



FACULTY ASSOCIATION, AFT 6157

NEWSLETTER

Spring 03, Issue 2 – Tuesday, April 1, 2003

WHAT HAS THE UNION DONE FOR YOU LATELY?

Part-time Kaiser Benefits

All part-time faculty who are working 40% or more this semester should have received a letter from Loretta Hampton from the Benefits Department at Human Resources. This letter informed part-time faculty of their right to participate in our new Kaiser program for Part-time faculty. The FA and the District were able to bargain for a plan where the District will pay half the costs of the Kaiser plan for the faculty member. If you did not receive this letter and are working 40% or more and are interested in this plan, please contact the Benefits Department as soon as possible.

Part-time Family Services Certificate

The FA was able to get the District to agree to pay two part-time faculty members their salary for teaching a class in the Family Services Certificate area. These two faculty members, Lisa Hinojosa and Carol Cornell never received a contract, but were told to continue teaching their class by their dean. It turns out the students were never registered for their classes and the faculty were never paid.

One of the faculty members, Lisa Hinojosa, wrote the following: "We are very concerned about the students being able to get credit and transfer the units to other colleges. It is my understanding that you are working on a possible solution and I hope to hear from you soon on a resolution. The last thing I would like to remind you is that Carol and I did not receive a written contract for this class but we did have an oral contract with Dean Ed Ramirez and we talked about the class at many facilitator meetings."

After discussions with Human Resources Director, Pauline Clarke it was agreed that the faculty would be paid. The happy ending to the story is that along with this commitment to pay the faculty, the students also were finally able to register for the class and to receive their certificates also.



Faculty members attending the "March in March" rally in Sacramento for Community Colleges (left to right: Harvey Gipson, Barbara Hanfling, Bill Jacobs, David Yancey, Sarita Tamayo, Jody King)

THE POWER OF COLLECTIVE ACTION

By David Yancey
FA Executive Board Member

I am truly encouraged by the outpouring of debate and activism over the efficacy of the pending war in Iraq. It seems that the collective actions of the millions of people in this country and around the world, who have united in their actions to urge for more time for inspections are being heard. Even as he denies it, they are having an impact on President Bush's rush to war. Tony Blair is certainly listening! It is increasingly obvious that Blair's political future at home depends on how he and President Bush proceed in the next few weeks. Make no mistake, the collective voices of the people, including those of the Security Council at the United Nations, are influencing the course of events. Without these voices does anyone doubt that President Bush would not have acted by now? It seems painfully clear that we must not act unilaterally, or even with a small coalition of the "willing", involving the issue of war. We must act as part of the international community and the United Nations.

I am also very encouraged by the collective action of people here in California against the deep budget cuts Governor Grey Davis is proposing for community colleges. The devastating reductions for community colleges will have an equally devastating impact on our students. Our student

population needs access to education and opportunity to ensure their futures. Support for community colleges covers a broad spectrum of people. I am particularly impressed with the collective action of the students. Ten thousand students converged on Sacramento on Monday the 17th of March to have their voices heard. It was a wonderful demonstration of collective action. I have had ASB representatives speaking in my classes about the impacts of the proposed cuts as well as rallying support for events like the "March in March". We, all of us, must speak up and stand together to address the challenges that this current budget crisis presents. We can't fail to have a voice in those important decisions.

There is another form of collective action that has been taking place in this district that should also be recognized, and that is the affiliation of the old Faculty Association with the AFT/CFT that occurred two years ago. Under the leadership of Mark Newton and the Executive Board, and with overwhelming support of the faculty of this district, we formed the new American Federation of Teachers Faculty Association Local 6157, <http://www.fa-aft6157.org/>. The result has been very positive. We have reorganized the structure of the union, hired a professional Executive Director in the

—OVER



person of Barbara Hanfling, and we have joined the San Jose South Bay Central Labor Council, where Mark sits as a member of their Executive Board. The union, along with the help of the Central Labor Council, successfully supported the re-election of, long time faculty friends, Trustees Richard Hobbs and Maria Fuentes and the election of a new faculty friend, Fred Tovar, to our Board of Trustees. Our relationship with these trustees along with Trustee Ron Lind has given this union a voice it has never had. For you non-math majors like me, that makes four out of seven trustees who now meet with and give fair consideration to the views of faculty in this district.

