



Council of Representatives

Adopted Minutes

May 12, 2016, 3:00 – 3:30p.m (All Member meeting to Follow)

Room 5402 (SLO) & N5006 Polycom (N. County)

Table with 3 columns: Non-Voting EB members, Languages & Communications (2), Health Center (1), Biological Sciences (2), Counseling (2), Kinesiology, Health Sciences & Athletics (2), Student Development & Success/ESL (2), Nursing/Allied Health (2), Performing Arts (2), Library/Learning Resources (1), Business Education (2), DSPS (1), Workforce & Economic Development (1), Student Life and Leadership (1), Human Development (2), Engineering & Technology (3), Mathematics (3), Physical Sciences(2), English (3), Social Sciences (3), Fine Arts (2)

Council meeting (3:00 – 3:30 pm)

1. Approval of 4/28/216 minutes.

Motion made by T. Torrey; seconded T. Rector-C. Approved Unanimously, with edits noted via email.

2. Election of co-chairs for 2016-2017.

T. Patchell has one more year left in his term. The Council will elect a second co-chair in the fall.

3. Council Attendance.

Motion: That the co-chairs contact any COR representative when that have missed two meetings in a row and advise them to send a proctor or remove them-selves from the COR if they cannot attend regularly. Motion made by T. Torrey; seconded by D. Stakes.

Motion passed unanimously.

4. Discuss election results and ways to improve process.

Results of ratification was presented to the BOT and the 2015-2018 contract was approved. 220 valid ballots which is a high number. We made a big effort to get ballots to members.

Suggestions for changes to election process:

have more flexible elections by email, and allow election participation for people who are out of the country. Make sure we inform people if their ballot is not counted. Extend the open period from 10 days to 14 days.

5. Upsurge in grievance issues.

There has been an upsurge of cases (6 in the last year) about discrimination suits of students against faculty. In some cases it's one student making multiple charges.

The policies outlined in the syllabus which reflect best practices should be protected against litigation. This needs to be added to Article 3 of the CBA. Faculty need to ensure the syllabus is enforced equally among all students. Take away: there are inconsistencies about how things are enforced and this is problematic.

6. District attempts to garnish paychecks due to over payments.

Please everyone please let us [the EB] know asap if the District has illegally taken money from your paycheck because of an overpayment from their error. Also let me [D. Stakes] know if the District has forgiven any over-payments.

We are compiling times when the district has over paid a faculty member. Labor law says they can't take the money back unless you agree or they take you to small claims court.

The district's position is that it is illegal for them to give out "gifts" --which is how they define the money paid out for work not completed—so they have to take action to get it back.

All-Member Meeting (3:30 pm).

1. Brief overview of college budget and enrollment (Stakes).

Enrollment

Our current enrollment is about 3500 FTES per semester and 400 to 500 for summer. The only areas in which we have growth are DE and Dual Enrollment. DE but doesn't create new students. Dual enrollment adds an additional 25 to 50 FTES. The net result is that our enrollment and subsequent budget (apportionment) has never been lower. We are still not at basic aid though. It is likely that the number of teaching assignments will continue to decrease.

Budget

Low statewide property taxes are reducing the state budget. There is a lobby to get higher COLA. Beginning in 17/18 the District is projecting a \$1 million deficit.

The reserve has been reduced back to 6% but the contingency can be spent. The increase in expenditures on the non-instructional side actually forces increase in faculty salary spending due to the 50% rule.

Restoration of Budget Cuts

Salaries between 14/15 and 15/16 for certificated faculty increased by \$800k before the salary increase. For classified it increased by \$175 K before there were any raises. So old positions were resurrected without going to P&B.

Question: Any movement in P&B to have a classified position prioritization process similar to faculty?

Answer: There was a motion coming out of Senate that was nixed by Hunter, Gil, and Melissa. The bargaining process for management senate and classified has purview over the classified and management hiring and they shouldn't have to answer to P&B.

FON

Our FON is 58%. The Ratio of courses taught by FT is 52%. In the past, the push from the state was pro-rata pay. Now it's hiring FT faculty; but there is no law that requires the district to hire from within.

2. Retro Pay and off-schedule—answer any questions.

Retro-pay and off schedule – May 31 paycheck. No union dues were taken out of the retro check but they will come out of the off-schedule. If you don't want taxes to eat it all increase your withholding for the month.

3. Possible Items for next year's negotiations.

A starting list was provided by D. Stakes. See the attachment at the end of these minutes.

4. Additional suggestions.

- **Increase in fringe** – it would be very small because the amount we get for fringe should cover medical dental and vision for one person, just the employee, Plan A, dental ,and vision. Look on any issue regarding tax implications to the way fringe is paid.
- Social Sciences want another 11% over next two years.
- S. Pointer: getting a “program lead” stipend for full-timers within a division who take on additional duties because there has been shifting of responsibilities. She surveyed other colleges and they give about 10 to 20% release time.
- Parity for Lab and lecture – getting rid of the lab rate.

