



San Jose/Evergreen Faculty Association, AFT 6157

2100 Moorpark Avenue, San Jose, CA 95128-2799 • (408) 288-3779 • Fax (408) 295-7482 • faculty.association@sjeccd.org

Faculty Association, AFT 6157, Executive Board Meeting Minutes (Approved)

9:30-12:30, Friday, April 29, 2005, Room 104, Student Center, San José Community College

I. Call to Order

President Mark Newton called the meeting to order at 9:40am.

A. Roll Call

President.....Mark Newton
 Vice PresidentDavid Yancey
 Fiscal Officer.....Linda Ferrell
 EVC RepresentativeFrank Espinoza
 EVC RepresentativeTeck Ky
 EVC Adjunct RepresentativeJeffrey Kirkbride
 SJCC RepresentativeBob Wing
 SJCC RepresentativeMai le Ho
 SJCC Adjunct RepresentativeNabeel Atique

Also Present: Joseph King, Bob Reininger, Bill Jacobs (FA Retiree Chairperson), Patrick Butler (FA Grievance Officer), Barbara Hanfling (Executive Director), and Christopher Mathenia (Office Manager)

B. Approval of Agenda

David Yancey motioned to approve the agenda. Frank Espinoza seconded and the agenda was approved unanimously.

C. Approval of Minutes

Members suggested a number of minor corrections. David Yancey moved to approve the April 1, 2005 meeting minutes as amended. Maile Ho seconded and the minutes were approved unanimously.

II. Membership Concerns

- Barbara Hanfling voiced a concern from two EVC faculty members. They are designated full-time faculty members under a grant, but they apparently will never receive tenure and a classified employee supervises them. Members questioned whether this arrangement is legal. They also questioned whether the contract and CA Education Code addresses these types of situations. Barbara will contact the CFT Field Representative, Patrice Lerman, and if necessary FA Attorney Bob Bezemek.
- Faculty member Joseph King expressed his gratitude for the FA addressing the omission of gay, lesbian, and transgender language from a memo sent out from Dona Bertain, Interim AVC Human Resources, to everyone in the district. Barbara Hanfling sent an email to Dona asking for a correction. Joseph is also requesting a meeting with Dona.
- Jeffrey Kirkbride requested the status of negotiations concerning lab-lecture equity. Mark Newton said the issue is on the table and the trustees are aware of the situation, however progress is slow. Other community colleges are making a little progress. For instance, San Francisco has an agreement on paper, however no money yet. Cabrillo is also inching towards equalization.

III. Reports

A. President's Report

Mark Newton reported:

- The national labor movement is struggling. The SEIU (Service Employees International Union) may be pulling out of the AFL-CIO (American Federation of Labor-Congress of Industrial Organizations). Issues such as diversity may come to a head in July 2005. Locally, the South Bay Labor Council is organizing a coalition against Governor Schwarzenegger's anti-union agenda.
- Mark and Barbara Hanfling are attending the Community College Council (CCC) meeting on May 13.
- CFT Lobby days are May 23, 24th. Following on May 25th is a huge rally to counter the governor's assault on teachers, nurses, firefighters, unions, and community groups.
- Board members discussed final examination schedules. Mark noted regardless of the college final examination schedule, faculty may schedule their final examinations any day of the finals week. However, any deviation from the schedule should be included in the course syllabus.



B. Fiscal Officer's Report

Linda Ferrell reported:

- This fiscal year ends June 30th and she is working on year-end projections. She will present the board with a preliminary 2005-06 budget at the next board meeting.
- Linda proposed upgrading the current financial software from QuickBooks Basic to QuickBooks Pro. Linda noted the additional cost (est. \$300) would be offset by her doing more of the work as opposed to contracting out to a CPA. The upgrade will allow the FA to track worker's compensation and allow Linda to remotely access QuickBooks. David Yancey moved to transfer budget money from Accounting Expenses to Office Expenses to cover the cost of upgrading to QuickBooks Pro. Bob Wing seconded and the motion was approved unanimously.

C. Executive Director's Report

Barbara Hanfling reported:

