

FACULTY MATTERS



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AMERICAN FEDERATION OF TEACHERS
LOCAL 6157

So This is What the Bottom of the Barrel Looks Like!

by David Yancey, FA, AFT 6157 President

The State of the California Budget

In an attempt to get a visual picture of what the budgetary situation in California looks like the image that dominates my vision is being at the bottom of the barrel. The barrel is empty, dark, damp and isolating. Almost any view of California's economic future is bleak and getting bleaker. The nation's jobless rate just reached 10.2% but California's went past that number months ago it is now above 12%.



There is also a feeling that nothing is being done to correct the problem and

some fear that nothing can be done. In a recent opinion piece in a British newspaper the writer referred to California as a failed state comparing us to Iceland. I don't agree at all.

California is not a failed state and with two easy tax increases California could salvage much of what it has lost and stave off much of what is to come next year. First re-institute the automatic increase in the vehicle registration fee the current governor vetoed (4 billion dollars a year) and implement a low (6%) oil severance tax for oil extracted from

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Assemblyman Paul Fong's Fundraiser

by Nasreen Rahim, EVC Council of Division Reps

It was a unique experience attending Assembly member **Paul Fong's Fundraiser** dinner Thursday, October 25, 2009, at the Dynasty Seafood Restaurant in Cupertino. Around four-hundred people attended the dinner in Paul's support. Many of those attending were family and friends, including the Master Chef Martin Yan



Frank Espinoza, Debbie DeLaRosa, Paul Fong, Nasreen Rahim, and Jesse Votaw

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Assemblyman Paul Fong's Fundraiser

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of Yan Can Cook. Martin entertained us all with a lively cooking demonstration and his own thoughts on California's current budget dilemma.

During his acknowledgements, Paul Fong made certain to recognize his friends at AFT 6157 and reminded those present about his association with Evergreen Valley College and mentioned our very own **Vice-President, Frank Espinoza.**

I participated as a representative of our Faculty Association (AFT 6157) along with FA executive members **Jesse Votaw, SJCC Adjunct Rep, Frank Espinoza, FA Vice-President, Mark Newton, Negotiations Team, and Debbie De La Rosa, FA Grievance Officer.** Paul, a former colleague and professor of political science at Evergreen Valley College won the 2008 election for assembly member in District 22. All of us here in the San Jose/Evergreen Community College District remain proud of Paul's achievements as an activist for causes such as education, civil rights,



Assemblyman Paul Fong

affordable housing, and the environment.

For those of us dedicated to the community college's mission, it is good to know that Paul Fong serves as a member of the Higher Education committee in the assembly. Paul's experience and knowledge of community college ensures that those of us who believe in community colleges continue to have a voice in the assembly.

Go for it, Paul. Those of us at AFT 6157 wish you a successful campaign for reelection. Win the next election and continue the fight for community college students!

Personal Notes

Baby Tyler Tran is HERE!

He made his appearance at 7am on September 29th. Congrats to Doriann Tran, our transfer Counselor at SJCC (and recently tenured faculty member) and her husband. Tyler entered the world at 7lbs, 7ounces, and 20 inches. Momma and baby are continuing to do great.



Tyler Tran

So This is What the Bottom of the Barrel Looks Like!

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our state (another 14 billion a year). For those who are unfamiliar with oil severance taxes just look at Alaska and the extra revenue they receive. Their oil severance tax is 25%. Unfortunately none of our Republican friends in Sacramento will allow those two things to happen. So California suffers. This empty barrel metaphor may become a reality.

Immediate Impact-Cuts in Education:

The immediate effect of this state wide decline for most of us are the cuts in education. The depth of cuts are reaching into areas that most people thought were untouchable and sacrosanct within educational circles: **our categorical programs**, such as CalWORKs, EOPS, etc... These programs are being devastated with cuts from 36% to 48% and some up to 100% in funding. These drastic cuts dramatically impact our ability to serve the very populations community colleges have the most of and who have the greatest need. In particular our district has a disproportionate number of students who need the services categorical programs provide.

Our Values are Being Tested..... and Found Wanting!!

