

## Independent Audit of UF Accounting Reveals No Problems

Our annual audit conducted by the firm of Clay, Millias & Co., LLP is now complete and available from the UF Office for any member who wishes to review it. The audit concluded that our financial statements present our expenses "fairly, in all material respects" and in conformity with accepted accounting practices.

## Compensation Committee to Report to Governing Board

The UF/District Compensation Committee, which has for the past two years been comparing both compensation and spending in other categories throughout the Bay 10, will report for the first time to the CCCCDC Governing Board at the April 29 Board Meeting in Brentwood. Copies of this report will be made available to UF Members on our web site after the Board Meeting. The Compensation Committee has also recently invited representatives from PEU Local One to join us in our work.

## Know Your Contract: Part-Time Faculty Step Increases

Part-time faculty may use both in-district and out-of-district teaching service for salary step increases. All in-district service should be automatically added to your service record by HR. All out-of-district college-level teaching requires filling out an application and that the other district send verification to CCCCDC for confirmation. Once you reach 1 Full-Time Equivalent year in service, the District will raise you one step on the salary schedule. If you earn less than 1 FTE of service (remember, summer also counts), the balance rolls over to the next year. You can only gain one step per academic year.

## Benefits Tips: Vision Services

Eye care benefits are provided by VSP. To access your benefits, go to the vsp.com web site. There is no VSP ID number. If you have any difficulty with the log-in process, call VSP at the 800 number provided on the web site.

If you already have an optometrist or other vision care provider, contact their office to make sure that they are a VSP Provider. VSP has a large group of providers, and you shouldn't have any problem finding one close to your home. Use the web site's provider-search mechanism to look for providers near you. I used it and found about 50 providers within 10 or 15 minutes from my home in Berkeley. There is also an advanced search function that allows you to search for a provider for special needs such as young children, contacts or sports eyewear. Warning: if you do not use a VSP provider, you will probably pay a much higher rate for vision-related services and supplies.

The VSP Benefits Plan Summary page gives a complete breakdown of services and costs. Exams are free and available annually. The main points to remember are:

1. New prescription lenses and frames are available annually, 12 months from your last purchase/service.
2. You are also eligible for computer glasses on an annual basis. I always get both when I need to replace my current glasses.
3. You do not have to go to an optometrist; there are ophthalmologists on the list as well.
4. You may be eligible for laser vision care at a discount price. Contact laser centers that have contracts with VSP.



Stuart Lichter  
UF Benefits Chair

## President's Message

A few of our UF team members were strategizing before negotiations recently, and one of them asked me, "Jeff, are you really sure we want to spend time talking about District Investigations? I mean, how many faculty does that really affect?" The question took me back a bit, because I hear about nearly every investigation that goes on, and oddly, disturbingly, there have been a rash of them recently. To me, investigations have become a regular headache. Don't all faculty need aspirin by now?

Of course, my colleague was right. Many of us will go through our whole careers without ever being formally investigated by our employer, and even in this apparently high-season for complaints, there haven't been more than eight or ten: no more than a handful of faculty affected. And yet, it's equally obvious to me that we must pursue some improvements and spend Table Talk space reminding faculty of their "Weingarten Rights." After all, none of us can ever know when we'll be next. One need not have done anything wrong for a complaint to be filed or an investigation initiated.

A lot of our issues are like that, it seems: they affect only a few of us, but they're important to our overall atmosphere and working conditions. Some issues, like salary or faculty evaluations, touch us all. But it's less clear why I should care, as an English Professor at CCC, if a Vocational Program Lead at DVC needs some release time. Between part-timers and full-timers, instructional and non-instructional faculty, scientists and humanists, lab professors and lecturers, we certainly have our fair share of factions. There are even more dividing lines if we start separating out our classified staff, managers, senates, unions, colleges, centers. So it's probably worth reminding ourselves that work in an interdependent environment where issues that may seem far from us at one moment can get a whole lot closer in an instant.

No issue stands out more for me in this context than part-time pay parity or equity. In our district right now, a part-time lecturer makes barely half what a full-timer with the same education and experience makes for teaching the same class. Tough luck for part-timer lecturers, eh? They should all go get full-time jobs. Unfortunately, full-time jobs are hard to come by, and no wonder, because until we remove this huge financial incentive, what district could afford not to use mostly part-time faculty? And we all know how we and our students are affected by the shortage of full-time faculty!

