



Executive Board Meeting
Thursday, October 16, 2008, 2:30 p.m.
Room 3219 (Library Building), Cuesta College

Approved Minutes

Present: Kevin Bontenbal, Victor Krulikowski, Steve Leone, Allison Merzon, Ron Ruppert, Jill Schubert, Mark Tomes, Peggy Wright

Absent: None

Guests: None

The meeting was called to order at 2:37 p.m. by Allison Merzon.

1. Approval of Minutes

After discussion, a motion was made (Bontenbal/Wright) to approve changes to the minutes from the October 2, 2008 EB meeting, except for one addition suggested by Schubert; it was approved unanimously (Merzon abstained because she had not attended the meeting under discussion). Another motion was made (Schubert/Wright) to approve an addition suggested by Schubert; it failed with all opposed, except for Schubert in favor and Merzon abstaining (for the same reason).

2. Joint Union-Senate Report

Leone reported on a variety of issues, including a personnel issue regarding equivalency. A previous CCFT President had negotiated a Memorandum of Understanding (MOU) regarding this equivalency that appears to have been out of CCFT's bailiwick. However, given a number of other problems with the case, the Senate Council will not oppose it. Senate and CCFT leadership are discussing the equivalency process so that procedures occur correctly in the future.

The Senate Council is pursuing the development of an Interdisciplinary Studies program.

Leone reported that Dave Pelham, Cuesta College President/Superintendent, has announced that the Planning and Budget Committee is an advisory group only and that, likewise, shared governance outcomes are advisory only. Also, the Accreditation Team that left today noted that they "have a problem" with the Cuesta College shared governance structure; it does not give enough authority to the Cuesta College President. Leone stated that this position appears to be a bias in the Accreditation Team's interpretation of certain accreditation standards. The leadership of faculty and classified staff employee groups will meet to discuss the issue. Also, the Shared Governance Task Force is meeting to define "shared governance" and to develop methods and strategies to disseminate their definition.

The Faculty Manual and Distance Education task forces now have members and will meet soon. Both groups need CCFT representatives, particularly the latter, since that task force will be discussing distance education faculty evaluation procedures.

3. EB vs. Officer-Based Decisions

Merzon began a discussion of how certain union decisions need to be made in a timely manner and cannot wait until the next EB meeting but noting that email discussions are not always appropriate (such as for confidential matters). Tomes noted that financial expenditure decisions should only rarely be made through email, and then they should be reported at the next EB meeting so that they are publicly recorded. There was consensus that it is better to err on the side of being “on the same page” but without getting “bogged down,” allowing union officers to make important time-sensitive decisions without full EB discussion.

4. COPE Report

Devitt distributed CFT campaign slate endorsement cards; they will be placed in staff rooms next to faculty members’ mailboxes at the SLO and North County campuses. She has garnered seven COPE payroll deduction authorizations from faculty members, and some of the EB members completed the same form at the meeting. It was suggested that an explanation of how CCFT COPE funds are used accompany the payroll deduction form; Devitt will compose such an explanation. Much of the fund will be used for the 2010 Board of Trustees, although it was noted that other uses are within its realm.

5. Secretary-Treasurer’s Report

Schubert began a discussion of audits by asking Tomes who on the previous EB has said that a forensic audit of last year’s books was needed, noting a concern that some of those members had been asked to stop speaking for the EB and that the integrity of the source of the information might not be trusted. Tomes said that he would not name those people, honoring their desire for anonymity and noting that even if no one from the previous EB had said anything, it was very possible that the EB would have approved the forensic audit, anyway.

A discussion followed, with members noting that no grief to previous EB members has been intended, but it is understandable that scrutiny can cause some discomfort. Dennis Smith, CFT Secretary-Treasurer, sent an email that made it very clear that audits such as these are sometimes necessary for the benefit of both the previous and the current organization leadership to fulfill their fiduciary responsibilities. It was reiterated by many that no accusations are being made, particularly against the previous CCFT Treasurer.

Tomes repeated that, given the previous Treasurer’s organizational style (including a lack of detail in describing transactions, not using a paper check register, etc.), the fact that the previous EB appears to not have followed its own policies in approving expenditures, and a number of other record-keeping and procedural anomalies, a situation opened up in which someone could have taken advantage of the system to misuse CCFT funds. Whether there is any indication or not that such misuse of funds has occurred, it is the responsibility of the current EB to use all tools available to satisfy itself and the membership that all financial transactions have been above board. It was noted that the current EB would welcome the same scrutiny when another leadership group takes over.

Tomes reported that all EB members had approved (via email between this and its October 2, 2008 meeting) to reimburse Merzon for reasonable expenses incurred in attending the CFT State Council meeting on October 11, 2008. Merzon noted that she attended the CFT Community College Council meeting (that accompanies each State Council meeting) and had met a number of CFT officials, union colleagues, and the CCFT-retained attorney at the meeting, and she found it very productive. A motion was made (Tomes/Ruppert) to reimburse Merzon for expenses incurred to attend the CFT State Council meeting on May 16, 2009; it passed unanimously.

The Cuesta College Payroll Office and Tomes are developing a process to waive the dues/fees of very low-salaried faculty members. The office’s Director is concerned about how monitoring for these faculty members could impact the workload of Payroll staff. Tomes

noted that there are about four faculty members who are in the salary range approved by the EB for the dues/fees waiver.

The CCFT membership form has been revised by Tomes to include membership in the Catastrophic Leave Bank and payroll deduction for COPE. New members are eligible for a free one-year \$12,000 life and dismemberment insurance policy, and Tomes has sent all new members the application form for enrollment in the policy.

