

**UF Meetings to Discuss the Tentative Agreement:**

**CCC: Tuesday, Sept. 23, 12:30pm, HS101**

**DVC: Tuesday, Sept. 16, 12:30pm, MA103**

**LMC: Monday, Sept. 15, 4pm, L-109**

**SRC: Monday, Sept. 22, 1pm, W-204**

**The news at a glance --**

- *UF and District Reach Tentative Agreement – Ratification Vote Delayed Until Late Sept.*
- *Highlights from New Agreement and Changes to Rehire Preference Rights*
- *Open Enrollment for New Part-Time Dental Plans Extended to September 12*
- *UF Website and Table Talk to be Redesigned*
- *New UF Budget and Dues Proposal in the Works*
- *PAC Report: Trustee JoAnn Cookman Faces Challenge from Jess Reyes*
- *District Seeks Faculty Contributions to 60<sup>th</sup> Anniversary Celebration*
- *Regular Columns: “Know Your Contract”; “President’s Message”*

***UF and District Reach Tentative Agreement but Ratification Vote Delayed Until Late September***

At the end of this issue of *Table Talk*, you will find a complete draft of the Tentative Agreement that UF and District negotiators reached over the summer. But it’s only a draft; it isn’t the final version, and you are not yet being asked to ratify the agreement. Delays in translating the agreements reached at the bargaining table into “contract language” have slowed the process, and the UF and District are still reviewing the attached draft. We expect nothing substantial to change at this point, but if we do agree to alter a word here or there, we will update this draft before our ratification vote.

The schedule will be as follows:

1. We will hold meetings to discuss the Agreement and invite faculty to communicate comments and questions to E-Board members as we always do.
2. In the next issue of *Table Talk* (about Sept. 22), we will include opinions written about the Agreement by members of our negotiating team; we’ll also note any changes made in the final draft.
3. We will hold a ratification vote. This will be towards the end of the month and into early October.

If the Agreement is ratified by both the UF and the Governing Board, it will become effective retroactive to July 1, 2008. For procedural changes that can’t be implemented for fall of 2008,

such as changes to the Rehire Preference Rights Agreement, these will be implemented at the start of the spring semester.

## ***Highlights from the Tentative Agreement***

The most recent “Joint Statement” from the District and UF details the key points of the TA and is available for review on the UF Website ([www.ufcccd.org](http://www.ufcccd.org)) under “Recent News.”

### **I. Raise**

The Agreement augments the salary increase for 2008-2009 by adding an ongoing 2% raise to whatever the formula from last year’s agreement produces. That formula, of course, requires that the State’s budget be settled before we will know what the total compensation increase will be for 2008-2009. Our internal CCCCDC numbers mostly look good: growth at 3.5% with some efficiency gains as well (we expect). The State budget, however, is still stuck in the mud while Democrats and Republicans play tug-of-war over whether and where to raise taxes and/or cut spending. Some recent proposals have included a small COLA for education; some have not. So we still can’t predict what sort of raise the salary formula will yield.

The formula itself, however, is not part of this Agreement. If the formula fails to produce a raise, we will need to reopen Article 20 and go back to the bargaining table, but neither side anticipates this happening, even if there is no COLA. So we need not wait for the State in order to be able to ratify the new Agreement. When the State finalizes its budget, we will review the formula with the District to calculate our raise, and the salary increase will be retroactive to July 1, 2008. In the mean time, the Tentative Agreement, including the extra 2% to be added to the formula, can be ratified and implemented.

### **II. A/C**

Other highlights of the Agreement include some changes to the A/C rules so that full-time faculty who teach early morning classes or who teach five days a week may now designate overload as A/C even if they don’t teach evenings.

### **III. Sabbaticals**

We’ve expanded the definition of “professional project” for sabbatical leaves to include the creation of art, music, dance, literature, film and theater, and we’ve added a process by which faculty may apply to make changes in approved sabbatical plans.

