

FACULTY MATTERS



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LOCAL 6157

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SPRING FOUR

www.fa-aft6157.org

(408) 288-3106
fax (408) 295-7482

213 Student Center
San José City College

Acacia 1-205
Evergreen Valley College

San José City College
2100 Moorpark Avenue
San José, CA 95128

Calmer Water In a Sea of Trouble

by David Yancey, FA, AFT 6157 President

It hasn't been very often lately that I have had the opportunity to pass along some good news. Well today I can. Now don't run off and buy a new house, or maybe you should if you can afford it, because this is a little dab of good news. The figures we are getting from the state regarding incoming revenue for the state are encouraging. For example;

1. Stated General Fund revenue is up 2.3 Billion dollars (4.1%) over projections
2. State Taxes are up 792 Million dollars (16%) above projections
3. Income tax revenue is up 837 Million dollars (3 ½ /%) over projections
4. Sales tax receipts are up a total of 2.4 % over projections.

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Marching for California's Future

by Sravani Banerjee, EVC Faculty, Council of Division Reps.

On Saturday, April 10th several of us from San Jose City College and Evergreen Valley College joined the march for California's future. We had a small but lively contingent of marchers including **David Yancey, Debbie De La Rosa, Dorothy Pucay, Barbara Hanfling, Kieron Connolly and Sravani Banerjee** amongst others.

We were marching to:

- **Reclaim** the promise of quality public education and services
- **Rebuild** state government so it works for everyone
- **Restore** fair and equitable taxes to invest in California's future



Debbie De La Rosa (left) and Sravani Banerjee (center) Join the March Through California

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Retiree Corner - Spring Meeting

by Alice Gosak, Retiree Chapter Secretary

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Retirees Listen to the Acting Chancellor's Message

The spring meeting of the Retirees' Chapter was held on April 20, 2010 in the Tech Building at San Jose City College. **Jeanine Hawk**, Acting Chancellor of the District, spoke to the group, inviting retirees to view the District website and e-mail her with questions and comments. She also will arrange for retirees to receive the District newsletter via e-mail when the addresses are provided to her. She discussed the retiree benefits and the bonds that were purchased to ensure these benefits remain available to retirees. She also stated that the District is experiencing a shortfall of around two million; many changes have been bad through reorganizations and there may be a need for some negotiations with the Unions regarding salary give backs.

David Yancey offered the reassurance that bonds sold last May can only be used for retiree benefits. These bonds are held in trust by the Retirement Board and information on them will be

on the website. Minutes of the Retirement Board's meetings, which are held quarterly and open to the public, are on the site now.

Union Mentorship Program

Through a video and slides, **Laura Sanchez and Frank Espinoza** reported on the highly successful mentorship program that the FA, AFT 6157 has developed to familiarize new faculty with union issues and to provide a support network. The program, modeled on one from Suffolk County in New York, has gone on for three semesters and was reported on in the last issue of the Union newsletter.

David Yancey and Barbara

Hanfling assured the retirees that the FA, AFT 6157 is strong, healthy, and one of the positive forces in the District. As more people retire, the institutional memory of the Union is becoming the strongest in the District. Through the FA, AFT 6157, retirees continue to have medical benefits, as

Calmer Water In a Sea of Trouble

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These figures are as of the end of the first quarter and we are all waiting for the May Report from the Governor, due May 14, 2010, to see how these increased numbers may affect his view of the budgetary condition we are facing.

I want to caution everyone that these interesting and certainly hopeful numbers are not a clear signal that the bottom has been found or that we are quickly on our way out of this budgetary morass. However, they indicate at least the potential for a turnaround and that is good news. Instead of continuing to decline, at least in these last few months, we have some positive indicators to boost our morale. These numbers may also indicate that there will not be another deficit reduction in the

amount of money that our District receives from Proposition 98 funds.

How this will affect our local budgetary situation is of course still to be determined that the FA, AFT 6157 and the rest of the District Budget Committee members should know more now that the 3rd Quarter Budget

Report is available. Rest assured that your union and the other members of this committee are working to make good recommendations to the Board of Trustees based on your input and the figures we see on the budget reports.

The elephant in the room is, of course, the possibility of collective bargaining give backs to help the district survive. Those decisions will wait until the final budget reports are filed at the end of June. At that time we will evaluate where we are and what might be required next.

