

# FACULTY MATTERS



FACULTY  
ASSOCIATION  
AMERICAN FEDERATION OF TEACHERS  
LOCAL 6157

## The Light in the Tunnel Is Not Always a Train

By David Yancey, FA, AFT 6157 President

There are many references to “the light” in our lexicon of metaphors. Maybe the most disturbing is the reference to the “light at the end of the tunnel” being a train.

But recently I joined our FA, AFT 6157 Vice President Frank Espinosa and his lovely wife Janina in attending an event celebrating the Santa Clara County Office of Human Relations’ *Beacon of*

*Light Awards*. This event was sponsored by the Immigration Relations and Integration Services (I.R.I.S.). The Beacon of Light Awards was established to recognize the contributions, accomplishments and innovative spirit of today’s immigrants coming to this country.

The signature name of the awards comes from America’s greatest beacon of light for immigrants, The Statue of

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## March In March

**Another March in March.** Many of you may remember in the years past, when thousands of community college, faculty, staff, administrators and students traveled by bus. Swarmed the State Capital in Sacramento, and demanded the Community Colleges continue to be well funded in order to serve our students. In those years, our voices were heard and funding continued for Community Colleges. Well, we need to gather our forces again.

**All FACULTY:** Please *save* this date, *encourage* your students to gather with thousands of other concerned citizens in California, and *join* for the day. Our numbers and voices in Sacramento

**JOIN US!  
SAVE THE DATE:  
Monday March, 16, 2009**



need to be heard. The state budget is still in major deficit and the Republicans are not heeding the call to raise revenues to allow us to continue serving our students.

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# The Light in the Tunnel Is Not Always a Train

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Liberty. Lady Liberty has long been the symbolic representation of the hopes and dreams of millions of immigrants, initially from Europe, but now from all over the world.

This year's award recipients reflect a wide variety of the important contributions made by immigrants to our increasingly diverse population in San Jose.



Frank Espinoza, Karla Reyes, Janina Espinoza & David Yancey

One recipient, Phaivanh Khowong, escaped from Laos in 1975, and eventually made her way to New York where she studied art and economics. She arrived in San Jose in 1983 and was one of the founding members of the Santa Clara County Refugee Program. Phaivanh and the County Refugee Program have helped thousands of new immigrants adjust to life in our community.

Another Beacon of Light award was given to the *Familias Unidas Theater* group. This talented group of women leads an organization that promotes sanctuary for immigrant women. They openly share many personal stories of struggle, pain and suffering through beautifully choreographed dances, strong story telling and songs. It was a powerful performance and a stark reminder of the strength and courage immigrant women display even though largely in silence.

But the highlight of the event for the three of us was the Beacon of Light Award given to one of **Vice President Frank Espinoza's** former students and a recent EVC College graduate **Karla Reyes**. Karla is a most amazing

young lady, wise and mature beyond her age and an outspoken supporter of access to education, especially for immigrants. Karla's work in the Mayfair Neighborhood helping immigrants get into college and realize their dreams brought her acclaim not only in our district but widely within the city of San Jose.

Karla is now at San Jose State University majoring in public relations with her ultimate goal of achieving a PhD. in Education. When she thanked all the people that helped her achieve her success and especially the winning of this prestigious Beacon of Light Award, she included a special thank you to Frank for his guidance and support in channeling her passion and drive towards helping her community. Kudos to you Frank for your continuing care and compassion for our students, your support of our colleges and especially your important contributions to our FA, AFT 6157.

In closing I would like to extend my congratulations to all the recipients of this special Beacon of Light Awards, and a special "shout out" to one of our own Karla Reyes.

# Road Warrior Teachers

by Jory Segal, EVC Adjunct PE Faculty, Adjunct Negotiation Team Member

I was interviewed by Lisa Krieger, a *Mercury News* Reporter, for a story about the plight of adjunct faculty in the community college system. I spent more than 4 hours talking with Lisa over a period of a couple of months. I was astonished to wake up on December 4<sup>th</sup> and find the story and 2 pictures of me on the front page of the *Mercury News*. I had assumed the story would be buried somewhere in the middle section of the paper. I received a lot of feedback from everyone I knew. The questions most often asked were: Why wasn't I a full-time tenured teacher? How did I feel about being paid less for teaching the same classes as a full-time instructor?

