

UNAPPROVED (REVISED)
EXECUTIVE BOARD MINUTES
NOVEMBER 5, 2009
CCC RM. LA-107

The meeting was called to order at 2:32 P.M.

PRESENT: Terri Adame, Emmanuel Akanyirige, Glenn Appell, Shirley Brownfox, Vern Cromartie, Debra Dahl-Shanks, Bruce Koller, Stuart Lichter, Jeff Michels, Steve Padover, Dionne Perez, Mary Ulrich, Donna Wapner, and Rudy Zeller, Michael Zilber.

ABSENT: Casy Cann-Figel, Milton Clarke, Katrina Keating, Jason Mayfield.

1. ANNOUNCEMENTS –

- Michels announced that the FACCC Policy Committee, which Michels has recently joined, has mostly been talking about issues related to accreditation and SLOs. FACCC is going to devote an issue of their magazine to SLOs, and they have asked Michels to write a cover story giving an overview about what's happened with accreditation in the past few years and how this relates to SLOs.
- Michels announced information regarding a form that was sent to all District employees regarding benefits information updating from the District Human Resources department. Michels noted that the District did not consult the UF before sending this form, and he has expressed some concerns about it to Vice Chancellor Huff.
- Michels announced information regarding a Social Security Fairness Rally to be held in Sacramento on November 7, 2009 from 10-12 noon at the Capital Plaza Ballrooms, located at 1215 J Street. Michels stated that there is an AMTRAK train leaving from downtown Martinez on that morning for downtown Sacramento, or the UF will be arranging carpools for members who want to drive.
- Michels announced that the UF Tentative Agreement ratification ballots are due back in the UF Office by noon on November 11. Members may still vote by fax, phone or by e-mail up until the deadline of 12:00 noon on November 11th, but faculty will need to include the ID number from the green dot on the return envelope.
- Michels announced that the evaluation proposals have been reviewed, and all three Faculty Senates have given the UF a vote of confidence to move forward. LMC's Senate added that the UF should complete the Disabled Learning Specialist booklets as soon as possible. Michels said the booklets will be finished and available within the next few days.

2. EXECUTIVE BOARD MINUTES –

Following a motion by Zeller, seconded by Dahl-Shanks, MSU, to approve the meeting minutes from the Executive Board meeting on 10/22/09.

3. CCC GUEST ISSUES– none

4. VARIANCE REQUESTS –

Following a motion by Dahl-Shanks, seconded by Lichter MSC, with 1 no vote, to approve CCC's variance request for Brandy Gibson, English adjunct professor, to exceed the 67% load limit for the Fall 2009 semester.

5. STATE OF THE UNION DISCUSSION –

Michels presented the 8th draft of the proposed UF budget to the Executive Board for review and discussion. Budget Analyst Michael Anker was not present due to illness. Michels explained that the way the UF predicts revenues is based on what the District is budgeting because members pay a percentage of salary. Revenues for 08-09 were a bit higher than anticipated. The total number that the UF budgeted for revenues was \$308,000, in fact UF revenues totaled \$317,000 for fiscal year 08-09. Michels stated that the reason for the difference was partly due to new hires and growth in the Fall of 08-09. Anker has projected that revenues will fall in 09-10 due to cutbacks.

The Proposed Budget was reviewed by the E-Board line by line. Discussion focused on several areas including personnel expenses and salaries, payroll taxes, telephone and Internet costs, and E-Board oversight of UF spending. A number of questions were raised about how salaries are determined, particularly for the Budget Analyst and proposed Part-Time Faculty Advocate. Cromartie suggested that the E-Board needs a better understanding of what the Budget Analyst does for his salary, and Michels agreed that the E-Board will begin receiving regular reports from all those holding paid UF positions. Michels added that he was working on a book of job descriptions for all UF positions. Appell pointed out that some unions hire an Executive Director who shares the responsibilities of running the Union, and not long ago, the UF paid 50% release-time to a Lead Negotiator. The current positions of Budget Analyst, Contract Committee Co-Chairs, Benefits Chair and Part-Time Issues Chair, Appell said, are just a reorganization of duties every union needs to cover. Zeller argued that while oversight was important, the E-Board should not seek to micromanage. Akanyirige noted, however, that personnel expenses had still increased over the years and that the UF should seek to reduce spending in this area. He pointed specifically to the UF Budget Analyst and the proposed Part-Time Faculty Advocate as positions that are overpaid. He also reported that telephone/fax/internet expenses were particularly bloated and needed to be curtailed.