Thank you for your patience and your hard work to move this district and the needs of our students forward under such difficult circumstances.



Bill Jacobs, Debbie De La Rosa and David Yancey join the March Through CA in Sacramento

Marching for California's Future

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It was a beautiful, balmy, spring day as we walked through rural French Camp into downtown Stockton. We walked about 8 miles accompanied by *The Brass Liberation Organization*, a band of saxophone players and drummers from San Francisco playing upbeat jazz tunes, singing *Des Colores*, and chanting “Tax the rich and not the poor” and “Si Se Puede!”

It was energizing to be greeted by people passing by and to be applauded by young families as we



The FA, AFT 6157 Team Marches through Stockton

walked through some low-income neighborhoods, but the highlight of the march was meeting the other marchers, some of whom had been on the road for 36 days. Such passion, such motivation, and such commitment to the cause—it was truly inspiring. Our march ended in downtown Stockton at a barbeque hosted by the San Joaquin and Calaveras Central Labor Council. Happily exhausted, we enjoyed some salad and chicken as we (very appropriately) listened to *California Dreaming*.

AFT 6157 Extended Family

by Fabio R. Gonzalez, FA, AFT 6157 Executive Board Member



David Yancey and Fabio Gonzales at the annual CFT Convention

As one of over five hundred delegates attending the 68th annual CFT convention in Los Angeles over the March 19-21 weekend, I had more than enough reason to return energized with a new in-depth understanding of our union.

The convention provided the opportunity to network with colleagues

throughout the state. The variety of workshops ranging from bylaws to teaching strategies to introduction of resolutions managed to keep the convention moving quite fast. The dedication and hard work of thousands of our brothers and sisters throughout the state and even here at our district cannot be measured. They have laid a strong foundation to make sure we have a voice and representation at our respective districts. I am

still amazed on the amount of work our union has done to maintain such admirable and many times enviable status as it was noted by many other locals at the convention.

The busiest, engaging and most important work took place at the convention floor where resolutions were introduced and highly debated by delegates. We had delegates who were extremely passionate about resolution

and others who felt inspired by workshops to develop a new resolution for instruction the following day. I will describe the convention as highly intense since workshops were scheduled from very early morning to late evenings. Our extended family is very influential and committed to the mission of our union. Senator Barbara Boxer was in attendance at the convention along with newly elected **California Speaker John Perez**. Both keynotes noted the importance of the AFT/CFT role in California.

In many ways, I am thankful for the opportunity to attend this convention and hopefully continue to grow and meet more members of our extended family not just in California but nationwide. I was also very happy to take part in one of the major highlights of the convention as **Dr. Mark Newton** of San Jose City College received the Ben Rust Award, the highest honor of the union.

10th Annual FA, AFT 6157 Picnic



October 9th, 2010



More Scholarship News - Nicole Fong

by Nicole Fong (Daughter of Faculty Member and Assembly Member Paul Fong)

Like many wide-eyed high school students, Nicole Fong set the bar high in terms of academic success. She dreamed of going to one of the UCs after graduating from Monte Vista High. Being a star athlete on her gymnastics team and being incredibly driven, Nicole kept her eye on the prize.

Come sophomore year of high school however, certain barriers came to block Nicole's path to higher learning. She developed a serious case of mononucleosis which took her out of school and off the gymnastics team for a decent part of the year. Due to the circumstances, Nicole was incomplete in most of her coursework and her GPA dropped dramatically.

It was in the beginning of her junior year of high school that Nicole saw an opportunity to join a Middle College Program at her local community college, De Anza. The program offered an alternative learning experience for high school students to take classes at



Nicole Fong, Daughter of Paul Fong

the community college to earn high school and college credit simultaneously.

Nicole did indeed graduate and entered De Anza College's transfer program. Only one year after high school graduation, Nicole was accepted into UC San Diego. Now in her Junior year of college, Nicole has plans to graduate an entire year earlier than the rest of her graduating class who entered 4-year universities. She attributes this impressive achievement to her parents' support, the scholarship she received, and the Middle College

Program. Without them, she says, none of this would have been possible.