My answers were: I gave up a full-time teaching job at the University of Notre Dame in Indiana to get married. I don't like being paid less for doing the same work. It just doesn't seem fair, and creates an atmosphere that makes it more difficult for adjunct to voice their opinions. Sometimes I hear full-time faculty say things like, "I was an adjunct once too, and had to wait to be hired full-time." The problem with that



*Jory Segal, EVC Representative*

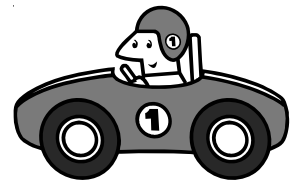
philosophy is that the number of adjunct and contingent faculty just keeps growing, and the number of full-time tenured faculty keeps shrinking. There aren't any quick solutions to the problem but the first step is to continue to bring attention to the issues surrounding the plight of adjunct faculty.

AFT is sponsoring a campaign entitled **FACE, Faculty and College Excellence** to bring attention to the

issues surrounding the adjunct and contingent work force. Through organizing, legislative advocacy, and collective bargaining the AFT is trying to accomplish the following goals.

1. Winning full pay equity for contingent faculty (Equal pay for Equal work)
2. Increasing the proportion of full-time tenured and tenure-track positions
3. Providing opportunities for contingent faculty to win many of the new tenure track jobs

It will be a long road to improving the working conditions of adjunct faculty. I strongly urge all full time and adjunct faculty to go online to the AFT website ([www.aft.org](http://www.aft.org)), read about FACE, and then offer your support. Write letters and emails; talk about it with your friends and legislators. The more attention we bring to this issue, the better chance we have of making changes.



## San Jose/Evergreen Faculty Adjunct Centers

**SJCC Adjunct  
Center**

**GE 119**



**EVC  
Adjunct Center**

**Roble 2nd Floor**



# Assembly Member Paul Fong: Swearing-In Ceremony

By Frank Espinoza, FA, AFT 6157 Vice President

On December 1, 2008, the city of Sacramento thrived with energy as newly elected State Legislators and their supporters awaited the “Swearing-In” ceremony. **Paul Fong**, Evergreen Valley College’s Political Science Professor, was among the newly elected California State Assembly Representative for District 22, who would be sworn in to the California State Assembly.

Supporters, which included family, close friends, campaign staff, and the San Jose / Evergreen Faculty Union (AFT Local 6157) **Vice-President: Frank Espinoza** joined Paul at his “Swearing-In” ceremony. Everyone in attendance was excited to see Paul Fong take his

oath of office on the California State Assembly floor.

Since 1997, Professor Paul Fong has served as a faculty member at Evergreen Valley College, as well as, Trustee on the De Anza-Foothill College Board. His tireless efforts as an educator, organizer, elected official, and community activist have prepared him for the challenges he will undoubtedly face as a Legislator in the California State Assembly.

The AFT Local 6157 is proud to have endorsed our colleague Paul Fong’s candidacy for California State Legislator and contributed to his successful campaign. His genuine passion for educating the citizenry of



*Paul Fong & Frank Espinoza*

California coupled with his years of experience in addressing diversity issues will serve us all well as he takes on the enormous challenges of our State.

Congratulations to Colleague Fong and his entire family.

## Know Your Rights

By Debbie DeLaRosa, Grievance Officer

### Tenure Review Process

Tenure review is a four year process for non-tenured faculty, both instructional and non-instructional, to demonstrate their ability to meet the performance criteria established in the contract. One of the first things a non-tenured faculty member should do is read **Article 20, Evaluation of Non-Tenured Faculty**.

Why is this important? Taking the time to read Article 20 before embarking on the tenure process with your committee provides you with your own personal understanding of the process. You will be better informed and able to spot any inconsistencies that may occur. The

committee consists of the immediate administrator/designee of the non-tenured faculty member and two tenured faculty. One of these tenured faculty members is appointed by the administrator, and the non-tenured member selects the second tenured faculty member. Having to pick a faculty member to serve on your tenure review committee when you are new to the college may seem difficult, but this may give you the opportunity to get to know your colleagues and understand how your department works. If you have questions as to who you should pick, you can always contact the Union for some suggestions.



