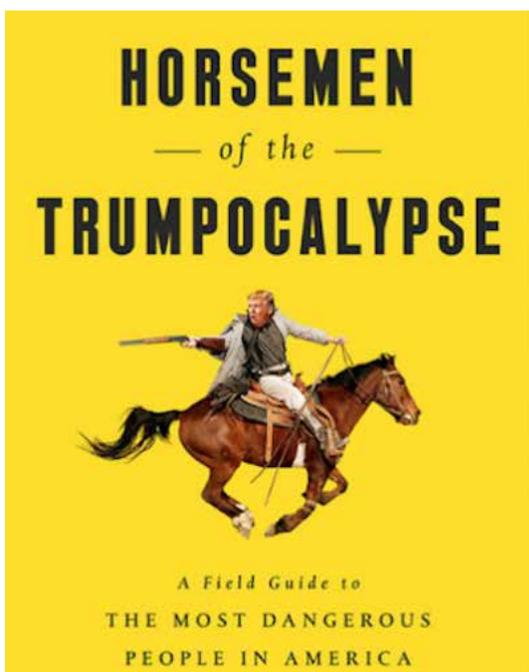
When I read Nichols I detect his motivations and sensibilities. What comes through is an abiding sense of where he would like to see our government and our country moving to enhance all our citizenry; to address the exploding inequality; to create a just tax system, not one of unfairness and injustice benefitting only a few Americans; to release the stranglehold of corporate money on the levers of power; and worst of all, to alleviate all the hate, bias, discrimination and violence unleashed by this

present administration. This is so evident by the telling portraits of the appointees for the Federal agencies and councils. One can smell their true missions rising off the pages-----and it stinks!!!

While talking to a friend of mine about the book, a kindred soul both politically and morally, his reply to my description of the book was, "I am not going to listen to the talk/words from this administration. I will only pay attention to the acts; what the President and his minions actually do."

My first response was agreement and then I responded that the same sentiment was seen in several blogs and columns. Very insightful writers and political analysts were reading under the words, between the lines, and to 'spoof it' they were 'channeling' the real intentions and hurtful, base emotions behind all the puffery and bluster.

So, the motto for 2018 is: watch the outcomes, the actions, the laws enacted, the individuals getting rich, and especially watch those citizens in our country that are being left behind. Then make your decisions on what we should do to rid our democratic republic of this scourge. Scourge seemed too harsh a word but after looking up its derivation, it seemed appropriate. My only hope is that we stop trying to understand how we got here. That is an exercise in futility. There are dozens of tomes explaining that. We must now concentrate on how to extricate ourselves from this predicament. All our brain power and humane sentiments must be used to devising agencies of change. BIG TIME!!





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American Heart Association HeartWalk



Upstate Medical University is currently the #1 company for the Syracuse Heart Walk on to be held on April 21st. So far, Upstate has raised over \$22,000 dollars with 400+ participants.

Here are some of our top team captains (left to right): Back Row: Jewel Hunter, Lisa Yacovoni, Shirlee Eldred, Becca Pesci, Zanette

Howe, Cindy Spuches; Front Row: Beth Sellers, Stephanie DeJoseph, Justin Durland, Patti Warga, Anne Peer; Not pictured: Cheryl Brown, Jeff Amack, Sudie Ann Robinson, Joshua Onyan, Michelle Vallelinga, Renee Calkins, Yvonne Goodman. Thank you to all UUP members who have joined Team Upstate! There's still time to join email howez@upstate.edu or call 315-464-4263

Winners of the 2017 Corporate Challenge Mixed Team



This past Sept 2017, these folks were the top mixed team at the Syracuse Corporate Challenge. On Feb 8, 2018 the team was notified they would be attending an international race in Boston MA on June 21st, 2018. Pictured (L-R) Christina Phelan, Pharmacy; Cara Lavier, 6H Med ICU; Lee Berube, PM & R Therapies; John Kolh, Asst. Director CC Environmental Services. John recently became a Certified Health Care Environmental Services Professional.

Naloxone Training Event

You are likely aware that, there's an Opioid Overdose Epidemic resulting in over 64,000 death in 2016 alone. There are actions you can do now to help reverse this terrible health emergency and save lives.

