



Executive Board Meeting
Thursday, September 4, 2008, 2:15 p.m.
Room 4043, Cuesta College

Approved Minutes

Present: Kevin Bontenbal, Tonya Hardiman, 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 2:23 p.m.

1. Approval of Minutes

After discussion, a motion was made (Ruppert/Merzon) to approve the minutes from the August 21, 2008; it was approved unanimously.

2. Voting Status of EB Members Per AFT Recommendations

Tomes reviewed the legal opinions written by Teresa Idris, AFT Legal Counsel, regarding EB members' eligibility to make motions and vote. Idris had written that, according to the Labor-Management Reporting and Disclosure ACT (a federal law), only EB members that had been elected by the membership or constituency groups of the membership (including the Council of Representative members) can make motions and vote.

Discussion included the points that changes to the Constitution (including who on the EB can vote) can be made only by a vote of the membership, that federal law supercedes the CCFT Constitution and Bylaws, that challenges to a vote could occur either if the entire EB votes or if only 5 members vote (as according to Idris' opinion), and that the Constitution and Bylaws must undergo changes as soon as possible (for this and many other issues).

A motion was made (Bontenbal/Merzon) and passed 6 to 1 (Tomes dissenting) stating, "The Executive Board will continue to follow past practice of all EB members voting until such time as the Constitution is amended."

A discussion of the recommendations made by AFT Legal Counsel regarding CCFT's Constitution and Bylaws occurred. The recommendations could be sent to all members via the ccftall listserv (it was noted that that listserv has not been updated since Fall 2007). Other points included that the needed Constitution/Bylaws changes are major and probably would occur in parts and that the EB could have voting representatives from many CCFT-member constituency groups, including part-time faculty and North County Campus faculty, as well as an elected COPE Committee chairperson and elected Grievance Officers (if they are going to be able to vote on the EB).

A motion was made (Merzon/Wright) to create a task force with the charge to develop a new CCFT Constitution and Bylaws to be approved by the CCFT membership, guided by AFT's recommendations and mandates. It passed unanimously.

(Hardiman left the meeting.)

3. Academic Senate Report

Leone reported that a controversy regarding a speaker addressing “shared governance” and AB 1725 court cases, has been resolved. The administration had initially invited Mary Dowell, an attorney with a long history of anti-union views, to speak on the aforementioned topics, saying she was a neutral, outside party and that faculty members who did not attend her workshop would have to face the consequences of managers making decisions that the faculty might not like. After Senate disapproval of Dowell coming to Cuesta, her invitation was dropped. Instead, a discussion of shared governance policies and procedures will begin with the Academic Senate and perhaps a panel of interested parties.

Leone has asked the administration to look into opening the field between the Administration Building and Public Safety for faculty parking.

Construction near the 6100 Building has gotten so loud that it has been interfering with classroom instruction; it is possible that as many as eleven classes will be moved to a quieter location.

The old name of the Administration/Senate leadership meeting, “Sizzler,” will be changed to “Summit.”

(Leone left meeting.)

4. Personnel Issues

Merzon began a discussion of a confidential case by noting that she was Interim Dean when the faculty member’s issue was occurring. She said that she was not involved in any aspect of the case and had no discussions with anyone about it except that she heard that “there was a meeting,” although she had no knowledge of any details of the case. However, to ensure the integrity of the EB’s discussion and decision-making authority, she will abstain from voting on any matter regarding the case, “only because of the timing” of her Interim Dean position coinciding with the faculty member’s issue.

After discussion of the case, the EB reached consensus that it was in everybody’s interest to make a decision regarding the next step, except it appeared that there was pertinent information still at large that the EB might need to make an informed decision. Hence, the Grievance Officers will attempt to procure such information. It is hoped that a decision can be made at the next EB meeting.

Another confidential case was discussed; no decision was necessary at the time. Also, the district will be paying for “dual mileage,” a discussion will occur with the district regarding permanent (“regular”) part-time faculty members teaching overloads, and a confidential case involving members of a division was discussed. The latter issue reminds faculty members that they have a right to union participation (as observers and advisors) in any meeting with a division chair or manager that could possibly result in present or future disciplinary action.

5. Negotiations Update

a. The reopener surveys have gone out to all faculty members via the division Council representatives; some reps reported that they are receiving completed surveys.

b. Merzon, Bontenbal, Mike Holmes, Leone, and Shannon Willson (CFT Field Representative) attended, along with representatives of the district, an information workshop regarding Interest-Based Bargaining. It appeared that the district wants to start IBB with negotiations, but Merzon is suggesting a start in a small area elsewhere and see how it works out before attempting it with negotiations.

6. Committee / Task Force Issues

Merzon reported that the district, under “meet and confer” policies, would like to begin a discussion regarding adding Emeritus and other non-credit faculty members to the CCFT

bargaining unit. The former are evaluated somewhat like bargaining unit faculty but are not subject to other parts of the bargaining agreement. Merzon and Annette Loria, Director of Human Resources, have agreed to set up a task force to look at the issue.

Schubert distributed copies of the survey that will go to part-time faculty/union members. She hopes to use the results to turn into FAQ's. She also distributed copies of a graph showing the discrepancies between full-time and part-time faculty salaries (based on the Cuesta faculty salary schedules). Schubert reported that she is updating the CCFT website, as well as asking part-time faculty members their thoughts on the legislation that allows them to work a 67% FTEF load.

(Hardiman returned to meeting.)

After a brief discussion, a motion was made (Wright/Hardiman) and passed unanimously to form an Elections Task Force with a charge to develop CCFT election procedures.

7. Council of Representatives Business

There were comments that there was a "good dialogue" at the recent Council meeting. A motion was made (Merzon/Krulikowski) and passed unanimously to approve the Council of Representatives job description that had been amended by the Council at its last meeting.

8. CCFT Vice-President Draft Job Description

This item was tabled to the next meeting. Merzon reminded the EB members to read the draft job description in preparation for a discussion of it at the next EB meeting. A brief discussion occurred regarding who is responsible for updating the listservs and of having a VP of Communications, Political Education, and/or other positions.

(Hardiman left meeting.)

9. Treasurer's Report

Tomes began the discussion about the CCFT 2008-2009 budget by noting that the draft budget he had sent to the EB members did not include the income from the Certificate of Deposit liquidation; it adds \$22,194.36 to the income section of the budget. Also, he had mistakenly set the Grievance Officer release time stipend at 10% each, when in reality it is 20% each, adding \$16,000 to the expenses section of the budget. The website budget was decreased when Schubert explained that much of the 2007-2008 "actual" expenses was for a one-time set-up charge. The Travel/Conference budget was increased to \$6000 to account for expenses incurred for AFT, CFT, and other conventions and conferences.

The amended budget was approved unanimously after a motion was made by Merzon and seconded by Ruppert. Tomes will send the approved budget to the membership.

10. Other

A faculty member has expressed interest in being the COPE Committee Chairperson. After discussion, a motion was made (Merzon/Wright) to formally solicit interest of all CCFT members in being the chair of the committee.

The meeting was adjourned at 4:38 p.m.

Respectfully submitted by Mark Tomes, Secretary-Treasurer.