### **IV. Educational Conference Leave**

We’ve made Educational Conference Leave available to part-timers and full-timers teaching A/C, so faculty won’t lose pay or need to use sick leave to attend a conference.

### **V. Misc.**

We’ve changed the 60% rule to 67%, in accordance with new state law, to raise the load ceiling for part-time faculty. We’ve clarified options for maternity leave and disability leave, and the District has agreed to publish flow-charts of leave options that we created in negotiations on its website. And we’ve added contract language defining an “Enrichment Hour” as an “open laboratory assignment” that does not “increase the

faculty member's classroom hours, office hours, preparation, assessment responsibilities or load.”

The Enrichment Hour is our version of an embedded unit, a unit that adds a contact hour to a class (for which the District can bill the State) without adding faculty load. Before any embedded units can be added to any classes, however, the District's Enrollment Management Committee still needs to determine parameters, to be sure whatever we do is legal, and the academic departments and perhaps the academic senates will need to consider those options to be sure whatever we do is in the best interest of students. The new contract language does not and cannot be used to force any department to add an Enrichment Hour to a course. It will, however, allow for embedded units to be approved by curriculum committees down the road. And our review of how these embedded units work in other districts suggest that in some cases they may work to the advantage of all. An on-line tutorial added to an English class or a Social Science class, a required hour in the fitness room added to an Athletics course, an internship added to a Business course ... all these *might* be ideas worth pursuing as enrichment hours. Adding the definition to the contract opens this door while protecting faculty from being asked to do more work for the same load.

### ***Changes to the Rehire Rights Agreement (Now Called the Staffing Preference Agreement)***

As many part-timers have unfortunately learned in the past two years, so-called “rehire rights” don't necessarily give one a right to be rehired. Nor does losing “rehire rights” necessarily mean one will not be rehired. So we've moved to the more accurate term “Staffing Preference.” And we've made several key changes designed to fix some of the problems part-timers and departments have reported.

First, we've changed how load will be calculated for the purposes of staffing preference. In the past, a part-timer with preference had to be offered the same load that he or she taught the previous corresponding semester. If I taught 40 percent last fall, my department needed to offer me 40 percent this fall, assuming they had courses available to offer me. But if one class was cancelled this fall and I only taught 20 percent, next fall my department would only need to offer me 20 percent. Any change, positive or negative, would change my right to load.

Now, adjunct faculty with staffing preference must be offered their “modal load [most frequent load] over the past five (5) corresponding semesters” (25.6.1). This means that if I have regularly taught 40 percent for the past eight years, one semester of variance will not affect my status. My modal load, tracked by my division dean and communicated to my chair in a report, will allow me to reduce my load for a semester or even take a semester off and will allow my department to offer me an extra class once in a while without affecting my status. If there is no discernable modal load, the median load will be used.

Another key change involves the evaluation schedule for new part-time faculty. Part-timers will now be evaluated in semesters 1, 4, and 7. And in semester 7, two evaluators will collaborate on

the evaluation. This adds two more evaluators and one more evaluation before the first staffing preference decision.

Adjunct faculty who decline teaching assignments due to conditions covered under the California Medical Family Leave Act will no longer risk losing staffing preference.

We've added an exception for some athletic assignments. Staffing preference is now not available to coaches for intercollegiate/athletic classes. This means that the load generated by athletic classes associated with intercollegiate coaching contracts will not count towards preference status (although PE classes will continue to count).

We've clarified that exceptions to the staffing order can be made for curricular expertise necessary for a departmental program. And we've added that departmental staffing guidelines and policies must be made available to all faculty members in every department.

Lastly, the UF has agreed to provide departments with suggestions, samples and templates for writing guidelines to cover staffing. We've clarified that such guidelines should take into consideration such things as expertise, experience, seniority, rotation of offerings, first right of refusal for new sections, increase of load as available, and ability to teach new courses as qualified.

