

# FACULTY MATTERS



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ASSOCIATION  
AMERICAN FEDERATION OF TEACHERS  
LOCAL 6157

## Are We Really The Ones We Have Been Waiting For? Or Was Hamilton Right?

by David Yancey, FA, AFT 6157 President

We have all heard the rousing words of politicians and orators espousing the power and the wisdom of the human heart and in particular the wisdom of the American people. The assumption is that as time passes we are making progress. We are, after all, Americans and we are the best thing since sliced bread. From Gandhi to Obama we hear these inspiring and motivational words meant to awaken in all of us the inner spirit of "doing the right thing". But has it? Or, was Alexander Hamilton right when he said, of these same American people, "the masses are asses?"

We all would like to believe that the evolutionary processes, over the

decades, surely must have expanded and improved the American people's ability to learn, think and make rational decisions. Furthermore, they surely must have reaped the value of collective experiences of the past. And of course these experiences have informed their wisdom and made them more critical in their analysis and more informed about the world around them. But has it? Or, again, was Hamilton right?

You would think they must know by now that there is no such thing as bi-partisanship anywhere in this country over the topic of budgets or health care. Political ideology is allowed to

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### FALL ONE

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**San Jose/Evergreen  
Faculty Association AFT 6157**

**Cordially Invites You and Your  
Family to Our 9th Annual Picnic**

**Saturday, Oct 3rd, 2009  
11:00am-3:00pm**



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**Saturday, Oct 3rd, 2009  
11:00am-3:00pm**

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# Are We Really The Ones....

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trump the advancement of the commonwealth and the people who live there. They must know that there are no true conservative or liberal thinkers in our country if there ever were. By now the majority of the people must know that many of our fellow citizens see the world through a very narrow prism and for the most part what vision they have is focused on their own self interest, and if that helps others then that is well and good, but it must serve their needs first if it is to be tolerated.

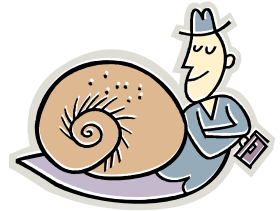
## If this sounds like a rant then I plead guilty.

After decades of teaching students that participation in the political process is a civic duty and the only way to ensure their own success in our society is for them to become players in this great play. I prod them into participating because to not play the game just means you get "played". However, given the recent events in our state and our nation I am hard pressed to give them the successful examples that I easily found in the past. I am now teaching a sort of "role reversal" methodology by highlighting the bad examples that confront us daily. You do not have to look very far to see bad examples of people and events in our country that illustrate the issues raised above.

You can look at the ineffective political actions of the state legislature and the governor in California as bad examples, or by looking at the unending political grid lock that has produced a disastrous state budget. Or you can point to the "political terrorist" that has hit the streets in August to protest health care reform by drowning out political debate or threatening the safety of elected

officials at town hall meetings as examples of how not to act.

Or the outrageous arrest of a renowned African American scholar for being "disorderly" inside his own home by a police officer who would not admit he lost his temper and made a judgment error.



Whether it is a small minority of far right wing Republican lawmakers in California who have seen their caucus slip to a small minority but have just enough members in the state's legislature to block any reasonable approach to deficit reduction except their mantra "cut, cut, cut," or groups, like the so-called "birthers," that do not believe the President of the United States is a natural born citizen of this country or lately, the demagogues spreading the rumors of socialized medicine and/or government takeover of Medicare or Social Security, or the even more laughable establishment of "death panels" as part of health care reform, they raise serious questions about our country's political discourse.

Worse yet is the political corruption of money in our system. Here we must be fair and call for a pox on both political parties for selling their influence. So, the answer to the initial question seems obvious, right? Not so fast.

## Is There Hope After What We Have Seen?

In spite of the many, many examples of behaviors I have listed above and in spite of the continuance of the right

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# Professor Paul Fong Goes To Sacramento

by Debbie DeLaRosa, FA, AFT Full Time EVC Rep



AFT 6157 union leaders went to Sacramento for the annual CFT convention in March knowing that the experience this year would be extra special. With EVC Political Science Professor Paul Fong recently voted in as the 21<sup>st</sup> Assembly District's new representative, it was a real treat to

have Paul join us at the convention. AFT 6157 President David Yancey made sure CFT leader Marty Hittelman knew that Paul was in the house. Marty introduced Paul to the 2,000 plus crowd and made us all proud.

