

**GENERAL MEMBERSHIP MEETING MINUTES**

November 22, 2017

*(Approved by Executive Council on December 13, 2017)*

Executive Councilors present (noted by \*):

*Karen Frindell Teuscher, <i>presiding</i>	*Dianne Davis	*Bud Metzger	*Michelle Van Aalst
*Filomena Avila	*Deirdre Frontczak	*Terry Mulcaire	*Sarah Whyllly
*Paulette Bell	*Robert Jackson	Margaret Pennington	*Albert Yu
*Shawn Brumbaugh	*Sean Martin	Karen Stanley	<i>Adjunct Vacancy</i>
Ted Crowell	*Molly Matheson	Mike Starkey	

Negotiators/Appointed Positions present: Warren Ruud, Julie Thompson

Councilor-Elect present: Erin Sullivan

Staff members present: Carol Valencia

Faculty members present: Canon Crawford, Steven Kessler, Daniela Kingwill, Jessica Longoria, Amy Merkel, Jessica Pardoe (Santa Rosa); Michelle Hughes Markovics (Petaluma)

The meeting was called to order at 4:32 p.m. in Doyle Library, Room 4245, on the Santa Rosa campus and video-conferenced to PC609, on the Petaluma campus.

**1. Negotiations Update.** Julie reported as follows:

- As you know, we are working without a contract. The salary schedules are determined by a formula contained in *Article 26*; the actual schedules are in an appendix that lives outside the AFA/District Contract.
- Regarding the District's November 3 Package Proposal:
  - The District combined both monetary and non-monetary items in this proposal which, according to AFA's legal counsel, constitutes "conditional bargaining": conditioning monetary items on non-monetary items or conditioning mandatory subjects on non-mandatory subjects. On the advice of our attorney, we are not responding to the package proposal because by doing so, we would be participating in the District's conditional bargaining.
  - We have decided to respond to each of the items in the proposal on an article-by-article basis.
  - Many of the things that we have been negotiating on behalf of faculty are either not in the proposal or are conditioned on the elimination of Rank 10.
  - The District is holding a number of items we have already agreed upon "hostage" in this proposal.
  - One of those items is *Article 23: Progressive Discipline and Due Process*. We have been negotiating this article for seven years. Our response to the District's "proposal" to eliminate this article was to say that we wish to address it at our next meeting (Dec. 1). Last spring, the teams worked with a negotiations facilitator in reaching an agreement with the District to mutually re-open this article this fall and continue with the latest draft from spring of 2016.
  - Another item is faculty compensation for Canvas conversion. Last spring, we had an agreement with the District on the compensation formula.
  - We also have an agreement with the District from last spring on the implementation of lab equity. We want them to honor that agreement. It's important for the faculty to know that the District receives full apportionment from the State for lab classes and has been using a portion of it to compensate lab faculty and then spending the remaining funds elsewhere. We are asking for what the District already receives to be fairly applied to the lab faculty schedule.

- We have proposed changes to DTREC in order to protect faculty to the fullest extent possible.
- With this proposal, the District is saying, "If you want \_\_\_\_\_, you will have to lose Rank 10." Fill in the blank with a number of already-agreed upon items such as lab equity, Canvas compensation, etc.
- The Extended Lecture program pilot (*Article 32: Workload*) is set to expire in May 2018. The District is claiming that once the pilot expires, we will implement the "past practice" of the Large Lecture and Medium Lecture program from the 2011-13 Contract. AFA has suggested that the "past practice" that should continue is the current pilot, as the former Large Lecture and Medium Lecture pilot program expired but remained in force for several years, until the Extended Lecture program was implemented.
- Even though AFA cannot accept the package (see above), we will continue to go to the table and work for gains for faculty.
- Julie projected a list of mandatory subjects of bargaining from the Public Employee Relations Board (PERB) website (see <https://www.perb.ca.gov/decisionbank/> ). There are 171 items on this list. The District keeps saying that only salary, benefits and working conditions are mandatory subjects, but each of those has many sub-categories that are considered mandatory items.
- AFA is holding to this position because when these subjects are discussed by groups or committees outside of the bargaining process, the faculty voice is diluted by the other voices in the room (administration, classified employees and students). In negotiations, faculty have an equal voice with the District. The District wants to use committees to make decisions that should be negotiated because it furthers their interests. AFA is responsible for representing the interests of all faculty members and strives to keep the big picture in mind; individual committee members (although faculty) may have other, legitimate, priorities in mind. In addition, faculty spend time and effort on committee work that is then "undone" in negotiations when we are successful in moving those issues to the bargaining table, causing animosity.
- There were many years of work in order to ensure that faculty have an equal place at the negotiations table, so we do not want to give that up. AFA also has a legal right and responsibility to bargain these items for the benefit of its members.
- AFA has no interest in declaring "impasse." If we or the District later declare it, our understanding is that there is a long PERB (Public Employment Relations Board) process, including arbitration and fact-finding, before the final step when the District can impose its last, best, and final offer and the union can strike. We're a long way away from that. AFA's attorney has stated that in negotiations matters, PERB wants to see that the teams have been attempting to reach agreement for a considerable amount of time—12 to 18 months or more. And for PERB, the clock starts ticking when the contract expires, which for us was June 30 of this year.

The meeting was adjourned at 5:18 p.m.

Minutes submitted by Carol Valencia.