

FACULTY MATTERS



FACULTY ASSOCIATION
AMERICAN FEDERATION OF TEACHERS
LOCAL 6157

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FALL FOUR

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Full Time Faculty Ratifies Medical Benefit Changes

Vote Passes 78% Yes; 22% No

By Barbara Hanfling-Executive Director, FA, AFT 6157



The decision to make changes in our medical benefits was clearly one of the most difficult ones the Union has had to make since the faculty affiliated with

the AFT. Our goals for the last 9 years since affiliation have been in every way to improve and enhance all aspects of our contract.

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Dolores Huerta Community and Labor Institute

By Barbara Hanfling-Executive Director, FA, AFT 6157

Dolores Huerta, co-founder of the United Farm Workers of America AFL-CIO, was honored at a reception attended by over 75 people on Monday, Nov. 30, by San Jose City College, which renamed its labor studies

program in her honor. Leading this reception were adjunct faculty member, Labor Studies Coordinator, **Jimmy Kelly**, Labor Studies Student **Dee Dee**

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Dolores Huerta Community and Labor Institute

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Kost and president of the College Michael Burke emceed the event. **Chuy (Jesus) Covarrubias** a full time faculty member and friends added to the celebration by playing some lively music for all those in attendance. The College renamed its labor studies program the **Dolores Huerta Labor and Community Studies Institute** as part of an effort to broaden its curriculum to include community organizing and social justice.

Also in attendance were Board of Trustee members: **Ron Lind, Randy Okamura, Richard Hobbs, Mayra Cruz, Maria Fuentes and Richard Tanaka.** We were also pleased to have **Cindy Chavez**, leader of the South Bay Labor Council and a resolution from Zoe Lofgren's office commemorating the work of Dolores Huerta.

Huerta, 79, a longtime union and political activist as well as mother, lobbyist, educator, feminist and

champion of immigrant rights, made history in 1966 when she negotiated the first collective bargaining agreement with an agricultural enterprise, a contract between the UFW and Schenley Wine Co. The contract was reached a year after she led the UFW's national grape boycott.



We look forward to building our new Dolores Huerta Community and Labor Institute (Norte) into a program that Dolores Huerta and our community can be proud of.



Adjunct News and Views

Attaining SRP by Shari Sharoki, EVC Adjunct Instructor-Philosophy

In this economy, life becomes harder for everyone and instructors, who are usually over-worked and under paid, are no exception. It is not hard to imagine how difficult things might be for Adjunct faculty today. I have been teaching philosophy, as a part time faculty, at EVC since fall 2007. Enjoying my work and having good relationship with my students and people at the Department, I have gladly accepted the offer to teach two classes, meaning taking 40% load. After teaching two consecutive semesters at 40% with positive evaluations, I was offered another 40% load to move into my third consecutive semester. It was around that time that I realized, for the first time, that I was on my way to attain SRP status. Knowing about the budget crisis at the state level affecting all community colleges, I was glad to be at a relatively more secure status. Unfortunately, things did not go the way I expected. Fewer courses were offered, due to the lack of funding, and other faculties with higher seniority ended up teaching more courses than usual. Suddenly, I was

“bumped” and could not teach a 40% load. In a usual circumstance, something like this may not be as drastic for an adjunct faculty, however, the fact that my chance of becoming SRP vanished, at least for a while, made the situation harder for me than just losing half of my income. I needed to teach **three consecutive** semesters with 40% load in order to be qualified, and right when I could get there everything shattered.

Being disappointed and having no hope at the time, I turned to the only person who offered her ears to listen to my story, Barbara Hanfling, Executive Director of the Faculty Union. I have always admired the work of AFT members from the distance. As a part time teacher, however, I have never felt that my problems and issues could be taken seriously.

Despite my expectation, I have received email from Barbara on a regular basis in which she has offered her time to listen to any faculty member, full time or part time. Barbara’s emails were consistent and always encouraging. So, I decided to see her and share my story with her. Sure enough, she not only listened

carefully to my story and made a couple phone calls right away, but also she has followed my case during the summer holiday.

As the result of her hard work and persistence, my case has been discussed in an official meeting on Wed June 10th in which an agreement and understanding between the Union and the District regarding the Seniority Rehire Preference (SRP) issue in my case has been reached. I am very pleased to see that they reach agreement on this issue that is very important to me. For that, I am thankful to all the members present in that meeting especially Barbara Hanfling.