We hope to reach out to the other trustees as well to increase faculty input into the important decisions that effect all of our lives. This new relationship between the trustees and the union is already having positive results. I believe it was no accident that the Chancellor’s recommended cutbacks of the Child Care Center, DSPS, EOP&S etc. and the layoff of 9 (NINE) faculty positions at the 25th of February board meeting was overwhelmingly rejected by the trustees. The COLLECTIVE ACTION of students, community members, faculty, and the Faculty Association made a difference. Together we have a voice, and together we have influence and together we can impact where we go from here, but that can only be accomplished by acting collectively.



Jody King (mourning education) and Mark Newton at the State Capital for the “March in March” rally

SILENT LAYOFFS

Part-time Faculty Already Laid Off

Even though the philosophy of the District Board of Trustees is to avoid layoffs at all costs, layoffs have been occurring regularly for part-time faculty as we have eliminated over 500 sections in the last year. This represents a 24% cut at EVC and a 13% cut at SJCC.

We call these the silent layoffs (a term coined by Maria Fuentes, Board of Trustees Member) because there are no pink slips, there are no major demonstrations of support at the Board meetings, but there are silent effects.

These effects are the loss of part-time faculty who are no longer offered assignments; the loss of pay for current part-time faculty when their classes are cut and most importantly a loss for the campus of qualified and dedicated part-time faculty.

We want to make sure that the cuts to part-time faculty are as minimal as possible. These part-time faculty are part of the Faculty Association, and part of the AFT 6157. They have homes and families like all other staff and faculty on campus. The Executive Board of the FA, AFT 6157 has asked that we make the following request:

All full-time faculty members look at their own personal situation and determine if they are able to take less or no overload during the school year, intersession and summer in order to have more classes available for part-time faculty.

This request is being made with the understanding that it is voluntary, but one that will be taken seriously.

We stand by our premise that there should be no layoffs in this upcoming fiscal year, 2003-2004. We will continue working with faculty, part-time and tenured and all staff of the District and with the Board to make sure that we continue to fight against ALL LAYOFFS.

We are all part of this District and all contribute to educating the students.

TRUSTEE TAKES IMPORTANT STAND ON LAYOFFS

Below is a letter written by Richard Hobbs, Trustee member discussing the painful process of looking at budget cuts for the upcoming year and some of the thoughts of the Budget Committee. This article represents the views of Richard Hobbs. We are reprinting this so Faculty and others reading this newsletter can have a better understanding of the position of some of the Board members and the hard task they face during these difficult budget times.

DATE: February 26, 2003
FROM: Richard Hobbs, Trustee
RE: Budget Reduction Plan for Fiscal Year 03-04

Background

It is a painful process for trustees, administrators, faculty, staff, and students to respond to a budget crisis not of our making, but which we must now take responsibility for, statewide and locally. It is painful to suggest *any* reduction to *any* program. However, as we have seen, without a plan, the level of anxiety of employees has rightfully skyrocketed in the past months. Therefore a district-wide direction for a Budget Reduction Plan for FY04 was approved at the Feb. 25 Board of Trustees meeting.

The Board Budget Committee and Board of Trustees as a whole have mentioned certain guiding principles for a budget reduction plan. These principles are important for all in our District:

1. Educating students is our purpose and mission.
2. Every person in the district is valuable and deserves utmost respect.
3. Maintaining credible reserves is necessary in a state budget crisis.
4. Minimize layoffs to reduce harmful impacts on individuals and families.
5. Strive for equity.

Motion for a Budget Reduction Plan

At the Board of Trustees meeting on Feb. 25, a framework for a budget reduction plan for FY04 was approved. The five-part motion includes:



1. Maintain the projected FY03 FTES for FY04, and maintain the same instructional budget amounts for FY04 as in FY03 (full-time and part-time hourly).

Rationale: a. We have already cut over 500 sections in FY03 in comparison to FY02. b. We have already become much more “cost efficient” and productive in FY03 than in FY02. c. Students are depending upon our classes for retraining during a recession. d. Student access is a top priority. e. FTES is how we generate income for our entire district. f. Hundreds of part-time faculty members have already lost this livelihood.

