

## EXECUTIVE COUNCIL MEETING MINUTES

September 14, 2016

(Approved by Executive Council on September 28, 2016)

Executive Councilors present (noted by \*):

*Karen Frindell Teuscher, <i>presiding</i>	*Dianne Davis	*Sean Martin	*Michelle Van Aalst
*Filomena Avila	*Terry Ehret	*Molly Matheson	*Albert Yu
*Denise Beeson	*Deirdre Frontczak	*Bud Metzger	* <i>Adjunct Vacancies (2)</i>
*Paulette Bell	*Michelle Hughes Markovics	*Terry Mulcaire	
*Shawn Brumbaugh	*Robert Jackson	*Karen Stanley	

Negotiators/Appointed Positions present: ~~Debbie Albers~~, Marc Bojanowski, Mark Ferguson, Warren Ruud  
Staff members present: Carol Valencia

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.** This report and discussion were conducted in Closed Session.

Closed Session adjourned at 3:55 p.m.

### OPEN SESSION

Open Session reconvened at 4:05 p.m.

#### MEMBER CONCERNS WITHIN AFA'S PURVIEW

1. **Robert's Rules of Order:** Terry Ehret brought up the fact that the AFA bylaws say that AFA meetings will be conducted according to Robert's Rules of Order. She would like the Council to consider the use of Robert's Rules because she believes their use can help minority positions to have a voice. Karen responded that she would like to put this issue on a future agenda as a discussion item.
2. **Flex Credit for Adjuncts:** Paulette Bell read an email message received from an adjunct faculty member about flex credit. The faculty member had two concerns about flex credit. The first was that s/he believes that the Professional Development Committee makes decisions about flex credit in an arbitrary and unfair manner. The second was a concern that s/he has not received pay for flex activities because his/her teaching schedule does not fall on the days that are identified as requiring flex credit by the Professional Development Department. The faculty member would like to instead see flex credit based on the teaching load of faculty members. Karen clarified that adjunct faculty members receive pay for the class sessions that are cancelled for professional development activities. Because of this, the faculty members are required to do the flex time to justify that pay. She believes there is a question, however, about whether adjuncts should get paid for professional development, and she believes that they should.
3. **Coordinator Workload:** Albert Yu raised a concern about an increase in a faculty member's workload when they are required to take on more than one coordinator assignment while getting paid (5 percent reassigned time) for only one assignment. Karen explained that the blanket 5 percent reassigned time the District is paying all coordinators is a violation of our Contract which says that coordinators will be compensated fairly for the workload assigned (Article [13.07.B](#)). The District's

response to this violation is that coordinators do not have to agree to the assignments. We would like to broker a solution for affected faculty members. One suggestion is for coordinators to keep a log of hours and note any that are above the 5 percent time for which they are being compensated.

## 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 August 31, 2016 Executive Council meeting as submitted (15 in favor, 0 opposed, 0 abstentions).

(Approved minutes are posted at <http://santarosa.edu/afa/minutes.shtml> .)

## PRESENTATION

### 1. **The Role of the Conciliation/Grievance Officer and the Grievance Process** (*Mark Ferguson, AFA Past CGO*)

- Mark guided the Council through the process of finding information on the AFA website about the Conciliation/Grievance Officer (CGO).
- He explained that the CGO often tries to solve problems informally with the District.
- The CGO also confers with the President, Chief Negotiator and Cabinet on issues. Conferring with other AFA Officers under the umbrella of confidentiality can ensure that the CGO is reading the contract correctly and that s/he isn't making mistakes.
- Mark projected a flowchart that demonstrates the process through which a Conciliation/Grievance issue goes. Before an issue goes to the CGO, there is often a call or visit to the AFA office. Sometimes questions can be answered by staff without needing the help of the CGO. At other times, the office will refer the issue to the CGO. As soon as the referral is made, the CGO confers with the team (AFA staff, Cabinet members, etc.).
- If there is not a violation of Contract/Policy, then the issue is not grievable. In these cases, the CGO explains to the faculty member why there is no grievance and their rights and options. A faculty member can file his/her own grievance and AFA can still represent them (the CGO or a designee). It's important that adjunct faculty members or probationary faculty members do not act as a representative because they can be terminated without just cause, and they are not insured under AFA's Officers Liability policy.
- In a case where there is a Contract/Policy violation, there are several options:
  - AFA can conciliate with the District to solve the problem without a grievance.
  - The faculty member can decide to drop the matter because s/he does not want to proceed with the process.
  - AFA can file a grievance after consulting with the Cabinet. When the CGO files a grievance, the process outlined in [Article 11](#) is followed. If the grievance is upheld, the faculty member receives the remedy that was outlined on the grievance form. If the grievance is denied, the process ends. Often times, a grievance doesn't go all the way to the end of the process, but is resolved somewhere along the way.
  - There was a discussion about the percentage of faculty members who contact AFA for grievance assistance.
  - Karen explained that the last step in the grievance process is an arbitration decision, but then the Board of Trustees can overrule that decision because we do not have binding arbitration in our Contract.
  - There was a discussion about the difficulty of understanding Article 11 in situations where a faculty member files a grievance on his/her own.
  - There was a discussion about the benefits of the grievance process since it requires that there be a resolution in a timely manner.
  - There was a discussion about how faculty members are hesitant to bring issues to AFA for fear of retaliation by chairs, deans, or others. It was commented that part of AFA's job is to ensure that the District does not retaliate against faculty members for filing grievances.
  - Karen thanked everyone for their input and stated that she would like to continue this discussion at a later time.

## DISCUSSION ITEMS

### 1. **2016-17 Proposed Budget**

- Michelle Van Aalst directed the Council to the 2016-17 Proposed Budget and supporting documents in the Council packet. She explained that we will be watching our revenue over the next few months to see if it is matching our projections. Depending on our revenue, we are projecting a positive balance for the year.

## ACTION ITEMS

### 1. **Executive Council Adjunct Representative Vacancies for 2016-17 (2)**

- Karen explained that we have four nominees for two vacancies. However, if some of the candidates choose not to be part of an election, we might want to consider making appointments.
- Paulette commented that it makes sense to hold an election if the race is contested and make appointments if it's uncontested.
- A motion was made, seconded and approved by unanimous voice vote to hold an election of the membership for the Executive Council Adjunct Representative Vacancies for 2016-17 if there are three or more candidates (15 in favor, 0 opposed, 0 abstentions).

## OTHER REPORTS

### 1. **President's Report.** Karen reported as follows:

- AFA's retirement workshop, held last Friday (9/9), was a great success. FACCC helped to put it on, and we would like them to sponsor more workshops for us in the future. Thanks were given to Deirdre Frontczak for organizing the workshop and Sean Martin for attending.
- We will be interviewing three Board candidates next Friday (9/23) starting at 11:00, in the new AFA house, so that we can determine which Board candidates AFA will endorse. Any Councilors, Officers, and Negotiators are encouraged to attend, if able.
- We will be moving into our new office space next Tuesday (9/20), located at 437 Elliot. We are considering the possibility of moving our Executive Council meetings to the new space in the future.
- We are having a joint AFA/Senate meeting on Wed. Oct. 5 after the Senate meeting. We have invited 10 Senators. Any Councilors are welcome to attend. We will be discussing how we can work together on professional development issues to jointly represent faculty interests.

The meeting was adjourned at 5:01 p.m.

Minutes submitted by Carol Valencia.