FA, AFT 6157 Meets with Adjunct Faculty by Jess Votaw, SJCC Adjunct Representative

The Faculty Association, AFT 6157 held an informational meeting with adjunct faculty on Thursday October 22nd at SJCC. The meeting was held in the Adjunct Offices of San Jose City College located in GE119. The standing room only crowd was one of the largest gatherings of adjunct faculty for a union

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Hispanic Charity Ball Honors the Castellano family and SJCC student, Gladys Garcia

by Nannette Regua, FA, AFT 6157 EVC Adjunct Representative

Honoring the Hispanic and Latino community in Silicon Valley on October 17, 2009, the non-profit Hispanic Foundation of Silicon Valley held its 20th annual Hispanic Charity Ball at the Fairmont Hotel in San José. Representing FA-AFT 6157 were Executive Board members Vice-President Frank Espinoza, EVC Adjunct Representative, Nannette Regua, and Executive Director Barbara Hanfling. Also in attendance were SJECCD Board Trustee Ron Lind, Public Information Officer, Monica Gomez, and SJCC President, Michael Burke.

Over 700 guests attended this celebratory event. The Hispanic Foundation of Silicon Valley (HFSV) is committed to cultivating philanthropy and inspiring Hispanic children and families to achieve personal greatness and is comprised of leaders and



supporters from the Silicon Valley community. Since its inception in 1989 the Hispanic Charity Ball has donated over \$1,000,000 to education, health care, youth leadership, after school, and fitness programs through its fundraising.

Annually the Hispanic Charity Ball recognizes a family that has displayed exemplary volunteerism and dedication to their community. This year, former San José City College staff member, Carmen Castellano and her family, were recognized with the prestigious

2009 La Familia Award. Since winning one of the largest state lotteries in California history, the Castellanos have generously shared their winnings with countless community, performing arts, and educational organizations in the local Latino community.

Also recognized at the event was a San José City College (SJCC) transfer student, Ms. Gladys Garcia. Ms. Garcia was awarded a scholarship from the HFSV's 2009 Silicon Valley Latina Scholarship Fund. At SJCC she honed her activism skills as she co-founded "Latinos Unidos Sobresaliendo" and actively supported the Dream Act. She attends San José State University and is pursuing a career in social work. Felicidades (Congratulations) to the Castellano familia and Ms. Gladys Garcia!

CFT Offers Scholarships to Dependents of Union Members

Deadlines Are Approaching Soon!

CFT Scholarships

<http://cft.org/index.php/scholarships.html>

Union sponsored scholarships

<http://cft.org/uploads/resources/docs/2010allscholarsflyer.pdf>



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Know Your Rights

by Debbie De La Rosa and Barbara Hanfling

1. Accessing Your Personnel File - Article 6

by Debbie DeLaRosa, FA, AFT 6157
Grievance Officer

Wondering about your personnel file with the district? What it contains and who has access? Well, the district keeps personnel files on all full time and adjunct faculty members. Full time faculty personnel files are located at the district office and adjunct faculty personnel files are kept in the offices of Academic Support/Services located on each campus.

Every faculty member can access, at reasonable times, their personnel files to examine the content. An employment record includes anything that pertains directly to the employment relationship between faculty members and the District, anything that is retained in the file. If you want to check out your personnel file (and we recommend that you do that periodically), please notify either Human Resources (Full time) or Academic Support (Adjunct) to set up an appointment.

Information cannot be released from the file without the consent of the faculty member unless the release is compelled by law, by a judicial order or a lawfully issued subpoena. Keep in mind that all written material that may serve as a basis for a faculty member's suspension, dismissal, or reprimand shall be kept in the faculty member's personnel file.

Article 6.4 states: "Information of a derogatory nature..., shall not be entered or filed in the faculty member's personnel file unless and until the member is given written notice and an

opportunity to review and comment thereon. A faculty member shall have the right to enter and have attached to any such derogatory statement, the faculty member's own comments. Such review shall take place during normal business hours, and the faculty member shall be released from duty for this purpose without salary reduction."

Finally, evidence of professional achievement or special service to the college, District, community or profession may be placed in the personnel file by either the faculty member or the District management.

Your personnel file is the window into your employment, your tenure and your Seniority Rehire status. It is your file and you have a right to know what it contains. Please contact me if you have any questions at extension 6607.

