

EXECUTIVE COUNCIL MEETING MINUTES

May 10, 2017

(Approved by Executive Council on August 30, 2017)

Executive Councilors present (noted by *):

*Karen Frindell Teuscher, <i>presiding</i>	*Shawn Brumbaugh	*Robert Jackson	*Margaret Pennington
*Filomena Avila	*Dianne Davis	*Sean Martin	*Karen Stanley
*Denise Beeson	*Terry Ehret	*Molly Matheson	*Michelle Van Aalst
*Paulette Bell	*Deirdre Frontczak	*Bud Metzger	<i>Contract Vacancy</i>
*Marc Bojanowski	*Michelle Hughes Markovics	*Terry Mulcaire	

Negotiators/Appointed Positions present: Debbie Albers, Mark Ferguson, ~~Warren Ruud~~, Julie Thompson

Councilors-Elect present: Ted Crowell, Mike Starkey

Staff members present: Carol Valencia

Faculty members present: Michael Hale, Tatjana Omrcen, Kat Valenzuela, Karen Walker

The meeting was called to order at 3:10 p.m. in Doyle Library, Room #4245, on the Santa Rosa campus.

CLOSED SESSION REPORTS

1. **Negotiations Report.** This report and discussion were conducted in Closed Session.
2. **Conciliation/Grievance Report.** None

Closed Session adjourned at 4:35 p.m.

OPEN SESSION

Open Session reconvened at 4:35 p.m.

MEMBER CONCERNS WITHIN AFA'S PURVIEW

1. **New Summer-Fall Scheduling.** Terry Ehret explained that at the last Senate meeting (May 3), Senior Vice President of Academic Affairs Mary Kay Rudolph explained a proposal to combine the summer and fall schedules which would move forward the class sign-ups in her department (English) to March. Terry believes this could have major repercussions for hourly assignment sign-ups. Julie added that if these changes affect working conditions, they have implications for negotiations.
2. **Payment for Sexual Harassment Training.** Robert Jackson asked for a clarification from the last meeting about when faculty members will be paid for the new mandatory sexual harassment training. Karen explained that she erroneously reported that pay would be in the May 10 paychecks; it will actually be in the June 10 paychecks.
3. **Forensic Accountant Investigation.** Michelle Hughes Markovics read an email from a faculty member inquiring about the outcome of the AFA-hired forensic accountant investigation last year, and asking the question, "Should we continue to pursue such an investigation?"

MINUTES

There being no corrections or additions, by unanimous voice vote, the Council approved a motion made and seconded to approve the minutes from the April 26, 2017 Executive Council meeting as submitted (16 in favor, 0 opposed, 1 abstention).

(Approved minutes are posted at <http://www.afa-srjc.org/minutes.shtml> .)