After the morning session, Paul Fong graciously invited those of us present to enjoy lunch in the Capitol building. We started our Capitol visit at his new office and Vice-President Frank Espinoza tried out Paul's chair. Could it be possible that our Vice-President looks forward to a future career in politics?

Thanks to Paul for taking the time from his busy schedule to attend the

conference and host us for lunch. We are confident that with Paul's presence in the Assembly, higher education and the needs of our students will not be ignored.



## Are We Really The Ones....

-continued from page 2

wing clap trap that pollutes our air waves and our discourse, a different conclusion can be reached.

I was recently reminded by one of my top advisors that in the larger picture we, the American people, at least most of them—you might even say “the masses” —have made some great strides forward toward that more perfect union.

In November of last year we elected the first African American President of the United States. Something many of us never thought we would live long enough to see. We saw over a million people attend his inauguration in January although he had been essentially running the country since his election, trying to deal with the great mess he had inherited from the

outgoing administration; including two wars, an economy in the free fall, and a financial system that was on the brink of total collapse.

President Obama has re-established our standing in the world as a leader of nations. Did you see that speech in Cairo? We have also just seen the first Mexican American woman Justice appointed and confirmed to the United States Supreme Court. I agree, a little “wise

Latina” judgment is what we need, and there is a litany of other accomplishments to his credit in less than 200 days.

So the answer may be a bit of both Gandhi and Hamilton. We surely have shown some moments of great wisdom and judgment by electing President

Obama and yet there are those amongst us who do not want to accept that the world is still turning and that the right side of history is the side that accepts the inevitable progress and change that the future holds for us all. So do not despair or become faint of heart. We will endure as we have always endured and we will make it through these times of peril and difficulty.

**So Don't Despair We Will Endure**  
Welcome back to a new semester and a year of challenge and change that will require all of us to rise to the tasks that lie before us and do it with the wisdom and thoughtfulness that has highlighted the first few months of this new era. We must all strive to be what Gandhi wanted us to be and we must endure those who resist the change.

# Adjunct News and Views

## Correcting Non Instructional CALSTRS Reporting

by Jeanie Schwab, Adjunct Librarian, SJCC

A heads up if you are a freeway flying adjunct, are looking at retiring and are counting on CalSTRS for retirement earnings. If you haven't already, do go to a retirement planning workshop and then start checking the STRS reporting in each of your districts. STRS reporting is a complicated process and is subject to a variety of interpretations and errors and those errors may go unnoticed and uncorrected unless you first become your own advocate and, when needed, enlist your union's help.



### Check your Paystub and STRS Balances

Here is my story: I have worked for over thirty years as a librarian in many of the Bay Area community colleges. Inevitably I reached that age when you start thinking about retirement! I had always complacently trusted the system, and I was shocked when I found that more than one significant error in record keeping and reporting

had been made. I discovered that one district had completely lost track of nearly 400 hours of my unused sick leave. Those sick leave hours will count for service credit when I retire, so I wanted them back. It took me over a year, numerous meetings and many hours of my own researching to recoup those hours.

I came to work in the library at San Jose City College in the spring of 2006. My sick leave hours were appearing on my pay stub, so I knew I didn't have a problem there. However, over a year ago I was looking at my online account in MyWeb and noticed that my "Total Compensation" or, as STRS calls it, "Earnable Compensation," was listed as half of what I thought I had earned). In workshops, I had learned that the FTE for all community college librarians and counselors (i.e. non-instructional faculty) should be a minimum of 1050 hours for a year, whereas the FTE for part-time instructional faculty could be a minimum of 525 hours. Further, I had learned that the earnable compensation was calculated by multiplying FTE times hourly pay rate.

Potentially, this halving of my earnable compensation could dramatically lessen my monthly retirement benefit. I could not afford to continue working for the District if the procedure was continued. This was a sad prospect because I really enjoyed working here and genuinely appreciated the hard work of the union and representatives like, Bob Wing, who faithfully advocated for non-instructional faculty and succeeded in

getting an hourly pay rate far superior to many other colleges in the area.

I set out on my own to research the law behind the 1050 hour minimum for librarians and counselors and discovered California Education Code Section 22138.5 section (c) (enacted in 1998) which spells out the minimum standard for various classifications of employees in community colleges of 1,050 hours per year for all counselors and librarians.

