

FACULTY MATTERS



FACULTY
ASSOCIATION
AMERICAN FEDERATION OF TEACHERS
LOCAL 6157

Reopener Contract Settlement Reached With the District

Earliest Settlement in History of FA

By: Barbara Hanfling, FA, AFT 6157 Executive Director

Sometimes it seems a bit repetitious to continue to use terms such as: **momentous, first time, huge victory, colossal movement,** or **collaborative** effort when describing our reopener settlement.

However, that is the direction that we are heading in again with this settlement of the reopener agreement in November of 2007. Over the past two years, this Union has seen more movement and accessibility on the part of the District than probably in the past 15 years.

Here are some examples: *establishing* a pro rata salary schedule for adjunct faculty; *increasing* the number of full time faculty; *gaining* staff development money for faculty; *receiving* full COLA two years in a row; *continuing* our breakfast meetings with the Board of Trustees; *holding* regular

monthly meetings with the Chancellor and Presidents; and *settling* the last two contracts before the end of the calendar year. All this marks great progress....

Tuesday November 20th, two days before Thanksgiving, your negotiations team: **Mark Newton, Frank Espinoza, Debbie DeLaRosa, Jory Segal and Barbara Hanfling** sat across the table from the District team with a specific goal: sign all 60 pages of changes, corrections, additions and deletions to the new reopener agreement and settle the reopener. The District team **Donna Williamson and Andrew Lu- (attorneys for the District), Tim O'Hare, Lois Lund, Kuni Hay and Anita Morris** represented the interests of the District.

—Continued on page 4

College Districts Unite in Support of Proposition 92

By: Debbie DeLaRosa EVC Negotiator/Representative to Executive Board

The festive atmosphere of Christmas in the Park on Market Street in downtown San Jose moved across the street to the UFCW Hall (the Union Hall belonging to our Board of Trustee Member Ron Lind's Union) as approximately 50 interested and committed people mingled together in support of the

Community College Initiative, Proposition 92.

In a spirit of unity, a coalition of unions and administrative leaders from San Jose/ Evergreen, DeAnza/Foothill (FDA) and Mission/West Valley (WVM) joined together to sponsor this November 27, 2007

—Continued on page 5

A LOOK INSIDE

Reopener Contract Settlement Reached With the District
by Barbara Hanfling
PAGE 1

College Districts Unite in Support of Proposition 92
by Debbie De La Rosa
PAGE 1

Executive Board Meeting Schedule
PAGE 2

Need Help Paying for College?
PAGE 2

Richard Regua: Enlace Founding Faculty Member
by Frank Espinoza
PAGE 3

What Members are Saying
PAGE 4

Our Time, Our Students
by David Yancey
PAGE 6

What Has the Union Done for You Lately?
by Barbara Hanfling
PAGE 7

Know Your Rights
by Barbara Hanfling
PAGE 8

FALL FOUR

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Need Help Paying for College? Scholarships Available



There are many benefits of being part of a larger, powerful union and one of those is the scholarships that AFT/CFT offer to children of members.

These scholarships are awarded to graduating seniors ready to attend college, and also to continuing students. The deadlines for submitting some of these scholarship applications are fast approaching and we want all of our faculty's children to have the opportunity to apply. Overall, the ability to apply for scholarships through your faculty union is important; please take advantage of it. Here are a few scholarship opportunities.

Robert G. Porter Scholarship Program

Sponsored by American Federation of Teachers

The scholarships:
 -Four \$8000 awards to high school seniors who are dependents of AFT members in good standing.
 -Twenty \$1000 continuing education grants to AFT members in good standing
 Applications must be postmarked by **March 31, 2008.**

To learn more go to: www.aft.org,
 email porterscholars@aft.org
 phone: 800-238-1133 x 4457

Union Plus Scholarship Program

Sponsored by Union Plus and AFT.
 The scholarships are:

- \$500-\$4000 to union members and their spouses and dependents) who have one year of continuous union membership.
 Applications must be postmarked by **January 31, 2008**

To learn more go to: www.unionplus.org and click on www.unionplus.org/benefits/education/scholarships/up.cfm