It is very important for non-tenured faculty members to remain alert and cognizant of any problems that may arise during the tenure process. If differences occur that may prove detrimental to the ongoing process, the non-tenured faculty member needs to remember that the union is available to assist. Possible examples of problems may include potential investigations of alleged actions and unfair recommendations such as “needs improvement.” If at anytime a non-tenured faculty member believes that the process, as stated and defined in the contract is not being followed, please take the time to contact the union for additional help.

# March 20th Mandatory Professional Development Day-Change

By Barbara Hanfling, FA, AFT 6157 Executive Director

## Background

Back in November, our President David Yancey sent out an email regarding changes in the spring mandatory PD Day. There was some confusion and numerous questions that arose from that email...so, in the interest of trying to bring some closure and clarity to this issue, we are summarizing his email and then answering the questions that have come up. Also please note that at this time, the Union has only agreed to make this change for this 2009 mandatory Spring PD day (originally scheduled for March 20<sup>th</sup>, 2009).

Recently the District discovered that if they were to use this mandatory PD day in a different way and convert this day back to an instructional day they could include the Spring PD day in their overall yearly count of work days. This change in the number of work days they calculated per year would increase District revenues by over \$150,000, an important amount based on the budgetary issues facing the state.

As a result of our negotiations with the District the mandatory 2009 Spring PD

day is gone. In its place will be a new PD day, scheduled for the first day of Spring Break, based on individual activities (no alternative plans required for any full time faculty) that are not required to take place on either **college**. No division meetings can be called and no mandatory attendance at any college or district activity can be imposed on the new PD days. So mark your calendars noting that:

Therefore March 20, 2009 becomes an Instructional Day and April 6, 2009 becomes the PD Day.

## Important Information for Full Time Faculty and Adjunct Faculty

The end result is that the District can count an additional workdays for the 2009 academic year in its calculations to the state and full time faculty get an additional day to review curriculum, update teaching outlines, work on non instructional tasks or any other educational activity they deem necessary and/or appropriate to accomplish their Spring PD days. For full time non instructional faculty, their calendars reflected 6 hours of PD Day

on Friday March 20<sup>th</sup> and these hours are now transferred to Monday April 6<sup>th</sup>. But as we stated, no faculty are required to be on campus on April 6<sup>th</sup>. Full Time Non instructional faculty do not have to make up those 6 hours from March 20<sup>th</sup>.

**Adjunct faculty** may apply for an Alternate Professional Development Activity for the new PD day (and get paid up to 3 hours) by following the requirements set forth in the Collective Bargaining Agreement (CBA) Articles 11.7 and 11.8. The alternate plan may include activities included in Article 11.6 and any others that fulfill the goals and objectives set forth by the Board of Trustees. The plan must be received by the Professional Improvement Committee (PIC) at least 3 weeks prior to the newly scheduled PD Day (by March 16<sup>th</sup>, 2009). Once the alternate plan has been received, processed and recommended for approval by the PIC to the President, the adjunct faculty member may request the appropriate pay as outlined in Article 9.14 of the contract.

## FACULTY ASSOCIATION, AFT 6157 EXECUTIVE BOARD MEETINGS SPRING 2009

<u>Date</u>	<u>Time</u>	<u>Location</u>
Fri, Feb 20, 2009	12:30-3:30pm	EVC Appi Mishra Room
Fri-March 13, 2009	9:30-12:30pm	SJCC SC-204
Council of Div. Reps.	1:00-3:00pm	SJCC SC-204
Fri, March 27, 2009	12:30-3:30pm	EVC Appi Mishra
Fri, April 17, 2009	9:30-12:30pm	SJCC SC-204
Fri, May 1, 2009	9:30-12:30pm	SJCC SC-204
Fri May 15, 2009	9:30-12:30pm	EVC Appi Mishra Room



