



9 October 2024 (One Day Early)

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## The Election - and Salary, too

**During the past few years, we have seen the consequences of elections.** A flurry of new laws were passed by elected representatives and signed by an elected official. Some laws were translated into new regulations by appointees of said elected official and appointees of appointees (some of these appointments confirmed by elected representatives). Other laws are simply enforced by university administrations that serve, for all practical purposes, at the pleasure of above appointees.

These laws are being litigated, that is to say, their legality and constitutionality are being contested before appointees of elected officials (whose appointments were confirmed by elected representatives).

**We get the government we elect, so we should pay attention to whom we elect.**

In this issue, we first look at just one episode in one of those laws.

- **The Mills of the Law Grind Slowly ... and Grind Exceedingly Expensively.** One legal team won a permanent injunction against a piece of a Stop Woke law. For more, see below.

Which brings us back to the election.

- **A Civics Reminder.** Here are some links to get information about the election - and how to get information about voting in the aftermath of two hurricanes. For the links, see below.
- **A Right to Vote?** This is now a matter of public debate and of litigation. For details, see below.

Meanwhile, we are bargaining, and the USF Administration has been making noises about a 3% raise - a proposal that the UFF Team said was inadequate.

- **About that 3% Raise.** The university's funding has returned to pre-pandemic levels, but our salaries have not, and 3% is a drop in the bucket. For more, see below.

Finally, the United Faculty of Florida has posted a [Hurricane](#)

[Resources page](#). For information from the horse's mouth, check the [National Hurricane Center](#); (whose [8 am Public Advisory](#) says, "...PREPARATIONS, INCLUDING EVACUATION IF TOLD TO DO SO, SHOULD BE RUSHED TO COMPLETION THIS MORNING...").

Individual counties will post announcements on their websites:

- [Hillsborough County](#).
- [Manatee County](#).
- [Pasco County](#).
- [Pinellas County](#).
- [Sarasota County](#).

By the way, the deadline for registering to vote [was not extended](#) because of the hurricane: on Monday (the deadline), Governor DeSantis explained, "People can register today ... There's nothing inhibiting you registering today. The storm has not hit yet."

This is a serious storm. Take care.

## **No Chapter Meeting on Friday**

The next chapter meeting will be on Friday, October 25.

### **The Mills Grind Slowly .....But they Grind Exceedingly Small**

So many laws, so many lawsuits, and they are all taking so much time and costing so much money. A recent development in one lawsuit concerning one of the laws gives us glimpse at the scale of all this.

In June, 2022, after Governor DeSantis signed what he called the [Stop Wrongs To Our Kinds and Employees Act](#) (HB7) barring "woke" topics from the classroom, (at least) two lawsuits were filed on behalf of educators. UFF, the [Legal Defense Fund](#), and the [American Civil Liberties Union of Florida](#) filed [a lawsuit](#). Meanwhile, USF Professor [Adriana Novoa](#), USF student Samuel Reчек, the [First Amendment Forum at USF](#), and the [Foundation for Individual Rights in Education](#) filed [another lawsuit](#).

But HB7 also banned diversity training for employees of private firms, so the [Protect Democracy Project](#) and [Ropes & Gray LLP](#) filed [a lawsuit](#) on behalf of some companies contending that the law restricted corporate speech. That August, U.S. Judge Mark Walker [found the law unconstitutional](#) and issued an injunction against it. The State appealed, and this March - nineteen months later - a panel in the Eleventh Circuit of Appeals [upheld the injunction](#). Then in July, Judge Walker issued [a permanent injunction](#) and subsequently ruled that the plaintiffs may seek compensation. The plaintiffs have just asked for [\\$790,000](#).

Two points.

First, HB7 faced multiple suits, each one attacking the law from a different angle, each one making a particular argument to have the courts address a particular aspect of the law. Bringing down such a law may require *a lot* of litigation.

Second, this costs money. This particular lawsuit was filed on behalf of several companies that can afford the expense; union dues pay for union litigation. And whether or not these plaintiffs get the compensation, the amount is typical; many of these lawsuits are potentially a million dollars a pop - if not more.

Tallahassee politicians are not personally concerned about the costs: its the taxpayers who foot the bill. As for plaintiffs like these five companies, they *may* receive compensation *three years* after the lawsuit was filed.

The price of liberty, said Wendell Phillips, is eternal vigilance. And lots of dough.

## What is a Contract Good For?

**A contract can help when you get in trouble - *if you use it*.** If your contractual rights are violated, you have the right to file a grievance seeking redress, and we can help. But remember, **you have thirty days from the time you knew or should have known about the contract violation to file the grievance, so if something happens, contact us asap.** For more information, see the [Grievance Page](#).



