

**ALL FACULTY ASSOCIATION
EXECUTIVE COUNCIL
SPECIAL MEETING MINUTES**

August 12, 2009

(Approved by the Executive Council on August 26, 2009)

Executive Council members present (noted by *):

*Warren Ruud, <i>presiding</i>	*Cheryl Dunn	*Michael Ludder	*Greg Sheldon
*Alix Alixopulos	*Lynn Harenberg-Miller	*Sean Martin	*Audrey Spall
*Lara Branen-Ahumada	*Johanna James	*Michael Meese	*Mike Starkey
*Paula Burks	*Michael Kaufmann	Dan Munton	*Julie Thompson
*John Daly	*Reneé Lo Pilato	Andrea Proehl	

Officers/Negotiators present: Ted Crowell, Ann Herbst Janet McCulloch

Councilor-elect present: Karen Frindell

Staff present: Judith Bernstein, Candy Shell

Faculty present: Bic Ha Dovan, Marco Giordano, Shirley Hino, Cheryl Redmon, Fred Utter

The meeting was called to order at 3:00 p.m.

MEMBER CONCERNS

1. District's Policy re: Use of College Name. According to Sean Martin, a faculty member has contacted a civil liberties organization and is pursuing a legal investigation of the District's stated policy that precludes individuals from using any element of Santa Rosa Junior College's name in their email address. On behalf of a faculty member who is writing an article on the topic, Sean asked: 1) if AFA knows what the official District stance is regarding this issue, and 2) if AFA has any position on the issue that they would like to share. Warren Ruud responded that AFA has no position, and that the District's official position is that they are researching the matter. Janet McCulloch added that it is not a matter of academic freedom, that there is a great deal of case law on the subject, and that it is up to the District's attorney to figure out.
2. AFA Membership Drive. Michael Ludder asked for a status report on his prior request for a list of AFA Fair Share Service Fee payers, to be used in conducting a membership drive. Warren reported that the officers had considered his request and reached the conclusion that it would be an inappropriate use of the list, which the organization has historically used for the purposes of establishing eligibility for voting, correcting mailing information for ballots, and tracking of association income. Warren noted that there are three to four times throughout the year when fee payers are presented with information about AFA along with the opportunity to join (e.g., at the time of hire, in the Fair Share Service Fee Notice that AFA is legally required to mail out on an annual basis, in regular and adjunct faculty orientations that Human Resources and Staff Development present on PDA day every semester, and in periodic *AFA Update* articles). In addition, the membership application form is linked on the AFA web site home page and it can be filled out online. Janet added that individuals have a right for privacy reasons not to be contacted or have their personal information released. Councilors expressed the following opinions on the subject: 1) many

faculty members don't know whether they're members or not; 2) a one-on-one approach is much more effective than a mass mailing or a general presentation; 3) neither adjunct nor regular faculty tend to vote as a block; 4) it is in AFA's best interest to get people more involved in this current political climate; and 5) many faculty members have made a conscious decision to not join AFA. In response to a request for ballpark figures, AFA office staff estimated that of the approximately 1,000 currently employed adjunct faculty, 55% are members and 45% are fee payers; of the approximately 300 regular faculty, about 30 are fee payers and the rest are members. (The exact figures are included on each month's treasurer's report.) Following the discussion and a motion made by Michael Ludder, which was seconded by Alix Alixopulos, the Council unanimously approved a motion to move the AFA membership drive to an action item at this meeting (16 in favor, 0 opposed).