At UCSD, Nicole has chosen to study Communications. This field of study will help her develop the skills she needs to pursue a career in public services. "Communications is important because in this day and age, we constantly interact with people from other cultures and other backgrounds, and it's imperative that we understand how to integrate into such a diverse community. I want to be able to help people, whether it is in a political or business setting,"

"Receiving this scholarship made the rocky road to college a little bit smoother and I'm happy I get to help out my parents with tuition costs during this recession. They've done a lot for me and I feel so grateful that I get to go to a school like UCSD. I've learned so much here, not only in the classroom, but also from the experiences of being on my own. Tuition isn't cheap, but scholarships like this are really helpful."

Retiree Corner - Spring Meeting

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well as specific seniority rehire benefits, e-mail for two years, lifetime free parking at community colleges, a college library card, free classes and tickets to events as well as an invitation to take part in graduation. And, the first post-1982 retiree is now taking advantage of the Bridge Plan for medical coverage until the age of 65.

Following the meeting, members of the group toured the Tech Building with a special tour of the Dental Assisting Program, the Science Building with a tour of the chemistry labs, Reprographics, Cosmetology and the Applied Science Building.

Retirees are invited to attend the **FA, AFT 6157 picnic on Saturday, October 9th**, and to remember that, at the fall meeting, election of officers for the coming year will be held. Those who are interested in serving in any capacity are urged to contact Bill Jacobs.

Adjunct News And Views

State Disability Insurance for Adjuncts – Is it a Wise Choice?

by Jesse Votaw, SJCC Adjunct Representative, Faculty Association, AFT 6157 Executive Board



Barbara Hanfling & Jesse Votaw
Marching Through Modesto

As a union delegate from our local attending the CFT convention in Los Angeles, I had the opportunity to participate in a workshop entitled, "Improving the Safety Net for Part-time Faculty." The workshop discussed two important adjunct issues: disability insurance and CalSTRS retirement programs for adjuncts. I will save the issues surrounding the CalSTRS adjunct retirement programs for a future article and instead focus on the disability insurance topic.

A new state law passed last year provides part-time faculty with the ability to bargain for the right to opt into the State Disability Insurance (SDI) program. Bargaining units have

always had the ability to bargain with their district for the right to opt-in the SDI plan on all or none basis. The difference is that this new statute gives adjunct faculty the ability to opt-in on an all or none basis separate from full-time faculty within the same bargaining unit.

Cost of the Adjunct SDI Plan

Adjunct employees will have 1.1% of gross income deducted from their pay.

- Example: An adjunct faculty at Column V, Step 8 with a 40% lecture load each semester and who earns \$ 21,737.04 per academic year, will have deducted a total of \$ 239.11 from pay for SDI contributions.

Benefits of the Adjunct SDI Plan

There are two separate programs available under the SDI plan, Disability Insurance and Paid Family Leave. Disability Insurance provides partial wage replacement benefits (approximately 55%) for up to 52 weeks per claim for employees who cannot work due to a non-work related illness or injury. Claims are payable after a seven day waiting period and are based on wages paid during your highest quarter of earnings over the first four quarters of a look-back period consisting of five full quarters.

- Example: The agency will look at the highest quarter's earnings for the previous four quarters (calendar year 2009). The adjunct would be eligible for a claim benefit of \$345 per week beginning April 8th for up to 52

weeks of disability. This represents a total potential benefit paid of \$17,940 over 12 months which equates to 82.5% of annual income.

The Paid Family Leave Program

provides partial wage replacement benefits for up to six weeks (within a rolling 12 month period) for an employee who takes a leave of absence to care for a seriously ill family member or to bond with a new child. The benefit calculation is the same as above except that benefits are paid for a maximum of six weeks instead of 52 weeks. Please note that this program does not provide entitlement to leave nor job security while on leave. However, the Faculty Association has preserved an adjunct's Seniority Rehire Preference rights in this situation as part of our contract. (Article 9 Paragraph 18.6)

Some Thoughts

The SDI program can provide adjunct faculty with a safety net where none currently exists and everyone would probably agree that this is a good thing. While the cost is currently 1.1% of gross income, the percentage deduction is subject to change in future years based on claims paying experience. In the next issue of this newsletter, we will look at a group disability plan available through a private insurance carrier to see just how the SDI plan really stacks up in terms of cost and benefits. (Yes, you guessed it, the group plan we will discuss is the disability plan provided by our district to full-time faculty.)