2. Adjunct Faculty: Right to Collect Unemployment over Intersession

by Barbara Hanfling, FA, AFT 6157
Executive Director

Adjunct faculty have the right to collect unemployment (UE) over intersession, based on a Superior 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 online. 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. Also when asked **if you have a Union**, you may answer no to that question also, as the question is geared toward those who work from Union Hiring Halls. Unfortunately your Union doesn't help you find jobs.

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

Full Time Faculty Ratifies Medical Benefit Changes

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A Little History Here:

- From 2000-2009 **full time faculty salaries** have increased by more than **35%** including these rough economic times
- Form 2000-2009 **adjunct salaries** have increased by more than **53%**. On top of that most adjunct received between a **2%-20%** additional increase when the Union placed them onto the full time salary schedule
- During times when medical benefits were being cut, the Union was able to create and get funded a **bridge plan for all post 1982** faculty (those with no medical benefits when retiring) which now covers faculty member with 15 years of service who are between the ages of 60 and 65.
- From 2000-2009 our medical benefit costs have increased by almost 100% and the Union has ensured that the District picks up the entire increase in costs.
- We increased our **Dental coverage from \$1500 per year to \$2500**
- We increased our **Long Term Disability** from a maximum payment of \$3,000 per month to a maximum payment of **\$5,000 per month**
- We bargained **medical benefits** for adjunct faculty to **50%** to be paid by the District
- We bargained **partial office hour pay** (1/2 hour for each 20% load) for adjunct faculty.

This is just some financial history, which does not include the very important changes in the language in our contract including by not limited to: full time parity for adjunct; Seniority Rehire Preference; free classes; Retiree rights etc

Why the Need to Change our Medical Benefits:

Over the past month your President David Yancey has put out a number of emails regarding the reasons for the Benefit Committee and the proposals for changes in Kaiser and Blue Cross.

1. First and foremost, the reason for the changes was to ensure that the District did not implement the **CAP on medical benefits which is already in the contract.**
 - a. Around 40 years ago when the first contract was bargained, the District included in the contract a dollar amount that it would pay each year for maintaining medical benefits for faculty
 - b. This amount always matched the current cost of medical benefits
 - c. Each year at the bargaining table, this amount would be increased by the percentage increase of medical benefit costs for that year
 - d. For the past 8 years, the Union has tried to get the CAP out of the contract, without success.
2. This year medical benefits for Kaiser and Blue Cross went up about 8% and 18% respectively. With this increase in costs and the continuing cuts in our base funding, the District determined it would implement the CAP. What would this mean?
 - a. Those faculty on Blue Cross would have to pay approximately the following: **Employee-\$2,000.00 per year; Employee plus one \$3,000 per year; and Family over \$4,000 per year.**
 - b. Those faculty on Kaiser would be paying less, but still a substantial amount.

3. Based on this proposal from the District and knowing that having the CAP in the contract allowed the District to implement these costs to our faculty members immediately, we agreed to bargain over some changes to the benefits..

Frequently Asked Questions:

- Can these Benefits Changes be Temporary?** Because of the CAP, there was no bargaining power to make these changes temporary without the possibility of the District implementing the CAP
- Were Retirees Affected?** The increase in the cost to their plan was only around 4%. Based on this factor (the retirees also have a CAP on medical benefits) there were no changes for the retirees in this go round.
- Why Not Make Everyone be on Kaiser-the Less Expensive Plan?** There are two important reasons:
 - Kaiser only covers people in certain geographic locations.** We need to have coverage for all faculty and those living in Santa Cruz and Monterey County would have no coverage
 - Choice-faculty up and down the state always have a choice between a PPO (Blue Cross) and an HMO (Kaiser).** That choice is important.



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Full Time Faculty Ratifies Medical Benefit Changes

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- **BUT-Blue Cross Took More Substantial Changes:** because Kaiser is the less expensive plan, it was the goal of the Union to ensure that most of the changes occurred within the Blue Cross plan.
- **Kaiser**-no change in prescription, or emergency room. Only change was the \$10.00 co-pay for office visits
- **Blue Cross**-Increase in prescription, co-pay for emergency room; deductible for lab/xray/pt/ot etc.
- **How do we compare Around the State? Not Just Benefits:**
 - Our medical benefits were the best in the state and within the Bay 12. Even with the changes we are still within the top Community Colleges in the Bay 12 for co-pays, deductibles and payment contributions. Please access on our webpage Bay 10 Health Care Comparisons to get a sense of how our plan is still one of the best in the Bay Area and in the state.
 - Finally how do our salaries compare? Again for the Bay 11 (not including Ohlone) we are number 1 for our first 8 steps and statewide for our first 8 steps we are in the top 8 of the 77 Community College Districts and

then steps 8-19 we are between 9th and 13th in the state. This is something to be proud of and a lot of this was accomplished over the past 9 years.

