

## Issues Roundup: Flex; Chair Stipends; Staffing Preference

Even as we seek to conclude last year's negotiations, we're beginning to work on issues that we will likely negotiate next spring. Here is a short report on a few issues where talks are underway or pending:

### Flex

We're working on new flex forms and a better tracking system. We also expect to make some changes to the "Local Planning Group" that, according to contract, oversees Flex Reporting. This will require that we take up the issue in negotiations next spring.

### Department Chair Stipends as Load

We have a problem with department chair stipends that may force us to reopen negotiations on that subject this spring. As part of last year's agreement, which increased District funding for chairs, we changed the rules so that when a chair takes a stipend rather than release time, the assignment will still count as load towards the annual load maximum. This seemed reasonable at the time. But in bigger departments, it means that anyone who regularly teaches overload has no incentive to become a chair. One can no longer add chair duties and earn a small stipend for doing the extra work. Now one must drop one's overload in order stay under cap while working as chair. So there is no financial incentive. And for a few who were already chairs and working overload, the agreement has turned out to be a pay cut (since they've been asked to drop classes to come under the cap). Fortunately, the colleges have agreed to be flexible and allow chairs to keep their historical load this fall and spring while we revisit this question.

### Staffing Preference Protocols

The District and UF plan to "sunshine" Article 25 at the November Governing Board meeting in order to begin negotiating some changes to the Part-Time Staffing Preference Agreement. This is an automatic reopener, so we've agreed to begin work now rather than waiting for the spring. First, we plan to negotiate several protocols for more consistent and transparent handling of part-time staffing. We'd like a better system in place for notifying part-timers when their application for staffing preference has been approved or denied. We'd like to establish a protocol for when a department can't offer a faculty member with staffing preference his or her historical load (a way for the member to know that Article 25 has been applied correctly). And in the rare case when a part-timer loses staffing preference for one of the reasons specified in the Article, we'd like a protocol for that too, perhaps one that includes a written warning before a violation leads to a change in status. Of course, the entire article will be open for negotiation, so if you have suggestions for how the Staffing Preference Agreement could be improved, please email the UF at [uf@uf4cd.org](mailto:uf@uf4cd.org) or speak to an Executive Board member.

### UF Planning to Survey Faculty in November

Soon, we'll conduct our annual survey to ask faculty which issues should be our top priorities this year. We'll also be asking about the academic calendar. Please look for our emails and participate!

## Academic Calendar: UF Considers Long-Term Changes

We've been talking about a great many changes to the Academic Calendar this year, including: moving to a two-year calendar; stabilizing spring break in the middle of the spring semester; trading Native American Day (in the fall) for Caesar Chavez Day (in the spring) or finding some other way to start on a Monday in the fall; starting and ending a week later in the fall; and others. Some of these changes would require buy-in from other constituencies (a change to Native American Day, for example, would need to be ratified by Local 1), and some we would only pursue after surveying our faculty (such as divorcing our spring break from what the County tells us is the most common week off for public high schools, which is how we pick the week now). So we have agreed to roll over the current calendar for one more year, since we need it set soon, and to begin working now on 2012-2013 with an eye towards making changes. Look for a survey on this subject coming soon via email. In the meantime, spring break happens to fall in the middle of our spring semester in 2011-2012, so that, at least, will be an improvement.

## UF Partners with Food Bank to Increase Donations

The Contra Costa/Solano County Food Bank serves more than 132,000 people each month, of whom 40% are children. An amazing 95% of all the money they collect goes to purchasing food! This spring, the UF will be sponsoring a canned food drive throughout our district. But you can help right now. Contact District Payroll and let them know you'd like them to take a regular monthly deduction from your paycheck and send it to the Food Bank. The deductions are taken post-tax, but are fully tax deductible as a charitable donation on your 1040.

## President's Message

The "Student Grievance Procedure" is printed in each of our college catalogs. I advise all faculty to review it. Stage 1 calls for dialog between the student and the faculty member. So does Stage 2. Whether informally, or with the Chair, or with the Dean or with the Senior Dean, most complaints should be resolved by discussion. Faculty should know when a complaint has been made and should have an opportunity to talk over the situation with the student. Certainly this step must be followed before any more formal action or investigation takes place! And shouldn't the same be true for faculty complaints about colleagues? If you have a concern or complaint about another professor, your first step should be dialog. Seek an informal resolution by discussing matters with your colleague. If that doesn't work and you need to appeal to your chair or your dean (or the UF), expect the next step to be another dialog, this time mediated by the third party you've chosen. Too often we're finding with both student and faculty complaints that this first basic step of notification and dialog is being skipped. Also, how about those Giants?