We need to remember that our working conditions are our students' learning conditions. When we stand up for our colleagues, we make our colleges better places to teach and better places to learn.

## Wanted from LMC!

Two Full-Time Representatives  
to the United Faculty  
Executive Board!

The E-Board meets every other Thursday, from 2:15-5pm; locations vary. The UF covers travel expenses, and Jeff cooks for every meeting. No experience required! Come help represent the faculty! Make contacts! Develop professionally! Email Jeff at ufjeffmichels@gmail.com for information.

### United Faculty Executive Board Members

|  |                             |
|--|-----------------------------|
| Contra Costa College                               | Los Medanos College         |
| Vern Cromartie                                     | Casy Cann-Figel (P-T Rep)   |
| Stuart Lichter (Benefits)                          | Milton Clarke               |
| Jeffrey Michels (Pres.)                            | Michael Zilber (Vice Pres.) |
| Licia Morrow (Part-Time Rep and Table Talk Editor) |                             |
| Dionne Perez                                       |                             |
| Rudy Zeller (Vice Pres.)                           |                             |

### Diablo Valley College

|                                     |                |
|-------------------------------------|----------------|
| Emmanuel Akanyirige (Treasurer)     | Jesse Lovell   |
| Glenn Appell (Vice Pres.)           | Jason Mayfield |
| Deborah Dahl-Shanks (Part-Time Rep) | Steve Padover  |
| Bruce Koller                        | Mary Ulrich    |
| Donna Wapner (Faculty Advocate)     |                |

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# Table Talk

The Newsletter of the United Faculty of  
Contra Costa Community College District

March 25, 2009

## News at a Glance

- UF Seeks Increased Support for Faculty Swamped by Administrative Duties
- Efforts to Improve Faculty Evaluation Forms Gain Momentum
- Negotiations Update: UF/District Seeking Prudent Progress
- Recent Complaints Highlight Need for Investigation Protocol
- Sabbatical Committee Approves 20, Rejects 8 and UF Appeal
- District Begins Issuing Load Reports to Part-Time Faculty
- 60th Anniversary to Include P-T Faculty Service Recognition
- Auditor's Report on UF Accounting Reveals No Problems
- UF/District Compensation Committee to Report to Gov. Board
- Regular Columns: "Know Your Contract"; "Benefits Tips"

## UF Seeks Relief as Faculty's Administrative Duties Multiply

Although DVC's renewed accreditation effort this semester is placing an unusually heavy burden on DVC faculty, the UF has been hearing from members district-wide about increases to administrative duties. SLOs and updates to Course Outlines of Record have been a part of it. Our shortage of full-time faculty has certainly contributed. Increased attention to enrollment management, shifts to block scheduling, and changes to lab schedules and hours-by-arrangement accounting have also compounded the problem.

As our members have risen to meet these increased out-of-classroom demands, the UF has been seeking, both in and out of negotiations, to add to the level of support coming from both the colleges and the District. We're seeking increased release-time funding for all our campuses, and to expand the list of faculty eligible to receive release-time to include program leads (who often spend substantial time now on scheduling and staffing for no added compensation). We're exploring ways we might establish a minimum level of release-time for department chairs (whose jobs, after all, require a minimum amount of work, even in small departments). We've asked the colleges to more consistently compensate those part-time faculty who help update course outlines or attend meetings related to accreditation. And we've discussed creating a fund to which all faculty might apply for special projects or seasonal tasks, like Program Review, that increase out-of-classroom demands. We're also asking for increased clerical support for departments.

As the pressure continues to mount because of accreditation issues and budget deficits, and as our enrollments expand next year beyond our state funding (which seems almost certain, and which will certainly bring fresh challenges), the UF would like to remind members that while shared governance and our professional obligations certainly require that we step up and pull together during difficult times, no one of us should be asked to carry an unjust or impossible load. Part-time faculty are not paid as part of their salaries (the way full-timers are) for out-of-classroom work. So if asked to revise courses or attend meetings, part-time faculty should request compensation. Chairs and program leads should communicate with the UF if their duties seem unreasonably demanding, because both formally and informally, there are ways we can help.