1. Ask your healthcare provider:
 - Is opioid medication is really necessary.
 - explain the risks versus benefits, as well as alternatives for pain relief
 - what is their plan if a patient becomes addicted
 - can they prescribe buprenorphine (part of an addiction treatment program)
2. Look at home for leftover opioids or other controlled substances and get rid of them! The lobbies of most police stations have "medication waste receptacles", which are anonymous to use. Also, local agencies have "drug take back days".
3. Do you know someone struggling with addiction? Help them get treatment, be supportive but not enabling. Call the New York State HOPEline 1-877-8-HOPENY for 24/7 help and hope.

4. Finally, one thing you can do right now is get trained in Naloxone administration, aka Narcan. This blocks the opioid receptors and can help save a life by getting the person breathing again and time to get to the hospital for evaluation and treatment.

Recently UUP hosted a Naloxone Training event on February 26, funded by the Chapter Action Project. The training was presented by William Eggleston, PharmD and Clinical Toxicologist of SUNY Upstate who made learning about this serious public health issue fun and informative. Dinner was provided, many questions were answered, and everyone went home with a Naloxone kit and some basic skills necessary to save a life.

If you're interested in training, or would like more information, contact Theresa Baxter FNP-C UUP SUNY Upstate Chapter VPP baxtert@upstate.edu





THE OPIOID OVERDOSE EPIDEMIC:

How Nursing Can Help Turn the Tide

TUESDAY, APRIL 24, 2018
SYRACUSE UNIVERSITY SHERATON

SCHEDULE	
07:45-08:00	Welcome
08:00-08:30	The Opioid Epidemic: A Public Health Crisis <i>Indu Gupta, MD</i>
08:30-09:00	A Patient's Personal Experience <i>Andrew G</i>
09:00-09:15	Refreshments and Exhibits
09:15-09:45	Narcan Administration Training <i>William Eggleston, PharmD</i>
09:45-10:15	Evidenced Based Non - Narcotic Options for Management of Spine Pain <i>Denise Karsten, RN</i>
10:15-10:30	Refreshments and Exhibits
10:30-11:15	The Opioid Epidemic: From Then to Now - How We Helped Fuel This Country's Biggest Health Epidemic and What We Can Do To Stop It <i>Ross Sullivan, MD</i>
11:15-12:00	Managing Difficult Conversations: Recognizing and Talking about Problematic Use <i>Ann Griep, MD</i>
12:00-13:00	Lunch
13:00-13:45	Opioid Induced Hyperalgesia: Addicted and Needs Treatment or Just Can't Quit and Needs Caring Detox <i>Brian Johnson, MD</i>
13:45-14:00	Refreshments and Exhibits
14:00-14:45	Integrative Medicine and Its Role in Pain Management <i>Caitlyn S. DeLuca, MD</i>
14:45-15:00	Refreshments and Exhibits
15:00-15:45	The Pain and Opioid Conundrum: Nursing Can Help Turn the Tide <i>Theresa Baxter, NP</i>
15:45-16:00	Evaluation

REGISTRATION:
www.upstatefoundation.org/opioid



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DSRIP Brief

Kari Burke - Hospital Administration

The New York State Medicaid redesign initiative known as the DSRIP (Delivery System Reform Incentive Payment) Program is entering into its 4th year in April. The DSRIP Program is intended to restructure the health care delivery system by reinvesting in the Medicaid program, with the primary goal of reducing avoidable hospital use by 25% over 5 years (through March 2020). Up to \$6.42 billion dollars are allocated to this program with payouts to safety net providers based upon achieving predefined results in system transformation, clinical management and population health.

Recognizing the potential impact on thousands of employees based on these transformation efforts, Performing Provider Systems (PPSs) were required to make commitments to workforce spending in support of DSRIP goals and priorities. At the start of the DSRIP Program in 2015, PPSs committed to spending \$415M over 5 years, and as of September 2017, the midpoint of the DSRIP Program, \$247.5M in workforce investments were reported.

PPSs are required to report on activity in 3 categories: new hires, redeployment and retraining occurring as a result of DSRIP. Across the 25 PPSs, the top titles for new hires were Nurse Aides/Assistants (#1), Care Manager/Coordinator (#2), with a 4-way tie between Nurse Managers/Supervisors (#3), Certified Home Health Aides (#3), Personal Care Aides (#3) and RN Care Coordinators/Case Managers/Care Transitions (#3).

nursing, whether staff RNs or managers, followed by executive staff and medical assistants. Nursing is also among the top categories of redeployed personnel, meaning they have transitioned to another job title due to DSRIP, including those who did so within the same organization.

