



Council of Representatives

Approved Meeting Minutes

January 28, 2010, 3:00 – 4:30 p.m.

Room # 5401 Cuesta College

Attendance according to the sign-in page (p = present, a = absent):

Academic Skills/DSPS

(No elected rep)

Biological Sciences

Michael Holmes (p)

Nancy Mann (p)

Business Education

Michele McAustin (p)

Traci Robichaud (p)

Counseling

Dana Gough (p)

Julie Smith (p)

Engineering and Technology

David Fernandez (a)

English

(No elected rep)

English as a Second Language

(No elected rep)

Fine Arts

Douglas Highland (p)

Health Center

(No elected rep)

Human Development

Dawn Brown (p)

Margie Perez-Sesser (p)

Languages and Communication

John Arno (a)

Beth-Ann Dumas (p)

Tony Rector-Cavagnaro
(p)

Library Services

Kevin Bontenbal (a)

Mathematics

Denise Chellsen (p)

Julie Hoffman (p)

Barbara McGee (p)

Jodi Meyer (p)

Nursing / Allied Health

Mary Ann Ambrose (p)

Cathy Cyr (p)

Performing Arts

bree valle (a)

Physical Education

Brian Locher (a)

Physical Sciences

Debra Stakes (p)

Social Sciences

Peter Dill (p)

Kathryn Logan (p)

Mark Weber (p)

Student Life and Leadership & Health Center

(No elected rep)

Workforce Development

(No elected rep)

Executive Board (non- voting)

June Beck,

Communications

Chair (p)

Marilyne Cleeves, PT

Fac. (p)

Peet Cocke, VP (p)

Victor Krulikowski, GO
(p)

Michael Masterson,

COPE Chair (a)

Allison Merzon, Pres. (p)

Mark Tomes, S-T (p)

Visitors

Dennis Baeyen

Holmes opened the meeting at 3:07 p.m. when a quorum was reached. The meeting was chaired by Rector-Cavagnaro.

1. **Approval of Minutes**

A motion was made (Cyr/Dill) to approve the December 10, 2009 Council of Representatives meeting minutes. It passed unanimously.

2. **College Budget Update**

Merzon reported that the Cuesta President's Cabinet has drafted a budget plan and presented it to the Planning and Budget Committee. It proposes to use the \$1.1 million "medium school" funds to pay for unfunded FTES and to eliminate all Summer 2010 courses except those deemed mandatory (e.g., courses needed by students in licensing programs, such as Nursing). She noted that a summer session generally costs one-sixth to one-eighth of the cost of a fall semester and that it would not have been difficult to calculate the cost of full-time faculty salaries for Spring 2010 and then balance the budget from there.

3. **Negotiations**

Holmes and Tomes reported that the CCFT and district negotiation teams started mediation on Tuesday, January 26, 2010 with seven articles at impasse. The mediator kept the two teams in separate rooms, and he reported that the district's team included Toni Sommer, Cathleen Greiner, and Steve Andelson (a district attorney). The mediator asked each team to look at the current contract language and decide what each team believed had to be changed. The district used much of their time to write new contract proposals.

The two teams were able to reach tentative agreement (T.A.) on Articles 11, 13, 14, and Article 8 is very close. The only other issues left on the table are Article 9 (Discipline) and all financial issues. We most likely will meet with the mediator one more time. When the other articles are T.A.'d, the mediator will declare to PERB that the parties are ready to go to fact-finding, which is a very involved process. CCFT can present proposals for all of 08-11 during fact-finding.

The fact-finding panel's report is not binding, and the district can impose its last, best, and final offer (from before mediation) after fact-finding is completed.

4. **Secretary-Treasurer's Report**

Tomes reported that the CCFT treasury currently holds \$17,612.35 in it, but we have an outstanding Cuesta College invoice for Fall 2009 leave costs for \$14,435.30 that needs to come out of that. The COPE account has \$3791.19, with the Board of Trustees election account of \$970 coming from it.

Tomes also reported that the Elections Committee has been working hard, including over the winter break, to prepare for the upcoming CCFT Constitution and Bylaws amendments proposals election. Ballots are due to go out on Friday, February 5, 2010, and will be due at 9:00 a.m., Friday, February 19, 2010. This two-week window is more than the usual nine to ten days, but there are two holidays within that time frame. There will be plenty of time for all CCFT members to receive their ballots and vote.

The Catastrophic Leave Bank has a healthy \$102,885.39 in it, and one faculty member will be drawing from it starting in February 2010 for two to three months, bringing the CLB balance to about \$90,000.

5. Meeting Frequency Time

There was a proposal to have the Council of Representatives meet once monthly. Merzon said that she did not want to have the Council agenda reflect only the EB's perspective or the Council meetings be an "info dump." It was suggested that information could be communicated over email and use Council meetings for division concerns and feedback. A motion was made (Robichaud/Holmes) to have the Council meetings occur on the 4th Thursday of the month and to allow the Council liaisons to the EB call for an extra meeting, if needed. The 4th Thursday is just before the Board of Trustees meetings. The motion passed unanimously.

6. Assistance Account

An idea for helping faculty members who have lost their loads and/or benefits has been discussed at the EB meetings: faculty members would voluntarily donate to an assistance account and funds or gift cards (for grocery stores or gas stations) would be given to faculty members in need. Tomes reported that John Pooley, our auditor, said that CCFT could administer the account as a separate non-profit organization, and then we would have control over who receives the funds. Pooley said that managing such an account takes a lot of time. If the Cuesta College Foundation manages the account, we could set up the parameters for who might receive the funds, but the Foundation would have final say on that. Also, such an account might not be included in the Foundation's charter and so could not be managed by them in the first place.