6. April/May 2008 Minutes

Tomes reported that, despite two anomalies on the list of votes that Schubert had provided to the EB, it appeared that a majority of the previous EB had approved a set of minutes from April and May, 2008. A motion was made (Tomes/Ruppert) to approve the minutes submitted by Schubert; it passed with Merzon and Devitt opposed. It was noted that it is not in the bailiwick of the current EB to address the outcome of the minutes previously submitted by M Basti.

7. CFT CC Council Report

Merzon reported that she had attended the CFT Community College Council meeting on October 10 and had been given a state budget update: COLA is very low for community colleges, but categorical programs, including part-time faculty office hours, were not cut. Cuesta College is liable for repayment of the state's overpayment of last year's property tax. Many college faculty unions are negotiating salary formulas, similar to what Cuesta College used before CCFT was chartered.

Although Cuesta College's accrediting agency is mandating Student Learning Outcomes, there are not any laws mandating them. If SLO's are discussed in faculty evaluations, then they must be negotiated.

Merzon and Pelham are discussing the faculty's free speech rights on campus, particularly in light of a Cuesta College Vice President's memo to Student Service directors that all political materials on campus property (including office space) must be taken down – a direct violation of state and federal constitutional rights. Devitt noted how quickly Merzon responded to the Vice President's memo. Merzon distributed a number of publications available on campus that include political material. In the meantime, most faculty members appear to be keeping their political and other free speech materials up on their office walls and doors.

Merzon has been invited to attend an AFT New Leadership School in Phoenix, AZ, from November 7 – 9. She noted there is no charge for a local's leadership to attend.

8. Personnel Issues

Various confidential items were discussed, including a case approved for arbitration. In addition, the EB discussed the issue of using union activities for flex credit. Merzon reported that the district has agreed to follow the guidelines for approving activities for flex credit that are found on the Cuesta College Professional Development web site.

Emails by the previous CCFT President, Marilyn Rossa, asking about interest in starting another union were discussed. It was noted that Rossa has the right to discuss the issue and that there are laws and regulations that govern that discussion. It was also noted that the use of CCFT listservs and committees to promote decertification or disaffiliation is inappropriate and subject to censure or stronger discipline measures, including removal from union membership.

An issue in a particular campus division has been resolved 100% in the faculty members' favors, noteworthy given the severity of discipline first instated by the district. Similarly, a faculty member's absolute right to issue student grades was resolved in the faculty member's favor.

9. Negotiations

Contract negotiations will begin with the district in November (next month). Merzon noted that Rossa has not responded to an earlier email request for CCFT materials; Tomes said that he had offered to pick up all CCFT materials in Rossa's office and had also received no response. Merzon said that she will send another request to Rossa for CCFT materials. It has been a time and financial burden to have to ask the district for copies of materials that Rossa probably already has.

Various negotiation ground rules have been agreed upon with the district. A motion was made (Tomes/Wright) to negotiate with the district for payment of a substitute lab instructor up to a certain amount for a certain part-time faculty member to be on the Negotiation Team; it passed unanimously.

10. Committee/Task Force Reports

After consultation with the EB, Merzon reported that Tomes will chair the CCFT Constitution/Bylaws Task Force, which is charged with overhauling both documents to comply with federal law and to reflect the changing nature of CCFT. He reported that he will be asking for guidance from the EB for basic structural and procedural changes. There was consensus to change the Constitution to have all future EB members be elected to the EB so as to be eligible to make motions and vote, as required by federal law. Three other faculty members have shown interest in being on the committee, including a part-time faculty member and a faculty member from the North County Campus.

The EB discussed changes to the draft CCFT Webmaster, COPE Chair, Vice President, Communications Chair, and Part-Time Faculty Committee Chair job descriptions. A motion was made (Ruppert/Wright) to approve the changes; it passed unanimously.

Schubert reported on issues pertinent to the part-time faculty, including negotiation suggestions. The Part-Time Faculty Committee is soliciting stories from the part-time faculty regarding disparities, inhibition of free speech, and other similar issues.

Other news included that Schubert will be attending the FAACC Education Institute's first Annual Part-Time Symposium at Irvine Valley College on October 25, 2008, that a part-time faculty member is on the Senate Faculty Manual Task Force, that Schubert and June Beck will meet with Human Resources personnel to discuss how to access and understand pay information that the faculty can access on myCuesta, that the committee is gathering information regarding total Cuesta instructional load of the part-time and full-time faculties, and that the committee will submit an article to the union newsletter.

Merzon reported that an MOU with the district regarding implementation of the new "67% load" rule should be finalized soon, noting that some divisions might be ready to implement it for spring. She also noted that there is no entitlement for a 67% load next semester because no one has had one at that level yet.

11. Council of Representatives Report

No report.

12. General Membership Meeting Date/Agenda

The EB tentatively decided to call for a general union membership meeting for the Tuesday after Thanksgiving. Ken Burt, CFT Political Director, has expressed an interest in attending and will be contacted to see if that works for him.

13. Newsletter

There was praise for the draft newsletter, tentatively titled, *The Union Advocate*. Suggestions for changes and articles were made.

14. Other

It was decided that the EB would hold a strategic planning retreat, tentatively scheduled for Friday, November 21 for four hours. Also, a recipient of the Bob Hartwig Memorial Scholarship wrote a nice thank you to CCFT. Finally, Merzon reminded the EB members that AFT LeaderNet has a lot of valuable resources; EB members were encouraged to log on and explore the site.

The meeting was adjourned shortly after 6:00 p.m.

Respectfully submitted by Mark Tomes, Secretary-Treasurer.