Although preliminary estimates suggested over 2,000 jobs could be eliminated based on the shift of care delivery from hospitals to ambulatory and community settings, the information released by the Department of Health did not make mention of job losses.

The Department of Health highlighted a variety of investment strategies used by PPSs to attend to provider shortages and emerging needs in the areas of care transitions, care coordination and integrated care. These included incentives and bonuses to support recruitment and retention in underserved areas, the provision of training, and development of health-care workforce pipelines and certificate programs, among others.

For more information, including a breakout of information by region, see the DSRIP Workforce Impact Analysis Report on the Department of Health Website: https://www.health.ny.gov/health_care/medicaid/redesign/dsrip/workforce_docs/2018-02_workforce_impact.htm



DSRIP

Funny acronym with serious results. It is an incentive payment model that looks at reducing hospital readmissions by 25% over 5 years.



Catarina Walker

Catarina Walter was one of the original IMT Epic interface analysts and for years she has been the go-to person for many on her team and other teams in IMT as well. Catarina always puts in the extra effort to assist others with issues even when they do not fall directly under her assigned responsibilities/areas of expertise.

Catarina received recommendations from her team members when a leadership position became available. Now she manages the interface team, or as it is called now "the integration team".

Catarina continues to give and receive strong support from her staff and looks to the future encouraging staff to learn/become involved in the latest technologies and trends associated with software/EHR integration.

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Joseph Huber attended the Syracuse Rescue Mission 2017 Hope Awards dinner as a guest for all the volunteer work he has done at the Rescue Mission. The Rescue Mission Hope Awards recognize men and women who have come through Rescue Mission programs and made life-changing achievements.

Pictured here are (l-r) Ed Riley, Mayor Ben Walsh and Joseph Huber

Try not to become a man of success but rather try to become a man of value. He is considered successful in our day who gets more out of life than he puts in. But a man of value will give more than he receives.

-Albert Einstein

What does a Unionist do on Spring Break?

Go to coal country! I can't believe it either but on April 20 two van loads of teens (with chaperons) from Syracuse (May Memorial & First UU congregations), will travel to West Virginia to spend a week helping, learning, and understanding how the world turns in Appalachia. This trip, which is organized by the Unitarian Universalist College of Social Justice is typical of many church teen support trips but with a twist. It plans to fix up houses, learn culture, and immerse in the Appalachian history and lives of the coal mining community. A good part of this trip will look at the struggles of coal miners

and their families, in how miner's health & safety, environmental destruction, despair, and isolation drove them to vote the way they did and more recently, a state wide teachers strike. Our "in country" partners will be the Southern Appalachian Labor School and UU Congregation of Charleston WV. Wish us luck and support.

In Solidarity
Greg Siwinski
Occupational Health Clinical Center



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Prenuptial Agreement

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Immigration Assistance

Financial Matters

Debt Collection Defense

Foreclosure Defense

Identity Theft Defense

****LifeStages - Identity Management Services***

Negotiation with Creditors

Repayment Schedule

Repossession

Personal Bankruptcy

Tax Audits

Wills

Living Wills*

Powers of Attorney*

Trusts

Wills*

Codicils*

Real Estate Matters

Boundary or Title Disputes

Eviction and Tenant Problems (for tenants)

Home Equity Loans (primary, secondary or vacation home)

Property Tax Assessment

Sale, Purchase or Refinancing (primary, secondary or vacation home)

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Digital Spring Cleaning

Reprinted from: Center for Internet Security

Spring cleaning is almost a rite of passage. With it we celebrate the renewal of life that occurs in nature each spring and eagerly await the exciting fun of summer. Traditionally, spring cleaning means cracking our windows and dusting, mopping, and vacuuming, but this year consider taking a few minutes to spring clean your digital life. Here are a few tips for home users for refreshing, renewing, and reinvigorating your cyber life.

