



Executive Board Meeting  
Thursday, August 21, 2008, 2:30 p.m.  
Dairy Creek Café, across Highway One from Cuesta College

### **Approved Minutes**

*Present:* Allison Merzon, Tonya Hardiman (until 2:55 p.m.), Mark Tomes, Kevin Bontenbal, Ron Ruppert, Jill Schubert

*Absent:* Peggy Wright, Victor Krulikowski

*Guest:* Shannon Willson (CFT Field Representative)

The meeting was called to order at 2:38 p.m.

#### **1. Introductions**

##### **a. Officers and Committee Chairs**

Allison Merzon introduced Shannon Wilson, CCFT's CFT Field Representative, and all of the Executive Board (EB) members who were present introduced themselves to Wilson. Wilson is the CFT Field Representative for the Fresno area and two Central Coast locals, including CCFT. She was a classified staff union President for five years and union Executive Director for 2 years; she has been a field rep for 2 years. She is the lead negotiator for Cuesta's classified staff union (CCCUE) and described her field rep duties as including assistance with negotiations, grievances, legal research, and training in union management. She noted that she can assist in defraying legal costs by using CFT attorneys for general or initial questions. Willson said she lives in Fresno but often drives to the Central Coast and will be available when we need her.

##### **b. ULI Overview and Notebooks**

Merzon reported that she attended the Union Labor Institute (an AFT-sponsored union leader training program) this past summer. She learned about different models of union organization and was encouraged to hear of a trend in unions towards more membership responsibility, decentralization of authority in unions, etc. She handed out binders of information on union organization for EB members to familiarize themselves with for a future discussion of CCFT's organization model. Merzon noted that she understands that change can be difficult but is interested in looking toward the future and moving forward.

## **2. Structural Issues**

### **a. Meeting/Agenda Procedures**

#### **i. AFT Regulations – Who Votes**

Tomes reported that he received an email from AFT Legal Counsel Teresa Idris that unequivocally opines that, according to law, the only members of a union's governing body that can make motions and vote on those motions are those that have been elected by the union membership, elected by a constituency group of the union, or appointed to a normally-elected position by procedures outlined in the union's Constitution or Bylaws. There was a question of whether Council of Reps liaisons can vote, as although they are elected, it is an already-elected constituency group. Tomes will ask Idris to clarify this issue.

A motion was made (Merzon/Ruppert) and passed unanimously to continue with past practice and allow all EB members to make motions and vote until we receive further clarification from AFT.

#### **ii. COR Meetings**

After discussion of past practice, a motion was made (Merzon/Tomes) and passed unanimously to begin immediately the procedure of the Council of Reps liaisons setting the Council of Reps meeting agenda after consultation with the CCFT President. In addition, there was consensus that the CCFT Secretary will send the completed COR agenda in MS Word or pdf format via email to the Council reps, who will in turn distribute it to the members in their division.

A motion was made (Merzon/Tomes) and passed unanimously that the EB agenda will be sent to all faculty members via email.

### **b. Budget Update**

A discussion of the union treasury began with the issue of reimbursing the past CCFT President, Marilyn Rossa, for her expenses incurred while attending the AFT Convention in July 2008. The expenses had been approved by the EB last spring. Tomes reported that he has never withheld reimbursement to a faculty member before and sees prompt reimbursement for approved expenses as one of the Treasurer's highest priorities. He noted, however, that Rossa has a number of outstanding obligations to CCFT, including completing a timesheet of her hours (the "Hudson Report") that is necessary to procure CFT staff formula funding and returning a CCFT-owned laptop computer, fax/copier, and printer. He also noted that it is standard organization procedure to wait until all outstanding obligations are completed before issuing a final reimbursement or severance check to officers, employees, etc.

After repeated requests, Rossa has not submitted the Hudson report or returned any of the equipment. Wilson noted that the Hudson Report is “critical to the financial health of the institution” because of the CFT funding that can be received with it. She also noted that when she brought this issue up with Marty Hittelman, CFT President, and he heard that Rossa has these specific outstanding obligations, he told Wilson that it was reasonable to wait to reimburse Rossa until she completes her obligations. No action was taken except a consensus to see a list of the outstanding obligations in the minutes and to include a discussion of the protocol for the transition of officers when CCFT revises its Constitution and Bylaws.

Tomes reported that he is working on the fair share fee notification letter, a budget for 2008-2009, and the annual CFT staff formula funding application. He noted that staff formula funding does not equal the total amount spent on CCFT officer and committee chair leave/release time; at least half of those expenses has come from the checking account balance.

The CCFT treasury, according to the Quicken files given to Tomes by the prior Treasurer, Marsha Robinson, had \$17,861.09 in the checking account, \$59.23 in the SESLOC club account, and \$907.27 in the COPE account, although Robinson told Tomes that she thinks there is substantially less than that amount in the checking account. Tomes and Robinson are looking at the checkbooks, Quicken files, and other materials to determine where the discrepancy lies. Tomes recently deposited \$6246.19 into the checking account.

Merzon noted that she is taking 10% less leave time than the previous CCFT President until Tomes and Robinson determine exactly how much is in the Treasury and the EB decides that CCFT can afford the 10% leave.

