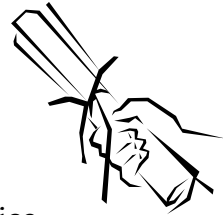




ACSUM, the Associated COLT Staff of the Universities of Maine, welcomes you to employment with the University of Maine System. ACSUM is the voice of our clerical, office, laboratory, and technical staff; and through affiliations with the Maine Education Association (MEA) and the National Education Association (NEA), we are 2.7 million strong. We would like to take this opportunity to explain some of the rights that ACSUM provides and protects for us.



By law, ACSUM is the sole bargaining agent for our unit. For over two decades, ACSUM representatives have negotiated with University management to establish better workplace conditions, salaries, and benefits for 1,000 COLT employees system-wide.



While our full contract covers many more specific conditions of employment, some of ACSUM's important successes are as follows:



- Sick leave and family leave
- Employer-provided health insurance
- Cap on out-of-pocket costs for prescriptions
- Vacation that increases with years of service
- A pension plan
- Protection against illegal discriminations
- Right to file grievances
- Leaves of absence under certain conditions
- Tuition waivers
- Protection against improper layoff or layoff procedures
- Protection against unfair discipline and unjust firing after probation
- Right to representation by ACSUM in grievance meetings



Many of these rights and protections only exist because they have been negotiated and delineated in our union contract. The benefits and workplace rights that ACSUM has won at the negotiating table can be improved or lost in future bargaining.



For more details, you can find a copy of our current contract, as well as contact information for ACSUM representatives, at www.acsum.org.

A strong membership is key to protecting and improving our rights.



By law, the University System is required to enforce other rights on behalf of all employees.

❖ **Equal Opportunity
and Affirmative Action**



The University of Maine System shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, national origin or citizenship status, age, disability, or veteran's status in employment, education, and all other areas of the University System. Upon request, the University provides reasonable accommodations to qualified individuals with disabilities.

❖ **Sexual and Racial Harassment**

Harassment of either employees or students is a violation of federal and state laws. The University cannot legally allow one member of the University system community, including supervisors, to harass another.

❖ **Health and Safety**



The University is required to provide a safe and healthy work location related to the employee's type of work. An employee must be properly trained in the use of chemicals and equipment. In addition, the work environment must meet certain legal standards to be considered safe. (Computer workstations are also covered by health and safety laws.)

❖ **Wage and Hour Laws**

The University of Maine system is required by federal law to pay overtime or compensatory time at one and one-half of our regular rate.

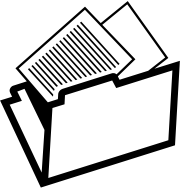


❖ **Union Representation**

We are legally protected against discrimination by management or supervisors for participation in—or support of—an employee association such as ACSUM. Discouraging employees from such participation is also illegal.

For assistance with problems in these areas, we can speak with an ACSUM representative who will help us or refer us to the correct agency.

Since our jobs will entail duties and responsibilities that we did not know existed when we started working for the University System, we may have questions about various emerging tasks.



The best way to clarify this issue is to create a file with documents that relate to your individual position, including the following:

- the general, system-wide job description
- your site-specific job description
- the published announcement of the position
- additional letters, memos, or emails from administrators
- your letter of appointment

If you find that your job responsibilities are significantly different from those in the system-wide title, or if they become so over time, you may be eligible for



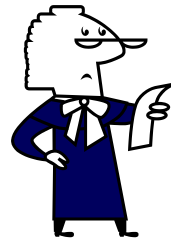
reclassification under our ACSUM contract. (System-wide job descriptions can usually be found in each campus library.)

We suggest that you keep one copy of the job file at work and another at home. This file, as well as contact with an ACSUM representative, can be very helpful when sorting through job tasks and responsibilities.



Important note for new employees:

In 2003, our state affiliate, the Maine Education Association (MEA), successfully lobbied the Maine legislature to pass a law that says **you are covered by the contract from the day you start work**. While your six-month probationary period still exists, you are now guaranteed all other contract rights from your date-of-hire.



You can view or print our current contract from the ACSUM Website: www.acsum.org. The more familiar you are with our contract's language, the more comfortable you'll feel in a situation that requires reference to the document. When you have questions

about an article in our contract, you can ask for clarification from a union representative. **Also, our negotiations team welcomes members' input on substantive issues and language to consider for future contracts.**

When a manager or supervisor wants to ask you questions about your work performance or investigate you for any incident which might lead to some form of discipline, you have a right to representation by ACSUM:



Weingarten Rights

NLRB v. J. Weingarten, Inc.; 420 US 251, 88 LRRM 2689
(US Supreme Court, 1975)

If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at the meeting.

Without representation, I choose not to answer any questions.