Online Accounts

Just like your home, your online accounts can collect clutter and occasionally need a few minutes of care. Start by considering what accounts you have online for both work and home. Chances are your accounts include email, social networks, clubs and organizations, shopping websites, cloud storage accounts, and others. Do you need them all? Is there information in those accounts that isn't needed anymore,

can file into folders or delete? And when was the last time you cleared out your deleted items or trash folder? Can you set a rule that will automatically empty your deleted items or trash folder on a regular basis? Unsubscribe to recurring emails that no longer interest you.

Social Media

Just like everything else, it's a good idea to spring clean your social media accounts by taking a few minutes to review your security settings, friends and connections, and posts to make sure you're still comfortable with them. Is the information on your social networking and job websites, including Facebook, Twitter, Instagram, and LinkedIn, current? Do your security settings ensure that only the authorized individuals can view what you post? Do you still use or need all of the social media sites you are registered to?



such as credit cards saved in your accounts with shops and old documents on cloud storage accounts? Are there accounts that you don't use anymore and can close, like that old email account you never check? Are you using the same password across any of these accounts that you could easily make unique and more secure?

Email Accounts

Speaking of email, is there information in your accounts that you can archive or delete? Many email providers have limits on mailbox sizes, and for security reasons it's always smart to limit what is available through your email account. On a side note, how many emails are in your inbox – are there any you

Devices

Smartphones, tablets, laptops, and computers make our lives so much easier and here's your chance to ensure that doesn't change! Delete unused apps and clear out any downloads you aren't using any more. Make sure your device requires a password, pin, or fingerprint to log-in. Check for old files that can be archived or deleted. (Don't forget to empty the recycling/trash bin Then make sure your device's security software is working properly (you do have antivirus installed, right?) and all software is patched and set to auto-update

Web Browser Settings

Web browsers need a bit of care, just like other software.

SECURITY TIPS & AWARENESS

Many browsers can store your passwords or autofill settings, but over time the data stored by the browser can accumulate, and this isn't a secure place to store your passwords. So take a few minutes to check your browser settings, clear out old data, and ensure your browser's security settings are still keeping you safe. In particular, make sure that autofill doesn't contain sensitive information and that you don't store your passwords in your browser. Do you need all of the browsers on your system?

Home Networks

Take another moment to look at what is on your home network and how you're connecting to the Internet. Make sure your home router is secured with a complex and unique password and that its broadcast name doesn't identify it as belonging to you. Additionally, setting up your wireless router to use a current encryption standard like WPA2 will greatly strengthen your home network security. This would also be a good chance to see if there are additional security features you can turn on or install, such as firewalls or antivirus software.

Back Things Up

Whether you save your files to CDs or DVDs, a cloud backup service, or an external hard drive, spring cleaning is a good opportunity to make sure you have a complete backup of important files. No matter how you're saving those files, make sure you're saving the right files and that you can restore everything from your backup, since a backup that you can't restore from isn't useful at all!

Take Out the Trash

Last, but certainly not least, take out the trash. Literally. Are there old devices in your house or office that should be recycled? If so, many towns and stores support eCycling initiatives and will help you properly dispose of them. Just make sure to remove and shred/destroy hard drives and other components that may contain sensitive data!

By taking a few minutes to include these digital areas of focus in your spring cleaning plans, you can ensure that your data and devices are that much safer.



Kristin Bruce

Kristin Bruce, MHA MBA FACHE, Director for the Office of Volunteer Programs at SUNY Upstate Medical University, recently became a Fellow of the American College of Healthcare Executives (ACHE), a professional society for healthcare leaders. Fellow status represents achievement of the highest standard of professional development. Only 9,100 healthcare executives hold this distinction. To obtain Fellow status, candidates must fulfill multiple requirements, including passing a comprehensive examination, meeting academic and experiential criteria, earning continuing education credits and demonstrating professional/community involvement. She will participate in a Convocation Ceremony in March.

Lisa Donovan

When you see her, congratulate Lisa Donovan for being re-elected last fall as Trustee to the Transplant Financial Coordinator's Association (TFCA) for her third term. She is also co-chair of the TFCA workshop planning committee



update

from UUP President Fred Kowal



Copyright and Intellectual Property: Your Rights as a SUNY Employee

The expansion of online education is creating new teaching and course development situations that challenge previous understandings of copyright and intellectual property protections. Since 2014, UUP has compiled information about campus policies and members' experiences. While we address specific campus issues as they come to our attention, we believe a broad information campaign is needed to inform members of their rights and engage campus senates and administrations in discussion to clarify intellectual property issues in the new online-education environment.