- Negotiations are wrapping up.
- The SJCC Academic Senate approved the changes to Faculty Service Areas (FSA). The EVC Academic Senate approved everything except for consolidating all individually listed foreign languages into an FSA of foreign language. Barbara met with faculty and made some changes to the language concerning bumping rights. The EVC Academic Senate is meeting again Tuesday.
- The Newly Tenured Faculty Celebration is May 5th from 2:30 – 4pm. Barbara sent an email to SJCC President Chui Tsang and asked if the FA can have a few minutes to congratulate faculty.
- Barbara noted three important meetings: Diversity Committee meeting (May 3), Budget Committee meeting (May 5), and Board Policy Subcommittee meeting (May 9).
- Barbara and Mark Newton met with Vice-Chancellor Mike Hill concerning the District's direct deposit forms. In addition to granting permission for deposits, the form grants the District permission to make withdrawals from faculty checking accounts. The FA is unaware of any problems arising from this language, however suggest this addition: "This authorization for debit entries and adjustments shall no apply to compensation earned under the District's collective bargaining agreement with the Faculty Association, AFT 6157, except when the employee's service is terminated, or he/she will be in an unpaid status or the adjustment required is of such enormity as to require immediate action." There has been no agreement on this language, and input was requested from the Board. Barbara and Mark also spoke with Mike about overload, adjunct health insurance, and other faculty issues.
- For this semester, intersession, summer, and overload, part-time equity money is 7.26%. Adjunct faculty will receive their money May 10th, while full-time payment will be dispersed May 31st. The District received \$660k of the \$50 million allotted for Part-time Equity in the state budget. The FA is working to get this money on the salary schedule. Board members discussed the issue of full-time faculty banking overload. Currently, equity money is not being paid on banked overload.
- CFT Community College Council President, Marty Hittleman, sent a report on the 75-25 Law. The law mandates a district's ratio of full-time to adjunct faculty. The ratio is different from district to district and is based on the number of faculty at the time Proposition 13 took affect. This district's ratio is 71%. The board discussed whether the Police Academy is included in this calculation. The FA will pursue this issue.
- The District may not meet base or cap on enrollment of students. In the first year, there is no penalty for not reaching the base amount, but if the District does not meet base for two years in a row, the District will loose some of it's states allocation. For student count, the District has the option of moving summer load into either the prior or following academic year. Each year Vice-Chancellor Mike Hill, based on enrollment, decides which academic year to place the summer load. Currently, he proposes moving this entire summer load into the next academic year. Consequently, the District will likely miss base this year, but will dramatically decreasing the possibility of missing base and cap next year and avoid the two-year miss penalty. However, missing base this year means vacant faculty positions may not be filled and the District's Faculty Obligation Number (FON) will decrease (current number is around 265). Moreover, if the District meets cap next year, FON does not automatically increase back to the original number. Patrick Butler is questioning Mike's numbers. Barbara clarified every position currently vacant should be filled, but possibly not any new vacant positions.
- Also, the board discussed the Police Academy faculty and the Joint Powers Agreement (JPA) between various districts. How the District is doling out profits and counting faculty is unclear. Barbara will get a legal opinion.
- The FA contract states that faculty working during weekends, intersession, and summer shall be paid for committee work (even if teaching summer school classes). The FA has gotten agreement from Mike Hill that full time faculty must be paid for all required professional responsibility work outside of the academic year.



D. Bay Faculty Association Report (BFA)

Barbara Hanfling reported:

- The Los Angeles District has a joint management-union health care cost containment committee that works with a consultant. The consultant, Fickeworth & Associates, is highly recommended and only consults where districts and unions work together on health care issues.
- Contra Costa, an independent union, ratified their contract (70 to 30%). The final agreement is a major step backwards for faculty. The agreement was worse than a fact-finding report, but better than the District's last offer. The current administration that worked to put this takeaway contract together included: Chancellor Charles Spence (no longer working for the District), Vice-Chancellor Human Resources Greg Marvel (also no longer working for the District), and Diablo Valley College President Mark Edelstein (he received a 92% no confidence vote and is currently applying for jobs around the state). The CFT is hoping that Contra Costa will look towards affiliating with the CFT in the future.

E. Retiree Report

Retiree Chairperson Bill Jacobs reported he hasn't heard from any retirees yet.

IV. Old Business

A. Structure of Faculty Association

- i. New Faculty Association Members
Board members volunteered to seek out new faculty members and explain the benefits of the union and encourage them to sign FA membership cards.
- ii. Council of Division Representatives
Nothing discussed under this section.

B. Administrative Positions: EVC President, HR Director, Chancellor

Barbara Hanfling met with three of the EVC President candidates.

C. Update on Discrimination Procedure

Diversity Director, Arturo Ocampo, is on family medical leave for eight-ten weeks.

D. Hiring Procedures: Committee meeting with HR

No discussion under this section.

E. Email Screening

No discussion under this section.

V. New Business

A. Negotiations/Contract Issues

Barbara Hanfling reported negotiations is close to a settlement and is pushing to settle before the end of the academic year.

B. Discussion on CFT mandated \$3/month pro rata dues increase (2 years) to take on Governor's position.

Members discussed various scenarios of assessing the increase. Scenarios included a pro rata rate and an across the board percentage increase. The Board will vote on this item at the next FA meeting.

C. Adjunct Campus Meetings Report

Nabeel Atique reported:

- Some adjunct faculty are concerned about Seniority Rehire Preference (SRP) and bumping privileges. Barbara Hanfling explained that adjunct do not have bumping privileges. Further, if an adjunct is bumped by a full-time faculty member, and does not teach for that semester, that adjunct faculty member does not lose SRP.
- Additional concerns were that full-time faculty are taking on more overload, which reduces teaching opportunities for adjunct faculty. SJCC adjunct appear more discontented over this issue than EVC adjunct.

D. Status of Election of Executive Officers

Mark Newton reported that four of the five offices open for election this year are uncontested for the incumbents. Namely, Linda Ferrell will return as Fiscal Officer; Nabeel Atique as SJCC Adjunct Representative; Maile Ho as SJCC Representative; and Frank Espinoza as EVC Representative. Jeffrey Kirkbride announced he is not seeking another term as EVC Adjunct Representative. Jeffrey has served for five years and is a valuable loss for the FA. Running for the office is Pamela Turner and Ron Fischer.



San Jose/Evergreen Faculty Association, AFT 6157

2100 Moorpark Avenue, San Jose, CA 95128-2799 • (408) 288-3779 • Fax (408) 295-7482 • faculty.association@sjeccd.org

E. Replacement for Wilbur Mellema on the IIC

Barbara Hanfling requested board members email her names of potential replacements. David Yancey suggested the FA ask Wilbur for a job description and/or work and time requirements.

VI. Other Information

No discussion under this section.

VII. Good and Welfare

No discussion under this section.

FA COPE MEETING

End Open Session

Mark Newton adjourned the meeting at 12:10pm.
Minutes Submitted by Christopher Mathenia, FA Office Manager