At SJECCD our commitment to our stated mission is being tested. Non-instructional areas are being forced to fundamentally change the way they deliver basic services to our students. They are not considering the “best way” to deliver those services but what is the “only way” we can provide services at all. And many of these decisions are being made without faculty input.

On the instructional side we are seeing dramatic changes. Reductions in class offerings in the fall and spring, to the complete cancellation of our winter intersession are happening largely without faculty or student input. These cuts dramatically hurt our adjunct faculty. We have a veteran and well educated group of adjuncts as well as many vibrant new adjuncts that carry a large portion of our FTES generating classroom instruction and when we cut sections they lose their assignments.

The SJECCD Barrel Contains Faculty and Students

Our Chancellor Rosa Perez and our CFO Jeanine Hawk have both spoken with passion about making intelligent reductions in services and positions with the focus on students and our core mission of education. Unfortunately, we are not seeing those kinds of decisions from our campus administrators. In fact the opposite is occurring.

A clear decision was made within the college administrations not to fill full time vacancies while both colleges and the District office continued to hire administrators and classified positions. When challenged on those hires by the FA, AFT 6157 the justification was that those vacant administrative and classified positions were “essential” to the operation of the campuses and District. That begs the obvious question which is as big as the proverbial 500 pound elephant in the room. Aren't **ANY** of the vacant full time faculty positions “essential”?

When filling essential full time faculty vacancies was raised at the SJCC Academic Senate the answer from the VP of Instruction, Arturo Reyes was that the money to fill the faculty



positions was gone! **Nonsense!** The money is not gone it has just been designated to be spent elsewhere. Full time faculty positions are being **purposely not filled** and that is a failure to uphold our commitment to our values and to our students.

Faculty Must Demand Respect!

The premise that none of the vacant faculty positions in this district are to be considered “essential” is preposterous. We have critical shortages in Counseling, Math, and Reading just to name a few disciplines that need full time faculty. I would encourage both Senates and the faculty on both campuses to come together and raise their voices in protest against this disrespectful administrative decision.

The FA, AFT 6157 is taking this argument to the District Administration and the Trustees. We must all draw a line in the sand and demand that at least some of these vacancies be filled. It will not require a great effort. Many of the committees necessary to fill the vacancies have already met and some have selected candidates for interviews. Some have already had those interviews and offers are all that is required. We must demand that “essential” faculty positions be filled without delay. Our work is too important and the needs of our students too great for us to accept anything less. So add your voice to the chorus that full time faculty positions are **ESSENTIAL**.

What Has the Union Done for You Lately?

by Barbara Hanfling, Executive Director, FA, AFT 6157

Saving Sabbaticals

Who would think that our Sabbaticals would need saving. They are part of our collective bargaining agreement; the PRC (Professional Recognition Committee made up of: faculty: **Chair: Michael Divinia, Joseph King, Sterling Warner, Joy Chase, Martha Hardin and Pat Nguyen,** (and administrators Pat Gerster, Jonathon King and Maricela Disch) determine by the contract which sabbaticals are granted based on their merit only.

2003 History

Believe it or not, the Union had to rescue Sabbaticals again. Why again, because in 2003, under the leadership of Mike Hill and Geri Evans, the District tried to take away our sabbaticals by taking them off the consent agenda and deciding that due to budget constraints, Sabbaticals would not be granted. In 2003 the Union immediately requested a legal analysis and of course the attorney stated correctly that:

1. Sabbaticals are a bargainable part of the contract, they cannot be unilaterally changed.
2. That the PRC made the decisions whether or not a sabbatical would be granted. The President, Chancellor and Board could determine based on the merits of the application that there was more

information needed or a more in depth analysis for the Sabbatical should be presented.

3. That case law was clearly on the Union's side that sabbaticals could not be eliminated based on economic conditions. The courts had ruled that contracts and in particular programs that may enhance the education and pedagogical expertise of faculty could not be unilaterally rescinded.