UUP members may not know the intellectual property protections afforded by SUNY statewide policy, and campus administrators may claim ownership of intellectual property in violation of that policy. Here's how we can educate ourselves and protect our rights:

Find out what your campus online education and copyright/intellectual property policies are. Check them against SUNY's policy at <http://bit.ly/2gaU0Vc>

Inform UUP if you see a discrepancy between your campus actions and SUNY policy.

Press for open discussions on campus to clarify campus policies for all research, teaching, and course development situations.

Engage your campus senate leaders and your UUP chapter leaders to help facilitate discussions and address concerns.

Contact your UUP chapter if you have a problem or need help obtaining information about your intellectual property rights.

FAST FACTS

In the absence of a written work-for-hire agreement that the employee voluntarily signs, copyright ownership vests in the individual faculty member.

Individual campuses can establish work-for-hire arrangements as long as employees sign a written waiver surrendering ownership of their work.

While faculty can waive their rights, campus administrations cannot obtain rights without an individual's written consent.

Bottom line: Only individual faculty members determine if others can use their intellectual property by agreeing to a *license for use* or *waiver of ownership*. No other person or institution should use a faculty member's intellectual property without obtaining one or the other. Faculty cannot be compelled to relinquish ownership of their intellectual property.

CONTACT UUP IF:

- You are told that your intellectual property belongs to the University and you haven't signed a waiver; or
- If you are presented with a waiver form and told that you must sign it.



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FAMILIARIZE YOURSELF WITH SUNY POLICY TO PROTECT YOUR RIGHTS IN YOUR WORKPLACE

Excerpt from:
SUNY Faculty Copyright Ownership FAQs

1. If I post my course content, learning resources, pedagogical materials, or other original works in Open SUNY or the SUNY Learning Commons (or similar SUNY websites), will I retain ownership of my work?

It depends. Under the current SUNY copyright policy, faculty retain ownership of works produced in the scope of employment, including works produced for online instruction unless there is a written agreement between the University and the faculty member to the contrary. Putting it more specifically, SUNY and faculty may contract for "work-for-hire," authorize the work in advance by written agreement, and determine in the contract who the owner shall be. With respect to work produced for online instruction, practice regarding the use of written agreements varies from campus to campus. In the absence of a written work-for-hire agreement, copyright ownership vests in the faculty.

2. As a SUNY faculty/staff member, if I own my course content and other materials, and if there are no licenses or other agreements affecting my works, am I the only one who can decide how my materials are used and who may use them?

Yes, if the faculty staff member is the author of the "course content and other materials."

3. In my faculty/staff role, I often use common campus resources (for example, computers, library books, library databases, consultations with reference librarians, help from our teaching center, or help from IT staff). Can my campus or SUNY claim copyright ownership or other rights or control of those works based on the use of campus resources?

The SUNY copyright policy incorporates the academic work-for-hire exception, the effect of which is to vest copyright ownership in the faculty to works authored by the faculty. Use of SUNY facilities is not a relevant consideration under the SUNY policy.

4. Would you please list and explain some examples of circumstances when materials produced and works authored by SUNY faculty/staff are considered works-for-hire by SUNY? If my campus asks me to create content for a new course and pays me a stipend without a specific agreement in advance for creating the course, is that new course considered a work-for-hire?



Works-for-hire are defined under the 1976 Copyright Act in §1.01. In part, works-for-hire are works "specifically ordered or commissioned ... if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire." So, the statute and good practice indicate the need for a written contract as a requisite for work-for-hire. The second and third sentences in SUNY's copyright policy are intended to address work-for-hire not covered by the academic work-for-hire exception, and indicate that such work-for-hire is subject to "contractual arrangements."

Full FAQ available at <http://bit.ly/2eYHQ1X>

After attending a Fall 2014 SUNY Faculty Advisory Council on Teaching & Technology (Fact2) symposium, UUP published an information sheet for members that addressed faculty ownership of teaching materials, work-for-hire situations, concerns about UUP members signing away their intellectual property ownership rights, and inconsistencies between SUNY policy and individual campus copyright and online-education policies. Read it at <http://bit.ly/2eYUPAG>



For more information or guidance, contact:
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VP for Professionals Tom Tucker at ttucker@uupmail.org

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