

**ALL FACULTY ASSOCIATION
EXECUTIVE COUNCIL
MEETING MINUTES**

January 14, 2009

(Approved by the Executive Council on January 28, 2009)

Executive Council members present (noted by *):

*Warren Ruud, presiding	*John Daly	Joyce Johnson	*Dan Munton
*Alix Alixopulos	*Cheryl Dunn	*Michael Kaufmann	*Andrea Proehl
*Lara Branen-Ahumada	*Lynn Harenberg-Miller	*Reneé Lo Pilato	*Greg Sheldon
*Paula Burks	*Johanna James	*Michael Meese	*Mike Starkey

Vacancies: Two Regular Faculty Seats: terms expire August 2010

One Adjunct Faculty Seat: term expires August 2009

Officers/Negotiators present: Ann Herbst, Janet McCulloch; Staff present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:07 p.m.

MEMBER CONCERNS

1. Final Exam Schedule. In a follow-up to a member concern mentioned at the December 10 Council meeting regarding conflicts and problems with the current final exam schedule, Warren Ruud reported that he spoke to Barbara Croteau, Academic Senate President. Warren and Barbara plan to take the issue back to Abe Farkas, Dean of Curriculum and Educational Support Services.
2. Use of Social Security Numbers. Mike Meese expressed a concern about the continued use of the last four digits of faculty Social Security numbers (SSN's) on District forms, such as the Graphics Work Orders that the Copy Center uses. Noting that there had been a discussion at a Council meeting some time ago about shifting away from the use of SSN's, Mike questioned why the District couldn't switch to an alternate identification number for faculty, like they have done for students. He suggested that one possibility would be to use the number that SISC issues to faculty for medical insurance identification purposes. Warren Ruud said that he would follow up with the Human Resources Department and report back to the Council.

MINUTES

The minutes from the December 10, 2008 Executive Council meeting were accepted with the following correction: in Item #2 under Member Concerns, the name of the department referenced in the first line will be changed from Social Sciences to Behavioral Sciences.

ACTION ITEMS

1. AFA Policies. The Council reviewed and discussed the following draft documents:
 - AFA Policy—Professional Conference Attendance: Warren Ruud noted that he considered the current review of this document to be a second reading, that the language hasn't changed since the Council approved the document in spring 2008 (before the Council had approved the amendment to the Bylaws creating AFA Policies), and that the purpose of including it with this current batch of policies was to formalize it. Following a motion made by Mike Meese and seconded by Paula Burks, the Council voted unanimously to adopt the AFA Policy—Professional Conference Attendance as submitted (14 in favor, 0 opposed, 0 abstentions).
 - AFA Policy—District Committees: Warren noted that the Council had reviewed the language in this policy when it was included in a previous version of the Bylaws, and also after it had been pulled out of the Bylaws and presented as a separate policy in December 2008. The very last sentence at the bottom of

the third paragraph is new and reflects AFA's position that adjunct faculty should be compensated for their work (in this particular case, for service on District-wide committees). Following brief discussion, the Council agreed that the meaning of that new sentence would be more clear if the wording were to be modified as follows: "Adjunct faculty members who are appointed by AFA to serve on District-wide committees shall be compensated for their service." Following a motion made by Mike Meese and seconded by Lara Branen-Ahumada, the Council voted unanimously to adopt the AFA Policy–District Committees as amended (14 in favor, 0 opposed, 0 abstentions).