2009 History Repeats Itself, But in A Different Design

After the October Board meeting, the union received a phone call from the Sandi Dillon Acting Vice Chancellor of Human Resources to inform us that in closed session the Board had agreed that it would not offer Sabbaticals in 2010-2011. This was quite a shock. This was the District's rationale:

1. The Board made the decision to save time and energy so that faculty did not need to put forward their proposals: **FACT-this decision was only made 2 weeks before the Sabbatical packets were due. Most faculty have already formulated their plans.**
2. The Board was told that Sabbaticals are costing the District \$500,000 a year: **FACT-most years Sabbaticals cost under \$200,000. This year there were more faculty the cost was closer to \$300,000. Still the Board was given misinformation.**



3. The Board was told that this was not a negotiable issue and that they could make the decision in closed session. **FACT:-Article 14 is clearly negotiable and again the Board was given wrong information.**
4. The Board was told that the Union wouldn't mind this change. **FACT-the Union feels very strongly that faculty need to continue their sabbaticals to stay up to date on their pedagogical and teaching ability. FACT-the Union was not part of this process.**

The Union immediately went into full action and stated the following:

1. We immediately contacted the Chancellor Rosa Perez; Vice Chancellor Jeanine Hawk and the 2 presidents. We were told that this decision to eliminate Sabbaticals for 2010 without Faculty Union input had come from the colleges-David Coon and Michael Burke.



What Has the Union Done for You Lately?

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2. Within 3 days we had meetings with all the high level administrators. David Yancey and I expressed our outrage at decisions made without involving the Union.
3. We requested information on the real cost of sabbaticals which gave us the cost at considerably less than the Board was informed.
4. We also met with a number of the Board of Trustee members to find out how this decision was agreed upon.
5. It was clear that the Trustees had been misinformed and we were able to stop ill conceived attempts at budget savings without slowing the process of sabbaticals for 2010-2011.



Sabbaticals Are a Go for 2010-2011

After only about 72 hours, apologies were coming at the Union from all levels of the administration. Some examples of response we received are as follows:

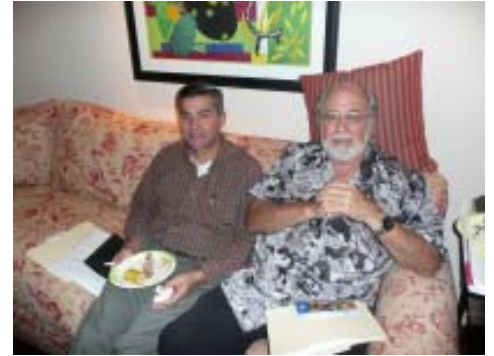
1. At the bargaining table, the **Chief negotiator for the District Donna Williamson** expressed her concerns and apologies for this decision; she stated that it was seriously an error that this decision

had been made without discussions, input and buy in from the Union. She stated that the contract had been misinterpreted and that clearly sabbaticals were approved by the PRC.

2. At the meeting with **President David Coon**, he admitted that he had not involved the union in his thinking about Sabbaticals and regretted that this decision had come down as a top down decision like it did. He expressed concern about hurting the important relationship that had developed between the District and Union in shared decision making in the interests of all parties.
3. The Union met with **Vice Chancellor Jeanine Hawk and Chancellor Rosa Perez** and they both reiterated their commitment to a shared positive working relationship where decisions are discussed; where accurate data is generated from the colleges (not the case in this instance) and committed to continuing to improve and enhance the relationship between the Union and administrators.

4. And finally David Yancey, Frank Espinoza and Barbara Hanfling met individually with **Board of Trustee members Richard Hobbs, Ron Lind and Mayra Cruz** (more meetings scheduled) and let them know how this decision that they had been asked to make had really set the relationship backwards with the administrators. There was frustration on their part that they had not received accurate information and that they had

probably acted hastily with the assumption that the Union had been a part of this decision.



So with all this information, Sabbaticals are a go for next year. Please note that the Union does take very seriously the financial crisis in the state and the impact on our District. That is why we have made decision regarding changes in medical benefits; understand the need to cut back on our class offerings thus laying off our adjunct faculty and cancelling intersession and parts of summer school, all of which are part of share of budget crisis.