Merzon reported that, after discussion with Tomes, she purchased a printer to use with her office computer because she has had to send her print jobs to her division staffroom, which afforded her no confidentiality. She noted that she will not ask for reimbursement for the printer if the printer that Rossa returns works with her office computer. Likewise, Merzon and Tomes approved the purchase of 100 CFT pocket calendars, to be distributed to any CCFT member that wants one.

Tomes gave a brief overview of the financial review and agency fee audit that CCFT completes each year or every other year, respectively. CCFT needs to complete a financial review this year for last year's finances, and it can be completed in-house (faculty volunteers). Tomes reported that he received a copy of an opinion by Robert Bezemek, CCFT attorney, that confirms that CCFT can complete the agency fee audit every other year.

Tomes reported that he and the Payroll Office staff have worked out a solution to the erroneous union dues and fees deductions that were taken from faculty members' summer pay. Payroll admitted they made a mistake, and they will credit each faculty member's current dues/fees deduction to the September 30 paycheck, lowering that month's dues/fees by the amount that they had had deducted over the summer. If a faculty member's summer

dues/fees are more than the September 30 amount, a credit will be made for October 31 dues/fees. CCFT will keep the dues/fees income checks it received over the summer, but will see the same amount less in the September 30 check (about \$9000).

Tomes is scheduled for AFT Membership Suite training in September and cannot make any changes to that database until after the training. Finally, he also reported that soon he will update the names for the AFT fidelity bond (officer and chair insurance).

### **c. Job Descriptions**

#### **i. Council of Representatives**

Merzon asked EB members to read the draft Council rep job description in readiness for the Council of Representatives meeting next week.

### **d. Committees/Task Forces**

#### **i. Confirm Groups/Positions**

Merzon gave a history of the appointment of the Grievance Committee co-chairs, Peggy Wright and Victor Krulikowski. Rossa had appointed Ed Conklin as Grievance Officer after the spring officer election, which showed that Merzon had won the election. Rossa filed a complaint contesting Merzon's and Tomes' status as candidates, and Merzon did not make any appointments "out of respect for the Internal Grievance Complaint [IGC] process." She said that later she appointed Wright and Krulikowski as Grievance Committee co-chairs after consultation with a number of individuals, including two EB members, Wilson (who assured her that she had the authority to make these appointments), and some individuals suggested by Conklin. Merzon said she based her decision on who she felt would make the best team with her and the fact that CCFT has precedence with appointing Grievance Committee co-chairs. Also, very importantly, the district was asking for her appointment of reassigned and release time for faculty members, while at the same time faculty members needed to know what their schedules would be (at least one of the co-chairs had to give up a class in order to accept the appointment).

Merzon admitted that she saw only at a late hour in the process that she was required to consult with the EB, and that an attempt to schedule a pre-semester EB meeting fell through and that she needed to make the decision then. She also noted that of the four appointments made by Rossa after the election, Merzon changed only one.

When asked how she resolved the issue of the CCFT Constitution stating that presidential appointments are for terms of one year, Merzon said that appointments are made by sitting Presidents. Wilson noted that it is inappropriate for outgoing union Presidents to make appointments and is not the intent of any "union language" of which she knows. Per an EB member's request, Wilson said that she will procure a legal opinion stating Merzon's legal ability to make the appointments.

Discussion ensued regarding CCFT reimbursing Conklin for his time when consulting with the new Grievance Committee co-chairs, but most EB members believed that inappropriate, as outgoing chairs and officers have never been reimbursed before and, appropriately, have given their time freely to help the new officers and chairs.

Merzon ended that part of the discussion by stating that consultation is part of her policy and style and that she has every intention of continuing that as CCFT President, despite this one incident where it did not and could not occur.

#### **e. Re-opener Survey**

Merzon opened a discussion of who would be on the Negotiation Team by suggesting Wilson, Tomes, Mike Holmes, and herself, all people who have expressed an interest in being on the team. In addition, she said she thinks having one more full-time faculty member on the team would be appropriate. Tomes noted that the current suggestions seemed to be a good balance of having some people with negotiation experience, faculty members with new ideas, and faculty members representing both the full-time and part-time faculty.

A brief discussion of Interest-Based Bargaining occurred. An information meeting on IBB is scheduled soon and will have CCFT representation, and it was noted that CCFT can choose to partake in the training or not, as well as choose to use IBB or not, even after the training.

It was decided that September 1, 2008 is too soon to expect faculty members to review the contract and submit proposals for changes. The re-opener survey and a deadline will be discussed at the Council of Reps meeting next week.

### **3. Calendar for the Fall**

(Tabled to the next meeting)

### **4. Personnel Updates**

Merzon reported on a variety of confidential cases involving faculty members, including one in which faculty members are asked to attend meetings in which there are possible disciplinary actions. Merzon and Wilson reminded the EB that faculty members have the right to representation at any meeting in which disciplinary action is a possibility. It was suggested that CCFT publish a "Know Your Rights" column, and Schubert said she could put that on the CCFT website.

The meeting was adjourned at 4:25 p.m..

Respectfully submitted by Mark Tomes, Secretary-Treasurer.

