



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

Dear Colleagues,

The All Faculty Association Negotiations Team would like to update you with a summary of the work we have been doing since last Spring. AFA and the District have successfully negotiated several side letters in response to the COVID-19 pandemic that cover the Spring, Summer, and Fall 2020 terms, and *we are currently engaged in negotiations on a Side Letter to cover the Spring 2021 term.* We have also completed agreements on a variety of non-COVID topics. Please read below for highlights. The full Side Letters and MOUs are available on AFA's website (<http://www.afa-srjc.org/mou.shtml>).

AFA will also provide a brief presentation of this negotiations update and an opportunity for Q&A at the AFA Executive Council Meeting on Wednesday, October 14th. Later this semester, AFA will hold a Negotiations Listening Session where faculty members can bring forward concerns and interests that they would like to see addressed in future negotiations and ask questions about how the negotiations process works.

2020-2021 Salary and Benefits

The Rank 10 salary formula (see Article 26.02) provides an average salary increase of 0.31% for 2020-2021. See the 2020-2021 Salary Schedule (http://www.afa-srjc.org/Contract/salary_sched.pdf) for specific salary details. The salary formula includes a portion of the state's budgeted cost of living allowance (COLA), but this year's originally planned COLA of approximately 3 percent was stricken from the state budget during the revision process.

Health Benefits remain unchanged for 2020-2021. The Kaiser plan is available without any out-of-pocket premium cost to contract faculty members, and the Blue Shield plan is available with the faculty member paying the difference in

premium cost between the Kaiser and Blue Shield plans. Because of the year-over-year increases in health insurance premiums, AFA and the District have agreed to negotiate cost-controlling measures during 2020-2021 to ensure plan affordability going forward.

COVID Side Letters (Spring 2020, Summer 2020, Fall 2020)

Working Conditions

Negotiated agreements on COVID-related working conditions cover a wide variety of working conditions.

District Operations and Use of District Facilities: Faculty members are not required to come to campus during the pandemic, but they may choose to come to campus for the purpose of facilitating remote learning. The District created Safety Protocols for use of campus facilities, which were vetted by AFA. Further disasters (such as fires or power outages) may necessitate closure of the college for all services, which would include the cancellation of all remote learning.

Faculty Working Conditions: Classes and office hours may be held synchronously or asynchronously. Synchronous learning may happen only during times published in the schedule of classes. College service obligations may be fulfilled entirely or in part by hours dedicated to the maintenance of remote courses and services.

Some faculty members did not have a teaching assignment in Fall 2020 due to the inability to offer certain courses remotely. The District agreed to offer Special Assignments to contract faculty members without teaching assignments in order to maintain at least the minimum required contract load.

Faculty members have the option of using paid or unpaid leaves, load banking or load balancing in lieu of performing all or part of an assignment.

Evaluations: The evaluation process has been altered during the remote period. The most significant change is that negative evaluation ratings may not be based on anything other than subject matter expertise and content. Instructors may not be evaluated on their use of technology (for example). Two additional evaluation options, self-evaluation and supportive observations, were made available to

faculty in certain evaluation categories. Please see side letters and the Evaluations FAQ (<http://www.afa-srjc.org/Misc/Fall%202020%20Evaluations%20FAQ.pdf>) sent out last month for further details.

Sabbatical Leaves: Sabbatical leaves may be postponed and sabbatical projects may be altered during the pandemic.

Adjunct Health Benefits: Adjunct faculty members currently participating in the Adjunct Medical Benefits Program (AMBP) will maintain eligibility for the program during the 2020-2021 academic year, even if the faculty member's load drops below the 40 percent threshold required by the state-funded program as long as the faculty member has an assignment or is on an approved leave during the enrollment period.

In-person Instruction: Certain courses have been approved for in-person instruction with safety protocols in place. AFA and the District negotiated a set of criteria that the District used to create a prioritized list of courses proposed for in-person instruction. The list is ultimately vetted by the County Department of Health Services. Currently, the District is offering some in-person instruction in Health Sciences, Public Safety, Chemistry, Biology, and Applied Technology. The District is currently seeking approval for courses requesting some degree of in-person instruction in Spring 2021.

Compensation

The compensation agreements acknowledge the extra workload involved in transitioning face-to-face courses to remote modalities. Many faculty members had to learn programs and technologies in order to move courses and services into a new format. Additional email and teleconferencing communication with students, grading, and maintenance of online systems resulted in increased workload, as well. The District was able to use funding provided by the Coronavirus Aid, Relief, and Economic Security (CARES) Act to compensate faculty members who made the transition to a remote modality, as well as Department Chairs, Program Coordinators, and other faculty members with program responsibilities. During Spring 2020, a list of faculty mentors was established, and those mentors were compensated for assisting faculty colleagues with the remote transition.

Compensation for Spring 2020: Department Chairs and others responsible for program transition duties were able to claim up to 35 hours for extra workload during the Spring 2020 term. Faculty members were able to claim up to 20 hours (contract) or 25 hours (adjunct) for transitioning and maintaining remote courses and services. FLEX Credit and PGI options were available for faculty members to claim additional workload not covered by compensation.