2. Maintain at least the same number of class sections in FY04 as in FY03.

Rationale: a-d above. e. For Spring semester FY03 alone, the number of active course sections has already been reduced 25% at EVC and 13% at SJCC (19% district-wide).

3. In anticipation of likely budget reductions, if reductions become necessary, potential budget reductions in non-instructional areas should be treated equitably, across the board. Specific recommendations on how to achieve potential cost savings of 10%, 15%, and 20% should be provided by SJCC, EVC, and the District Office.

Rationale: a. Some plan with direction and guidelines is necessary, given the state budget crisis. b. By preparing and analyzing now, new opportunities for cost savings may arise, such as early retirements. c. Even though the likely needed reductions appear to fall between the 10% and 15% range now, we should prepare for the possibility of larger reductions. d. Each center (SJCC, EVC, DO) will have flexibility to reach the desired goal without exact similar reductions in each department. Vacancies can be utilized. Certain costs are more “fixed” costs and cannot even achieve the 10% level, meaning that other areas will have to make up the difference to achieve the goal. e. It is equitable that non-instructional reductions be projected across the board, e.g., not disproportionately affecting the District Office cost centers or the cost centers on any particular campus. f. To seek reductions

above 20% would create undue anxiety and panic. g. To seek reductions below 10% is unrealistic.

4. Critical student support services should be reduced as a last resort.

Rationale: a. Student support services that directly affect student access and the creation of FTES are critical to the financial security of our District. b. Examples are Counseling, Admissions & Records, and Libraries—they are examples, not an exclusive list. c. Every position in the District supports students and is deserving of respect. No one deserves to be laid off. Layoffs are not desired. Cost savings from non-personnel areas, from vacant positions, etc., are clearly the goal of budget reductions. However, to suggest that no impacts on personnel will occur may be unrealistic, especially at the higher-level percentage scenarios.

5. The effects of closing the budget deficit should be spread across all departments and though all levels of the organization so that no one department or level is unfairly affected.

Rationale: a. Vertical equity—from the lowest paid classified categories to executive managers—is an important principle so that no one level feels unduly targeted. All District employees—all of us—are in this together. b. No single department should be unfairly affected.

PROTECTION DURING LAYOFFS

Faculty Service Areas (FSAs)

Probably for the first time since Proposition 13, we’ve started to take a look at Article 21 of our contract: Reduction in Force. There have been no layoffs for many years in our District or other Districts. But all that has changed. After the huge response to potential layoffs at the February Board meeting, it became apparent that an important issue during this time period was: are faculty currently assigned to the correct FSAs? The Faculty Association has recently received their first copy of the list of faculty and their FSAs. This list definitely needs to be revised before we distribute it to faculty.

We will also be reviewing Article 21, Reduction in Force to understand its ramifications completely.

The FA along with the presidents of the Academic Senate will be meeting with Human Resources to make sure that the FSA list is accurate and up to date, to discuss how new FSAs may be placed in the contract and to ensure that there is a procedure for faculty to add new FSAs to their current ones. Once this list is the most accurate that we can accomplish, we will be publishing the list for faculty review. We are starting now because we want to be sure that if there are potential layoffs in the next fiscal year (2004-2005) all faculty will be protected. Keep watching your email for the list to be sent in the next few months.

KNOW YOUR RIGHTS

Seniority Rehire Preferences (SRP) Part-time Faculty’s Rights

The Faculty Association has conscientiously worked to make part-time faculty full participating members of the Union, and one of our greatest victories was the implementation of SRP for part-time faculty members. Part-time faculty will have seniority rehire rights if they fulfill the following:

1. Part-time faculty must have worked at least 3 out of the 4 last semesters at 40% load or more and
2. Part-time faculty must have a satisfactory evaluation or; no evaluation which means that their work is satisfactory and
3. Have received a letter from Hourly Payroll asking if they want SRP.

If you believe you meet these qualifications but haven’t heard from payroll, you must contact your dean to see why you have not been offered SRP. And you must do this immediately, as the letters have gone out, and the Hourly Payroll and the FA will be meeting shortly to assign seniority rehire preference numbers.

