



San José/Evergreen Faculty Association, AFT 6157

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Partial Tentative Agreement between Faculty Association, AFT 6157 and San José/Evergreen Community College District May 12, 2011

The District has an interest in addressing its ongoing fiscal stability and solvency through a variety of strategies as identified by the Board of Trustees on Feb 12, 2011.

The District has an interest in seeking the following two strategies: a 3.5% salary savings and benefit savings of one million dollars, to provide the necessary expenditure savings to meet a 7% reserve level for 2011/2012 and incrementally address on-going budget shortfalls in subsequent years.

Based on the best case state budget scenario, the union believes the following two strategies will meet the district needs: a 1.4% salary savings and benefit savings of approximately one million dollars, to provide the necessary expenditure savings to meet a 7% reserve level for 2011/2012 and incrementally address on-going budget shortfalls in subsequent years.

To ensure that the District can meet its ongoing financial obligations, the District and AFT 6157 shall continue discussions on salary savings based on the District's 2011-2012 Tentative Budget which shall include the Governor's May Revision, and the State's 2011-2012 adopted budget. The subject of salaries effective July 1, 2011 will continue to be discussed when the parties reconvene June, 2011.

1. PD Day scheduled for Friday, September 2, 2011 shall be a nonpaid day for full time faculty only. Faculty shall fulfill the requirements of this Professional Development Day by following the provisions for an alternate plan in Article 11.6 and 11.7. In 11.7 the division dean or alternate administrator will act as designee for the college president.
2. PD Day scheduled for Friday, January 27, 2012 shall be a nonpaid day for full time faculty. Faculty shall fulfill the requirements of this Professional Development Day by following the provisions for an alternate plan in Article 11.6 and 11.7. In 11.7 the division dean or alternate administrator will act as designee for the college president.
3. Alternate individual plans for Friday, September 2, 2011 are due by October 10, 2011 and plans for Friday, January 27, 2012 are due by February 17, 2012 from each full time faculty member.
4. Instructional and Non-instructional full time faculty shall not be required to be in attendance for anytime during the two days identified.
5. Adjunct faculty are not eligible to participate on these Professional Development Days: Friday September 2, 2011 and Friday January 27, 2012.
6. A survey shall be developed and distributed by each college to evaluate the full Professional Development Days program for 2011-2012 only.
7. The agreement with regard to these two Professional Development Days is for the 2011-2012 academic year exclusively.
8. Nonpaid days shall not affect the calculations for sick leave or step and column advancement.
9. The District shall deduct an amount equal to 1% of base pay from each full time faculty member's payroll beginning with the August 2011 payroll through the July 2012 payroll depending on the number of payrolls for the individual member (10, 11 or 12 payrolls) for the 2011-2012 academic year. Non-instructional

- faculty who begin 2011/2012 assignment in July shall have 1% deducted from each of their salary payments.
10. Any full time faculty member hired midyear shall have their pay deducted for the January 26th PD Day nonpaid day only. Any faculty on an Early Reduced Workload program shall have a pro-rated amount of salary deducted from their paycheck based on the percentage load.
 11. Negotiations regarding salary and nonpaid days will immediately be opened for restoration of pay if any of the following occur:
 - a. Additional monies are allocated to the District from the state including but not limited to: general fund additional monies, categorical monies, additional revenues for growth, one time money etc, or the cuts to Community Colleges are reduced from the current amount of \$290 million dollars
 - b. The ending reserve of the District for 2010-2011 increases to 9% or higher
 - c. New grant monies are awarded that can be used for general purpose funding
 - d. The District determines not to fill the seven full time faculty positions that are vacant
 12. The nonpaid days for STRS and PERS faculty shall be addressed by using the following:
 - a. CalPERS: The District shall use Ed Code 22136 Final compensation; members with salary reduction.
 - b. CalSTRS: The District shall use Ed Code 22136 Final compensation; members with salary reduction and the CalSTRS Employer Information Circular dated March 27th, 2009. Using the circular information, the District shall certify using SR 0554E that the member is eligible for nonconsecutive final compensation calculation.
 13. The salary schedule shall not change to reflect any nonpaid days.
 14. Any full time faculty who agree to present their retirement for the end of spring 2012 to the District after April 15, 2012 shall not be required to participate in this salary reduction. Any salaries deducted from his/her pay shall be reimbursed in his/her final pay with appropriate deductions including union dues.
 15. The Union and the District agree that this is only a partial tentative agreement regarding the subject of Salaries for the 2011 Collective Bargaining Agreement. The parties agree to continue bargaining.
 16. If at any time it is determined that any provision of this agreement is not permissible under any rule, regulation or law, or affects STRS/PERS service credit for faculty, the provisions will be nullified and the District and FA agree to immediately convene to negotiate alternatives that are deemed permissible. Any salary reduction shall be terminated until a subsequent agreement is negotiated.

Mark Newton

Faculty Association, AFT 6157 Chief Negotiator

Kim Garcia

San Jose/Evergreen Community College District,
Chief Negotiator

Barbara Hanfling

Faculty Association, AFT 6157 Executive Director

Dated: May 12, 2011