- Biology wants to make sure that load bank leave is safe.
- Get rid of the longevity step.
Editor's Note: there is an active grievance regarding this.
- Perform a step and column analysis and raise salaries where we are low.
- Look at the 1965 comparison districts and see if we could be matched better.
- Define parity for par-time faculty and include it in the fall election cycle. Then negotiate for parity.

Article 4 (compensation):

1. Increase fringe by at least 6 % to match rising prices

High priority for family rate payers and two party rate payers; existing fringe barely covers medical, no longer enough to also cover vision and dental. We have tried to get tiered rates last year but they agreed to extend the pool.

2. Salary increase applied to all salary schedules evenly

Summary of step and column with the 5% increase shows that the FT rates are now about 13/15 of the comparable colleges, not considering benefits; 14/15 considering benefits. This is still our best bargaining position as increasing the FT schedule automatically to bring up all schedules until FT = average. I think we would need at least another 5% to be near the average, but I would need to see all updated salaries for our comparable colleges.

Tony Rector said his division wants the goal to stay with recovering 16%, so that would mean working to get another 11% over the next two years.

One representative asserts that her division does not want to give up any new faculty positions and that the college needs to move toward a goal of 75% of the courses being taught by FT faculty.

3. Differential increase in schedules B-2, B-3, B-4 of to move PT faculty toward Pro-rata pay

This will be a hard sell with the District because the metric they use to assess salaries for PT faculty is based on the PT salaries within our comparable colleges. The 5% places the PT comparison for the average hourly rate as 7/15. Using 75% as an estimate of “pro-rata pay” the PT schedule is 3/15 nearest to parity; other advances for PT faculty might be easier to negotiate.

Many of these colleges have only a limited number of steps for PT faculty so our schedules extending out to step creates an artificial comparison. A better comparison would be at step 6 for all columns. Using the average for the comparable colleges is the same metric used for all community college districts in bargaining.

Thus we need to begin with a bargained agreement on exactly what pro-rata pay means and a target date for meeting that goal. A meeting with some PT faculty suggests that the definition of parity could be anywhere between 70-80%. We will also need to negotiate that this is the true measure of PT faculty pay.

List of Negotiation Requests brought to the Member Meeting by D. Stakes

4. Increase in payment rate for Work Experience advisors

This is a growing area, lots of FTES's; the current rate per student is not even minimum wage; the lead instructor been looking at other contracts; either to keep the per student stipend or assign load and base on faculty salary schedule. Will need to add mileage reimbursement since advisors must travel to worksites to meet with students. One of the new hires that was terminated by Dr. Stork was a FT tenure in this area.

5. Eliminate or reduce the "years of service requirement" before moving to Longevity

Grievance in abeyance; we will discuss in October. Trapping people at step 14 when new hires are all over the place is fundamentally unfair.

6. Add steps to the top of every pay scale

This will fix the top part of our salary scale that is 10% low and also let us compensate the PT faculty that have been here the longest.

7. Increase office hours, both in number and rate of pay

This is the likely the easiest concession for us to get for PT faculty since having insufficient office hours is bad for student success.

8. Increase payment for SLOs for PT faculty

We want faculty to be more involved in college work

9. Two hours of pay for preparation before the semester begins if course canceled or PT faculty is bumped

This is a no-brainer for fairness after someone gets bumped.

10. Pay the same rate for lectures and lab

Appendix B-4

11. Accelerate step advancement for PT faculty

The majority of faculty are below step 8 and take years to advance. One PT faculty that emailed her letter said that she had taught here 14 years and

only made \$26,000. I looked up her step and she is only now at step 9. I think that Steve might be at step 10 with all of his years of service to the college.

Appendix B-5

12. Higher pay for substitute teaching.

The pay for substitute teaching is based on the 2/3 lab rate. If someone teaches more than 10% the hours in a course they are paid on their regular salary schedule. (Appendix D.1)

13. Add extra duty compensation for FT Department Leads that are responsible for the CPPR, IPPW, and budget, marketing and outreach as well as curriculum development. (e.g. a Justice Administration Lead Instructor.) San Mateo has a workload equity proposal described in their May 2016 newsletter, the advocate. We could use some of their ideas. Go to www.aft1493.org and click on the link for the Advocate.

Article 5 (Work Hours, Work Years and Work Load)

14. Bumping rights for senior PT faculty (over 5 years of service)

Establish senior PT faculty that can bump any PT faculty that has not served the college for at least 5 years beyond getting reassignment rights.

Article 3 (Academic Freedom)

15. Expand Article 3 to provide for more faculty protection with regard to

1. LMS adoption,
2. Use of email and email privacy.
3. Protection from discipline if enforcing terms of syllabus or DSPPS procedures.

Other:

16. Retirement Incentive Program