On the subject of payroll taxes, the current budget is based on shifting several paid, non-release-time UF positions, including President, Budget Analyst, Part-Time Faculty Advocate and Table

Talk Editor, from being treated as independent contractors to being treated as employees. This will mean that instead of preparing an IRS form 1099 for those employees, the UF will begin deducting taxes, and will pay its share of social security tax and workman's compensation. Michels explained that the shift, which the E-Board has discussed before, is based on the understanding that as those jobs have evolved, regular duties have been assigned which indicate that it is not correct to treat our employees as independent contractors. Some E-Board members voiced concern that this might be an unnecessary expense. Akanyirige noted that the positions in question are filled by members elected for two-year terms, and so the form 1099 is appropriate for accounting for their taxes. Only the Office Manager, he said, is a regular employee entitled to W4 withholdings and woman's compensation. Akanyirige warned that the UF's costs could continue to increase as more positions are added. Others argued that the UF should seek to be a good employer and so should err on the side of treating its employees well. Michels said he would check with the UF's lawyer to confirm that the shift was appropriate and in keeping with IRS policy.

Following a motion by Appell, seconded by Zeller, MSC, with 2 no votes and 2 abstentions to approve the Proposed Budget for 09-10 as printed and to be ratified by a vote of the United Faculty membership.

Michels presented revised changes (based on feedback from the previous E-Board meeting) to the United Faculty Constitution for review and discussion. The Executive Board discussed some of the changes to be approved as follows:

- Clarify that all terms for all seats held are 2 years.
- Create the position of Part-Time Faculty Advocate so as to add one more part-time member to the Executive Board.
- The PTFA should be appointed by the president and confirmed by a vote of all members.
- Clarify that the Treasurer shall be responsible for validating financial records.
- Add that regular elections are conducted in January as well as September.

Akanyirige suggested that language be inserted to address the issue of a quorum. Koller added that the faculty senate's quorum is 50% plus 1, and after a brief discussion, the Board agreed that quorum shall consist of at least 50% of the E-Board members.

Following a motion by Wapner, seconded by Koller, MSC, with one abstention, to approve the Constitution as amended and to be ratified by a vote by the United Faculty membership.

6. ARTICLE 25 AND PROGRAM NEEDS –tabled

7. OTHER BUSINESS–

Michels announced that he was continuing to be frustrated by his working relationship with Akanyirige as treasurer, and he asked the E-Board to elect someone new to the post. Michels recommended Katrina Keating as a Math Professor and E-Board member who had expressed interest in the position. Akanyirige noted that some tension between a treasurer and a CEO is

inevitable, since the treasurer's job is oversight, and financial news is not always good or politically expedient. He also expressed concern that Michels had been resisting Akanyirige's efforts to make the UF budget more transparent and to provide necessary oversight. Michels noted that there had been several attempts to resolve differences in the past, including meetings with accountants, and that he felt that a fresh start with a new treasurer would be best for the Union.

Akanyirige told the E-Board that the UF treasurer does not manage the money but internally audits and validates the financial reports from the president's office; therefore asking the tough questions to independently validate records by nature may be misperceived as tension when indeed he or she may be just doing his or her job. He also expressed concern that Michels was resisting Akanyirige's efforts to provide oversight and simply providing lip service to numerous suggestions or recommendations. A lengthy discussion ensued, with many members expressing support and respect for both individuals.

Following a motion by Appell, seconded by Zeller, MSC, with 2 no votes and 2 abstentions to elect Katrina Keating as the new United Faculty Treasurer, effective immediately, replacing the current United Faculty treasurer, Emmanuel Akanyirige.

8. UPCOMING MEETINGS –

- A. 11/10/09 DGC
- B. 11/12/09 CRC
- C. 11/17/09 BOX 2A
- D. 11/18/09 Governing Board Meeting CCC
- E. 11/19/09 Next Executive Board meeting at DVC in room LA-112

The meeting was adjourned at 5:18 P.M.

Submitted by: Terri Adame