Know Your Rights

1. Moving Back the Hands of Time

by Heidi Kozlowski, SJCC English Faculty



I was hired temporary full-time in the English Department at San Jose City College Fall 2001. I had been a finalist for a full-time position, but it was determined by the administration at the time that no one would in fact be hired. I was initially understandably disappointed, but when I was offered a temporary FT position, I was euphoric. It was a wonderful opportunity, but it was also at times taxing; it felt like I was on a year-long interview for the job I so dearly wanted.

That year a student punched me in the arm so hard it left a bruise, but I did not report it as I was anxious about any negative attention while I was held in an indeterminate state. Additionally, I was in a unique academic gray zone with my colleagues—neither truly FT but not quite adjunct.

When the Full Time job opened again the following year, I applied. I was in no way assured of getting the position. First, I heard that there were over 100 applicants.

Fortunately, I was selected as a finalist, and to my delight, I was selected for the position. But wait—after I had accepted, I was told that because of the “budget crisis of 2002” (for the budget crisis historians out there), *no one* would be hired after all. The **union** came to my aid that year and helped me fight to retain my job.

Now, the **union** has moved back the hands of time on the new 2009-2010 Faculty Contract Article 8.10 and restored my seniority as it would have been without the roadblocks, starting from when I was initially hired as temporary full-time the year immediately preceding when I was hired full time in my department.

I have a unique seniority number: 798.5. I’ll take the half, as I am 100% grateful. Thank you again, AFT 6157.

2. Full Time Faculty, Voluntary Nature of Overload, Work Year and Assignments

by Debbie DeLaRosa-FA, AFT 6157 Grievance Officer

As the semester draws to a close and with summer upon us, please remember some important points about your work year and assignments.

Do you expect to do committee work during the coming summer months? Then please remember *Article 15.1 entitled the Voluntary Nature of*

Overload. All overload service shall be voluntary whether it occurs within or outside of the academic semesters of the 156 day academic calendar.*

However, “when such work is necessitated or expected by virtue of job requirements by District policy, by state mandate, appointment to committee work, and is/or assigned by an administrator outside the academic semesters of the 156* day academic calendar, then members shall be compensated according to the applicable provisions of this article related to payment for overload.” (See FA, AFT 6157 Appendix D-5.) So please remember, if you are doing any type or form of committee work during the summer, you are entitled to payment for that activity. Do not let an administrator say that you won’t be paid to attend a Budget committee meeting or a hiring committee meeting because it is voluntary—it is not.

In addition, the definition of workload and assignments is addressed in *Article 12, 12.1 Workload, Definitions and Provisions*. An **instructional assignment** is an activity that results in awarding of academic credit by the college. Each and every instructional assignment shall either be counted as part of the assigned load or counted as part of a voluntary overload assignment, exclusively.

So, if you expect to work this summer, make sure your dean understands your rights to payment for committee work. If, instead, you plan to take the whole summer off, have a good one!

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Know Your Rights

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3. Adjunct Faculty: Right to Collect Unemployment over the Summer

by Barbara Hanfling, FA, AFT
6157 Executive Director

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

the school employer were "contingent on adequate enrollment, funding, and the approval of the District's Board of Governors."

The Superior Court concluded that "under the statute, an assignment that is contingent on enrollment, funding, or program changes is not a 'reasonable assurance' of employment." 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.

Please remember that even if you have a contract for teaching for the fall semester, **you must answer no to the question of whether you have a guarantee to work**. That contract is not a guarantee as you know; you can be bumped from this contract. You may want to mention the Cervisi decision listed above when you are applying for UE benefits. Please feel free to contact the FA, AFT 6157 if you have any questions, and consult the following sites for more information:

Unemployment- www.edd.ca.gov

CPFA- www.cpfa.org/unemployment.html

FACCC- www.faccc.org/part_time/parttime.htm

Graduation Day

Please save the dates for the graduation ceremony of our students. We encourage all faculty and retirees to attend.

EVC Commencement
Friday, May 28, 2010
6:00 pm
Amphitheater

SJCC Commencement
Thursday May 27, 2010
6:00pm
Football Stadium



TRAVEL



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Correction: In the printed April Newsletter, new tenure track faculty member **Elaine Kafle's** name was misspelled. We are sorry for the error.

**FACULTY MATTERS
PRODUCTION TEAM**

Editor/Lead Writer: Barbara Hanfling
Assistant Editor: Sterling Warner
Copy Edit/Layout: Patti Berg
Photos: Barbara Hanfling

Content Contributions and Guidance from
the FA, AFT 6157 Executive Board
and Faculty Members