The next thing I did was contact the Ombudsman for STRS to ask him if my interpretation of this code was correct and if payroll was, in fact, incorrectly using an FTE of 525 in calculating my earnable compensation. The Ombudsman informed me that my understanding of the minimum standards set out in Ed Code 22138.5 was correct.

### Call the Union If you Have Questions:

Once I had the confirmation of the STRS Ombudsman, I enlisted the help of the union, FA, AFT 6157. I met with Barbara Hanfling and David Yancey to discuss my situation. Apparently this differentiation in minimum standards for instructional and non-instructional part-time faculty FTE had slipped under the radar when the 1998 law was enacted. After sharing my research into Ed Code 22138.5, Barbara and David grasped the situation and were forthright in admitting that the union leadership in 1998 had, in fact, incorrectly instructed payroll to use the 525 total hours for all part time faculty.

# Why Tight Glutes Make People Smile

by Randy Pratt, EVC Council of Divisions Reps/PE Faculty

Ok. Here it is plain and simple derived from my 25 plus years in the field learning, listening, teaching and doing. The skinny on staying fit, if you will.

## Why?

First and foremost, the physical activity of choice must be joyful and stress free. Allow me to repeat this most important premise “JOYFUL” and “STRESS FREE” aka “FUN”. For a greater understanding or possible total recall of these basic premises observe those who have mastered them at any elementary school anywhere. Why as we grow older we feel a necessity to squelch our desires for joyful movement is another topic another day.

Second, discover the power of “blood drugs” – those that are naturally occurring in our body and as potent and addicting as those found on the street but only with much brighter outcomes. Endorphins, adrenaline, dopamine all can contribute to an elevated sense of self-esteem, more positive feelings and

a heightened sense of joy. These life stimulants are free and readily available. Think about that next time you fork over \$89 for that supersized bottle of glucosomething-azine at the good health store.

Imagine having fun getting fit and feeling good at the same time. Well, it gets even better. As you regularly tap into your blood drugs through physical activity your body will respond in kind



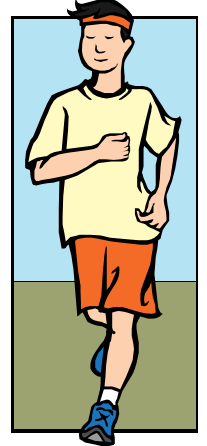
by turning up the happy juice too. And, who can get too much happy juice in life? Not me.

There is one more piece to all this. Getting out of your comfort zone is a must. The blood drugs or happy juice released in the body is in response to a perceived stressor. In exercise physiological terms – overload. You must exert yourself beyond a normal capacity. Overload does not occur

during activities that are well within your normal capacity. In keeping brevity to this article allow me to suffice by saying your workout or any other activity you hope will achieve fitness must feel *a lot* different than how you feel standing in line at Target. So get comfortable getting uncomfortable during exercise. Expect it, enjoy it, and revel in it.

The recap here is simple: most important discover physical activities that are joyful and stress free; exert yourself...go

ahead...get outside the comfort zone – regularly; tap into your blood drugs; and share your newly found secrets with your friends (there is plenty of happy juice for all). The rest will take of itself and you will no longer wonder while active people smile so much.



## Adjunct News and Views

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They met with payroll in the Summer of 2008 and were assured that beginning with Fall 2008, payroll would use the minimum standard of 1050 hours for non-instructional faculty and that earnable compensation for non-instructional faculty would be calculated using 1050.0 hours x hourly pay rate.

I was thrilled and thought the battle was won, but when I went to an

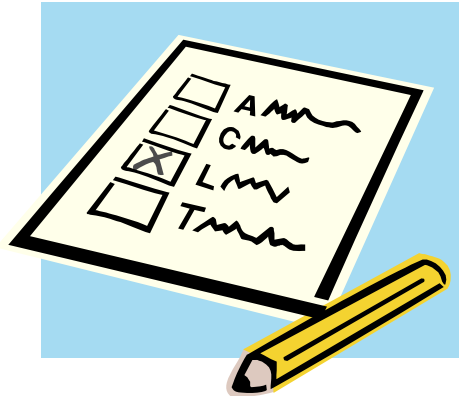
appointment with a CalSTRS advisor, in May, I discovered that the correct reporting was not actually implemented until Spring 2009. Once again, I met with Barbara Hanfling and, in turn, she met with Serena Muindi and Connie Hilbert from payroll. I am happy to report that with the help of Barbara and David and Serena and Connie, my record with STRS has now been corrected. In addition, Ed Code 22138.5

compliant minimum standards for non-instructional faculty have been incorporated into payroll's STRS reporting procedures. I am also most happy to report that because of the help I received from our union and others, I am back at work in the San Jose City College Library this fall. Thank you so much to the Union and all who helped me through this process.