## Progress on Faculty Evaluation Proposals

Plans to improve the faculty evaluation forms and procedures are progressing steadily, with a faculty/management workgroup established by the negotiating teams scheduled to begin reviewing proposals on March 25. After more than a year of informal work on this subject, and two all-day flex activities where faculty from all three colleges brainstormed ideas and reviewed forms and procedures from other districts, the UF established a Evaluation Improvement Taskforce that has met regularly over the past few months. This group brought a series of proposals as works-in-progress to the Academic Senates last week for feedback. The proposals are available to review on the UF web site under "Recent News" and will be updated soon as our workgroup continues to make improvements based on faculty suggestions.

In all this work, our goal has been to make the faculty evaluation forms more valuable pedagogical tools without turning the process into a policing exercise or management club. We've sought to make the student evaluation forms clearer and easier for students (including ESL students) to understand, without in any way dumbing down the questions. We've eliminated the need on the classroom observation forms for evaluators to select between "strongly agree" and "agree" for yes-or-no questions. And we've gotten rid of "exceeds standards" as the top rating (in favor of "consistently high ratings"). And there are more substantial changes as well, such as adding a self-evaluation component to part-time evaluations or asking a few more teaching-related questions.

In the end, if all goes well, the negotiating teams will agree on a proposal that will come to all faculty at the semester's end as a "tentative agreement" to be ratified by a vote. We will not combine this agreement with any other, so that changes to the evaluation forms will not be tied to any salary increases or agreements on other issues. And it seems likely at this point that any agreement this year will leave parts out; we will likely need to keep working on evaluations next year to finish whatever we don't complete. This should also give us the chance to revisit any changes we do make after faculty have had an opportunity to actually use the new forms and procedures, so that we may continue to make improvements down the road.

## Negotiations Update: UF/District Seeking Prudent Progress

The UF and District negotiating teams have created two workgroups to make progress during March and then report back to the teams in April. One is the Evaluation Workgroup discussed above. The other is a Compensation Workgroup. The teams have agreed on a shared goal of "keeping momentum" even during this time of state and national economic crisis, but both teams have also agreed that we want to avoid imprudent steps that may get the District into trouble down the road. The UF would like to see a multi-year compensation agreement that raises salaries to the top third of the Bay 10 within the life of the agreement. But with growth about to expand beyond our funding cap, the compensation formula we used last year may not be the best tool to get us where we need to go. Our workgroup has been tasked with reviewing the formula in light of changing budget realities and with making a suggestion to the teams. A one-year deal is still possible.

The good news from a faculty perspective is that the District continues to voice a commitment to paying competitive salaries and to making progress even in this difficult economy. The bad news, of course, is that the economy will keep any gains we make modest. The lack of COLA next year alone means that salaries, even if they rise as much as we hope, will not keep up with the cost of living. We're pressing the District to make spending cuts away from the classroom, and looking for ways to boost efficiency without

diminishing course quality. We're also keeping in mind our other funding priorities: new full-time hires; part-time pay equity; release time; etc.

## Recent Complaints Show Need for Investigation Protocol

The number of formal complaints lodged against faculty has increased rather alarmingly this semester. Many of these are student complaints, alleging discrimination, sexual harassment, or some other misconduct (often related to having been dropped from a class or given a bad grade). Some are faculty-faculty or staff-faculty complaints. Some are related to larger scandals, like the recent allegations reported in the *Contra Costa Times* regarding a scheme at LMC whereby some out-of-state athletes paid in-state tuition.

In many if not most cases, faculty are cleared of any wrongdoing by District investigators, but it is nonetheless crucial that faculty know their rights. If you are contacted in connection with any investigation that might lead to disciplinary action by any District representative (including your dean or a Human Resources representative, but most especially by a lawyer or paralegal representing the District), you have certain rights and obligations:

- You have an obligation to cooperate with any District investigation. This does not extend to police investigations, even when the District Police Department is involved. With the Police, you have legal rights, which often include the right to remain silent. With your employer, you must cooperate or risk disciplinary action.
- **You have the right to have a Union representative present during questioning.** And you have the right to delay any conversation until a UF representative can meet with you. You also have the right to stop an interview in the middle if it becomes uncomfortable and to ask that it be rescheduled so that you can bring a UF rep.