- AFA Policy—AFA Standing Committees: Warren noted that the language is mostly the same as the version that was previously shared with Council members; however, the categories of groups have been rearranged. The three categories include committees, task forces, and/or working groups composed of: 1) ex-officio members only (individuals who assume a position, which qualifies them for membership in the group); 2) a mixture of ex-officio members and Council appointees; and 3) a mixture of ex-officio members, Council appointees, and any interested Councilors, Negotiators, and/or Officers. Following a motion made by Mike Meese and seconded by Lara Branen-Ahumada, the Council voted unanimously to adopt the AFA Policy–AFA Standing Committees as submitted (14 in favor, 0 opposed, 0 abstentions).
 - AFA Policy—Election of Negotiators: Warren pointed out that the Council had already adopted the language in this policy when they adopted an earlier iteration of the AFA Bylaws in Spring 2008. In response to a question about the reason for using the term "plurality vote" instead of "majority vote," Warren replied that, in elections of Council officers or negotiators in which more than two candidates have run for a position, the winner has always been the individual who received the most votes. The Council could take the top two candidates, if no one gets a majority, and hold a run-off; however, run-off elections present their own set of problems in terms of voting theory. Warren noted that, historically, the need for a run-off has not come up in the past and said that he believes it is always preferable to build a consensus rather than to hold a contest. A revision to another section of the policy was suggested: in the first line of Item #4, the phrase "less than" should be changed to "fewer than." Following a motion made by Mike Meese and seconded by Cheryl Dunn, the Council voted unanimously to adopt the AFA Policy– Elections of Negotiators as amended (14 in favor, 0 opposed, 0 abstentions).
2. AFA Contribution to ACSTT/AFDAF Budget for Spring 2009 (see Negotiations Report). Following discussion during the open session portion of the Negotiations Report, the Council considered the appropriateness of establishing a precedent for using AFA revenue, which consists of member dues and fair share service fees, for the purpose of compensating adjunct faculty for service on District-wide committees, including the AFA Executive Council. There was consensus that no faculty member should work for free and that both the District and AFA share an interest in having adjunct faculty represented and their voices heard in the shared governance process. It was suggested that, given that AFA's adjunct Councilors are representing their constituency, faculty dues and fees should be able to be used to compensate them. Janet McCulloch added that many other community college unions pay their adjunct faculty representatives out of union revenue and that, just because another mechanism such as AFDAF exists in this District, doesn't mean that there is anything untoward about AFA compensating its own representatives. Following a motion made by Reneé Lo Pilato and seconded by Greg Sheldon, the Council voted unanimously to approve an amount not to exceed \$13,555 for compensation of adjunct faculty members appointed by AFA to serve on District-wide committees and AFA Executive Council adjunct representatives (14 in favor, 0 opposed, 0 abstentions).

DISCUSSION ITEMS

1. Confidentiality and Negotiations. Warren Ruud prefaced the discussion by stating that there are two issues that have been raised about confidentiality and that there is a tendency to conflate them. One issue is the openness of discussions in Council meetings about negotiations, and the second issue is about maintaining confidentiality within the Council. A small task force had been appointed to draft an AFA policy. The Council proceeded to engage in a very lengthy discussion, and Councilors expressed the following opinions:
 - Re: confidentiality in general: 1) it is important to define confidentiality and to whom it applies, and then to establish clear procedures for removing or censuring Councilors, Negotiators and/or Officers who violate it; 2) the District and AFA have had an agreement for the past 16 years that neither side talks about what is

said in negotiations outside the two Teams — any change to that model would have to be mutually agreed upon; 3) there is some validity to keeping open and frank discussions on both sides of the table — much more can get worked out in negotiations sessions, when confidentiality is assured; 4) the downside to publishing and/or talking about what is discussed in negotiations is that there might not be as frank a set of discussions in the negotiating sessions.

- Re: confidentiality between the Negotiations Team and the Council: 1) it would benefit the organization to have more openness between the Negotiations Team and the Council; 2) the Council should be privy to everything that goes on in negotiations and there should be a penalty for violating confidentiality; 3) the Negotiations Team should be acting at the direction of and representing the wishes of the Council, which would imply full disclosure; 4) Council members have an obligation to be informed enough to help faculty understand why certain positions are being taken; 5) the Council needs to decide how to deal with breaches of confidentiality and establish a policy as soon as possible; and 6) it would be beneficial for the Council to have a discussion about confidentiality relative to the right of individual Councilors to express public dissent following the announcement to faculty of a Tentative Agreement.
- Re: confidentiality between the Negotiations Team/Council and the AFA membership: 1) what the Negotiations Team communicates to the Council and what AFA communicates to the general membership are two separate issues; 2) it's important to let the membership know about the issues that AFA is grappling with — otherwise, there won't be any interest; 3) in order for the membership to participate in AFA, they need to have the time to read; however, most faculty members and Councilors, for that matter, don't have enough time to read all the material they're confronted with; 4) it might be helpful for AFA to publish regular, brief updates, elaborating on the status of each item included on the Sunshine List; 5) with regular updates on negotiations, the membership could then give direct feedback to the Council or the Team; 6) while opening up what is said in negotiations to a larger pool of people involves taking a risk, a downside to not divulging that information to the membership is a lack of buy-in; in addition, by not divulging information, apathy and complacency are induced; 7) the Foothill DeAnza faculty association has a tradition of revealing what the District and the union have each offered in negotiations; however, the downside to that approach is that FHDA has high level of complacency amongst their faculty because people think everything is being taken care of and there's no need for them to become involved; 8) the Council needs to find the farthest AFA can go in divulging as much information as possible until it does harm to the negotiations process.

Towards the end of the discussion, a question was raised as to whether the official notes of negotiations sessions with the District that the AFA Note-taker prepares could be made available to the Council. Warren said that the Team would follow up with the District regarding this question and would report back. Due to time constraints, Warren said that further discussion about confidentiality and negotiations would need to be continued at a later date.