Raul Teilhet Scholarship Program

Sponsored by California Federation of Teachers

The scholarships:
 -Range from \$1000-\$3000 to high school seniors and continuing college students who are dependents of CFT members in good standing.
 High School applications must be postmarked by **January 10, 2008**
 College applications must be postmarked by **July 1, 2008**

To learn more: www.cft.org
 or phone 818-843-8226

FA, AFT 6157 Executive Board Meetings Spring 2008



Friday, Feb 8, 2008	Retreat	9:30-12:30pm	TBA
Friday, Feb 22, 2008	EVC	9:30-12:30pm	Appri Mishra Room
Friday, Mar 7, 2008	SCCC	9:30-12:30pm	SC-104
Friday, Apr 4, 2008	SJCC	9:30-12:30pm	SC-104
	Council of Div Reps	SJCC	1:00-3:00pm
Friday, Apr 18, 2008	EVC	9:30-12:30pm	Appri Mishra Room
Friday, May 2, 2008	SCCC	9:30-12:30pm	SC-104
Friday, May 16, 2008	EVC	9:30-12:30pm	Appri Mishra Room

Richard Regua: Enlace Founding Faculty Member Accepts “Excelencia In Education”

By Frank Espinoza, FA, AFT 6157 Vice President

In 1982, **Dr. Mauro Chavez, and Professor’s Angelo Atondo, and Richard Regua,** founders of Enlace, began a dialogue with community members on the need to take action on the low educational attainment of Chicano / Latino students at Evergreen Valley College. Their efforts have resulted in 24 years of success in delivering academic and student support services to Enlace students. Each year, one “associate level” award is granted in the United States to honor examples of excellence at a Community College that works at “boosting Latino enrollment, performance, and graduation”.

This year, on October 9, 2007, Professor Richard Regua: Enlace Program Chair, and Martisa Hernandez: Enlace student, were flown to Los Angeles to attend the *Examples Of Excelencia 2007* recognition dinner held at the Millennium Biltmore Hotel. Educators throughout the country attended this important recognition in support of this year’s award winners, which included the Enlace Program at Evergreen Valley College.

Professor Regua has been serving as an English faculty member in the SJECCD since 1970. He transferred from San Jose City College to Evergreen Valley College (EVC) in 1975 and has been involved with EVC’s Enlace Program since its formation. Since that time, Enlace’s mission has been to enable Chicano/Latino students to successfully complete the academic core (English, Math, and Science) and to effectively guide Enlace students through occupational courses and to meet transfer requirements to universities throughout the country. Professor Regua has worked

tirelessly to ensure delivery of quality services to students enrolled in the Enlace Program. Enlace Alumnus **Teodolinda Mendoza** exemplifies how students can benefit from EVC’s Enlace Program support:

When I joined Enlace, I immediately felt like a part of a community, of something important. Enlace helped me understand what it means to be in college...it changed how I saw myself and my future. After getting my degree at EVC, I applied to Santa Clara University and was thrilled to be accepted. I was the first in my family to attend a four-year university. And, two years later I became the first in my family to graduate from a university.

In addition to academic course offerings, Enlace provides counseling and mentors emphasizing a culturally responsive approach to enhance Chicano / Latino students’ navigation between their homes, community, and EVC.

Professor Regua’s efforts to bring a U.S. Department of Education’s Hispanic Serving Institution-Title V Grant to EVC came to fruition in 2005. Through Professor Regua’s determination and the support of the SJECCD Institutional Research



Richard Regua accepts “Excelencia in Education”

Department, the United States Department of Education has recognized EVC as a Hispanic Serving Institution. The Enlace Coordinating Committee and the Mentor Advisory Council were discussing the need to expand Enlace services in order to meet the growing need of Chicano / Latino students at EVC when Congresswomen Zoe Lofgren’s office contacted Enlace about the Title V Grant. EVC’s entire campus and community at-large have benefited from the 3.5 million dollar Grant awarded to EVC, via the leadership of Professor Richard Regua.

Professor Regua’s colleagues have honored him twice by selecting him as the “Outstanding Faculty Member of the Year” on the EVC Academic Senate. He serves on numerous committees on the EVC campus, as well as, in the San Jose Community; there is no slowing down for Professor Regua. He was selected as the first Annual “Maestro del Año” by the student membership of the Enlace Honors Society in recognition of the positive impact that he has made maintaining the Enlace Program’s mission, and as a founding faculty member of Evergreen Valley College.