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# Table Talk

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

November 4, 2010

## News at a Glance

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## UF Elections Underway

This week, the UF will be distributing ballots for several elections. First, we'll be asking part-time members to vote on whether all part-time faculty in the Contra Costa Community College District should begin participating in **State Disability Insurance** and **Family Medical Leave**. As we have reported previously in *Table Talk*, a change in the law has made it possible for part-timers to separate from the rest of the bargaining unit for this one issue. So this will be a part-time-only vote, and the result will affect only part-timers.

The current cost to participate in SDI and FML is 1.1% of gross salary. If a majority of our part-time members who vote elect to participate, then all part-time faculty will see the cost deducted from their paychecks beginning in January of 2011 (assuming that the District is able to begin as anticipated). More details about the programs are available on the UF website: [uf4cd.org](http://uf4cd.org).

Our second ballot is for all UF members, and will include three questions. We are including these on the same page to save paper, but each vote is separate and has no bearing on the outcome of the others. Question One asks members to approve the proposed **UF budget** for 2010-2011. The budget, which is printed on the back of the ballot, is discussed more fully below (in the next *Table Talk* article).

Question Two asks members to approve an addition to the UF Constitution. The E-Board is recommending that we add a "**Quorum Definition**" as follows: added to ARTICLE IX Parliamentary Authority *and Quorum*. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with this Constitution or any special rules of order the organization may adopt. *A Quorum shall be defined as 50%+1 of the members of the UF Executive Board.* We are thus clarifying that when votes are taken at E-Board meetings, a majority of Board members must be present.



Lastly, Question Three asks members at each college to confirm their **UF Vice President**. Glenn Appell (DVC) and Michael Zilber (LMC) have been reappointed by UF President Jeffrey Michels; and Aminta Mickels (CCC) has been appointed for the first time. Each VP must be confirmed in a yes-or-no vote by members from his or her college.

Ballots will be distributed by November 5 and are due back in the UF Office before noon on Tuesday, November 23, 2010. If you would prefer to vote by email, phone or fax, please contact Terri Adame in the UF Office at 925-680-1771 or [uf@uf4cd.org](mailto:uf@uf4cd.org).

## UF Budget Overview

2010-2011 will be the third year of our three-year plan to rebuild UF reserves, after which we intend to reassess our dues and expenditures. We have done a bit better than anticipated in years one and two, but we know that reserves are a source of strength for a union, and considering that the UF ran large deficits four straight years from 2003/04 to 2007/08, we think it prudent to use this time of relative labor peace to save for future needs. Our budget, therefore, is essentially a roll-over from the previous year.

Overall spending, again this year, should remain about the same. The only significant increase is due to an added cost for release-time purchased from the District. As sections have been cut and newer part-timers laid off (and fewer new part-timers hired), the average cost for part-time faculty (upon which our bill for reassigned time is based) has gone up. We're not planning to buy more time than in the past, but the cost has increased a bit.

We are also budgeting a little more for legal expenses, recognizing that as we continue to negotiate intellectual property rights, we may need some specialized legal advice, as we did this past year.

Our revenues projections are based on the District's budget (which estimates the number of full and part-time faculty for the coming year). Like last year, revenues have come in a bit ahead of what we had anticipated, but we're expecting a slight decline in the coming year. Also like last year, a number of contingencies for which we had budgeted wound up costing less than they might have, including grievance processing and changes to our benefits costs. These factors combined to produce a better-than-expected surplus, and our reserves have been the beneficiary.

If you have specific questions about the UF Budget, please feel free to contact UF Treasurer Katrina Keating at [kakrina@yahoo.com](mailto:kakrina@yahoo.com). The full budget proposal is printed on the back of the ballot.

## Negotiations Moving Slowly Forward

The UF and District teams met on October 25 for a half-day of negotiations, but we have yet to complete our anticipated Tentative Agreement for 2010-2011. We are still working towards a long-term plan to address part-time pay parity/equity, as well as a compensation agreement/formula for all faculty. Plus, we've returned to the subject of benefits to discuss again the straw design the teams had produced regarding Medicare Part B reimbursement and Medicare-coordinated

programs. The subject of Medicare in coordination with District-offered health care plans (Kaiser and HealthNet) is complex, and to aid the UF in asking the right questions and evaluating the issue, our team added several members for the Oct. 25 meeting. First, we hired a benefits consultant, Linda Pierce from the firm of Rael & Letson, with whom the UF has worked in the past. Linda joined our team in negotiations and consulted with us before and afterward regarding a number of options. We also brought two DVC full-timers, Tina Levy and Elane Rehr, who have been helping research the implications of requiring future retirees to enter coordinated programs (to be reimbursed for Medicare B). The District's benefits consultant, Tom Rich, and HR's retiree-benefits expert Reed Rawlinson, were also present.