There were many questions about the program: would a part-time faculty member losing a one-unit course who might have a full-time job elsewhere be eligible for the funds? Or would the funds be used only for those who lose their insurance benefits? Are there any other college unions with similar programs? How many faculty members at Cuesta (or not now at Cuesta because they lost their loads) are there? Six faculty members in English were laid off, but then two were re-hired; how does this fit into the program? Will we continue to need such a program, or are the budget problems short-term? Would laid off faculty members who are getting unemployment get funds from this account?

It was noted that it has difficult to get COPE donations, and everyone is hurting financially now, so donations for this account might be difficult to procure. It could be "sticky" deciding who gets the funds and who does not. We should be lobbying our legislators to fix the tax system so that colleges are not hurting like they are now. The college should be taking responsibility for helping their employees. The best thing to do is to give part-timers courses. We need to put energy into the upcoming Board of Trustees election.

There was consensus that the idea for an assistance account is admirable but that we have limited time and resources right now and cannot pursue the idea.

7. Advocacy Letter

Some members of the Council had drafted a letter to be sent to all faculty members regarding CCFT's role and a faculty member's role when advocacy issues arise. The letter has gone through a number of revisions, tone changes, and foci, and its purpose now is

questioned. A motion was made (Weber/Logan) to put the letter "on hold." It passed unanimously.

It was also noted that a welcome letter from the Council at the beginning of the academic year, for new members, and for when a new Council rep is elected, would be helpful. Dill, Cyr, and Beck will draft such a letter.

8. Class Caps

It was reported that the Academic Senate Council has proposed that suggested class caps be included in course outlines; pedagogical reasons would be cited. CCFT's role is to protect the process of how class caps are implemented (as it is a workload issue). CCFT has been involved recently in getting some increased class caps reverted to their original levels.

A question regarding whether having hourly employees helping in the class could be put in the course outline arose; the answer was no.

9. Grievances Update

Krulikowski reported that two important issues have been resolved. One included a part-time faculty member who was not receiving the same load credit that a full-time faculty member had received for the same course; the part-time faculty member now will receive the higher load. The other issue involved reporting to a manager and a lack of management consultation with faculty; that issue appears to have been resolved. On another issue, the district is trying to implement quasi-disciplinary measures on two faculty members; CCFT is quashing that proposal. It was noted that a faculty member cannot grieve an issue that is not in the contract, but CCFT can help mediate issues that are not related to the contract.

Annette Loria has left her position as Director of Human Resources for a job in another district. The Cuesta College interim President and the Vice President for Administrative Services are acting as interim HR Director. Merzon stated that having the college President, who usually is the last person to be involved in an issue, now being someone to contact first is awkward and inappropriate. Toni Sommer, the VP, is often not available, so resolving issues in a timely manner is difficult. Also, Sandee McLaughlin, Executive Dean of the North County Campus, is being asked to serve as interim Title IX Coordinator, a timely appointment since we now have a Title IX complaint filed against the district.

In answer to a question, it was noted that part-time faculty can get a substitute for a class. Also, it appears that some deans are not approving audits to courses. This should be done on a case-by-case basis.

10. NCC CoR Rep

Tomes reminded the Council that the Constitution allows a representative on the Council specifically from the North County Campus. The language regarding how the rep would be elected is minimal. It was noted that the Senate has at-large members. No action was taken.

11. Financial Review Committee Chair

Tomes reminded the Council that CCFT is past due for filing a financial review or audit for its 2008-2009 finances to AFT. An audit by a CPA would cost about \$4000 - \$6000, whereas an internal financial review would cost the amount of a stipend (which has not been set yet). The consequences of not filing the report are not known, except that AFT

could deny us delegates to its convention and access to legal defense funds. Council reps were encouraged to find members who might be interested in serving on this committee.

12. **Committee Reports**

COPE – A Cal Poly union leader wants to team up to help the John Laird campaign.

Part-Time Faculty Committee – The part-time faculty bumping rights MOU is effective for only one year; after that it will need to be renegotiated. Good follow-through and a positive outcome are needed when implementing the MOU. It is hoped that we can get it in the contract along with a more precise definition of Level II assignment.

The discussion around this MOU has brought up some good questions and the awareness of just how differently the contract is being interpreted and implemented in different divisions. Merzon noted that we need to get on the same page and implement portions of the contract in a standard manner so it is equitable and to help new chairs. She will be contacting division chairs to help this process.

Leads are addressed in Appendix B, but it is outdated. There are equity issues regarding leads, supervision of classified staff, ancillary duties, etc. Leads are not related to Level II or II assignment rights.

Benefits Committee – The committee is looking at other companies to provide insurance benefit premium quotes to us. They are keeping their options open.

Communications – Beck said that she is glad to be back.

13. **Division Concerns/Issues**

Baeyen, a guest from the English division, said that some part-time faculty members in his division want more information on the MOU and how it affects them.

14. **Other**

Tomes distributed leftover 2009-2010 CFT pocket calendars.

The meeting was adjourned at 4:45 p.m.

Minutes respectfully submitted by Mark Tomes, Secretary-Treasurer.

Next Council of Representatives meeting: Thursday, February 25, 2010.

Next Executive Board meeting: A planning meeting on Friday, January 29, 2010, and the next regular meeting on Thursday, February 4, 2010.