Reopener Contract Settlement Reached with District

—Continued from page 1

Established the Goals of the Union

The two teams had been meeting almost weekly since April 2007. During the summer months, we continued to meet, with perhaps 4-5 weeks off during June/July. However, our goal never wavered; the Union wanted to ensure this settlement agreement occurred before the end of 2007. While we accomplished that goal, it represented only one of several goals. From the beginning we had set forth 7 main issues that needed to be taken care of in this contract. We met with the Board of Trustee members, we met with the Chancellor, and we hammered these across the table. Here were our goals:

1. Full COLA/Full Payment of Medical Benefits

2. Increase the High End of the Salary Schedule (get us above number 6 in the Bay 10 plus 2 at the high end)

3. Lecture Lab Parity for Science and Nursing (begin that process)

4. Adjunct Issues:

- a. Finish off the Pro Rata Agreement for adjunct Faculty—complete Article 9
- b. Work on Intersession/Summer Pay
- c. Fix Some Issues in SRP

5. Increase Dental Benefit Maximum

6. Place Staff Development Language in Contract—continue the flow of money

7. Increase Release Time for the Faculty Union

So these goals were clear, and we never deviated from explaining, educating, and modifying them. Every session, we pushed, prodded and pulled for these objectives. Moreover, by the time we reached agreement, we had accomplished almost all of these goals. The movement and accomplishment of the majority of these goals represented a huge victory.

One Goal—On Our Way

Clearly a significant victory was the addition of half a million dollars

(\$500,000) from the District toward increasing the high end of the salary schedule. This enabled the Union to put forward a brand new Step 12 and make the increase of the step 4.538%. This new step with its impact also on step 14, 17 and 19 gives 50% of our faculty a raise of over 9%. Coming down the bend over the next 2 years are another 20% of our faculty who will reach step 12.

Since some other districts/Unions have not settled their contract yet, we have not yet done the salary analysis to see how we fair in the Bay 10 plus 2. But the goal of the District was to get us to sixth place in Class V, Step 12 and the goal of the Union was to get us to 5th place or better throughout the high end of our salary schedule. We will do an analysis of the Bay 10 plus 2 and ensure that we keep up with the upper 50% of this group.

—Continued on page 5

What Faculty Members Are Saying About This Contract

“Looks great!! Wonderful job! Sorry I wasn’t able to attend either event, teaching at those times. Thanks for your efforts!”

“So for those of us at step 17, we’re getting a 4.53% + 4.538% + a bit more for steps 14 and 17 so over a 9.076% raise? Wow! I guess all my donating (giving) does give back. What a wonderful system.”

David Ahlberg-SJCC

FA Negotiation Team,

“Kudos to you all! Thank you for your hard work and dedication in putting together this agreement. The results in many areas are remarkable, and I can’t remember if I’ve ever voted for ratification of a contract at such an early date! Thanks again” – Marc Sola-SJCC

“Thanks to you and the team for your hard work. Looks good.”-
Linda Hoogendijk-EVC Nursing Faculty

“Oh my goodness! You are wonderful... MANY thanks for all of your hard work.”
Janis Patallero-SJCC

*“Dear board members of the negotiation team,
Thank you for this magnificent contract. I feel fortunate to be a faculty member at Evergreen Valley College and appreciate the hard work you guys are trying to maintain a good environment for faculty members to work in which faculty members can focus on their primary duties of serving our students.
Thank you for your hard work.”*
Teck Ky-EVC

“Barbara, my deep thanks to you and the entire negotiating team.

*I am proud of the strength of our Union and grateful for the professionalism, high standards, and dedication of everyone working on our contracts.
Cheers to a job well done.
Much Thanks, Iris Kachuck-EVC”*

“Wow, what a great job and great team”
Jennifer Witte-SJCC

*Thanks to you Barbara and to your negotiating team for a great job winning a raise for all of us.
You’re great.
Maggie Fieler-EVC*

Reopener Contract Settlement Reached with District

—Continued from page 4

An Illusive Goal—How Do We Get There?

