



San Jose/Evergreen Faculty Association, AFT 6157

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Executive Board Meeting Minutes (APPROVED)

Friday, February 7, 2003, College Conference Room 504, San José City College

I. Call to Order

The president Mark Newton called the meeting to order at 2:18 pm.

A. Roll Call

Attending Officers: Mark Newton, Sarita Tamayo, Bill Jacobs, David Yancey, Rose Anna Higashi, Wilbur Mellema, Jeffrey Kirkbride, Frank Espinoza

Guests: Patrick Butler (FA Grievance Officer), Barbara Hanfling (FA Executive Director), Christopher Mathenia (FA Office Manager)

B. Approval of Agenda

Bill Jacobs moved to approve the agenda and David Yancey seconded the motion. The motion was approved unanimously.

II. Approval of Minutes

Jeffrey Kirkbride requested his attendance status be changed from "absent excused" to attending; He arrived to the meeting late. Bill Jacobs moved to approve the December 13, 2002 minutes as amended. David Yancey seconded the motion and it passed unanimously. Sarita Tamayo abstained.

III. Membership Concerns

A. No concerns were voiced.

IV. Reports

A. President's Report

Mark Newton said that the administration is reporting there is no money. The trustees are asking questions and requesting the administration to supply additional details about the financial circumstances of the district.

The FA is starting the spring 2003 semester with many issues to address (e.g. sabbaticals, discrimination policy, etc...). Also, Mark and the FA office have received many requests to become more proactive in dealing with the governor's budget.

B. Fiscal Officer's Report

Wilbur Mellema presented the FA Board with a budgetary analysis focusing on expenses for the first six months of the fiscal year 2003 (i.e. July – December). With the exception of legal expenses, overall FA expenditures are well within the approved FA Budget. While long-term concerns remain, currently the FA is financially stable.

C. Executive Director's Report

Barbara Hanfling reported that over the winter break contract negotiations continued and she also attended a mandatory CFT Staff Meeting in San Diego.

She reminded the FA Board that today, February 7th, is the last day the administration may cancel classes without instructor consent, and in the event of a class cancellation, the administration must adhere to the procedure as outlined in the contract.

Also, Barbara reported that a lot of her time is dealing with a termination case. She has also been working with David Yancey to revise the FA constitution and by-laws to reflect the proposed new FA structure.

D. Bay Faculty Association (BFA) Report

Barbara Hanfling reported that, with the exception of San Francisco, all other bay area community colleges successfully negotiated raises between 2% and 13%.

Barbara added that all FA Board members are encouraged to attend future BFA meetings. David Yancey and Bill Jacobs usually attend the meetings and both emphasized that the meetings are very informative.



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E. Committee on Political Education (COPE)

Mark Newton reported that Jonathon Lightman, Executive Director of FACCC, requested FA assistance in funding a FACCC lobbyist in Sacramento. While Mark and Barbara Hanfling support FACCC's efforts, they feel the FA is not currently able to provide financial support. Mark noted that the FA already funds lobbyists through affiliation with CFT.

V. Old Business

A. Update on the administration's Proposed Discrimination and Diversity Board Policies

Mark Newton and Barbara Hanfling reported that the FA worked with the administration and came to mutual agreement on a policy to present to the board of trustees. Subsequently, the agreed upon policy was included in the agenda packet for the next board of trustees' meeting. However, without notifying the FA and in violation of the Brown Act, Arturo Ocampo, District Diversity Director, passed out a new policy at the meeting for the trustees to review. Unfortunately, this new version was significantly different than the prior agreed upon version.

In the ensuing week, several versions of the policy have circulated and disagreement on whether portions of the policy are negotiable has convoluted the process. In fact, confusion exists on what is the appropriate process itself (as evidenced by the last-minute unveiling of the new policy at the board of trustees' meeting).

Sarita Tamayo asked whether language used directly from the California Education Code (Ed Code) is negotiable. Barbara Hanfling answered that the Ed Code is considered the baseline and negotiating improvements is appropriate and legal. Subsequent discussions revealed the administration's proposed policies include only a very small selection of language used directly from the Ed Code. Furthermore, the FA isn't in disagreement with the inclusion of the Ed Code language.

