

Council of Representatives

Approved Meeting Minutes

November 13, 2008, 3:00 – 5:00 p.m.

Room # 5402, Cuesta College

Attendance according to the sign-in page:

Academic Skills/DSPS

(None)

Biological Sciences

Mike Holmes

Business Education

Marilyne Cleeves

Counseling

Julie Smith

**Engineering and
Technology**

Dave Fernandez

English

June Beck
Matt Fleming

**English as a Second
Language**

(none)

Fine Arts

(none)

Human Development

Margie Perez-Sesser

**Languages and
Communication**

John Arno
Beth-Ann Dumas
Tony Rector-Cavagnaro

Library Services

Kevin Bontenbal

Mathematics

Denise Chellsen
Julie Hoffman
Barbara McGee

Nursing / Allied Health

Mary Ann Ambrose

Performing Arts

(none)

Physical Education

Mike Napoli

Physical Sciences

Debra Stakes

Social Sciences

Peter Dill
Kathryn Logan
Mark Weber

**Student Life and
Leadership & Health
Center**

(None)

Workforce Development

(None)

CCFT Executive Board

Allison Merzon – President
Mark Tomes – Sec.-Treas.
Victor Krulikowski –
Co-Grievance Officer
Peggy Wright –
Co-Grievance Officer
Andrea Devitt – COPE Chair

Visitors

(none)

The meeting was called to order by Allison Merzon at 3:05 p.m.

1. **Approval of Minutes**

A motion was made (Holmes/Dill) to approve the October 23, 2008 Council meeting minutes, as modified via Council emails. It passed unanimously.

2. **Preliminary Discussion on Faculty Issues Regarding CCFT**

Merzon reported that she recently attended an AFT New Leaders School in Phoenix, Arizona. One of the outcomes is her desire to engage the Council and membership in a

discussion of issues not usually seen as union issues, including some that are joint CCFT/Senate issues. A discussion began on the following issues:

A. Evaluation Training (for Evaluators) – Many members told of problems with the current peer evaluation process. It was noted that the Senate is taking up the issue of evaluations, as well. It was suggested that it would be helpful to have a discussion of best practices, such as highlighting frequently-occurring phrases or sentiments on an instructor's student evaluations. Some of the problems and other thoughts noted with the current process include:

- there is no district standardization of what the peer evaluation items mean
- some evaluators use a middle or average grade rather than "N/A" when they do not really have the information necessary to evaluate on a particular item
- sometimes the process seems more like an exercise in filling out the form rather than a constructive or learning process
- the process can be seen as punitive, especially for a part-time faculty member
- there is no mentoring, so the instructor does poorly on the evaluation, and then has no assistance in improving
- the administration has changed the process so that only the evaluation committee chair receives the typed student evaluation comments and scores; the chair is expected to copy and disseminate the student evaluations to the instructor and other committee members
- the evaluation process sometimes seems adversarial; instead it should be celebrating good teaching
- one division chair has told their faculty to grade no higher than a "3"
- training will help protect evaluators
- having only one person on a standard evaluation committee is problematic; we should look into going back to two instructors on the committee
- department/division chairs are being told by Human Resources staff that the chairs cannot examine past evaluations, hence, there is no way to tell if there has been a "Plan for Improvement" that needs following up on
- should we have interdepartmental faculty completing evaluations? Some think yes, but some noted that knowing the content is necessary to know if the instructor is teaching it in an effective manner
- AFT will do evaluator trainings; a Toledo, Ohio, K-12 local has an exemplary process that can be used.

B. Student Learning Outcomes and Evaluations – Merzon reminded the Council members of a letter sent to them written by Marty Hittelman (CFT President) to the ACCJC (Cuesta's accrediting agency) alerting them of the illegality of their requiring that student learning outcomes be part of the faculty evaluation process. Bontenbal stated that we will receive the accreditation team's report in January 2009 (from their recent visit) and then have two years to remedy any problems that they noted, including issues related to student learning outcomes.

C. State and Local Budget Discussions – Devitt distributed copies of a list of possible mid-year budget cuts to community college districts and told Council members that cuts should be a part of discussions within their divisions. One outcome of cuts could be a reduction of courses offered, which will affect assignments. The mandated COLA for California community colleges this year is 5.86%, but the state budget was signed with only a 0.68% COLA, and even that is up for removal in an upcoming emergency legislative session called by the governor.

It was suggested that faculty members lobby their legislators, especially by writing letters, to reduce any cuts to the community colleges. It was noted that both of the

legislators that represent our district in the Assembly and the Senate have been part of the group of legislators that has blocked any tax revenue increase and has advocated strongly for cutting social services and education.