DISCUSSION ITEMS

1. Update on Negotiations/Tentative Agreement (*Julie Thompson, AFA Chief Negotiator*)

- Julie provided an update on the current status of negotiations with the District, reporting out to the Council and guests.
- AFA does not yet have a Tentative Agreement with the District, however there are several items on which we have reached agreement or are close to an agreement:
 - We have signed a Memorandum of Understanding (MOU) regarding *Article 16: Hourly Assignments* special expertise requirements in certain performing arts areas. The current "criteria" for special expertise found in Article 16.05.A.1 did not fit some of the disciplines; they needed performance criteria to effectively evaluate special expertise. (See [Article 16 MOU](#) dated 1/18/17.)
 - We mutually agreed to reopen *Article 23: Progressive Discipline and Due Process* next year.
 - Regarding *Article 29: Substitutes and Reporting Faculty Absences*, the District was using the policy process to effect changes regarding substitutes and reporting absences, which are covered by our Contract. The conversation was shifted to the negotiations process, and policy was brought into alignment with the Contract so that they now match.
 - Regarding compensation for the Online College Project, the District was "direct dealing" with faculty members by unilaterally determining compensation. Now new language gives a specified number of hours' pay for the development of courses. (See [Article 32 MOU](#) dated 3/8/17.)
 - Regarding maximum class size, previous language (Article 32.03.B.4) charged the Class Size Advisory Committee with using "pedagogical parameters" to determine maximum class size recommendations, but the District appointees on that committee argued for "the financial constraints of the District" in addition to "pedagogical parameters," which exceeded the charge of the committee and strayed into areas within the mandatory scope of bargaining. This new MOU removes the District's appointees from the Senate committee so that this faculty-only committee will only consider "pedagogical parameters" in their recommendations, which will be forwarded to the negotiating teams. The District's negotiating team can then address "financial constraints" during negotiations.
 - Regarding compensation for the conversion of existing online and hybrid classes from other platforms to Canvas, the District has agreed to a formula. There were several questions from the Council about which courses the compensation applies to and how it will be implemented. Julie explained that implementation details will be worked out with the District over the summer, and then communicated to faculty members in the fall.
- The issues that are still unresolved include:
 - *Article 26: Salary Schedule Development.* AFA and the District are still very far apart on this. The deadline for concluding negotiations was last Friday, and it did not happen. AFA is committed to preserving and protecting Rank 10 and the linkage between the full-time and hourly salary schedules. We will continue to fight, and will be meeting with the District the next two Fridays (May 12 & 19). If no agreement is reached, we will come back in August to continue negotiations.
 - Chair and Coordinator compensation formulae (*Article 13: Department Chairs and Coordinators*). We are working to address the discrepancies between workload and compensation, particularly in the CTE areas.
 - *Article 14B: Adjunct Faculty Evaluations.* A new bill was passed in the legislature (SB 1379) regarding part-time faculty rights. Our Article 16 already provides SRJC adjunct faculty members with the newly legislated rights and addresses most parts of the bill. The only thing we did not have in our contract was language specifying what constitutes "termination" from the District. This area of our Contract has been problematic for years, with the contradiction between language in Article 14B and Article 16 regarding "Needs Improvement" evaluation ratings. AFA's goal is to negotiate a new "Unsatisfactory" rating; receiving that evaluation rating would constitute "termination" from the department. As part of adding this new rating, we are proposing language that requires a follow-up evaluation for any faculty member who receives a "Needs Improvement" rating.
 - Also in Article 14B, there has been a pilot program in place to allow full-time faculty members to be paid for performing evaluations outside of their department, or more than three evaluations in a single academic year in the faculty member's home department (see Article 14B.21.H). This

two-year pilot is expiring Spring 2017, and the District would like permanent language in the Contract to replace it.

- Article 14B, *Article 14A: Regular Faculty Evaluations*, and *Article 30: Tenure Review* all include language outlining the role of the District Tenure Review and Evaluations Committee (DTREC). AFA has had concerns about the role of this committee in hearing and deciding on grievances, contract interpretation, and creation of forms. We are interested in redefining the role of DTREC so that existing Contract language in *Article 11: Conciliation/Grievance/Arbitration* would address grievances; existing language in *Article 6: Interpreting Contract Language*, would prescribe the interpretation process for issues related to evaluation and tenure review; and the creation and amendment of forms used in evaluations would be overseen by the negotiations teams so that evaluations forms do not inadvertently create new criteria to faculty evaluations, which per Contract must be based on duties specified in *Article 17: Job Descriptions*.
- Regarding working conditions for distance education courses, the District wants to have more control and consistency in how faculty members work online. AFA is sympathetic to some of the District's interests but not all of them. We want to make sure we protect faculty academic freedom and autonomy, which we believe ensures higher quality teaching.
- In conclusion, because we have not yet reached agreement with the District, we may need to conduct our tentative agreement balloting in the fall rather than the customary end of spring semester.
- Depending on the outcome of our next negotiations meeting with the District, we will hold our last Executive Council meeting and spring semester General Meeting on either May 17 or May 24.

The meeting was adjourned at 5:15 p.m.

Minutes submitted by Carol Valencia.