The Union did not accomplish all of its goals and faced one significant disappointment: Our attempt to move toward **lecture lab parity** for sciences and nursing faculty. We missed the mark on that one. However, it was not through lack of trying. For the past 6 years we have educated our Board of Trustees on the issue of the inequity of paying less money for a similar number of hours when a faculty member teaches a lab class.

We thought that perhaps for the first time, the Board and administration got the message. Unfortunately, the message may have been clear, but the results were not. The District would not move forward on increasing lecture lab parity in this contract. Rest assured this proposal will not go away, as with many others over the years; it just takes time and patience. The

Union negotiations team will continue to strategize to move toward realizing this goal. Here is what one science faculty member had to say:

“Hi Barbara, I forgot to say thank you for the great job you did on negotiations. I know that the science lecture & lab issue may be “pie in the sky, but if anyone can pull it off it will be our FA negotiation team. Keep up the fantastic job!” Carina Antilla-SJCC

Where From Here?

The Union negotiations team will have about 3 months off before we return to the table to negotiate the 2008-09 reopener. We are already thinking about our goals for those negotiations. We know there is possible gloom and doom on the horizon. But our analysis tells us that it often isn't

as bad as it is made out to be. In our District we came into 2007/2008 with an overly healthy reserve of 14.5%. Each college is growing its enrollment slowly but surely and the Union will continue to push for full COLA, lecture/lab parity, a bridge plan for post 1982 full time faculty for retiree benefits, and staff development money.

What can you do? **Participate, educate and donate.** The Union is always looking for new members for our Council of Division Reps; we always need the deans, administrators, and the Board to know our priorities; and we need to continue to keep our COPE (Committee on Political Education Fund) strong, so please fill out the little yellow card and help us maintain the strength and unity in our union.

College Districts Unite in Support of Proposition 92

—Continued from page 1



Patrick Butler and Linda Cushing

fund raiser for Proposition 92. Students and local business leaders mingled with faculty, union representatives, Board of Trustee members and district administrators. San Jose Evergreen enjoyed representation from our very own students, **Chancellor Rosa Perez, AFT 6157 Executive Director Barbara Hanfling, San Jose City College President Michael Burke, AFT 6157 President David Yancey, Evergreen College President David Wain Coon** along

with members of the faculty, college vice-presidents and deans.

Speaking on behalf of local business, **Chuck Berghoff, President and CEO of Opto Electronix**, San Jose, spoke with great passion about community college educated workers and the crucial role they play in Silicon Valley industries. Our very own Faculty Association, AFT 6157 Vice-President **Frank Espinoza** gave a stirring and eloquent talk focusing on the student population we serve and the need to reduce fees to keep our doors open to all Californians.

Also in attendance were **Martha Kanter, Chancellor of Foothill De Anza, Stan Arterberry, Chancellor of West Valley Mission, and Board of Trustee Members Paul Fong (FDA), Richard Hobbs (SJECCD), Richard Tanaka (SJECCD), Phil Hartley (WVM) and President of the FA at FDA, Rich Hansen.** This party and



Chancellors: Stan Arterberry, Rosa Perez & Martha Kanter

the group who attended reflected the unity which has been created around this very important proposition.

All of those in attendance heard the message that we all must share with fellow faculty, retired faculty, friends and neighbors: Give every Californian the opportunity to attend college.

**Vote Yes on Proposition 92
on Tuesday, February 5, 2008.**

Our Time, Our Students

By David Yancey-FA, AFT 6157 President

As the momentum toward the February 5th, 2008 vote on Prop 92 builds and as the discussions around campus and around the state broaden and intensify and as it becomes more apparent how far reaching the impact this proposition is and how it would impact community colleges, community college students, specifically our community college district and our students, it is becoming clear that this is “our time” and it is for “our students.”



Everyone who understands what this proposition will do supports it, and those that oppose it are searching for “safe” ways to be negative. They say things like, “not a well written proposition” or “we all support community colleges but this is a bad time for the state budget” or some other more moronic quips about having to raise tuition to CSU or UC students instead of lowering the huge administrative salaries in that system. **The fact is that Prop 92 is about fixing higher education in this state**, to make funding more stable, and to keep tuition at as low a rate as possible. It is “our time and our students” and our ability to guarantee all Californians a chance to go to college.