MAIN REPORTS

1. President's Report. Warren Ruud gave a brief report on the following items:

- Institutional Planning Council (IPC). Warren deferred to Michael Kaufmann, who also sits on IPC and reported that Doug Roberts, the Vice President of Business Services, would be going to a meeting about the State budget on Friday, January 16. The District is waiting for news about the State budget and observing how the planning process will be able to withstand the challenge of not having any resources with which to plan.
- Board of Trustees. At the January 13 Board meeting: 1) Cheryl Dunn, AFA's Vice President for Petaluma, was honored as "Employee of the Month"; 2) the District reported that they received a large rebate check from PG&E; 3) sabbatical leaves for 2009-10 were approved; however, directly after their approval, Dr. Agrella stated that *when* faculty will be able to actually be able to go on their sabbaticals is a matter of negotiations between AFA and the District; 4) a grim budget report was presented; and 5) photographs of the new Culinary building were shown.
- Adjunct Issues Committee Meeting. The Adjunct Issues Committee would like to share with the Council the notes that Lara Branen-Ahumada prepared regarding a meeting they held in early December 2008. Warren said that the meeting notes would be posted on the AFA Council representative Web page.

- Council Elections in February. An *AFA Update* will be distributed on January 20th regarding upcoming Council elections. According to the Bylaws, Council elections need to be completed by the second Council meeting in February (February 25), to be followed by nominations of AFA officers and negotiators at that same meeting, with elections to follow at the next regular meeting. Since there will be no regular Council meeting on the second Wednesday in March, because of Spring Break, Warren suggested that it might become necessary to suspend the Bylaws or hold a special meeting in order to complete the election of officers and negotiators in a timely manner.
2. Vice Presidents' Reports.
 - Vice President for Santa Rosa. Reneé Lo Pilato reported that a sub-committee has contacted all the new probationary faculty hires from last year and invited them to a social event on April 17, which AFA is sponsoring. Further details will be provided to the Council once they have been finalized.
 - Vice President for Petaluma. Cheryl Dunn reported that Ofelia Arellano, former Dean of the Petaluma Campus, has resigned and will be taking a position as Vice President of Community Education at Santa Barbara City College. Ofelia's last day at SRJC is the last day of January and the hiring process to replace her is already underway. Cheryl also reported that some Petaluma faculty and staff (including the Mathematics Department and the Tutorial Center) have moved back to their newly renovated areas, while the remainder will be moving back to their areas sometime in February. No Petaluma Faculty Forum meeting has been held yet this semester.
 3. Treasurer's Report: Paula Burks reported that AFA's revenue and expenses were typical for the months of October and November 2008. From the period of August through November 2008, the organization has accumulated \$30,000 in savings. The AFA officers have been talking to other community college district unions regarding how much they typically have set aside in their reserve accounts. One union has set aside \$200,000; another said they set aside twice their annual expenses; yet another reported that, in one year, they spent on grievances and arbitration the entire amount that AFA currently has set aside. Warren Ruud added that, in light of the way the District earmarks funds for certain component areas, he thinks it would be a good idea for AFA to designate why funds have been set aside. For example, a certain amount could be set aside for potential legal fees and another amount could be set aside in the event of a possible strike. AFA's auditor suggested that an appropriate amount to set aside would be six to nine months of operating expenses. In addition, Warren commented that AFA is one of the least politically active college unions of any in the Bay Area. AFA spent \$2,000 – \$3,000 in the Proposition 92 campaign, while the Contra Costa Community College District Faculty Association spent \$50,000 on their Board of Trustees election, and Santa Monica Community College Faculty Association spent \$150,000 on theirs. In both cases, they were successful in getting someone elected to their Boards who were supportive of faculty. In response to a question about the appropriateness of looking for better interest rates, Warren said that Candy Shell, AFA's office coordinator and bookkeeper, has been very adept at finding prudent and safe places in which to invest AFA's savings.
 4. Conciliation/Grievance Report. This report and subsequent discussion were conducted in closed session.
 5. Negotiations Report. Janet McCulloch reminded the Council that, early in the Fall 2008 semester due to a limited budget in the AFA College Service & Technology Training (ACSTT) fund — which includes the Adjunct Faculty District Activity Fund (AFDAF) and the Faculty Technology Training Fund (FTTF) — AFA, at the direction of the Council, and the District had agreed that AFA would pay for adjunct faculty serving as representatives on the Council and as AFA appointees on District-wide committees for Fall 2008. The Council had directed the Negotiations Team to tell the District that AFA would contribute \$16,675 to ACSTT to compensate adjunct faculty performing those two types of activities. Janet said that an estimated \$12,000 might be needed to compensate those same two groups of adjunct faculty for their service during the Spring 2009 semester. Following a motion made by Dan Munton and seconded by Cheryl Dunn, the Council voted unanimously to move this item to the action agenda at this meeting (14 in favor, 0 opposed, 0 abstentions). The remainder of this report and subsequent discussion were conducted in closed session.