These are called "Weingarten Rights" from a 1975 US Supreme Court decision. The Supreme Court ruled that the employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

We are seeking in negotiations to have the District inform faculty of their Weingarten Rights when appropriate. The law does not require them to do so, but informing us of our rights seems only reasonable considering that District investigators should seek to protect employees as well as students and the District. We are also asking that some basic courtesies be extended: that faculty be informed of the general subject under investigation and particularly that they be told when an investigation has concluded (something that is not part of the District's current routine). The recent increase in investigations has only served to highlight the need for a better defined protocol.

For now, faculty should know their Weingarten Rights, and know too that conversations with UF representatives are kept strictly confidential. The UF strongly recommends that any member who is contacted in connection with any formal investigation call the UF as a first step.

If you are contacted by a lawyer, paralegal, or even your dean, and you aren't sure what sort of investigation it is or what your rights are, read them this statement written by the International Brotherhood of Teamsters:

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I request that my union representative be present at the meeting. Without representation, I choose not to answer any question."

If the investigator refuses your request and keeps asking questions, this is an unfair labor practice.

## Sabbatical Committee Approves 20, Rejects 8 and UF Appeal

The Sabbatical Leave Committee, which is made up of eight faculty members and six managers (and chaired by the Chancellor, who does not vote) approved and ranked 20 sabbatical applications for next year while rejecting eight. It is not yet clear how many of the 20 approved sabbatical requests will actually be funded. We are in the stage now of determining replacement costs (which depend on how departments elect to replace faculty on sabbatical). On or about April 8, the UF President will meet with Vice Chancellor Kindred Murillo to review sabbatical funding and agree on numbers. Last year, by point of comparison, the District funded 17 sabbaticals.

Although we don't know all the details, the rejection of nearly 30 percent of sabbatical requests has raised some red flags for the UF. And we're in the process now of reviewing our contract language and procedures. We were also disappointed last week to lose an appeal we had made regarding a change request proposed by one of our members who was on sabbatical. That request had been approved by the Committee by a vote of 6-3 with one abstention, but the faculty member was told he could not make the change, since it takes 8 yes votes to approve a change on a committee of 14 members. The UF appealed this decision as a procedural violation, but the Committee ruled without comment or explanation that it did not violate procedure.

The UF leadership feels strongly, of course, that sabbaticals are of enormous benefit to not just our faculty but also to our students and our colleges, and that the opportunity from time to time to reconnect with one's scholarship and renew oneself as a teacher is invaluable. But these days it seems that too many of our faculty are being frustrated rather than inspired by the sabbatical process, and so we're beginning to look into possible remedies.

## District Begins Issuing Load Reports to Part-Time Faculty

As part of our ongoing effort to improve communications, the District has agreed to provide part-time faculty for the first time with Load Reports. Many part-timers did not really know or understand their load. Since the new law has now raised the part-time load limit to 67% and since a load definition is required for office hour participation, the UF felt this was important information for part-time faculty. So these reports are to help part-time faculty keep track of their load (which is also their service credit for STRS if they are in Defined Benefits) and to make sure they understand their opportunities to be paid for office hours, which are available at the rate of one half hour per .2 (20%) load. If you are not receiving your load reports as per this agreement with the District, please inform your dean and/or the UF.

## Part-Time Faculty Service Recognition

In conjunction with the District's 60th Anniversary Celebration, plans are underway to recognize part-time faculty who have served CCCC for 20 or more years. Part-timers should have received a form by mail or email from District Human Resources asking about their years of service. We have yet to hear about when the event will be scheduled or other details. The UF is also seeking to have the colleges include part-time faculty who have met other milestones of service as part of All-College-Day recognitions in the fall.

## UF Plans Retirement Workshop for Part-Time Faculty

The UF Part-Time Issues Committee will be holding a Retirement Workshop for part-time faculty. The Workshop will be held twice: Thursday, April 2, 2:30-5pm and Friday, April 3, 5:30-8:30pm in the DVC Staff Development Lounge. For details or to RSVP, please contact Deborah Dahl-Shanks at deborahadahl@aol.com or call the UF office at (925) 680-1771.