There is no area where the UF fielded more complaints last year than staffing issues and related evaluation procedures. It is our hope that this revised Agreement will help. But we also plan to increase our efforts (as the District has promised to do as well) both to improve the evaluation forms and procedures and to educate and train all managers and faculty in how evaluations and staffing decisions should be handled. In addition to holding open meetings and working to improve our written handbooks, UF representatives will soon be seeking invitations to department and division meetings to discuss both the revised Staffing Preference Agreement and our peer evaluation procedures.

### ***Open Enrollment Period for New Part-Time Dental Plans Extended to September 12 -- 100 Total Participants Needed for PPO***

Delta Dental coverage is now available for benefits-eligible part-timers, and open enrollment has been extended to 4:30pm on September 12. To be eligible for benefits, one must be currently employed by the District and have averaged 30% load for the previous two semesters.

There are two plans available through CCCC: DeltaCare (an HMO-style plan that's quite inexpensive but limits one's choice of dentists) and Delta Dental PPO (with higher premiums but many more participating dentists). A complete comparison of these two plans along with enrollment forms and other benefits information is available at the District's web site at [www.4cd.net/human\\_resources/benefits/PTBenefits](http://www.4cd.net/human_resources/benefits/PTBenefits).

The two plans basically represent the least expensive (DeltaCare) and the best coverage (PPO) Delta was willing to offer to our part-timers. The PPO plan is not the same as full-timers get because with tenured faculty, Delta can count on a number of healthy years to offset any years

with dental problems. With part-time faculty, Delta needs to adjust for those who might buy insurance in order to get work done and then leave the program or the District without any of those offsetting healthy years. So where for full-timers, the maximum annual benefit is \$2000 per person covered, Delta was only willing to offer a maximum of \$1000 for part-timers in the PPO (there are no maximums in the HMO), albeit for less than the cost of full-timers' premiums.

Still, our PPO plan offers good coverage and in many ways better coverage than other part-time plans we've seen emerging statewide. The FACCC plan, for example, includes a year-long waiting period before any major dental work is covered. Our CCCCD plan has no waiting period. FACCC's plan is a few dollars less expensive, until one adds in FACCC dues and subtracts from our plan the District's contributions, which make CCCCD's plan a much better deal. The UF, of course, recommends that all faculty join FACCC (the Faculty Association of California Community Colleges). But for dental coverage, CCCCD's plan is better.

Several other facts are worth noting here. First, Delta not only covers a portion of the costs when one needs dental work but also negotiates a different price in many cases. Participating dentists may charge more for uninsured patients than they are allowed to charge Delta (which adds to the savings for those in the plan). Second, the District pays a percentage of the premium equal to one's load percentage from the previous semester (less the 6% all faculty also contribute). So for a faculty member who taught 60% last spring to cover self and spouse this fall, his/her \$84.35 monthly premium would cost only \$36.78 with the District paying the additional \$47.57. The benefits costs are also paid in pre-tax dollars when deducted from one's paycheck.

Lastly, we should note that CCCCD needs 100 part-timers to choose to participate in the PPO in order to be able to offer the plan. If we get more than 80 but less than 100, Delta may let us keep the plan for a year to see if we can hit 100 by year two. But without enough enrollees, Delta will cancel the program. In that case, we have agreed to return to the bargaining table with the District to revisit those parts of the contract we altered to make this plan possible. The HMO plan does not require a minimum number of enrollees.

So if you teach part-time and you want dental insurance, the time to sign up is right now. If you have questions about your eligibility for medical or dental coverage or if you want more information about the dental plans, please contact the UF at 925-680-1771 or [uf@ufcccd.org](mailto:uf@ufcccd.org).

## ***Lee Montgomery Takes Over as UF Communications Director -- UF Website and Table Talk to Be Redesigned***

If all goes according to plan, this is the last issue of *Table Talk* that will look like this. We're planning for a slimmer but slicker format, with photos and maybe even a splash of color. We're also planning to put more information on-line and a little bit less in print. This will both save money and be part of the major face-lift new UF Communications Director Lee Montgomery is planning for the UF Webpage.