With all this information, we hope that faculty have a better sense of the scope of responsibility we felt in the move toward making some benefits changes. We thank the faculty who have faith in the Union and understand that the decisions that were made were the best under the circumstances. Thanks to our team of **Mark Newton, David Yancey and Barbara Hanfling** for their work on this committee.

Adjunct News and Views

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meeting within recent years. The FA, AFT 6157 President, **David Yancey** along with **Barbara Hanfling**, Executive Director of the FA, AFT 6157, discussed many issues of concern for adjunct starting with the state of the budget and its impact on adjunct faculty within the district. Many adjunct voiced concerns about the potential class schedule reductions and cuts. The sad fact is that these reductions result in silent layoffs of our adjunct faculty. While this may be an easy way for administrators to help balance their budget, the pain of job loss is no less for our adjunct.

The process of obtaining and retaining Seniority Rehire Preference (SRP) was reviewed for everyone's benefit. Many in attendance at the meeting had earned SRP. In light of the uncertain

economic climate, it was reinforced that once you have SRP, you would not lose it due to a subsequent class cut or even in the event that you weren't offered the classes due to schedule reductions. Adjunct negotiator **Jory Segal** was also present and contributed to the discussion of adjunct rights and the negotiations process.

Other topics of discussion included how one may move across the salary schedule, and the recently passed legislation, AB381-State Disability Insurance. AB381 provides adjunct within community college districts the opportunity to collectively elect to participate in the State Disability Insurance Program. It is an all or nothing proposition in that adjunct would have to vote to require everyone's participation to have state

disability insurance premiums deducted from their pay. Some stories were shared as to how this could be beneficial for adjunct who are not covered by state disability insurance elsewhere.

It was great to see the sense of community and concern of our adjunct faculty who attended that meeting. There was also a meeting at EVC. We will continue to hold meetings once a semester at both colleges.



Retiree Corner

Meeting Brings Together Retirees

by Bill Jacobs, Retiree Chair, AFT 6157-R

On Monday afternoon, Nov. 2, the Retiree Chapter of AFT 6157 met in the Mishra Community Room in the Library at EVC for a semi-annual general meeting. This meeting was held on campus, since many retirees have not yet seen the recent changes to EVC. The meeting began with an introduction of David Coon, President of EVC. Since many of the 35 retired faculty members in attendance had not yet met President Coon, he asked everyone to state their name, discipline and year of retirement. It was an enlightening reminder for all of us of how quickly the years pass. I kept thinking, "Really? Has it been that long?" I also realized that I'm no longer the most recently retired faculty member. In any case, David said that he was happy to be able to put faces on names to which he had often heard reference.

Elections were held, and all the current officers were reinstated: **Bill Jacobs** (EVC) President; **George Forrester** (EVC & SJCC) Vice President; **Alice Gosak** (SJCC) Secretary; and **Walt Soellner** (EVC) Treasurer.



Barbara Hanfling, Exec. Dir. AFT 6157, David Yancey, Pres. AFT 6157 and Frank Espinosa, VP AFT 6157 each spoke to the group, passing on information that all were grateful to hear, especially that which related to healthcare, a subject near and dear to all us old folks. A number of attendees expressed to me after the meeting how grateful they were to have such knowledgeable, competent people at the helm of the Faculty Association, AFT 6157. It is especially gratifying to see the union working with the district/college administration in a spirit of mutual respect. We all remember what a horrible waste of valuable time and

energy it was when an attitude of mutual disrespect prevailed, and leaders on both sides simply made life miserable for each other.

The status and role of retirees in the minds of current administrators/faculty was briefly discussed, and it was agreed that it's a subject that needs further discussion. Phil Crawford has agreed to head a Retiree Benefits Committee, and anyone willing to work with him should contact me at w.jacobs4140@sbcglobal.net

Following the meeting, everyone interested was given a tour of the new buildings at EVC. By the way, if you haven't sent in your annual dues of \$50- please do so ASAP. Thank you all for your continuing support of our Retired Faculty Association. We are looking out for your interests.



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