*Civil rights activists saw the franchise as critical to winning their rights.*

# A Civics Reminder

**Only 16% of all FEA members voted in the primary. Don't let this happen in November!**

The general election is on **November 5**. This election will not only be for the president, but also for many representatives and officials who make decisions affecting you and your university. **If you are eligible to vote, we strongly encourage you to do so.**

Because of Hurricanes Helene and Milton, election supervisors are making special preparations. Check your county supervisor of elections for information on voting:

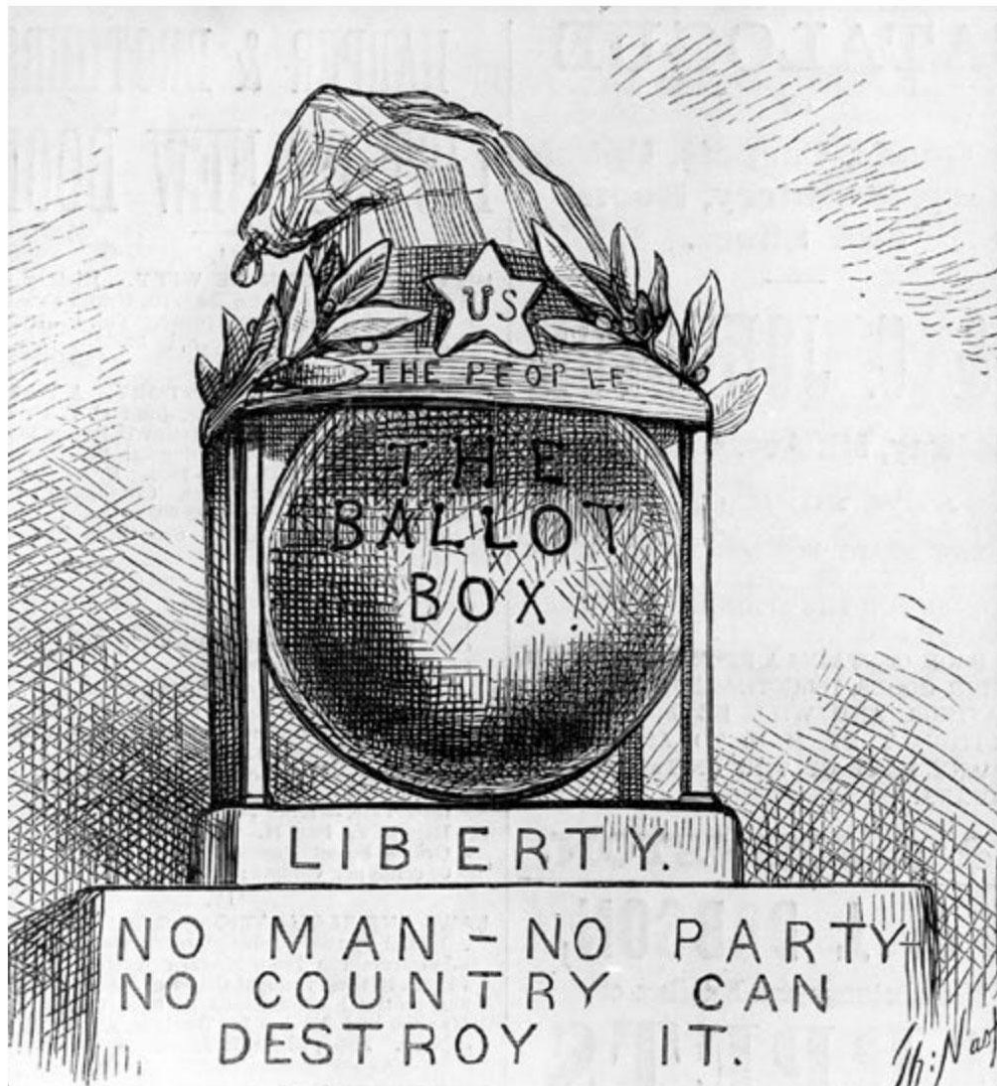
- [Hillsborough County](#)
- [Manatee County](#)
- [Pasco County](#)
- [Pinellas County](#)
- [Sarasota County](#).

**We strongly recommend that you research the candidates and issues and vote in this election.** That does *not* mean social media, which is full of [opportunism](#) and [toxins](#). Remember what high school forensic debate teachers say about [provenance](#). Here are some resources you can check:

- [Ballotpedia](#) is a nonprofit "encyclopedia" of American politics.
- The [Florida Democratic Party](#) believes in Foundational Principles.
- The [Florida GOP](#) would like to Keep Florida Free.
- The [League of Women Voters](#) empowers voters.
- The Tampa Bay Times has a [Voter's Guide](#).
- The West Central Florida Federation of Labor posted some [recommendations](#).

And almost every candidate and every referendum (and opposition to that referendum) has its own website.