Freshly returned from his triumphant show at the Whitney Biennial, where Lee joined with the nation's top artists last year while on sabbatical, Professor Montgomery, a former UF Vice

President from DVC, will be seeking ways to apply his experience in community building (gained through his work on the collaborative project Neighborhood Public Radio) to the UF. The first step will be a UF blog, integrated into our website, that will ultimately help members search for information and comment on issues. Look for more details coming soon, and expect to see some changes in our next issue of *Table Talk*.

## ***UF Prepares 2008-2009 Budget and a New Dues Proposal***

In late October, once the ratification vote on the Tentative Agreement is complete, the E-Board will put before the membership a balanced budget proposal for 2008-2009 and a proposal to change the way we collect dues. Quarterly statements for the last three quarters are now on-line at the UF Website (under Recent News), and the picture has improved slightly. Although Patti Acuña's retirement and the transition to our new Office Administrator was significantly more costly than we had anticipated, due mainly to Patti's having stored up substantial unused vacation time that we'd neglected to consider, we managed to renegotiate our release-time debt to the District for 07/08 so that we will end the year in the black despite some cost overruns. With savings next year due to new UF staffing and cost-cutting, we have also already designed the first draft of a balanced budget. So we do not anticipate needing to ask our members for a substantial dues increase as we had feared last year.

Still, our one-time solutions do not change two basic problems with the UF's finances: our reserves have been diminishing yearly and are too low; and our dues structure allows for no cost-of-living adjustments for the Union. Our costs are up but revenues have not increased for 10 years.

To fix these problems, we anticipate proposing to our members that we shift from paying flat-rate dues to paying dues as a percentage of salary. If we can do this in a way that adds a bit more money for the union (so we can begin to rebuild our reserves), we will ensure that as faculty salaries improve with raises and COLA adjustments, the UF will also take in a bit more to cover inflationary costs. Nearly every faculty union in the State, affiliated and non-affiliated, charges members a percentage of salary as dues for just this reason.

At our next couple of meetings, the E-Board will discuss various proposals and related issues. This year, the UF took in \$252,756 from dues. Full-timers paid \$33.50 a month (not including PAC contributions) and part-timers \$5.58. If we were to shift to asking everyone to pay 0.5% of his/her salary, this would yield \$311,645 for the UF (all these numbers are estimates). Is that too much or does it give us the right cushion plus some reserve money? 0.5% would still make us one of the best deals in the State. By contrast, Local One charges their members 1.0%. Many independent faculty unions, including Foothill/DeAnza, charge 0.6%. Yet for part-timers, 0.5% would certainly be an increase.

Right now, full-timers pay the lion's share of dues in our union. A shift to 0.5% for full-timers would mean dues ranging from \$26-\$46, depending on step and column on the salary schedule. For part-timers, it would mean dues from \$3-\$18 a month. Some dues would go down, but some at the top of the salary schedule would triple.

We could leave the imbalances of our current system in place by shifting to a two-tier system. For example, we could ask full-timers to pay 0.6% and part-timers to pay 0.3%. This would bring in \$298,240, still a small bump for the UF, and part-time dues would range from \$2-\$11. Full-timers would pay \$27-\$52.

And of course, there is every option in between. We've been looking at a variety of percentages and will continue to debate what's fair and what's needed in our E-Board meetings. The plan would be to leave the PAC money out of the equation (so that will continue to be a flat rate). This will make it easier to deal with those few who pay agency fee (and who therefore don't contribute to the PAC), and our PAC seems comparatively healthy for now.

If you have comments or concerns or suggestions, please speak to an E-Board member soon. We know that our members do not have extra money to pay higher dues. And we know that we all benefit from a strong and stable union. So we're trying to balance our needs and come up with the right proposal. Expect to hear more on this topic soon.