# FA AFT 6157 Election Results

by Barbara Hanfling, FA, AFT 6157 Executive Director

The recent election conducted by the FA, AFT 6157 resulted in the following members of our faculty being either elected or re-elected to the following positions in the leadership ranks of our union. Since there were no contested elections, our constitutions allows for a white ballot with no need for a formal election.



**Laura Sanchez** (Re-elected)/**Fabio Gonzales**: Full Time Faculty Campus Representative from SJCC; Please note, that Laura has requested a leave of absence for a year to deal with Dental accreditation issues and Fabio Gonzales having expressed interest during the election period was voted on at our First Executive Board Meeting/Retreat September 11, 2009.

**Kieron Connolly** – Full Time Faculty Campus Representative from SJCC

**Debbie DeLaRosa** – (Re-elected) Full Time Faculty Campus Representative from EVC.

**Linda Ferrell** – (Re-elected) Fiscal Officer – District Position

**Nanette Regua** (Appointed at the Executive Board Meeting 9/11/09) – Adjunct Faculty Campus Representative-EVC

Please congratulate your colleagues for their willingness to give of their time and energy in the furtherance of all our interests as we continue to build our union.

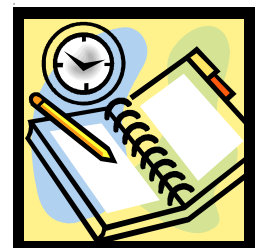
Not all have the time to participate at the Executive Board level but every one of us can still be important participants in how our union grows and develops. I encourage all of you to consider how you could contribute in making this union, the district and our colleges successful.

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

<u>Date</u>	<u>Campus</u>	<u>Time</u>	<u>Location</u>
Fri, Sep 25	SJCC	9:30-12:30	SC 204 Community Room
<b>Sat, Oct 3</b>	<b>Picnic</b>	<b>11:00-3:00pm</b>	<b>Vasona Park</b>
Fri, Oct 9	SJCC	<b>12:30-3:30pm</b>	SC 204 Community Room
Fri, Oct 23	EVC	9:30-12:30pm	Appi Mishra Room-Library
Fri, Nov 6	EVC	9:30-12:30pm	Appi Mishra Room-Library
Council of Div Reps	EVC	1:00-3:00pm	
Fri, Nov 20	SJCC	9:30-12:30	SC 204 Community Room
Fri, Dec 11	SJCC	9:30-12:30	SC 204 Community Room

### ADJUNCT FACULTY MEETINGS FALL 2009

Wed. Oct 21	EVC	4:00-5:15pm	Appi Mishra Room
Thurs. Oct 22	SJCC	4:00-5:15pm	SJCC Adjunct Center



# Mentoring our Faculty

by Joseph King, SJCC Librarian

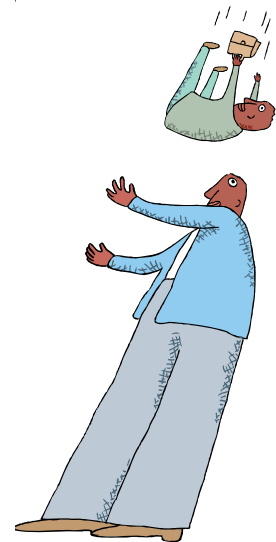
When I saw that the FA, AFT 6157 was starting a mentoring program, I thought that this sounded like a great idea. Being a mentor to our newly tenured full time faculty would be exciting and a great challenge

When I started at SJCC in 1991, Martha Kanter, who was the Dean of Instruction, gave a big party. I met all kinds of people, mostly faculty and that was really fantastic. I had been an adjunct librarian at Rio Hondo College and now as a full timer at SJCC, I felt I was a part of something really exciting.

