

**ALL FACULTY ASSOCIATION
EXECUTIVE COUNCIL
MEETING MINUTES**

November 23, 2005

(Approved by Council 12/14/05)

Executive Council members present (noted by *):

* Janet McCulloch, <i>presiding</i>	Cheryl Dunn	* Johanna James	* Greg Sheldon
* Alix Alixopulos	* Jim Elrod	* Michael Ludder	* Deborah Sweitzer
* Ted Crowell	* Peggy Goebel	* Joel Neuberg	* Doris Tolks
* John Daly	* Ann Herbst	* Andrea Proehl	* Linda Weiss

Also present: Phil Forester, Michael Kaufmann, Lynda Williams, Judith Bernstein.

The meeting was called to order at 3:05 p.m.

MEMBER CONCERNS

1. Flex Committee. Lynda Williams expressed concern about recent decisions made by the Flex Committee. Johanna, who is a member of this committee, noted that the committee is composed of very well qualified people who are equally frustrated, because they are working with a very narrowly defined set of criteria from the Ed Code. She said that the committee itself has requested that the criteria be broadened. Janet noted that these concerns are being taken seriously, that the guidelines are in the process of being rewritten, as is Article 22: Professional Development, and that Council members should refer faculty with concerns to her.
2. CPFA 80% Proposal. Greg reported that the Faculty Association of California Community Colleges (FACCC) Board of Governors is looking for feedback from faculty regarding a proposal from the California Part-Time Faculty Association (CPFA) to change the limit on adjunct faculty load in the Ed Code from 60% to 80%. CPFA is asking for an endorsement from FACCC and the Statewide Academic Senate. Janet noted that this topic was discussed at the recent California Community College Independents (CCCI) conference and that faculty have mixed feelings about it. This topic will be scheduled as a discussion item for the next Council meeting.
3. Gratitude for Adjunct Medical Benefits Program. Deborah reported receiving a phone call from an adjunct faculty member participating in the Adjunct Medical Benefits Program who had occasion to use the program benefits and wanted to say thank you.
4. Due Process for Adjunct Faculty. Michael L. reported that the District "terminated" an adjunct faculty member this month without a hearing and there is no appeal under the Ed Code. Michael would like AFA to request that FACCC pursue deletion of the section of the Ed Code that allows that action to happen and substitution of language similar to the "for cause" section that applies to regular faculty. Janet suggested that discussion of a due process clause be scheduled for the next Council meeting, noting that the Council could then ask Greg Sheldon, AFA's representative on the FACCC Board of Governors, to take the issue forward to FACCC.

MINUTES

The Council unanimously accepted the minutes from the 11/9/05 Executive Council meetings as written (13 in favor, 0 opposed, 0 abstentions).

DISCUSSION ITEMS

1. One-semester Sabbatical Leave Replacement for AFA Executive Council Member. Following the nomination of Lynda Williams to replace Cheryl Dunn, a regular faculty representative who will be on sabbatical for the Spring 2006 semester, the Council unanimously approved a motion to move this item to the action agenda (13 in favor, 0 opposed, 0 abstentions). (See Action Item #1.)
2. Availability of Executive Council Meeting Minutes. Janet asked Council members whether they believe that the Executive Council meeting minutes should be posted on the AFA web site. (They are not currently posted there.) Council members discussed relevant issues including: how minutes are distributed, how much detail should be in the minutes, whether or not the minutes should reflect who said what, when topics should be discussed in closed session, and whether roll call votes should be more frequently called for. It was generally agreed that up until the time that the minutes are approved, anyone could ask to have his or her name stricken. Following discussion, the Council unanimously approved a motion to move this item to the action agenda (13 in favor, 0 opposed, 0 abstentions). (See Action Item #2.)
3. Assessment of Dues and Fees on Overload. Council members continued the dialogue that began at the 11/9/05 meeting. Extensive discussion included the following comments: 1) dues and fees represent payment for activities and services provided by the Negotiations Team and the Conciliation/Grievance officer, and hourly overload faculty benefit as much from those services as hourly adjunct faculty do; 2) dues represent a membership fee — one can't be more than a 100% of a member — and adjunct faculty will never pay as much as regular faculty do; 3) the biggest inequity is that adjunct faculty pay dues and fees on their summer earnings, but regular faculty do not; 4) dues and fees should be paid on an income level basis; 5) regular faculty members working an overload pay a lower percentage rate on their total income than adjunct faculty do; 6) regular faculty working an overload should pay dues and fees on overload earnings because they are receiving an additional right — the union has negotiated their right to have an overload; 7) when regular faculty teach overloads because there aren't enough adjunct faculty available, the union is being cheated out of dues and fees that it would otherwise be collecting if adjuncts were teaching those classes; 8) one of the original arguments about not assessing dues on regular faculty summer earnings was related to the difference in the status of employment between regular faculty, who have an annual contract, and adjunct faculty, who work from semester to semester; 9) the union's work on issues benefits all faculty; 10) dues are not a tax, they are a service fee and they explain a relationship with the union, not with the District; 11) faculty who work in the summer are protected by the Contract in the summer and should be paying for the services of the union in the summer; 12) there should be a forum in which both well-articulated arguments can be made; 13) an annual contract is for fall and spring assignments; thus, regular faculty should be paying dues and fees on their summer earnings; 14) a regular faculty member working a 20% overload is only paying \$40 more a year, or \$20 more a semester — it's a small amount of money and not worth the argument; 15) asking the membership for a dues increase at the same time that AFA would be asking to assess dues on overload would not be a good idea; and 16) the dues would need to be raised less if overload earnings were assessed. No conclusion was reached.