Merzon reported that there is no longer a faculty representative on the Enrollment Management Committee (which is a real loss of faculty input). The district had projected for this year a 125 FTES gain over last year, and yet Cuesta has 229 less FTES than last year. We have been “borrowing” FTES from summer sessions from a number of years now, and it is difficult to get caught up.

D. Distance Education Task Force – This committee is charged with looking at all aspects of distance education. Peggy Wright will be a CCFT representative on the committee. If anyone else is interested in serving on the committee, please contact Allison Merzon.

E. Survey – Merzon reported that an on-line survey examining CCFT members’ perceptions of our union will be going out soon.

3. **LeaderNet Resources**

Merzon reported that AFT’s free web-based LeaderNet resource site has a number of valuable resources for all union leaders and activists. A member can join by logging on and setting up an account with their own password. Resources include sample bargaining language, the membership database, newsletter templates and AFT benefit advertisements, information on the variety of AFT benefits, locals’ demographics and salaries, and much more. Merzon distributed copies of how to register for LeaderNet.

4. **67% MOU**

Merzon reported that the MOU with the district agreeing to implement a new state law allowing part-time instructors to have up to a 67% load is ready to be signed. She said that it will be effective for the Spring 2009 semester. The faculty will be notified when it is official (signed by all parties).

5. **Secretary-Treasurer’s Report**

Tomes reported that the CCFT treasury currently holds \$42,376.07, although that will fluctuate greatly as we pay legal bills and affiliate per capita dues. We started the fiscal year with about \$17,000 in the treasury, and it has been difficult to increase that with a \$75,000 commensurate legal bill. Legal expenses continue to be incurred, and we currently owe about \$45,000 our attorney. Tomes believes there will be sufficient revenue to pay that off within three months.

In response to an earlier question, Tomes reported that one on-going legal case has cost CCFT members \$124,882.28. That case is being decided by an arbitrator as we speak, so there will be additional legal costs when the decision is announced (for analysis of the arbitrator’s decision). CFT has paid for two of the three legal defense grants for this case, but it recently told us that it was denying the third grant “due to excessive legal costs.” Tomes has asked and is awaiting for an explanation of that so that we know what to expect in the future. AFT has paid for two of the three grants but has not said anything about the third, as yet.

There were many questions regarding the approval and actions of the previous CCFT Executive Board regarding this legal case, but Tomes responded that he could not speak for them.

Tomes did respond to a question about summer stipends for officers by saying that the previous EB had approved additional summer 2008 stipends for the outgoing President and Grievance Officer (over \$700 was paid for the President and over \$200 for the Grievance Officer). A \$1000 summer stipend for those two positions (and for the Treasurer) has been a long-standing CCFT practice, and Tomes noted that he was surprised to learn of the additional stipends for those two officers, especially given the fact that the terms for the two

officers ended on July 31 (meaning less overall work during that summer) and that some summers see very little work by the officers, which balances out summers of more work.

Tomes reported that Julie Hoffsten of AFT has completed a detailed audit of CCFT's 2007-2008 books and (in an informal exit report to Merzon and Tomes) said that she found no fraudulent activities, misappropriation of funds, etc. She did note, however, numerous instances of poor record-keeping practices that has resulted in problems, including an overpayment (of \$180) for cell phone use reimbursement to the previous CCFT President, an overpayment of affiliate dues to the Tri-Counties Central Labor Council, and many reimbursements that have little or none of the required paperwork to back up the reimbursement. She said that she has seen much worse record-keeping in other locals' books. Hoffsten gave Merzon and Tomes many tips for how to keep the books in good order. Her official report is expected within a few weeks.

Meanwhile, John Pooley has submitted a proposal for a GAAP audit, which the Executive Board will discuss at its next meeting. Tomes said he will recommend to the EB to accept the proposal, which projects costs between \$5000 and \$6000, even though CFT has suggested firms that might cost about \$1000 less. Tomes said his reasoning is that since this is a comprehensive audit like CCFT has never had before and Pooley is very familiar with our books and practices (having completed CCFT's financial reviews and agency fee audits for many years), he is in the best position to make suggestions for best accounting practices for us in the future.

6. Negotiations Update

Merzon reported on the status of contract negotiations. Article II has been tentatively agreed upon. The Negotiations Team appreciates the proposed contract language submitted by members. The district and CCFT teams are looking at the appropriateness of current contract language that has been negotiated in response to particular past behaviors by just a few faculty members or divisions, as well as folding in currently relevant MOU's.

Dill noted that it does not speak well for shared governance when negotiations are set for Tuesday afternoons, which is the same day and time as the Shared Governance and Planning and Budget Committees.