Chancellor Rosa Perez and Barbara Hanfling

At our news conference on December 4th here at SJCC, it became clear to me that this proposition is about a broader idea as well.

Chuck Berghoff, the CEO of a local electronics company made the point well about how education, especially community college education, is crucial to the future of not only our current students but to the next generation of students.

The global economy is creating competition for our students in classroom all around the world, and we must ensure that our students have the skills, talents and opportunities a good higher education will provide. If we don’t make a college education available for our students and their children, then we will fall further behind other nations and become lesser participants in the new “global economy.”

So please support Prop 92 with your effort, your voice and your money. We have at this moment in time a



chance to have a direct and immediate impact on our student’s ability to be successful as well as our own ability to offer the classes we want in the environments we want and as often as we want.

Programs we have all dreamt about developing will be more available if we have more resources and the services we know we ought to be providing to our students (i.e. the international students in our district, can more easily be provided). And the list could go on and on. Increasing access to more people, increasing retention to those

we already have and reaching out to the thousands in our district who would come if we were able to open the door just a little wider.

Please join me in supporting this most important proposition. Write a check, turn it into the Faculty Association box in either mailroom or one of the Executive Board members or just call and we will come to you, but do it now.

Thanks once again for your continued support and your dedication to a most noble cause, teaching.

What Has the Union Done for You Lately?



1. Parking Changes at SJCC Campus

Over the past few years unilateral changes have been made in the parking lots at SJCC. The Faculty Union has stepped up to the plate on numerous occasions to ensure that sufficient and accessible parking was available to faculty and staff. For example at the Student Center at SJCC, 10 parking spots were removed and given to short term parking. After the Union spoke up, 5 of those were returned to staff and faculty parking. When parking was removed from behind the Gym, we met with then President Carreon and converted 5 campus vehicle spaces to staff parking in the main parking lot.

The most recent “crusade” has been to ensure our faculty can find parking during the first two weeks of classes. We were hearing from adjunct faculty who had to park up to ½ mile away because the staff lots were full. The FA, AFT 6157 had numerous conversations with President Michael Burke and recently he agreed that the faculty lots would only be open to staff. Here is a copy of the email from Chief of Police Ray Aguirre:

Effective for the Spring Semester, the two-week “grace period” (no permits/expired permits) will be observed in Student Lots [at SJCC]. However, you are authorized to cite in Staff Lots immediately at the start of the semester. Any and all vehicles with valid student permits/no permits/expired student or staff permits/visitor daily

permits, etc. are subject to being cited in the staff lots.

*Please contact me for any clarifications.
COP [Chief of Police]*

The Union’s next goal is have the same conversation with President David Wain Coon to ensure adequate faculty and staff parking at EVC also.

2. Settlement Agreement Reached Regarding Obligation of District to Offer SJCC Faculty Member the Appropriate Load Each Semester

Faculty may remember an article, “**San Jose City College-Violated Collective Bargaining Agreement and Trust-Layoff Averted,**” written by Bob Reininger in the March 2007 FA newsletter. Therein, Bob writes about how the District violated their agreement with the Union and attempted to pressure a faculty member into retiring by pressure and threats of layoffs. With the work of the Faculty Union, we were able to ward off this evil move on the part of the District, however, a major question remained: What needed to be done to make Bob whole even though there was no layoff?

During the last 7 months, the Union has worked on this issue and ultimately came up with a plan. Bob Reininger had been on the reduced workload plan. On this plan a faculty member must be offered a 100% load during the academic semester and cannot be expected to work an underload and carry it through to the next academic semester.

Because Bob taught in a program that was in the process of being phased out, the District neglected to give him the appropriate load over the past few years and required him to take from his overload bank. This is not legal. Faculty members may use their overload bank *when* and *how* they wish. Therefore, we were able to reimburse his overload bank and credit him with numerous hours which will now enable him to take off the Spring 2008 Semester with pay and also have the remainder of his banked load paid out to him. Here is some of the language from the settlement agreement:

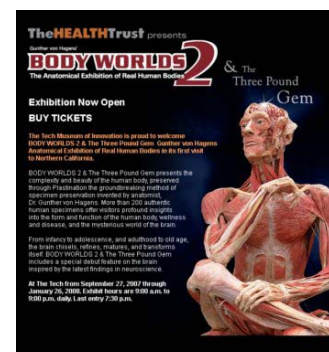
“Effective spring semester, 2008, Mr. Reininger will be placed on paid leave from the District utilizing overload from his overload bank. The amount of load applied shall provide for payment at 50% of his pay (recognizing the full benefits/rights per Article 18.2 - Early Retirement Reduced Workload Program).”