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What is a SERP?

by David Yancey, FA, AFT 6157 President

By now most of those who are eligible have been notified and many who are not are all asking questions about the District's new retirement proposal called SERP.

Basically it is a program that one of the District's financial consultants has developed to attempt to save money by getting eligible faculty to retire. The Supplemental Employee Retirement Plan (SERP) is meant to reduce the number of more senior tenured faculty in our district thereby reducing costs to the district.

The offer is an annuity worth 70.88% of your base annual salary to be paid for by the district and paid to the participating faculty in a variety of formats over some specified period of time. The part that most people are concerned about is the timing. If you choose to participate then the decisions must happen rapidly. You must retire or resign by January 28 of 2010 and can never be rehired as a full time employee of the District again. However, you can teach as an adjunct within the limitations of your retirement and you can chose to remain active in STRS or PERS if you resign but don't want to retire.

The savings to the district is particularly in the timing. It is critical that this SERP occur at the end of this semester. They will save this money by not replacing full time faculty in the next several semesters. But there is a catch. To make this a viable financial deal for the District there needs to be a minimum number of faculty retire.



Agreement to Hire Full Time Faculty Part of the Deal

The FA, AFT 6157 is supportive of this offer because we know there are some of our members that may want to take advantage of this program. We were also very concerned that there are too few full time faculty now to carry out the work of the curriculum committees, hiring committees, TRC committees,

accreditation as well as Finance, CPC and other college wide demands for faculty participation.

So, as part of the Union's agreement to support this SERP plan we were able to negotiate with the District a structured plan to rehire faculty to replace those who take advantage of the SERP as well as other existing vacancies over the next four academic years. If the rehiring follows the plan we have designed there will be **45 full time faculty** (assuming 27 full timers take the SERP) hired over the next four-five years. **David Yancey and Barbara Hanfling** spent weeks coming up with an agreement that would allow faculty to take advantage of this plan, but would also ensure that these 27 faculty would be rehired along with an additional 18 full time faculty.

We know the time is short and the impact of the decisions will be long lasting but these are difficult times and the budgetary circumstances in California are not likely to improve in the immediate future. So if this fits your retirement needs and you are comfortable making this magnitude of a decision this quickly then we at the FA, AFT 6157 encourage you to take advantage of this offer.

FACULTY ASSOCIATION, AFT 6157 EXECUTIVE BOARD MEETINGS - FALL 2009

<u>Date</u>	<u>Campus</u>	<u>Time</u>	<u>Location</u>
Fri, Nov 20	SJCC	9:30-12:30	SC 204 Community Room
Fri, Dec 11	SJCC	9:30-12:30	SC 204 Community Room



The Role Model Program of Santa Clara County

by Frank Espinoza, FA, AFT 6157 Vice President

AFT Local 6157 Vice-President, **Frank Espinoza**, and Faculty Association Executive Board Member for San Jose City College, **Fabio Gonzalez**, attended a fundraiser, “6th Annual Role Model Program: Fairways to Success”, in support of the San Jose Evergreen Community College District’s (SJECCD) educational vision which includes opportunity, equity, and social justice.

The Board of Directors, of the Role Model Program, is comprised of impressive members, which include SJECCD Board of Trustee Member **Ron Lind**, and **Chancellor Rosa Perez**. The Role Model Program,



Frank Espinoza, Ron Linde and Fabio Gonzalez

which works throughout Santa Clara County, is committed to raising awareness of under-served students and the difficult circumstances that confront them. Over the years, positive role models continually strive to inspire,

motivate, and empower under-served elementary and middle school youth. The work of the role models helps the under-served youth to realize their potential, achieve academic excellence, and prepare for post-secondary education.

AFT Local 6157 is proud to have participated and supported the “6th Annual Role Model Program: Fairways to Success” program and its continued success working with the under-served youth. The San Jose / Evergreen Faculty Union leadership continues to prioritize its commitment to support students who dream of pursuing a higher education.