**And remember: politicians know who votes, and if you don't vote, then they know that they can ignore you.**



*State by state, the United States adopted secret ballots in the late Nineteenth and early Twentieth century.*

## **A Right to Vote?**

We are so used to voting being a chore that we forget that for a long time, powerful people have gone to a lot of trouble to prevent ordinary folks from voting - or to control their vote. Before the United States adopted the [Australian Ballot](#), parties would distribute printed ballots - helpfully filled in - for their members to turn in. After that, the powerful turned to actively encouraging the right people to vote while discouraging the wrong people (in the latter case, sometimes with violence).

Obviously, voting does matter. Powerful people would not spend so much time and effort restricting and manipulating it if it didn't.

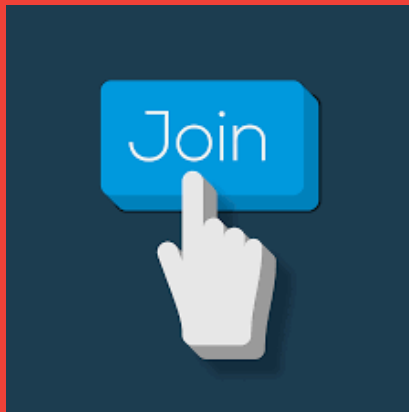
So is there a right to vote? The Fifteenth Amendment seems to say so: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." That seems to say that there is a right to vote. The Nineteenth and

Twenty-Sixth Amendments also refer to "The right of citizens of the United States ... to vote shall not be denied or abridged ..."

Nevertheless, the spectre of the wrong people casting ballots haunts the corridors of power, and since the Constitution says that its up to the states to conduct elections, efforts to restrict the franchise have focused on the states. And the Kansas Supreme Court has [just decided](#) that voting is not a "fundamental right" in the Kansas Constitution. (The Florida Constitution does not mention a [right to vote](#), either, although it goes into detail about who cannot vote.)

Three years ago [Pew reported](#) that while 57% of the American public regarded voting as a right, 42% regarded it as a privilege (notice the unusually small number of undecideds).

But at the risk of being a nag, the union takes a third position. **Voting is a civic obligation.** In fact, in some union bodies, members take an oath that says, among other things, that they will vote if eligible to do so. So if you are eligible to vote, vote. It's the American thing to do.



## Union Membership

If you are not a union member, please [join today](#) (the form connects automatically to the eDues form, so you will want to have your banking information or checkbook information handy). We are stronger standing together in solidarity.

If you have difficulties with the eDues form, see the [instructions](#).

## Membership Status

If you are going on a reduced-pay leave or sabbatical, or if you are retiring or resigning, please contact us so we can adjust your eDues accordingly: visit the [UFF Membership Policy webpage](#). In particular, if you are retiring, we encourage you to consider joining the UFF Retired chapter: here is [their webpage](#).

Salaries Employment Health Grievance Protection Law  
COLLECTIVE BARGAINING  
Process Negotiation Agreement Productive  
Working Hours Terms Rules  
Employer Union Wages Group  
Overtime Safety Establish Cost

## Bargaining the Next Contract

Your UFF-USF Bargaining Committee met with USF-BOT bargaining representatives to begin negotiations for the successor agreement to the current Collective Bargaining Agreement 2021-2024.

The Bargaining Committee wants your ideas, comments, suggestions, and desiderata from the employees that the union represents. Please send thoughts on bargaining to [the Bargaining Committee](#). And if you haven't already, please fill in this [short survey](#) from the Bargaining Committee.

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## A Certification Election is Coming

You may recall that every Florida public employees union (like UFF) that the governor doesn't like (like UFF) must have 60% membership in order to automatically retain "certification", i.e., the right to represent employees in bargaining and enforcing a contract. UFF - ahem - does not have 60% membership, so **in order to continue to represent YOU, we need an election in which YOU vote IN FAVOR of retaining UFF as your "collective bargaining agent"**. (This does not mean you have to join - just that you want us to continue to represent you in bargaining your contract.)

**We have been informed that the Commission will set up the election ... soon.** We don't know what soon means, but be advised, it's coming, and UFF must win the election in order to continue bargaining and enforcing our contract.

## About that 3% Raise

Historically, when UFF and the USF Administration bargained a new contract, Article 23 on salaries came last. There were several reasons for this, including tactical ones, so UFF was a little surprised when the Administration team presented a proposal for a 3% raise. Subsequently, the Administration announced that everybody - presumably, everybody outside of the Bargaining Unit - will get a 3% raise.

Setting aside the Administration proposals to eviscerate contract language on nondiscrimination and grievances (not to mention the Administration's unwillingness to jointly look at what AI does to job conditions), let's take a look at what that 3% raise actually adds up to.