## FACULTY ASSOCIATION, AFT 6157 ADJUNCT FACULTY MEETINGS SPRING 2009

<u>Date</u>	<u>Time</u>	<u>Location</u>
Thurs Mar 12, 2009	4:00-5:15pm	EVC Appi Mishra Room
Mon Mar 23, 2009	4:00-5:15pm	SJCC Adjunct Center

# What Has the Union Done for You Lately?

## 1. Appropriate Placement of Dental Adjunct Faculty Member, By Laura Sanchez, SJCC Executive Board Member

San Jose City College Dental Assisting has expanded its programs to include the hire of practicing dentist Dr. Hema Jhamb, licensed since 1992. She has worked for Western Dental and opened her private practice in the Evergreen area.

In the spring of last year Dr. Jhamb was called in for an interview. Dr. Jhamb completed an online application and provided other pertinent information, along with a copy of her dental license and subsequent interview questions/responses. She was placed on the Salary Schedule at Class II, Step 1 until her placement was to be determined. She NEVER left Class II, Step 1, which is A.A. degree and six years work experience. Unfortunately, even after her credentials were evaluated and reviewed by the Office of Academic Support, it was then decided that her foreign credential from India that reads "First Bachelor of Dental Surgery Degree," only qualified Dr. Jhamb a salary placement Class IV and Step 1, which is BA level for disciplines not requiring a master's degree.

But she was NEVER moved to even to that level! Dr. Jhamb worked part-time and even signed off as our supervising dentist for a new Radiation Safety Course that went forward to the State Committee on Dental Auxiliaries for approval; a course that requires a dentist signature!

In the meantime, the Faculty Association, AFT 6157 Executive Board Member representatives were working diligently to resolve this issue

with the then current VP for Academic Affairs, Tim O'Hare, to try and prove that Dr. Jhamb's credential that included her California Dentist License, DEA number, and credentials from India qualified Dr. Jhamb placement at Class VI Doctorate level. After months of discussion, emails, debate over the literal meaning of her credentials, she left our college; at the time she was only receiving AA level pay.

During the Fall Semester 2008, the Union continued to pursue the issue to at least provide retro-pay for what the Office of Academic Support would ONLY recognize as a bachelors degree. Upon further investigation, the new interim VP for Academic Affairs Lois Lund, found documentation from Tim O'Hare's files that stated he was in agreement that Dr. Jhamb's credentials and dentist license be recognized at a doctoral level. It was then that Sandra Dillon, head of Human Resources, decided to approve retro-pay and accurately place Dr. Jhamb at Class VI.

When the news came, I immediately called Dr. Jhamb and told her that finally the issue was resolved and asked if she would return to continue our quest to expand our dental assisting program and rejoin our faculty as a valuable member of our qualified team of teachers. She graciously accepted!

These issues are the kinds of issues



your Faculty Association, AFT 6157 are determined to resolve for full-time and adjunct faculty even if it takes all year or years to get it done. What it takes is persistence and commitment to serve faculty. There is no magical recipe that makes it easy to work through these types of issues on behalf of all faculty. It just takes people like you and me to make a choice that our rights are worth fighting for because we believe in the integrity of the institution of higher education and the people who work on the frontline to make this college a wonderful place to be.

## 2. San Jose City College-Overload Grievance Finally Settled-3 Years of Hard Work, by Barbara Hanfling, FA, AFT 6157 Executive Director

### Background

About 2 ½ years, the FA, AFT 6157 brought to the attention of the District the issue of under paying full-time faculty in overload assignments at SJCC. This issue had been brought to the Union's attention, by our ever vigilant and patient Executive Board Member and **Fiscal Officer, Linda Ferrell**. Historically SJCC and EVC were paying faculty differently when working in overload assignments.

Patience was certainly the name of the game. This issue has been outstanding since October 2006 and the Union and District have agreed to extend timelines while waiting for both a list of affected faculty and agreement from the District that back pay needed to be offered.

To start at the beginning, SJCC had always paid Full Time Faculty teaching overload for the full 16 weeks whether there was a holiday during that semester or not (EVC had never paid for the holidays-so they were not part of this settlement agreement).