Frank Espinoza added that the FA needs to increase communication to alleviate confusion and ensure everyone knows the FA is pro diversity and against all forms of discrimination and is primarily concerned with protecting faculty rights. David Yancey agreed with Frank's comment regarding ensuring that the FA avoid any confusion in their communication and that it was important to say clearly that the FA was pro-diversity and against any forms of discrimination, but that it was very important that the faculty understand that the FA's obligation to ensure that faculty rights are protected requires the FA to look closely at all district policies.

The district was granted an extension until March 2003 to adopt a discrimination policy. The FA is meeting with the administration on Monday to talk about the policy. Several suggestions were voiced on how to improve communication, including Bill Jacob's suggestion of presenting FA concerns as a bulleted list.

B. Part-time equity money and the definition of parity.

Mark Newton and Barbara Hanfling reported that the \$57 million may be reduced, however most of the equity money is included in all versions of the state's proposed budget. Therefore, part-time faculty will receive checks for 7.46% of their earnings for fall semester. Also, full-time faculty will receive checks reflecting 7.46% of their overload-pay fall semester.

Seniority Rehire Preference (SRP)

The administration is sending out letters to adjunct that have taught 40% for three semesters or longer to establish their rehiring preferences.

C. Health Care Cost Containment Committee.

Kaiser agreed to a policy for part-time faculty. Letters will go out to adjunct faculty working 40% or more by the end of this month.

D. FA website: www.fa-aft6157.org

David Yancey requested a link to the governor's website be added to the FA website. Frank Espinoza suggested requesting the administration website add a link to the FA website. David and other members of the FA Board expressed their satisfaction with the design and usefulness of the FA website.

E. Restructure of the Faculty Association

Barbara Hanfling and David Yancey are meeting to revise the FA constitution and by-laws to reflect the proposed new FA structure. Once complete, the Board will address any remaining issues and questions before presenting to the membership.



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F. Retiree Contact Information

The FA and administration have come to an agreement. The FA will prepare a letter, survey, and self-addressed postcard (postage paid) for the retirees to provide the FA with their contact information. The administration will mail the information to the retirees. If the FA receives back less than 50% of the postcards, the FA and administration will send a second postcard to the non-respondents soliciting their response.

G. California Federation of Teachers (CFT) Convention, March 21 – 23, San Francisco Hilton Barbara Hanfling reserved rooms at the Hilton for the FA Board members planning to attend.

H. Lobby Days, May 18 – 19, Sacramento

Mark Newton encouraged the FA Board members to attend. Mark and several FA Board members attended last year and the experience was very rewarding.

VI. New Business

A. Budget Cuts: Proposals and Plan of Action. No items were discussed under this section.

B. Spring 2003 FA meeting schedule was amended to accommodate negotiations. Updated times will be announced.

C. The administration is attempting to extend sabbaticals to every eight years as opposed to the past practice of seven years. The administration elevated the issue by denying a faculty member's sabbatical based on the eight year position. Additionally, based on budgetary reasons, the administration is attempting to cancel all PRC approved sabbaticals. The FA is presenting the administration and trustees with a legal opinion stating that this is a clear violation of faculty rights as outlined in the contract. David Yancey is PRC approved for a sabbatical and expressed that if his sabbatical directly caused any faculty members to lose their jobs, then he did not want the sabbatical. Mark Newton assured that Mike Hill stated the attempt to cancel sabbaticals was more symbolic than financially significant.

D. Negotiations Update

Mark Newton reported that the administration's re-opener Article 18, Retirement is on the table. Also, the administration has proposed a 0% wage increase.

VII. Other Information

Nothing was discussed under this section.

VIII. Next Meeting

Next meeting: 11:30, Friday, February 28, 2003. Conference Room G111, Gullo Center, Evergreen Valley College

End Open Session

The meeting was adjourned at 4:30 pm.

Submitted by Christopher Mathenia, FA Office Manager