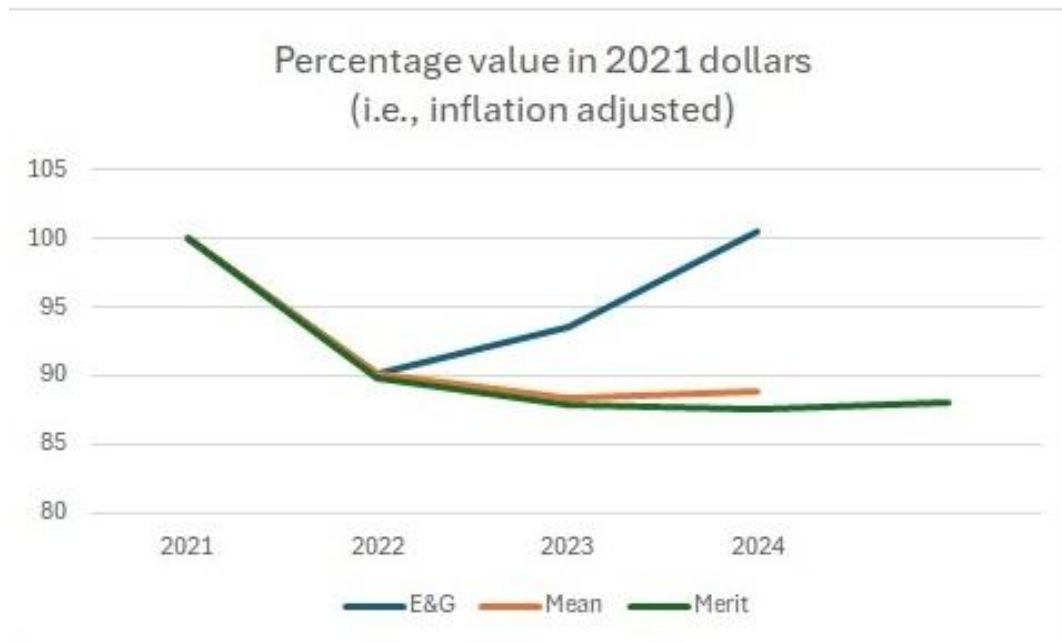
Suppose that employees in the Bargaining Unit get that 3% raise.

At the moment, employees who received only the merit raises since 2021 are bringing home 87.5% of their 2021 salary (when adjusted for inflation). With that 3% raise, where will they be next July?

The Federal Reserve Bank of Philadelphia reports that the [Survey of Professional Forecasters](#) projects an inflation rate of perhaps 2.4% for the coming year (close the Fed's goal of 2%). Compounding a 3% raise with an inflation rate of 2.4% produces an effective raise of 0.6%.

The result of such generosity is illustrated in the graph below. As before, the blue line is the Education and General funding USF receives, orange is the mean salary (including promotion, extra duties, and including effects of new hires, departures, etc.) and the green is the salary of someone here in 2021 who receives only merit raises - all of them adjusted for inflation.

That 3% doesn't seem to be addressing the problem - and, considering that E & G funding has recovered, that failure isn't due to a lack of resources.



**Follow us on Social Media**

**&&&**

## ***Join us on Social Media***

We have a Facebook group: see [United Faculty of Florida at USF](#). This page is a place where UFF members can exchange thoughts and ideas. **The page is "public", but only dues-paying UFF members are eligible to post items on the page. If you are a UFF member, ask to join on the page, and the moderator will invite every UFF member that asks to join.** Non-members are welcome to look (but you need a Facebook account to do that). So check us out ... join the conversation.

- We have a blog: see [The USF Faculty Blog](#). This has news items as they come up.
- We are on Twitter (aka X), so follow us on Twitter / X via [@UffUsf](#).
- We are on Instagram, so check us out at Instagram [@usf\\_uff](#).
- We even have a You-Tube channel: [check out our videos](#).

**We are revamping our publicity machine, and if you are interested in social media, in membership, or in conversations with you colleagues across campus, *come join the campaign*. Contact [the Communications Committee chair](#).**

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### **USF United Support Fund for Food Pantries**

Many of our students are struggling during with food insecurity, and the USF Foundation is supporting the [USF Food Pantries](#) to help out. They are accepting non-perishable donations, but one can also make monetary donations for the pantries at all three campuses.

### **Details, Details**

The USF-UFF Chapter website is <http://www.uff.ourusf.org>, and our e-mail address is [uff@ourusf.org](mailto:uff@ourusf.org). About this broadcast: This Newsletter was broadcast from Constant Contact, and is intended for all members of the UFF USF Bargaining unit (USF faculty and professionals at most departments). A (usually identical) version will be broadcast to USF-News and USF-Talk from [mccolm@usf.edu](mailto:mccolm@usf.edu).

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