### ***PAC Report: JoAnn Cookman Faces Opposition from Jess Reyes in November; Tomi Van de Brooke to Run Unopposed***

Former LMC staffer JoAnn Cookman, elected to the Governing Board with tremendous faculty and staff support, is facing opposition in November from the same man whom she defeated four years ago to win her spot. Jess Reyes, who by all accounts was particularly ineffective and anti-faculty in his previous stint as a Trustee, has also filed to represent Ward 5: Antioch, Pittsburg, Oakley, Bay Point, Bethel Island, Kightsen and Brentwood. In Ward 2, representing Canyon, Crockett, Hercules, Kensington, Lafayette, Moraga, Orinda, Pinole, Port Costa, Rodeo, and western Pleasant Hill, Tomi Van de Brooke will run unopposed.

At our last meeting, the UF Executive Board voted unanimously to endorse JoAnn Cookman for reelection, and we agreed to contribute time and money to JoAnn's campaign. Working with Local One and other union and community leaders, the UF will help to design and implement Ms. Cookman's campaign strategy. We're considering renting a billboard on Highway 4 and sending a direct-mail piece, as well as distributing yard signs, walking precincts, and other tactics.

UF members, of course, contribute money monthly specifically to the UF political fund, our "PAC," and this money is kept separate from our normal operating budget. Last year, the UF spent roughly the entire year's PAC revenue on supporting Prop. 92. This year, we will do everything we can to see to it that a governing board member who works well with us is not replaced by one who seems to have no interest in a partnership with faculty. Our PAC budget is healthy, so we anticipate being able to contribute substantially if need be without asking our members for additional contributions. But we certainly will welcome any and all help, financial and otherwise. To get involved and contribute to the campaign, just contact the UF at 925-680-1771 or [uf@ufcccd.org](mailto:uf@ufcccd.org).

## ***District Seeks Faculty Contribution to 60th Anniversary Celebration***

The District is planning a number of events in connection with our 60th Anniversary, and the UF has been asked, along with the Academic Senates, to propose some ideas for faculty involvement. We suggested an anthology of scholarly work produced by faculty or a District-published academic journal and a section of the 60th Anniversary Website soon to be launched dedicated to faculty past and present. Anyone who has other ideas or would be willing to help contribute to either an anthology or a web page should contact the UF office (uf@ufcccd.org or 925-680-1771).

## ***Know Your Contract: Full-Time Faculty Beware of “Postgraduate Professional Units”***

**Article 20.4.1.5.1** of the UF Contract specifies that for a faculty member to advance on the salary schedule by adding to his or her education, at least 50% of the units submitted for class advancement must be “upper division or graduate.” The article clarifies that one must have a “cumulative minimum of 50% upper division” units in order to advance. It is not necessary that one complete 50% upper division units for each class advancement.

But the article does not define “upper division units.” And some faculty are running into a problem with units labeled “professional” or even “postgraduate.” The District’s position for now appears to be that anything not specifically labeled “upper division” or “graduate” level does not count towards the needed 50%. This is even true for advanced UC Extension Classes labeled “professional, postgraduate.” Since “postgraduate units” are sometimes awarded too easily at conferences or the like, and the courses associated with them don’t always involve testing or homework, the District has chosen to reject such units as not graduate level or upper division. The UF is working to change this rule since many such courses are clearly rigorous enough to be justly called upper division, but for now, faculty should beware of courses offered through extension programs or adult education programs. When in doubt, ask the UF and/or District HR before enrolling in the course.

## ***President’s Message***

“Welcome back to all. I am pleased to report that we’ve had a productive summer. We are starting to make more progress in our revisions of the evaluation forms and procedures. We’re moving ahead on a UF financial plan that I hope our members will support. Our Tentative Agreement doesn’t have everything we were hoping it might, but there is a small bump to our formula-based salary increase, and we have made progress in a few key areas.

Before I comment on specific issues, however, I want to share a few words about Martin Padilla. Martin was the night manager at Contra Costa College until last week when someone fleeing the police struck Martin’s SUV near his home in Pinole and killed him. I teach nights at CCC, and so I knew Martin well. His title suggests that he was a manager, but he could as easily have been staff or faculty. He acted in all three capacities from time to time. He was, quite simply, the embodiment of what a college employee should be. He was reliable and supportive and

accessible and creative; I depended on him whatever the crisis. And he always seemed to be there when I had a crisis too, as if his job was to sniff out trouble and offer to help.