3. Assignment Priority List. In response to the fluctuating state of hourly assignments due to the budget situation and the reduction and subsequent restoration of sections, Michael Ludder requested that AFA ask the administration to create a seniority list of those who have hourly assignments, noting their like load from the previous fall and their current load for this fall. He said that such a list would provide a way to double-check that department chairs are not offering courses to people who are lower on the seniority list before they offer them to those who are higher on the list. Michael added that, since the District implemented the new Student Information System (SIS), faculty members are no longer able to double-check this information for themselves by accessing other instructors' loads. Janet responded that there are privacy issues associated with the way instructors' personal information appears along with their loads in the new SIS, and also that, due to processing lag time, the online load lookup is not necessarily always up to date or accurate. In addition, she said that she recently sent a detailed email to chairs, explaining what they need to do and how they need to do it in terms of assigning load, that chairs know that they should be giving everyone their like load, and that, if they haven't done that, adjunct faculty should contact Ann Herbst, AFA Conciliation/Grievance Officer. If anyone has questions about his or her load, s/he can come to Ann, Warren or Janet, as they each have full access to load information. Janet also pointed out that the newly restored sections are considered to be new or increased assignments, which means that department chairs have greater latitude when deciding to whom they will offer those courses. While several people expressed concern about privacy issues relative to accessing other instructors' load information, Johanna James pointed out that she believed court cases have established that faculty loads, schedules and pay are all matters of public record. Warren responded that these courts cases still would not mandate the District to provide access to such faculty loads on the faculty portal. There was brief discussion about wait lists, shadow schedules, and how to help students get the classes they need. There was also brief discussion about how to ensure that assignment priority is honored, how Article 16 mitigates the effects of the Ed Code by creating the maximum amount of job security for hourly instructors, and which methods other colleges are using to mitigate the effects of the budget crisis.

MINUTES

The minutes from the July 29, 2009 Special Executive Council meeting were accepted, with one correction, as follows: on page 2, fourth paragraph, fifth line: “. . . the District significantly reduced the number of PED&A course offerings (about a 30% cut in sections) for the *spring* semester. The word “spring” will be changed to “fall.”

DISCUSSION ITEMS

1. Negotiations Team Resignation and Vacancy. Warren announced that John Daly is resigning from the AFA negotiations team. John's last official meeting as a negotiator will be on Friday, August 21, 2009. Warren praised John's accomplishments and contributions to the negotiations team, noting that John has served as a negotiator on and off since the founding of AFA in 1989, and that he has a long history of working for faculty benefits. John will continue serving as a councilor and an AFA representative on the District-wide Fringe Benefits Committee.

According to the AFA Bylaws, the election to fill the vacant seat must occur at the meeting following the meeting at which the vacancy is announced. Warren said that it would be in the organization's best interest to fill the at-large seat as soon as possible, as the new one-year term of the position starts at the beginning of the fall semester, and subsequently opened the floor for nominations. Johanna James nominated Michael Meese, and Lara Branen-Ahumada nominated Sean Martin. Warren clarified that nominations for this seat on the negotiations team would remain open until the August 26, 2009 meeting; however, anyone interested in submitting a written statement for inclusion in the August 26, 2009 meeting packet must do so via email to the AFA office no later than 5:00 p.m., Friday, August 21, 2009.

MAIN REPORTS

1. President's Report: Update on the Budget Situation and Fall 2009 Schedule. Warren requested that Janet McCulloch comment on recent developments in the Fall schedule. The District's recent decision to restore a number of sections that they had cut from the Fall 2009 schedule, in an effort to reach a target benchmark (estimated at somewhere between 20,200 and 20,600 FTES), which will allow them to qualify for \$1 million in state apportionment funding. She said that the District's plan is to create a "shadow" schedule, to not make cuts as drastically as they had done before, but to be prepared to make cuts if necessary. Janet added that the governor has made it clear that, if things do not go well, there will be mid-year cuts to existing budgets. It is not yet known how much backfill will be coming from the federal stimulus package to the categorical programs. Janet reported that AFA and the District have agreed in an MOU to a one-day mandatory furlough, which represents a 0.565% (1/177) reduction in pay off of the 2008-09 salary schedules. According to CalSTRS regulations, a mandatory furlough — as opposed to a voluntary furlough — will not result in a reduction to the amount of annual earnable compensation that is used in the calculation of any Defined Benefit Plan retirement allowance. As soon as the negotiations on this issue are completed, AFA will send out an email clarifying salary and retirement issues related to the furlough. Janet noted that the 2008-09 salary schedule would remain the same in 2009-10, except for the reduction of 0.565%. Step and column movement will continue unaffected. The 0.565% reduction associated with the mandatory furlough will ripple through all of the salary schedules — annual contract and hourly, as CalSTRS regulations require that all groups of faculty be treated the same. Janet said that regular faculty medical benefit plans would remain the same in 2009-10 — there will be no cost sharing or copay increases. AFA did agree with the District to enter into negotiations re: modifying the plans in the future. The adjunct faculty medical benefit plans will also remain the same, although Kaiser increased their rate by 18%. (Adjunct faculty members pay 50% of the premium.) Warren noted that the blended rate increase for SISC/Blue Shield and Kaiser is 6%. The District is continuing to be rated as an independent group with Kaiser, until such time as it makes