Weingarten rights protect us in an investigatory interview by guaranteeing us the right to ACSUM representation.

An investigatory interview is an interview during which a supervisor, or anyone acting on behalf of University

management, questions us to obtain information that could be used as a basis for discipline—or asks us to defend our conduct.

The following Weingarten Rules apply to an investigatory interview:

1. The employee must make a clear request for representation by ACSUM.
2. The University has only three legal responses to the employee's request:
 - a. to grant the request, delaying the interview until an ACSUM representative can attend
 - b. to deny the request for representation in a non-threatening way and end the interview
 - c. to give the employee, in a non-threatening way, the choice of continuing the interview without an ACSUM representative or of ending the interview
3. You have the right to refuse to answer questions if the supervisor or manager refuses to end the interview or allow ACSUM representation; however, ACSUM recommends that you wait to leave the room until the manager chooses to end the interview and excuses you.

We recommend answering questions only with an ACSUM representative present.

Note: You may be disciplined for refusing to answer questions when all other rights are honored.

(Information taken from *The Legal Rights of a Union Steward* by Robert M. Schwartz; Work Rights Press, 1988.)

What do the following scenarios have in common?

My supervisor just came to me and told me that my work schedule is changing tomorrow—and that I have to come in two hours later and stay two hours later!

Someone is saying nasty things about me to my coworkers.

I requested a new chair because my back and neck are so sore when I go home at night, but nothing's happened.

My supervisor offers overtime to my coworker, but not to me.

These issues are potentially grievable!

State laws and our contract protect our right to file a grievance when situations such as these arise in our workplaces. Whether to address an issue as detrimental as harassment, or simply to clarify what may feel to us like a “small” issue, *the grievance process is crucial* to the vitality of our contract and to protecting our rights.

A grievance is a way to clarify our rights, making sure that the contractual policies and rules under which we work are applied fairly. A grievance is really a difference between ACSUM and University management regarding a contract interpretation and, thus, a potential contract violation.

If you ever believe that your rights as an employee are being violated, you have the right to talk with an ACSUM representative.

Note: When a grievance is filed, ACSUM does the talking on behalf of the individual employee. It is illegal for University managers or supervisors to discuss or to intimidate the employee regarding the grievance issue.

While each of us hopes for a great workplace, and while ACSUM exists to protect and support us, our day-to-day reality can occasionally fall short. We are guaranteed to run into difficult people, whether they are colleagues, supervisors, students, or parents; finding healthy ways to cope will be crucial for us in these situations.

Here are some tips to help you maintain your balance in less-than-blissful work situations.

1. Whenever possible, be a duck and let an individual's unpleasantness roll off your back.

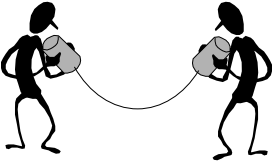


Many times their behavior is not truly directed at you—you just happen to be in their line-of-fire.

2. Escape the situation if you can. Claim a project deadline or an important call that you just *have* to make.



3. If you cannot escape, try repeating the person's words. Helping a difficult person "feel heard" is the number one way to defuse emotional tension.



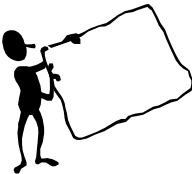
4. Recognize what stresses you. If you can do something about the problem, great; if not, accept that fact and let the issue go.



5. Find a trusted colleague in whom you can confide and share ideas. (Be careful not to vent your frustrations in a public place since you could be overheard and misunderstood!)



6. Clarify your own boundaries and communicate them to others. You have a right to be treated with respect! (Follow your instincts on this one; your instincts are usually right.)



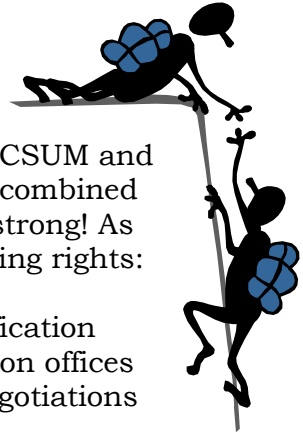
7. "Kill 'em with kindness!" (A sweet revenge when you need it.)



8. For an ongoing problem, do not let it fester too long before talking with someone,

including an ACSUM representative when appropriate. Asking for help is a sign of strength!