The Union is always pleased to work out settlement agreements that benefit our faculty members when violations of the contract have occurred.

Retiree Corner:

The Retiree Committee of AFT 6157 has reserved tickets to Body Worlds 2 at the Tech Museum in downtown San Jose for Tuesday, January 8th, at 1:30 p.m. If you are interested in attending, contact Alice Gosak. Tickets for this event cost \$15.00.

For more information contact Alice Gosak.
yogosak@aol.com



Know Your Rights

By: Barbara Hanfling, FA, AFT 6157 Executive Director

1. Adjunct Faculty: Right to Collect Unemployment over the Intersession

Adjunct faculty have the right to collect unemployment (UE) over intersession, based on a Supreme Court decision filed by the CFT called **Cervisi et al vs. Unemployment Insurance Appeal Board**. The Superior Court stated the following: "...the assignment form issued to the instructors stated that: 'employment is contingent upon adequate class enrollment.'" The Court also held that the record established that the offers of employment made by the school employer were "contingent on adequate enrollment, funding, and the approval of the District's Board of Governors."

The Superior Court concluded that "under the statute, an assignment that is contingent on enrollment, funding, or program changes is not a 'reasonable assurance' of employment." Based on this Court Decision fought for by San Francisco CFT local, adjunct faculty now enjoy a right and privilege that can help them through the times when they are not teaching. If you wish to collect unemployment, you must apply in a timely manner. Therefore, it is important that you access the unemployment board web site for all the information you might need.

First file your claim for unemployment benefits with your local UE office. If your claim is denied at the local level, **you must appeal this denial within the time frame listed on the denial form**. Also remember that even if you have a contract for teaching for the spring semester, you must answer no to the question of whether you have a guarantee to work. That contract is not a guarantee as you know; you can be bumped from this contract. You may want to mention the Cervisi decision listed above when you are applying for UE benefits. Please feel free to contact the FA, AFT 6157 if you have any questions, and consult the following sites for more information:

Unemployment- www.edd.ca.gov
CPFA- www.cpfa.org/unemployment.html
FACCC- www.faccc.org/part_time/parttime.htm

2. Transfer Rights: By now all faculty have received the email announcement that there are numerous transfer opportunities for full time tenured faculty members. Faculty have 10 working days from Monday, December 3 (until Friday December 14, 2007) to email the President of the campus where the position resides and let him know about your interest in the transfer opportunity.

Our contract language allows faculty to request a transfer either within their own college or to the other college. Our language is also very clear and strong that a transfer is almost always granted to a tenured faculty member (unless extenuating circumstances exist). Please check the list put out by Human Resources and indicate your interest to the President (Article 16.4.2)

3. Catastrophic Leave Bank; About 3 years ago, the Union fought diligently to bargain a catastrophic leave bank for faculty members who are themselves seriously ill or who must care for a seriously ill family member. This catastrophic leave bank (See 13.21) is only available to faculty members under the following conditions:



1. They must have used up their entire sick leave accrual
2. They must have verification from their physician
3. The President of the FA, AFT 6157 and the Assistant Chancellor of Human resources must agree that the faculty fits within the education code definition of seriously ill.

Faculty have recently received a call from our President David Yancey that we need to reinvigorate our catastrophic leave bank. We have a faculty member with an extremely serious illness and we want to ensure that the faculty member remains on payroll as long as possible to continue her medical benefits until the faculty member is available to return to work.

This is the time for you to go to www.fa-aft6157.org under Contract, then forms on the left hand side of the web page you can download the form and submit it to Mellanie Reynolds in Human Resources. Please understand that the sick leave sitting in your sick leave account is not worth as much as the important donation to a fellow seriously ill faculty member. Remember that this Catastrophic Leave bank will also be available for you if necessary.

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