7. Contractual Issues and Grievance Update

A variety of issues are slated for discussion, including best practices for division chairs, loading, and flex requirements. It was noted that the flex booklet used to say that reassigned time could reduce the required flex time for instructors; this provision also was carried over to the on-line flex site, but now some Deans are saying they will not allow it. There are also instances of Deans trying to interpret the contract without asking about past practice or relevant history of the contract language. Some of these issues have been resolved, such as the dual mileage issue, but overall it makes for more work for the CCFT President and Grievance Officers.

There have been instances of faculty members, especially part-timers, being assigned a wrong column on the salary schedule (including one who was assigned the A column and should have been on D). It has been difficult to ascertain one's exact pay with the Banner software conversion, but Human Resources staff are working to have the pay stub page include more information. It was suggested that faculty members closely monitor their paychecks for accuracy.

Some faculty members have been called into meetings by division chairs and administrators without being told for what reasons the meetings are being held (the administration sometimes cites "confidentiality issues"). Merzon and Wright reiterated that faculty members, if they are being asked to attend a private meeting, always have the right to know why a meeting is being held and have the right to not attend if they are not told the purpose of the meeting. In addition, if there is any suspicion that the meeting could result in disciplinary action (an appropriate suspicion if there are confidential issues involved), the faculty member has the right to be accompanied by a union representative.

8. **Committee(s) Update**

Beck reported that the Part-Time Faculty Committee will be meeting soon.

Devitt reported that COPE donations have increased from \$38 per month to \$94. Her goal is to have \$200 per month in COPE donations by December 31, 2008. Devitt is planning a spring fundraiser. She noted that she is the sole member of COPE, so if anyone is interested in joining the committee, contact her.

Tomes reported that the Constitution/Bylaws Committee is working on a new Constitution. In response to various questions, he said that the committee plans to submit drafts of major sections to the Council of Representatives and Executive Board as the individual drafts are completed, but the committee will submit an entire Constitution (and Bylaws) to the membership for an approval vote. It would be impractical to submit individual articles to the membership, as some might be approved and others not, making the result an incomplete and unworkable Constitution. Tomes said that if the committee is doing its job well (listening to input), the new Constitution should pass with 90%–95% approval by the membership.

Tomes brought up the issue of how very small divisions (one to six faculty members each, such as the Health Center, Student Life and Leadership, and Workforce Development divisions) have a difficult time getting Council representatives. In the past, some divisions have piggy-backed onto others. Council members suggested combining them into one division or seeing if they could join a division that is similar to their division (Health Center with Nursing, Workforce Development with Business Education, etc.).

9. **Union Busting**

A few of the Council members attended a meeting on Wednesday, November 12, 2008 to hear Rich Hansen speak about an independent union. Hansen told the group that PERB requires at least 30% of the employees in the bargaining unit to sign statements that they desire a change, and even then there should be more to make the effort worthwhile. It was estimated that there were approximately eleven or twelve faculty members at the meeting, and one Council member noted that he counted seven of those as strong AFT/CFT/CCFT supporters who were there just to hear what was being said, leaving perhaps four or five faculty members at the meeting who might be interested in changing union affiliations.

Merzon stated that she is “totally committed” to CFT and AFT; they have been an excellent resource for our union. Another Council member noted that it is the wrong time to be talking about a new union. Merzon stated that she will stay on top of developments regarding any possible union decertification.

10. **Division Concerns/Issues**

One faculty member said that they were “scared” to give a union report at their division meeting for fear of being attacked (verbally) by some faculty members in the division. The faculty member stated that all instructors have the right to safe working conditions, and that this could be a grievance issue.

Some Council members noted the negative atmosphere on campus while others said that it is a very small minority that are not being civil and making it difficult for everyone else.

Merzon noted that she is interested in “raising the bar in civility” at Cuesta College. Relationships are very important in the workplace, and we should be respectful and professional with each other.

A question came up regarding personal leave time; Merzon asked the Council member to see her later for specific questions.

11. **Local Styles Survey**

Merzon distributed copies of a “Local Evaluation Survey,” designed to ascertain the membership’s view of our local union on a continuum between a “service” or “organizing” type of union.

12. **Update from New Leaders School**

Besides the information shared earlier in the meeting, Merzon said that she wanted to put a little fun and pride into the union. She is exploring getting t-shirts made with a CCFT logo and doing other things to accomplish this goal.

The CFT Convention will be held in March 2009. Delegate information will be forthcoming.

Dave Fernandez, Architecture instructor, was welcomed as the new Council representative from the Engineering and Technology division.

Merzon held a quick and free raffle for some AFT merchandise (cups, hats, etc.) that she brought back from the New Leaders School.

The meeting was adjourned at 4:50 p.m.

Minutes respectfully submitted by Mark Tomes, Secretary-Treasurer.