To be honest, I have no idea what his job was. I can't believe that the College really paid him to walk by my office as I emerged from class, arms overloaded with books and papers, just in time to unlock my door and let me in, or to poke his head into my film classroom to be sure I'd found the remote control. I don't know what his job description was because he never made it an issue. I asked him to photocopy something I'd forgotten once. I don't recall why, but I was all stressed out, and I happened to see him and asked if he had time to help. He certainly did not remind me then that he was a manager with bigger things to do. He just smiled and said he'd hurry.

I hear a lot at meetings these days about climate and culture. We need to improve retention, so we talk about the student experience and what could make it better. I can't imagine a finer example than Martin Padilla, a man who crisscrossed campus nightly looking for ways to support students and faculty. Truly, Martin demonstrated the ideal that faculty, staff and managers ARE the college. We offer the best to our students when we share the load and support one another.

This philosophy has worked fairly well for the UF in the year-and-a-half I've been President. Our partnership with the administration, always a work-in-progress, has served faculty better, as I see it, than a more adversarial approach might have done. We have negotiated two solid agreements, and we've continued to resolve individual disputes fairly and to the satisfaction of those faculty involved. But I want to be sure faculty know that we do challenge our administration and stand up to them when we think they're wrong, that we work constantly to protect and assert faculty rights and make sure that our district's policies serve our students and support our classes.

We've been speaking out about the long student waiting lists this semester and departments being blocked from opening new sections. We're meeting regularly with college presidents and district managers to improve scheduling practices and enrollment management. I have voiced concern to the Governing Board that we not simply grow a little during a demographic boom but take full advantage of the next few years. And we're speaking out too about the District's large reserve, pressing the Chancellor and the Board to invest some one-time money in growth as well salaries (as they have done this year), to be sure that our doors are open to all the students who seek us. We never let up on the subjects of more full-time hires and competitive wages.

These are challenging times financially in California, but our district seems a long way today from the crisis mode of just a few years ago. We must fight to continue moving in the right direction. On the State level, the UF has joined a coalition of other local groups to press our legislators for a budget that doesn't cut the investment in our students. We met this week with Republican Assemblyman Guy Houston, and we're working closely with allies in other unions and in the state legislature. On the local level, we must see to it that JoAnn Cookman is re-elected, not only because she has done a good job and shown herself to be sensitive to the faculty perspective but also so we need not suffer through the return of a trustee whom we worked so hard to unseat. We must press on with the work of our Compensation Committee and Enrollment Management Committee. We must find ways to afford not only higher salaries but

more full-time instructors. And we need to come together to bridge gaps between full-timers and part-timers, deans and departments; we need to follow Martin Padilla's example and support one another in our efforts to create the working conditions and learning conditions that serve students best. We have big challenges as a district and as a union, no doubt, but from where I sit, things are slowly getting better. Let's keep it up this year."

***Join the UF Listserv! Join the Part-Time Faculty Listserv!***

To join the listserv, email [ufcccd-subscribe@yahoogroups.com](mailto:ufcccd-subscribe@yahoogroups.com). Put "subscribe" in the subject line. If you have any trouble, call Terri in the UF Office, extension 2502. Part-timers should also join the CCCC PT Faculty Listserv. Email [deborahadahl@aol.com](mailto:deborahadahl@aol.com) with a non-district email address; include your name and college. Join the listserv and stay informed!

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**UNITED FACULTY OFFICE (DVC FO 121)**

Terri Adame, Office Administrator  
(925) 685-1230 x2502 or 680-1771 fax (925) 680-7283  
e-mail [uf@ufcccd.org](mailto:uf@ufcccd.org) website: [www.ufcccd.org](http://www.ufcccd.org)

(Email Jeffrey Michels at [ufjeffmichels@gmail.com](mailto:ufjeffmichels@gmail.com))