



*AFA is working for you.
The strength of faculty working together.*

Date: December 17, 2015
To: Non-AFA Faculty Members
From: Karen Frindell Teuscher, President AFA Executive Council
Subject: **NOTICE: Annual Fair Share Service Fee**

Purpose of this Notice:

Beginning with the 2001-2002 academic year, the All Faculty Association (AFA) of Santa Rosa Junior College (SRJC) implemented Senate Bill 1960, which was approved by the California legislature and the governor in September 2000, and incorporated into Government Code Sections 3540.1, 3543, 3546, and 3583.5 as of January 1, 2001. The provisions of this Government Code require those faculty members who are NOT members of a collective bargaining association in schools and colleges to pay a Fair Share Service Fee (FSSF) to help support the work of the collective bargaining agent undertaken on their behalf. This legislation recognizes the principle that non-members should pay their fair share of obtaining and maintaining the benefits of union representational activities that include, for example, negotiations to improve terms and conditions of employment and grievance representation. According to the provisions of the legislation, the amount of the Fair Share Service Fee (FSSF) will be automatically deducted from each paycheck for the duration of your employment as a faculty member at SRJC.

Amount of Fair Share Service Fee (FSSF):

The Executive Council of AFA set the FSSF to be the equivalent of the dues that members pay, currently 0.74% of gross pay. The same percentage is applied to the earnings of both full-time and part-time faculty. NOTE: for the same amount of money you can join AFA rather than pay the Fair Share Service Fee. **AFA encourages you to join your Faculty Association, and enjoy the benefits of membership – such as helping to determine what is bargained, selecting Executive Council members, running for a seat on the Executive Council, and voting for ratification of negotiated Contracts.** [Click here](#) for a Membership Form. (Note: According to the AFA Bylaws, managers who are performing an hourly assignment are not eligible to join AFA.)

If you decide NOT to join AFA, however, you will be assessed the amount of the FSSF as a payroll deduction from each check you receive for faculty work at SRJC. (Note: if you are also employed at SRJC in a non-faculty position, it is only the faculty earnings that are affected by the AFA FSSF.)

Audit: Chargeable and Non-Chargeable Expenses for the 2014-15 Fiscal Year:

An audit of AFA's income and expenses for the 2014-15 fiscal year has recently been completed. The complete audit report will be available online as soon as we receive it from our auditors. Log onto the AFA web site at <http://www.santarosa.edu/afa/audits.shtml> or contact the AFA office at 527-4731 or afa@santarosa.edu to request a copy. (Note: The AFA office will close at 3:00 p.m. on Thursday, December 17, 2015 and will reopen at 8:00 a.m. on Tuesday, January 19, 2016.)

The purpose of the audit is to demonstrate how AFA income is expended. Through the experience of many years of labor law and many court cases, definitions have emerged as to what "chargeable" collective bargaining representation expenses are. The law says that FSSF payers are required to pay the chargeable portion of expenses, which encompass expenses that are considered necessarily and reasonably incurred for the purpose of performing duty as representative of the employees in the bargaining unit in dealing with the employer on labor management issues. These include the costs of negotiating and administering the collective bargaining agreement; investigating, resolving and settling grievances and disputes by mutual agreement, or in conciliation or arbitration, or otherwise; activities and undertakings normally and reasonably employed to implement the duties of the Association as representative of employees in the bargaining unit; and the maintenance of the

Association's associational existence. Chargeable expenses according to the 2014-15 audit are **99.66%** of total AFA expenses.

Statement of Anticipated Proportion of Expenses for 2015-16:

It is anticipated that the pattern of expenditures for 2015-16 will be approximately the same as that of the audited year 2014-15, and that a similar proportion of chargeable and non-chargeable expenses will apply.

REQUEST for Reduction of Fair Share Service Fee:

Non-chargeable expenses are those incurred by AFA that are of an ideological or political nature, unless otherwise allowed by law, and those that are not germane to work-related interests of employees. Since the FSSF rate covers slightly more than the chargeable expenses, if you do not wish to pay the non-chargeable portion of the FSSF you may submit a *Request for Reduction of Fair Share Service Fee (Request)*. This *Request* must be in writing, following the *Request Procedures*. You may submit a *Request* any time up until thirty days from the date of this *Notice*. If AFA does not hear from you by that time, the assumption will be that you do not object to paying the full FSSF, and 0.74% will be deducted from your paycheck each month. The reduced Fair Share Service Fee will be 0.7375% of gross pay (99.66% of 0.74% of gross pay). For example, the reduced FSSF deduction on \$1500 gross wages would be \$11.06 instead of \$11.10 per month. You are, of course, not required to seek this reduction and, because the Association's work on your behalf is expensive, AFA hopes you will not object, since even the non-chargeable expenses benefit the faculty of SRJC.

CHALLENGE to the Determination of the Non-Chargeable Amount:

You are entitled to examine the independent auditor's report, and you may challenge AFA's determination of the expenditures that are chargeable. This *Challenge to the Determination of Non-Chargeable Amount* must be in writing, following the *Challenge Procedures*. You may submit a *Challenge* any time up until thirty days from the date of this *Notice*.

OBJECTION to the Payment of the Fair Share Service Fee Based on Religious Principles:

Any faculty member who is a member of a religious body whose traditional tenets or teachings include objections to joining or financially supporting employee organizations may file an *Objection to the Payment of the Fair Share Service Fee Based on Religious Principles (Objection)*. This *Objection* must be in writing, following the *Objection Procedures*. You may submit an *Objection* any time up until thirty days from the date of this *Notice*.

Procedures for Filing a "Request," a "Challenge" or an "Objection": The procedures for filing a *Request for Reduction of Fair Share Service Fee*, a *Challenge to the Determination of the Non-Chargeable Amount*, and an *Objection to the Payment of the Fair Share Service Fee Based on Religious Principles* can be found on the AFA web site at <http://www.santarosa.edu/afa/audits.shtml> . Or, contact the AFA office at (707) 527-4731 or afa@santarosa.edu to request a copy.

Response to Challenges and Objections:

The AFA Executive Council will review all *Challenges* and *Objections* according to the *Procedures*, and a decision will be made regarding acceptance or denial. All monies collected from you during that time will be placed in an interest-bearing escrow account until the results of the Council deliberations are finalized. Any money collected as a FSSF that is deemed refundable will be returned to you, with interest, and your monthly deduction will be adjusted according to the results of the decision.

JOIN AFA!

Again, we urge you to join AFA. Member Dues are exactly the same as non-member Fair Share Service Fees. We encourage you to join AFA and become a voting member so that you can elect your representatives, participate in surveys, and vote on contract ratification. An easy-to-complete interactive membership form is attached for your convenience.