4. Increase in AFA Dues and Fees. The AFA officers anticipate that a 0.1% increase in the dues and fees rate (from 0.4% to 0.5%) would provide sufficient additional funds, depending on the result of negotiations. Janet noted that a recent CCCI survey of rates charged by its member unions revealed that some have flat fees and some use percentage rates; those that use a percentage rate are charging 0.5% or 0.6%. The discussion regarding whether or not to increase the dues and fees and, if so, by how much focused on the following considerations: 1) why the increase is needed (to pay for more re-assigned time and to support the FACCC initiative); 2) whether it would be better to raise the rates in increments over a longer period of time, or all at once; 3) whether or not it would be legal to bind future members to a dues increase (the officers would need to confirm that with AFA's attorney); 4) how funds are allocated with regard to AFA re-assigned time, which has a significant effect on the amount of an increase needed; 5) if AFA wants to participate in the debate about securing funding for California's community colleges, it's going to cost money (at the CCCI conference, AFA officers committed to participating in the effort to raise \$42,000 District-wide, with an initial AFA contribution of \$2,100, pending Council approval; and 7) as AFA becomes a more mature and effective organization, additional re-assigned time will be needed to educate negotiators about the important issues, such as health insurance, before they go to the table. It was suggested that a dues calculator be posted on the AFA web site to help people determine the amount of dues they would be paying. In response to a request for a better estimate of the amount that an increase in dues and fees would yield at the 0.5% rate versus the 0.6% rate, and also the amount that additional income from assessing dues and fees on regular faculty overloads/summer earnings would yield, the officers committed to bringing more detailed financial scenarios to the next Council meeting.

ACTION ITEMS

1. One-semester Sabbatical Leave Replacement for AFA Executive Council Member. Following discussion (see Discussion Item #1), the Council unanimously approved a motion to appoint Lynda Williams to be the Sabbatical Leave replacement for Cheryl Dunn, effective the beginning of the Spring 2006 semester (13 in favor, 0 opposed, 0 abstentions).
2. Availability of Executive Council Meeting Minutes. Following discussion (see Discussion Item #2), the Council unanimously approved a motion to post the Executive Council meeting minutes on the AFA web site after they have been approved (14 in favor, 0 opposed, 0 abstentions).
3. Following discussion (see Discussion Item #4), the Council unanimously approved a motion to support in principle the idea of a dues increase (13 in favor, 0 opposed, 0 abstentions).

MAIN REPORTS

1. President's Report. This report and subsequent discussion were conducted in closed session.
2. Negotiations Report. This report and subsequent discussion were conducted in closed session.
3. Conciliation/Grievance Report. This report and subsequent discussion were conducted in closed session.

The meeting was adjourned at 5:05 p.m.

Minutes submitted by Judith Bernstein.