Here is the issue: the District currently reimburses retirees for Medicare Part B (which covers physician charges), a practice that apparently began in 1994 as part of the District's efforts to convince retirees to enter into Medicare-coordinated plans with HealthNet and Kaiser. Coordinated plans (Kaiser Senior Advantage and HealthNet COB) offer members exactly the same services and benefits as current employees receive (in regular Kaiser and HealthNet HMO), but because of the coordination with Medicare, the premium costs to the District are significantly reduced (by more than \$400 per month).

Many retirees, however, have opted not to enter coordinated plans, especially Kaiser Senior Advantage, since this plan requires one to give up one's Medicare card (by assigning Medicare A and B to Kaiser). A retiree in Senior Advantage may take full advantage of all Kaiser services no differently from an active employee, but he or she may not go out-of-network by using a Medicare card in the way someone not enrolled in the coordinated plan could do. As many as 150 current retirees are in Kaiser and have not joined Senior Advantage (even though they are still being reimbursed for their Medicare Part B), and this is costing the District about \$1 million per year.

As we have been struggling in negotiations to find some solution to the annual increases in benefits costs that are draining the District's resources (adding to the cost of total compensation every year without actually increasing salaries or benefits for faculty), these questions arose: do we want to pay another million dollars for future retirees (keeping in mind that we do not negotiate for current retirees) by continuing to subsidize Medicare for the same retirees for whom we already buy Kaiser or HealthNet insurance? Can we afford, essentially, to offer better insurance for retirees than active employees have?

It was this line of thinking (and our desire to find savings that would translate to a salary increase in our salary formula) that lead us to complete a straw design that would require future retirees to enter a coordinated program before the District would reimburse them for Medicare Part B. Retirees who wanted to stay in HealthNet Elect (which does not coordinate with Medicare) could do so, but if they wanted to have Medicare as well, they would need to pay their own Part B (currently about \$110 a month, up to \$154 or more depending on income, and double that if one covers a spouse as well). For HealthNet HMO members, the COB plan allows one to keep one's Medicare Card, but there is still a downside: some limitations, including the fact that one

can't buy medigap insurance (which can cover or cap the 20% that Medicare doesn't pay). Kaiser members would need to either enroll in Senior Advantage or pay for their own Medicare Part B.

We think the savings from such an agreement, projected into the future, would be substantial. And since the District sets aside money every year to fund our future-retiree liability, we think we might be able to realize some part of those savings right away. But the complexity of the issue has given us pause.

We also know that even if all savings realized from such an agreement were to go towards faculty salaries or other UF priorities, this is a significant concession, and not one that would affect all faculty equally. Those nearing retirement would be losing an option (or having to pay more to have multiple options) while most of the savings would likely fund future raises that might not affect members post-retirement. At our October 25 meeting, we discussed and reviewed options that might address our shared interests in maximum flexibility for retirees, in getting the best value for money spent on benefits, and in respecting and treating fairly those faculty who have given a career's worth of service to the District and our students. Some of those options will require more discussions with the insurance carriers themselves, so we still have some work to do before we reach a tentative agreement on this issue.

Of course, we will also hold meetings and give our members time to learn more and weigh in before we hold a ratification vote this year.

## UF Plans to Host a Benefits Conference

Although we have yet to decide on a date, the UF has begun working with FACCC and with District HR to sponsor an all-day Benefits Conference some time next Spring. The idea is to bring representatives from our benefits providers, and to offer a variety of presentations and workshops throughout the day. Faculty will need to pre-register (though the event will be free), and space will be limited. Right now, we are planning workshops on the following subjects:

- STRS and Retirement
- Pension 2 and Financial Planning
- Unemployment, SDI and Paid Family Leave (for PT)
- Districts Benefits I (health care options: Kaiser, HealthNet, Vision, Dental)
- Districts Benefits II (maternity leave, family leave, sick leave, personal necessity leave, etc.)

If there are other subjects you would like to see covered, or if you have ideas for the conference, please contact our UF Benefits Chair, Stuart Lichter, at [SLichter@contracosta.edu](mailto:SLichter@contracosta.edu). And look for details soon about pre-registration for the Benefits Conference.

## New Due Dates for Pre-Retirement Reduced Workload

Article 14.2.8 and 14.2.9 of the UF Contract are out of date. New STRS rules require faculty who wish to participate in the pre-retirement reduced workload program to begin in the fall. So faculty must notify the District by Feb. 15, 2011 in order to participate in fall 2011 or spring 2012. We will update the contract as soon as possible.