Compensation for Summer and Fall 2020: Department Chairs and others responsible for program transition duties are able to claim up to 40 hours for extra workload during the Summer and Fall 2020 terms. Faculty members are eligible for compensation for up to 25 hours for transitioning and maintaining remote courses and services. There is also compensation available (within the 25-hour limit) for duplicate sections of a course and for workload associated with class sizes greater than 35 students. *The deadline to claim Fall 2020 compensation is October 31, 2020.* FLEX Credit and PGI may also be claimed for additional workload not covered by compensation.

Other Agreements

Special Assignments: AFA and the District have begun the process of negotiating job descriptions, selection processes, and compensation for all Special Assignments created by the District. Recently approved Special Assignment MOU's include the Faculty Co-chair for Accreditation, the Department Chairs Council Co-chairs, the English Department Writing Center Coordinator, and the Guided Pathways Workgroups. MOUs for several other critically needed special assignments are almost complete. Eventually, all Special Assignments that have reassigned time associated with them will be codified in this type of MOU and memorialized as an Appendix to the Contract.

Extended Lecture: The extended lecture pilot program (Article 32.04) has been made permanent. AFA has an interest in updating and optimizing this program in future negotiations.

X-factor: The "X-factor" is a term that refers to compensation for extracontractual work. AFA and the District had previously negotiated an X-factor for Department Chairs and Coordinators who work beyond their contractually determined

reassigned time. Recently, an X-factor for all faculty members who work beyond their contractual obligation has been negotiated. The work must be assigned to the faculty member by the District, and the compensation for hours worked must be approved in advance. If the District declines to compensate the faculty member, the faculty member may decline to perform the work, without prejudice.

Retiree Stipend: The District has historically provided a stipend to faculty retirees to cover additional health insurance expenses. Prior to this latest agreement, the stipend had remained unchanged since the 1990s, before AFA was formed. The stipend is being increased incrementally until 2024-2025, at which time the final increased amount will be subject to change relative to increases in the CPI and the cost of Medicare Part B.

Electronic Security Systems: The District has added new key card access points and electronic security systems in recent years and plans to add more in future new construction and security updates. Surveillance is within the mandatory scope of representation, and AFA and the District have negotiated language that protects faculty rights with respect to the data gathered by these electronic security systems. The new contract provision outlines the approved uses (and limitations thereon) of data gathered by these technologies, limitations on placement and notification of the locations of surveillance cameras, the prohibition of facial recognition technology, and designates which District representatives are authorized to view the data.

Variable and Exchange Time: Faculty members who earn Compensatory Time Off (CTO) now have the explicit right to choose whether CTO hours will be applied to leaves.

Calendar Development Process: AFA and the District have agreed on a new process for negotiating the Faculty Work Calendar, which is a mandatory subject of bargaining. Language identifying a shared governance Calendar Committee has been stricken from the Contract, and AFA and the District will negotiate the faculty work calendar (including the start and end dates of the terms, PDA and FLEX days, and Commencement) and then forward the agreed-upon calendar to Admissions and Records for development of the Academic Calendar according to Board Policy and other regulatory and administrative constraints.

Some Current Negotiation Topics and Future Goals

Departments and Department Chairs: AFA has an interest in negotiating a definition of “department” and protecting the integrity of departments by including provisions in the contract that specify the rights of departments (including that all departments have a faculty chair), and the rights of faculty members with respect to membership in departments. AFA and the District have begun initial negotiations on these topics.

Tenure Review College Service Plan: AFA and the District are updating the College Service Plan outlined in Article 30 for faculty members in tenure review. AFA has an interest in clarifying the roles of the tenure review team and in allowing the probationary faculty member to choose, in consultation with the team, which types of District and Department Service and Professional Development the probationary faculty member will participate in; AFA also has an interest in outlining parameters for the New Faculty Professional Learning Program.

Special Assignments: There is currently a short provision in Article 17 (17.11) that addresses the District’s right to create Special Assignments and to select faculty members to perform those assignments. In addition to negotiating job descriptions, compensation, and a selection process for each of these Special Assignments, AFA and the District are working on expanding this section of the Article to include descriptions and general administrative processes for five different categories of Special Assignments.

Professional Growth Increments: AFA has begun the process of unilaterally opening Article 21 with the goal of clarifying and streamlining the PGI process. AFA interests include standardizing the PGI unit, streamlining the accounting process, and increasing transparency in the process by codifying approved PGI activities so that they are accessible to others.

“Disaster” Article: After the Tubbs Fire occurred in 2017, resulting in the closure of the college for two weeks and numerous disruptions to the lives and working conditions of the faculty, AFA began advocating for negotiated provisions related to disasters. Subsequent fires, floods, and the COVID-19 pandemic have made this

need more urgent. AFA hopes that the COVID-19 Side Letters can provide a start for a permanent part of the Contract covering disasters.

Please do not hesitate to contact the AFA office or the AFA negotiations team if you have any questions or concerns.

In Solidarity,

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