## What Has the Union Done for You Lately?

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Unilaterally and without notifying the Union or involved faculty, in fall 2006, SJCC decided to change its past practice. This is against the Education Code and the Contract, so the Union took on this issue and demanded that SJCC faculty working overload be given back pay for the loss in wages. In early January, 2009 we reached agreement. To ensure consistency and fairness to faculty, the Union and District agreed to settle the issue for any full-time faculty overload for fall 2006 and Spring 2007 at SJCC by providing back pay to those faculty whose pay had changed. The reason this agreement only covers Fall 2006 and Spring 2007, is that beginning Fall 2007, all adjunct and full time faculty working overload are now on the full time salary schedule and get their pay not by the day and hour (as was the case) but as a salary, whether there are holidays or not. The reason it only covers SJCC, is that EVC had a different practice (not paying for holidays) and never unilaterally changed their practice.

### **Agreement: Below are excerpts from the agreement regarding SJCC Full Time Faculty .**

Please ensure that any possibly affected faculty read this agreement as there are timelines involved for any appeals:

1. To be eligible to receive any back pay, the SJCC Full Time faculty member needed to have worked 14 or more weeks. Any faculty member who was listed in the information provided by the District who worked 14, 14.5, 15, and 15.5 weeks will be paid for 16 weeks. Union dues will be deducted from the back pay.
2. The back pay will be paid to SJCC faculty affected by this settlement on January 31, 2009. The Union has the

list of faculty who received back pay, please contact them for more information.

3. The FA will notify its members at SJCC of the back pay agreement. The SJCC faculty on the list will have until March 1, 2009 to appeal in writing to both Sandi Dillon, Acting Vice Chancellor of Human Resources and Barbara Hanfling, Executive Director of the FA, AFT 6157 if they believe that they were not paid appropriately. Each appeal will be reviewed by the District and the Union on a case-by-case basis which may or may not result in an adjustment in back pay.
4. Any SJCC faculty member who did not receive retroactive pay and feels they should have been included in the back pay may appeal in writing to both Sandi Dillon, Acting Vice Chancellor of Human Resources and Barbara Hanfling, Executive Director of the FA, AFT 6157, no later than March 1, 2009. Each appeal will be reviewed by the District and the Union on a case-by-case basis which may or may not result in an adjustment in back pay.

### **Great Victory**

As a result of the hard work on the Union, more than \$12,000 was allocated to about 44 SJCC full time faculty members. Fairness and equity, notice and respect are critical in the relationship between the Union and the District. We are pleased we were able to settle this grievance without ever having to file a formal grievance.

The goal of the Union is always to work with the District to find equitable settlements to issues raised by faculty. Thanks again to **Linda Ferrell** for her diligence in bringing this to our attention.



# New SJCC FA, AFT 6157 Executive Board Member

by Kieron Connolly, FA, AFT 6157 SJCC Field Representative



*Kieron Connolly*

I am a member of the Applied Science Division at San Jose City College where I teach in both the Air Conditioning and Facilities Maintenance Technology Programs. Prior to accepting a Full Time faculty position at San Jose City College, I taught as adjunct faculty in the Foothill/De Anza

District, Local 104 and private technical colleges. I also have taught in Ireland and was a Curriculum Manager at the College of North West London. I received the CCAOE outstanding Faculty Award in 2002. My technical experience is in the areas of Electrical, Air Conditioning Refrigeration and Building Engineering Management.

My technical and academic qualifications include Journeyman Certification, AS Electronic Engineering, Advanced Electro Technology, and I earned a Masters Degree in Building Services Management.

I am an avid supporter of career and technical education and firmly believe in the rights of workers. I respect and admire the work that our union has done for its members. I am honored to

serve on its board for the upcoming semester.

What attracts me to get involved with our union is its persistence and commitment to the collective bargaining process. It is refreshing to know that through this process, we as faculty members, both part-time and full-time, are represented by a union that has its core the ideal of a fair and just workplace for all. Through the collective bargaining process we also gain knowledge of our rights. Without this knowledge, it is easy to remain in ignorance and accept what is less than fair. Our union has given us a collective voice so that our knowledge can create effective and healthy debate between faculty and management so that the right to work in a fair and quality environment is sustained.

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