



Executive Board

Adopted Minutes

May 3, 2018, 3:00 – 5:00 p.m.
Room 3134 and N3213 NCC campus

Debra Stakes, President – P Greg Baxley, Vice President – P Julie Hoffman, VP, Secretary– P
Ed Conklin, Treasurer–P Tom Patchell, Grievance Officer –P Stacy Millich, AS President– A
Nancy Steinmaus, P.T. Faculty Committee Chair – P Stacy Kimmey, Grievance Officer – P

1. Approval of Agenda and 15 March Minutes

Motion to approve the agenda with the following addition: discussion about whether the union should do anything formal about the 51k payment to Dr. Stork. Motion made by D. Stakes, seconded by E. Conklin. Motion approved unanimously.

Motion to approve the March 15 minutes made by N. Stienmuas, seconded by D. Stakes. Motion approved unanimously.

Discussion of the 51K payment to Dr. Stork.

The Board retroactively increased Dr. Stork’s salary by converting his approximately \$10,000 mileage benefit into salary so that it could be counted as part of his final year salary for the purposes of calculating his STRS benefits. The \$51,000 payment will be put in an annuity the proposed purpose of which is to offset medical expenses. The amount was chosen to honor his 51 years of service.

There was conversation around whether this was actually a gift couched as a board resolution to work around the restriction that public entities cannot make gifts of public funds. This is the argument this District uses when they insist that faculty who have their classes cancelled must pay back any portion of salary for which they did not work.

2. Senate Report (none)

Debra commented that the Senate has advertised the positions for the guided pathway coordinators. The big item on the agenda tomorrow is a proposal of a vote of no confidence of the chancellor because he has ignored faculty concerns about the on-line college, the new funding formula, and the lack of faculty input on implementation of AB 705.

3. Treasurer report (Ed)
Budget update

Final Reimbursements from AFT/CFT for Arbitration
for Agency Fee Audit in Fall 2018

The balance is \$80,800 but we are expecting another substantial legal bill between 15 and 20k. We will get the dues from last month to offset this cost. We are going to need to apply one more time for the CFT/AFT legal defense fund grant, at least 25 to 30k.

Every two years there is an external audit. We usually hire John Pooley. We need EB approval to rehire them. The audit will take place in the Fall but we need to get on their schedule.

Motion: to approve the hiring of the Firm of Rita Villa and J. Pooley for the external audit in the Fall, not to exceed \$7000. Motion made by E. Conklin, Seconded by D. Stakes. Motion approved unanimously.

The treasurer computer equipment and software were ordered and came in just under the budget. Elizabeth may be needing to get help from Mark this summer because Ed will not always be available due to personal reasons. Mark is aware and is open to working with her.

4. Signed MOU's for Articles 4 and 5

Board packet on Wed 1 May

The Board packet contains a summary of what it is going to take the close the contract: salary increases, increase in office hours, MOU for reassignment rights for part-time faculty. Instructional vs. non-instructional load procedures. These were edits for article 5 to which we had agreed.

Retro pay timeline

There will be two checks at the end of May: one for the 1% retro active pay for 2016. The regular paycheck will have our 4% retroactive pay for 2017.

Finish edits to Article 5

To close Article 5, we are working with the District to clarify how load is calculated for DSPS faculty, counselors and librarians when they also teach a course.

We are also clarifying that all Division chairs, including the counseling and library division chairs initiate and build the schedule, not the Dean.

It was noted that when an individual group of faculty agree to changes in contract language that only affect that group of faculty, it is appropriate for the CCFT President to sign an MOU and not require a vote of the membership.

Split and Dual mileage

The contract does not give a clear definition of "split mileage". A fulltime faculty member can be both split and dual. If you go to two campuses on the same day, you get mileage between the two campuses (split). This is required by the IRS. "Dual mileage" is when you teach at two different campuses on different days. This was originally an incentive to faculty who were not contractually obligated to do so, to teach on both campuses. This was supposed to be phased out, but the Union has argued to keep it. The mileage form sends you to the wrong place in the contract. This is in article 4, mileage reimbursement. (see also paragraph 5.13).

Secretary's note: After researching this issue Debra discovered two distinct claim forms, one for dual mileage and one for split mileage, on the HR website. Each type of mileage is defined on its form:

"Dual Assignment" is a regular assignment to more than one designated campus/center during the employee's regular work week.

"Split Assignment" is a regular assignment to more than one designated campus/center on a scheduled workday of the affected faculty member.

Division Chair Language

Since how division chairs are elected affects all faculty it must be voted on by the membership. The chairs (according to Marie and Steve) agreed to the language changed made by the COR. There is an issue of paying a part time person if there is a contested seat.

Two emails that need to go out: extra check and extra money at end of year may check. Another email about the Stork gift, and other end of year information.

6. CCFT Membership Audit—Status and next steps

We need information from 29 more people. Some people may no longer be employees. What are we going to do with current members who have not signed update forms? CFT recommends that we drop them as members. We need to have a conversation with each of these persons to see if their intent is to continue or not.

7. Grievances – Stacy and Tom

Arbitration hearings were concluded. The briefs are due to the arbitrator by June 13. The arbitrator should have a decision by the end of the summer.

The Student grievance process is being held up by language included by the District indicating that a student can ask a designee to meet with an instructor in lieu of meeting directly with a faculty member about a complaint. We argued very strongly against a “designee” meeting with the instructor unless there is an ADA compliance issue. This eclipses why we have this step in the first place which is that we communicate directly with the student and not a go between. This issue has stalled the whole task force.

The issue of the status of outside counsel in a grievance issue has come up. The outside counsel can offer advice to the faculty member, but they have no formal or legal role in the grievance process up until arbitration.

The request of M. Rossa to rejoin the union was discussed again. M. Rossa's failure to comply with multiple attempts at resolution was also discussed. Due to the short time-line to convene a panel before M. Rossa retires, Debra has deferred contact with AFT to make a second request for a review panel. If M. Rossa is re-hired as part-time faculty, the issue can be reconsidered.

Reminder to faculty: don't change the time of your final exam.

8. Reports of PT faculty being forced to write curriculum

Part-time faculty should be paid on the ancillary pay schedule for any curriculum writing work. Nancy will advise part-time faculty of this.

8. Status of CCFT Office and files

CCCUEs office is full of furniture they got from surplus. We should go over there and see what we can get. Debra will arrange a field trip.

Need volunteers to go to surplus and find furniture

9. Committee assignments for next fall

There will new people on Peace and Justice. We need another person for Benefits. We also need somebody on elections to replace Kyi on Elections.

Who will be on Council?

It was discussed who will be on the council next year.

10. COR meeting?

The EB agreed to make the last EB meeting on the 10th and to not have a council meeting on that day.

Follow-up:

1. Next EB meeting Thursday TBD Room 3134 –We have room for May 17
2. Possible CoR Meeting: Thursday May 10 room 3134 with Polycom to N3213