So what does it mean to have SRP? Seniority Rehire Preference is discussed in the contract in Article 9.12. This status gives qualified part-time faculty member rights over other less senior part-time faculty within the department for assignment of



classes. Once SRP is awarded, the part-time faculty member will receive a seniority number. This number then becomes the order in which part-time faculty will be assigned classes after full time faculty have received their assignment. In practice, a part-timer with a high SRP number would be offered a 40% assignment, before a part-time faculty member without SRP or one with a lower number.

In addition, the contract provides for protection if there is an authorized break in service (Article 9.12.6). This is defined as:

1. Leaves comparable to Family Medical Leave (birth, adoption or placement of a foster child), caring for one’s own serious medical condition or that of a family member.
2. Faculty member’s class was cancelled due to low enrollment
3. Faculty member accepts an assignment for the District at either campus that is not a regular part-time faculty assignment.
4. The assignment is withdrawn because it is needed to fill the load of a full-time faculty member.

Feel free to contact your Part-time Representative on your campus for more information: Sarita Tamayo-SJCC; Jeffrey Kirkbride-EVC or Barbara Hanfling to see if your name is on the SRP list.

ROUND THE CLOCK NEGOTIATIONS

Getting Ready for Full Negotiations

Generally once a week, you will find your negotiations team of Mark Newton, Marc Sola Rose Anna Higashi and Barbara Hanfling at work on negotiations. Whether at the District office or at SJCC, on Wednesdays or Fridays, the team is hard at work, trying to tie up the last of the open articles from the 2000-2003 full contract and finish up the reopener of 2002-2003.

What’s left from the Full Contract?

We have recently finished the articles related to **Evaluations (new Articles 19,20 and 21)** and those new articles and forms should be in your boxes in the next month.

We have also conducted a workshop at IID on the new Evaluations Procedures, explaining the procedures and the new forms. The FA and DIstrict will begin implementing the new language on Evaluations now and use the forms that are available. The scantron forms for student evaluations will not be available until later in the semester. We will therefore have to continue to use the old forms. The FA and the District are also committed to begin working on Community Complaints, Discipline and Rare and Compelling Circumstances. These topics will become a new article in our contract.

The only outstanding article still being bargained is **Article 12-Workload and Class Size**. The team has held fast to trying to win class size reduction and differential loading for English and ESL composition classes.. Unfortunately we have moved into hard economic times that make winning proposals that cost the District money, a difficult feat at best. But we have not given up. We know that we are one of the only Districts in the Bay 10 without differential loading and with larger class sizes for ESL and English.

Reopener Articles Moving Ahead

Your team has also been working diligently to settle the reopener agreement of 2002-2003. The Articles being negotiated in this reopener are:

- **Article 4**
Additional Employee Rights
- **Article 8**
Placement on Salary Schedule (Wages)
- **Article 9**
Part-Time Hourly Faculty and Substitutes (Wages)
- **Article 17**
Benefits
- **Article 18**
Retirement (Early Retirement Reduced Workload Program)

The FA and District have made significant progress on Article 4 and have bargained some important language for future retiree rights and payroll issues. We are still working on some ergonomic concerns. We are currently trying to reach agreement on

wages and benefits and beat back the District takeaway proposal on Early Retirement. The District continues to press for taking away the 10-year Early Retirement Reduced Workload program and limiting it to 3 years. (As is reflected in their most recent proposal). We have no agreement yet on wages and benefits, but will continue bargaining to reach tentative agreement. Tough economic times, makes bargaining wages and benefits difficult.

When we have completed our negotiations on the Reopener, we will be taking the tentative agreement to the Faculty for a vote.

Full Contract Expires June 30, 2003

While we are still in the midst of our reopener and cleaning up the old contract, the full contract will be expiring shortly. The goal of the FA is to have a survey out to all members in the month of April to get input on what articles need updating and what approach we should take to bargaining in tough economic times. We hope to finish the reopener before the end of the semester, and start bargaining on the new full contract over the summer.

We look forward to any input from faculty on moving these negotiations forward.

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