economic sense to move into the SISC/Kaiser group and be pooled with people who live outside of Sonoma County. It is anticipated that there will be another 18% increase in Kaiser premiums next year. There is no proposed change to vision insurance for regular faculty, with employees continuing to pick up the cost for dependents at their option. The Employee Assistance Program, which costs the District approximately \$2800 annually, was discontinued, as it is a duplication of services provided by SISC/Blue Shield and Kaiser. It was clarified that when SRJC joined SISC, the District's former practice of allowing individual employees to opt out of medical insurance and receive a Medicaash cash stipend in lieu of the coverage was discontinued, as SISC does not allow that option.

2. Negotiations Report. This report and subsequent discussion were conducted in closed session. After coming out of closed session, the Council unanimously approved a motion made by Michael Meese and seconded by John Daly to consider as an action item at this meeting directing the AFA negotiations team to move to tentative agreement with the District (16 in favor, 0 opposed).

ACTION ITEMS

1. AFA Membership Drive. Following the discussion (see Discussion Item #2), Michael Ludder made a motion, which was seconded by Alix Alixopoulos, that AFA sponsor a membership drive, starting as soon the organization can mobilize one. He said that he is interested in asking AFA members in every department to approach non-members using a one-on-one approach and working off the list of fee payers, to tell them about the benefits of membership, and to ask them if they would like to join. In addition, Michael Ludder would like AFA to sponsor a picnic/social event as part of the membership drive. Michael Meese suggested, as an alternative to using the list of fee payers, that the organization just ask AFA members in every department to reach out to their fellow faculty members, and encourage those who are not members of AFA to join. Many councilors said that they and their departments have already done that. Michael Ludder withdrew his earlier motion and offered a new motion, which was seconded by Alix Alixopoulos, that AFA sponsor a membership drive using the fee payer list, so that councilors could approach non-members personally in each department. As a way to address privacy concerns, Michael Kaufmann suggested an additional stipulation that the fee payer list would only be given to councilors who were members of the AFA Membership Committee; however, Warren pointed out that there is no such committee currently. The motion did not pass (7 in favor, 7 opposed).
2. Move to Tentative Agreement. Following discussion during the Negotiations Report, the Council considered a potential timeline and sequence of events leading up to a tentative agreement. Warren noted that the Council would have one more opportunity at the August 26 meeting to review, discuss and approve the proposed language for the tentative agreement. Following the discussion, the Council unanimously approved a motion made by Michael Meese and seconded by John Daly to direct the AFA negotiations team to move to tentative agreement with the District on Friday, August 21, 2009, with a proposed timeline as follows: final Council review and approval of language on August 26, 2009; tentative agreement to be made available to faculty and AFA general membership meeting to be held on September 9, 2009; and ballots to be due back to AFA office on Friday, September 18, 2009 (16 in favor, 0 opposed).

The meeting was adjourned at 5:07 p.m.

Minutes submitted by Judith Bernstein.