



### Council of Representatives

#### Approved Meeting Minutes

August 27, 2009, 3:00 – 4:30 p.m.

Room # 5402 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

Marilyne Cleeves (proxy for  
Michele McAustin) (*p*)

Traci Robichaud (*p*)

#### Counseling

Dana Gough (*a*)

Julie Smith (*a*)

#### Engineering and Technology

David Fernandez (*p*)

#### English

(No elected rep)

#### English as a Second Language

(No elected rep)

#### Fine Arts

Douglas Highland (*p*)

#### Health Center

(No elected rep)

#### Human Development

Margie Perez-Sesser (*p*)

#### Languages and

##### Communication

John Arno (*p*)

Beth-Ann Dumas (*p*)

Tony Rector-Cavagnaro (*a*)

#### Library Services

Kevin Bontenbal (*p*)

#### 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

breë 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)

Marilyne Cleeves, PT Fac. (*p*)

Peet Cocke, VP (*p*)

Andrea Devitt, COPE (*p*)

Victor Krulikowski, GO (*a*)

Allison Merzon, Pres. (*p*)

Mark Tomes, S-T (*p*)

#### Visitors

Dawn Brown, Human  
Development

Michael Masterson,  
Mathematics



Bontenbal opened the meeting at 3:05 p.m. when a quorum was reached. The meeting was chaired by Bontenbal.

**1. Introductions & Approval of Minutes**

Council members and guests introduced themselves.

A motion was made by Cyr/McGee to approve the May 14, 2009 meeting minutes. It passed unanimously.

**2. Negotiations Update**

Merzon reported that CCFT and the district met for negotiations four times over the summer and before Fall 2009 classes started, mostly over budget issues. Both parties agreed to sign off for the year on Article 7 Evaluations without any changes; we are not going to be able to devote the time that it needs for a diligent review. This article will be opened after this year's negotiations have been completed without it counting towards one of the two re-openers that either party is allowed to open.

A CCFT 2008-2009 salary proposal is still on the table, including creative language to help the part-time faculty in salary and office hours and a salary formula. The latter is important in tough budget times to avoid the lengthy negotiations that take place then. A negotiated salary formula will include a "no take away" clause (no reduction or reimbursement by faculty if the district does not meet its targets or does not receive the funds that have been used in the salary formula).

Other issues on the table include release time for CCFT officers, discipline, and others. Patty Cox, CFT researcher, and Shannon Willson, CFT Field Representative, have provided quite valuable assistance.

A negotiation meeting occurred on Tuesday, August 25, 2009 that included the CCCUE team. It focused on district budget issues, including CCCUE layoffs and reductions. Dr. Pelham will be taking to the Board of Trustees next week a proposal that balances the district budget with salary reductions to administrators and managers, layoffs and salary reductions for classified staff, and course cuts savings (part-time faculty layoffs and reductions), despite Merzon's budget figures that show such reductions and layoffs (except for the course cuts already required by the administration) are not necessary. Attendance at the Board meeting is encouraged.

**3. Grievance Update**

Merzon reported while there are no formal grievances in the pipeline, there are a number of issues being dealt with, including notices sent to faculty members by the district demanding immediate reimbursement of salary overpayment and other mistakes by the district (be sure to check your pay stub for accuracy!) and the SISC refund tax deduction that the district mistakenly did not deduct (CCFT is waiting for documentation of the district's legal requirement to deduct the taxes).

The issue of part-time bumping rights was discussed. Merzon noted that it would have been helpful to have that language in the contract now to help long-term part-time faculty members and that CCFT will be bargaining for that soon. Holmes brought up the idea of ensuring that long-term part-time faculty members receive

their loads before a full-time faculty member has any overload. There were mixed reactions to this idea. Division reps were asked to discuss this with their division members.

Merzon noted that one problem is that Cuesta offers a large number of courses each semester, rather than starting with a core set of courses and then offer extra courses as the budget permits or when FTES is needed. She also said that CCFT had given the district a “demand to bargain” notice when it learned that the district had unilaterally changed course caps; it was negotiated that any cap changed this semester will revert to its Spring 2009 cap for the Spring 2010 semester. Council reps noted that there appeared to be no set pattern to the caps changes: some went up and others went down. While room size often drives course caps, one room had five different course caps associated with it.

It was noted by Merzon that “fill rates” are often erroneously equated by administrators with “efficiency.” Fill rates in and of themselves do not equal salary savings.

Mann noted that blanket cuts in hourly staff and mandatory course fill rates do not take into account safety and program considerations.

Merzon reported that 55% of the Fall 2009 course cuts were in the workforce and employment divisions, such as Business Education and Engineering and Technology, and 14% were in the Humanities areas. 15 courses were cut in P.E./Athletics, including the entire women’s tennis program, along with its nationally-recognized coach.