SJCC EOPS/CARE/CalWORKs Wish Tree

by Fabio R. González-EOPS/CARE Counseling Faculty

In December of 2008, the Extended Opportunity Programs and Services (EOPS) and the Cooperative Agencies Resources for Education (CARE) organized a Toy Drive – Holiday Celebration for over 150 children and 100 families.

This year, EOPS and CARE are partnering with another program - CalWORKs, which also serves low income single parents attending SJCC. Between EOPS/CARE and

CalWORKs, we serve over 1,600 low income students at San José City College. Over 90% of these students received financial aid and most of these families have been affected by the current economic conditions.

We come to you on behalf of our students to ask for your support to help our programs reach our goal by donating a wrap gift for a child. We hope that you will be able to assist us by coming to the SJCC EOPS/CARE or CalWORKs office and select a child’s name to donate one wrap gift toy per child not to exceed \$20. The deadline to submit your donated gift will be **Friday, December 4, 2009**. The SJCC Santa will hand deliver the present to your selected child on *Thursday, December 10, 2009 @ 6 p.m.* at Holiday Celebration Event at SJCC.

I am pretty sure you are fully aware of the challenges our single parent students under go in order provide to their children during the holidays and I hope you find it in your heart to make a child happy during this difficult times.

If you have any questions or would like to make a donation, please contact Fabio Gonzalez at fabio.gonzalez@sjcc.edu or Marilyn Brodie at marilyn.brodie@sjcc.edu



Talks Continue Between CFT and CTA Regarding Possible Community College Merger

by David Yancey, FA, AFT 6157 President

Just a quick update to the continuing discussions taking place to forge a merger between community college locals within the CFT (California Federation of Teachers-our statewide organization), like AFT 6157, and those community college locals within CTA (California Teachers Association).

An October 17, 2009 meeting in Los Angeles was held to bring the leadership of these respective locals together to further the process. Attending for our local was **Mark Newton, Frank Espinoza and me**. At this meeting there were group discussions, regional groupings and guest speakers aimed at breaking down the walls that exist as a result of years of seeming to be on the opposite side of many major issues, i.e. Prop 92 that was promoted by CFT and opposed by CTA. The reality is that many CTA community college locals

also supported Prop 92 but their parent state union opposed the measure.

We also had a chance to meet personally with various CTA community college local leaders from Sacramento to Gavilan College in Gilroy. We also discussed the strengths and weaknesses of moving forward with this merger: great clout in Sacramento; a unified voice with legislation and the budget; joint work on the local level (many of you may remember when our faculty support Hartnell [a CTA local] during their strike a few years ago) and more resources to accomplish our goals.



Our Executive Director **Barbara Hanfling** is also working on this effort as our local's representative to a broader effort called "Unity Meetings". At these meetings discussion on policy, staffing, finances (ensuring that any merger between these groups remains revenue/dues paying neutral for all members) and nuts and bolts of how a merger that is not statewide might work. The meetings are exciting, yet difficult; there is a lot of ground to cover.

So, as you can see, there is lots of energy and effort being put into this exploratory effort. No final decision has been reached and none is expected until thorough examination and research is done into how this proposed merger will affect each statewide organizations (CFT and CTA), the locals themselves and the staff of the locals.

Know Your Rights

by Barbara Hanfling, FA, AFT 6157 Executive Director

IRC 125 Plan-Enrollment Window in December: Many years ago, the Union bargained an IRC 125 plan for our faculty often called a **Flexible Spending Account (FSA)**. FSAs provide faculty with a tax advantage that can help you pay for health care (eligible services not covered by your health care plan) and dependent care expenses on a pre-tax basis. This open enrollment window for information and signing up for this FSA will be in late November and early December. When you sign up for this FSA medical plan, you will receive a debit card which

you can use for health care/medical benefits.

The Union recommends that faculty investigate participating in this pre tax program to cover any changes in medical benefits and for prescription coverage and other medical benefits. Some of these may include: dental work, pharmacy charges, over the counter medicines (such as Tylenol, Advil, allergy pills etc).

This bargained benefit is particularly critical because it is a pre tax deduction

on your wages for health care. Please be sure to watch for the email from Michelle McKay with the dates and times for information on this IRC 125, FSA plan.

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