I felt very welcomed and a part of our SJCC family. It was a great start for me and I have always been so grateful

that I thought if I could, I would like to give back the same to the college. Mentoring was a little harder than being a mentee. I had no idea what my mentee, Hugo Torres needed so I made a checklist of items I thought he would need to know. How do I see how much money I am making? What and where is the FA Contract? I gave him a tour of the campus and he had no idea of what programs we have and what buildings there are and he was amazed at how much there is to learn.

I met with him several times and each time we got to know each other better. Both of us are so busy. I think that the most important part has been teaching him his rights as a faculty member and acquainting him with the opportunities



available to him through the PRC and Staff Development. So many faculty members are unaware of what they can achieve while here. I thank Laura Sanchez, our FA, AFT 6157 Mentor Coordinator, Barbara Hanfling and David Yancey for the program and the FA, AFT 6157 for its consideration of new faculty.

## What Has the Union Done for You Lately?

### Winning My Seniority Rehire Rights (SRP)

By Jeffrey Mancilla, Adjunct Language Arts Instructor, SJCC

I want to thank the Union for helping me secure SRP for fall 2009. After having completed my third consecutive semester of 5.5 units in the spring of 2009, I assumed that I would be in the rotation for fall 2009. To my surprise, I was not. Since I could not get an answer from my Division as to why I was not being offered a class in the fall, I emailed Barbara Hanfling,

Executive  
Director of San  
Jose/Evergreen  
Faculty  
Association, AFT

6157. She went right to work on this matter.

Barbara was told by my division that I would not secure SPR until the end of the fall semester. Barbara, in turn, stated to my Division that I was already considered to have SRP for fall 2009 and needed to be in the rotation for that term. Shortly after, I was offered a class for fall 2009 which I accepted. Without the Union's help, I would have never been offered a class. I want to thank the Union and Barbara for their help on this matter.



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# Know Your Rights

by Barbara Hanfling, FA, AFT 6157 Executive Director

## I. Updating your Faculty Service Areas (FSA's)

Many full time faculty believe that when they get hired, the District reviews all their transcripts and enters all their potential faculty service areas onto the seniority list. That is not the case. The only FSA listed for many faculty is the one they got hired to teach in. Please go to our web page [www.fa-aft6157](http://www.fa-aft6157) (Full Time Faculty-FSA/Seniority List) and check to ensure your FSA's are updated.

Why is this important? Although we understand that there are no faculty layoffs this year and don't anticipate any full time layoffs in the near future, having up to date FSA's enables faculty to ensure some additional job security. Updated FSA's also allow faculty to transfer to other disciplines when and if vacancies arise. Over the years, we have had faculty move from Reading to English; Computer Information to Psychology; DSP Counselor to General Counselor; and others.

How to Update your FSA? Please read and review Article 23.5.2 on line or in your contract. Then go to page 240, Appendix I, and fill out the form. Please note, you must collect your own transcripts. You cannot rely on Human Resources (HR) to look through your personnel file. You may make an appointment with HR to review your personnel file and in the

meantime copy any available transcripts. You must complete the above prior to February 15<sup>th</sup> of the year.

## II. Right to Representation

It is very important for faculty to know that any time they are called in for a meeting that might lead to possible discipline, the **Weingarten** decision gives them the right to ask for FA, AFT 6157 representation. The Weingarten decision basically states that **if a faculty member even suspects that there is any possibility that discipline could arise, then the request to have a Union representative cannot be denied.** The importance of always having a Union representative with you at these meetings cannot be stressed strongly enough.

**Union's Position on Representing Faculty who File Charges:** The Union has determined that Weingarten requires us and of course we must, represent all faculty when a charge has been made against them because the charge could potentially lead to discipline.

However, neither Weingarten nor the duty of fair representation requires the Union to represent faculty who have charged other faculty or classified staff with discrimination or harassment. Of course the Union will continue to ensure that the process is properly followed.

If the faculty member does participate in a disciplinary meeting without a

representative, any discussions that take place could be used against the faculty member. Having an FA, AFT6157 representative at the meeting would ensure that due process was followed and appropriate questions were asked.

If and when faculty are requested to participate in an investigation/meeting, you have the right to request what the subject matter is, who has filed the complaint, and who the complaint is against. Faculty should NEVER attend a meeting without asking the question first: "WHAT IS THIS MEETING ABOUT, SO I CAN BE PREPARED?" Additionally, you have the right to set up the meeting at your convenience.

Please remember to contact the Union if you are attending a meeting where discipline will occur or you believe it may occur.



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