For those of you who haven't already, we hope you choose to join us by becoming a member of ACSUM and our affiliates, the MEA and NEA. Our combined caring, concern, and talents keep us strong! As ACSUM members, we enjoy the following rights:



- ⇒ Right to vote on contract ratification
- ⇒ Right to vote for and hold union offices
- ⇒ Right to participate on the negotiations team
- ⇒ Right to attend ACSUM, MEA, and NEA trainings
- ⇒ If elected, right to represent ACSUM
- ⇒ Liability insurance protection (\$1 million for defense in lawsuits) through the NEA
- ⇒ Legal defense of employment-related criminal charges through the NEA
- ⇒ Legal representation in contested Worker's Compensation cases through the MEA
- ⇒ Representation in Unemployment Compensation appeals
- ⇒ ACSUM, MEA, and NEA newsletters and publications, as well as use of ACSUM's listserv
- ⇒ Basic life insurance, which is free, plus options for additional coverage
- ⇒ Access to other NEA special service programs

Working together, *we are* ACSUM, MEA, and NEA. We protect and help each other, especially when unexpected issues crop up and affect our work; and through our collective strength, we impact and improve our University workplaces.

**ACSUM welcomes your voice, your ideas,
and your vision for our future!**



For the Greater Good of All!

Unsure where to find information you need? Try contacting your campus ACSUM representative, or call the Maine Education Association (MEA) office at 888-942-2907. Or you can search for helpful information on the Websites listed below.

ACSUM

Associated COLT Staff of the Universities of Maine

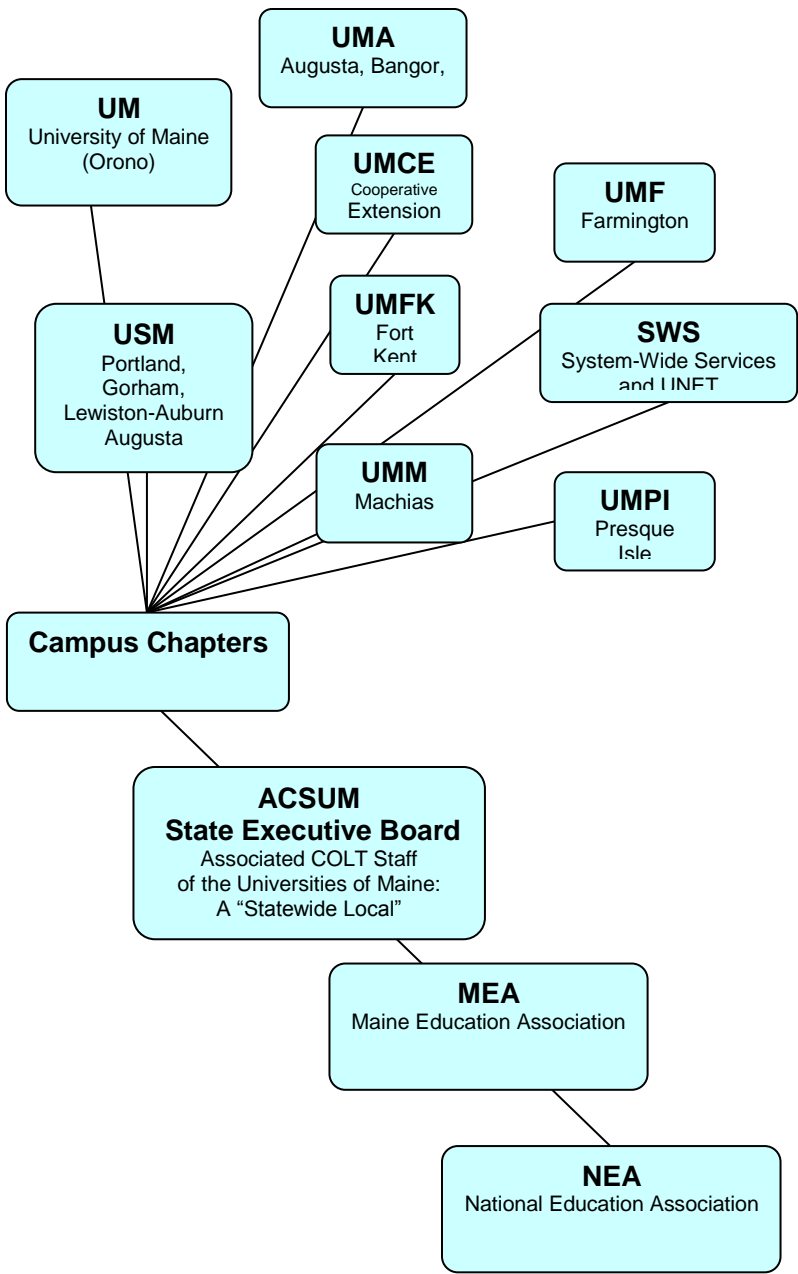
www.acsum.org

Maine Education Association

www.maine.nea.org

National Education Association

www.nea.org



ACSUM Orientation Handbook
published through an NEA membership grant
March 2004

**“Be the change you wish
to see in the world.”
~ Gandhi**