#### 4. **Budget**

(See above for some discussion of this item.) Merzon reported that it was not until the July 2009 Board of Trustees meeting, when she asked the Board (again) why representatives from the district’s constituency groups were not meeting with Dr. Pelham to discuss budget issues, that Dr. Pelham finally agreed to do that. They met twice over the summer, and Merzon has been crunching budget figures ever since. She distributed copies of her analysis of the budget, which showed that no salary reductions or layoffs need to occur to balance the budget (not even including the extra \$1,000,000 not being counted by the district). The handout also delineates CCFT’s guiding principles in the budget discussions, which include balancing the budget, working toward long-term strategies, using evidence and accurate data, and protecting contracted employees.

Tomes noted that the cuts to our FTES base were exacerbated almost three-fold by a misreporting by the district of its 08-09 FTES.

CCCUE is advocating for cutting 100% of the hourly budget before any layoffs or salary reductions occur to permanent classified staff. It was suggested that faculty members document work that they are doing that previously was done by a classified staff member due to the latter’s layoff or reduction.

It was noted that departments are being cut by a percentage of their actual expenses incurred last year rather than by their budgeted amounts, thereby favoring departments that greatly overspent their budgets and discriminating against those departments that stayed within their budgets.

Cleaves reported that the Part-Time Faculty Committee is preparing an article that describes some of the salary and job losses that have occurred to part-time faculty members and asked that Council reps send to her the names or stories of

those faculty members affected by the district cuts. In addition, she pointed out that many part-time faculty members spent a lot of time prepping for courses, but when those courses were cut just before the semester started, the faculty members received no pay for their time.

After discussion, it was decided to strongly encourage faculty members and supporters to attend the Board of Trustees meeting on Wednesday, September 2, 2009. The meeting begins at 4:00 p.m. in Room 5401 on the Cuesta College SLO campus.

## 5. **Committee Reports**

COPE –Devitt reported that Marie Kiersch, Cuesta College Board of Trustee member, has missed 12 of the past 22 Board meetings and wondered if it was a division concern or not. It might be time to encourage Kiersch to resign so that the Board can appoint someone who can serve on the Board.

11% of CCFT members are contributing to COPE, up from 2% this time last year. There are 39 COPE members, contributing a total of \$262 each month (August through May). Devitt stated that this amount needs to increase. It costs about \$4000 to \$5000 to place a candidate statement on the ballot that has a Spanish translation. She distributed COPE application forms for reps to distribute to their division members.

Masterson noted how his previous college district teamed up with other local unions to run a campaign supporting faculty-knowledgeable candidates. With the resources of other unions, such as finances, telephone-banking, etc., four faculty-friendly Board members (of seven Board members) were elected.

Part-Time Faculty Committee – [Cleeves gave her report in previous agenda items - MT].

Benefits – Merzon reported that Susan Marsala is the CCFT representative on this joint committee. They are looking at an “overlay” plan, in which one can choose HMO or PPO providers without it costing more. Also, there is a question about whether our dental insurance plan is supposed to be 100% participation, which we are not. Finally, CCFT is still looking into CalPERS plans and premiums; the member survey showed mixed results regarding whether to switch to that plan.

## 6. **Secretary-Treasurer’s Report**

Tomes reported that there is \$7436.43 in the CCFT treasury and \$2354.19 in the COPE fund (with \$416.00 of the COPE fund allocated specifically to Cuesta Board of Trustees elections). CCFT has not paid the June or July AFT per capita dues invoices because we have not had sufficient funds to cover them; our current liability for those invoices is \$24,676.84. Tomes will pay the first of the invoices next week after CCFT receives the August 31 payroll deductions/union dues. If he pays both of them, that will only leave about \$4000 in the treasury, which is too low for comfort. It might take two or three months to build up a reserve large enough to pay for two AFT per capita invoices and get out of debt.

CCFT can save \$4000 - \$5000 by completing the annual (required) financial review in-house. Tomes encouraged Council reps to find Financial Review Committee members. Also, the Communications Chair position is vacant; this position is an ex-officio, voting EB position, as well.

The SISC refund tax deduction issue is still unresolved. It is possible that faculty members who received the refund will not have the tax deduction via Cuesta but will have to claim the income when they file their income taxes.

The Executive Board has committed to proposing a Constitution change that eliminates the minimum dues for part-time faculty members. Although it will reduce CCFT income by about \$600 per year, it will help the faculty members who need it most.

Tomes will present the CCFT 2009-2010 budget to the Council at its next meeting for discussion and approval.

**7. Other**

Merzon distributed pre-written and blank postcards supporting the part-time faculty at Cuesta College to be sent to the Board of Trustees members. She also distributed wallet-sized cards stating an employee's Weingarten rights (the right to have a union representative present at any meeting in which an employee believes that discipline might take place or could result in disciplinary action).

The meeting was adjourned at 4:42 p.m.

Minutes respectfully submitted by Mark Tomes, Secretary-Treasurer.

Next Council of Representatives meeting: September 10, 2009.