

## UF Negotiators Comment on the Tentative Agreement

**Glenn Appell:** While it is never fun to take any concessions, I am absolutely convinced that this is a good agreement given the difficult circumstances. The state is unfortunately being governed by the tyranny of the minority, and this minority voice is dead set on dismantling the public sector by starving it. As part of the negotiating team, I feel that this agreement is fair, and I encourage you to support it.

**Michael Anker:** I recommend approval. It is never easy to recommend an agreement that costs money rather than increasing salaries. However, the district faces increased costs and reduced revenues that together are likely to be between \$16 million and \$26 million. In the face of so huge a problem, I believe this agreement is reasonable. In fact, I believe we only achieved this agreement because management and the Board recognize and respect the sacrifices faculty have already made (as outlined in the most recent *Table Talk*). Hopefully, we will soon see better state budgets, but, for a very bad year, this agreement has much to recommend it.

**Brendan Brown:** This one took compromise on both sides, but it could have been a lot worse. And the on-line office hour and extended PT benefits are nice wins for the faculty. I think we did well.

**Deborah Dahl-Shanks:** I support the TA because it keeps intact parity for PT faculty (who already took a hit in spring of 2010). It offers ALL faculty the opportunity to have an online office hour (let's join the 21st century). It protects PT faculty who need and have district health care and through no fault of their own are having their schedules cut (this lifeline is both necessary and humane), and it allows us to extend the complete contract for another three years while protecting the integrity of our health care options, salaries, load parameters, and general working conditions. It is a good deal considering the incredibly awful position the State budget has dealt us (including our students).

**Jill DeStefano:** This TA protects faculty by not allowing our contract to expire. We did better now than we would have done by waiting for fall.

**Doug Dildine:** The key elements for me were step & column, online office hour for all faculty, continuing (if possible) health benefits for part-time faculty who may drop below the minimum load due to schedule reductions, and at the top of my list: a continuing commitment to parity pay. In these difficult times it is a testament to both the UF and the District that they bargained in good faith and continued successful and positive negotiations that protect the integrity of our district so that all constituencies may persevere.

**Aminta Mickles:** I support the TA because it did not disrupt our benefits to the extent that employees had to come out of pocket for a significantly higher amount.

**Michael Zilber:** To paraphrase part of Charles Dickens, this is indeed the "worst of times" as far as the state of California's finances. In a system where 34% can block the people of California from even VOTING on a balanced approach to the budget, I believe that our negotiating team got us the "best" deal we could have gotten under the current conditions. The fact is, we need to look at the conditions and concessions around the State, and recognize that, under the circumstances, our concessions are not draconian, and we have strengthened part-time health benefits and parity, offered a substantial cash incentive for our faculty who are considering retirement, and brought an online office hour that will be of great benefit to our students and the environment. Is it a settlement we can celebrate? No. But considering the climate of cuts and fiscal Armageddon, it is an agreement I can fully support.

## Benefits Changes in the Works Including a PPO Option

The current TA will close negotiations on benefits for 2011-12, but we still expect at least one change next year. Health Net has apparently told the District that they will no longer offer their "Elect" program to retirees, and unless something unexpected happens, we anticipate that retirees will soon be told they need to choose another option. Preparing for this, the District has pressed Health Net to offer us a PPO plan, and this will likely be for active employees as well as retirees. Active faculty will still retain the option to use Health Net Elect or their HMO, but we may also be able to choose a PPO plan that offers a wider range of providers than Elect (possibly a two-tier plan of some sort with a 90/10 tier-one option and either an 80/20 or 70/30 option in tier two--meaning that the insurance company pays 90% of the bill and the member pays 10% up to some annual cap, maybe \$2000... or 80/20 out of network). We also expect negotiations for 2012-13 to focus on stabilizing benefits costs somehow (so that we don't see double-digit increases every year). This might include everything from a wellness program to switching providers. The scenarios are complex, and we're looking for options that will protect the quality of our health care (and our take-home pay). So we're glad for the time this year's agreement will buy us to work with a little less pressure. The UF has also hired a local independent benefits expert, Kevin Roberts, to consult with us, and we've been pleased with his advice so far. He will likely accompany us in benefits negotiations next year.

## President's Message: No Cuts Period or Pragmatism

This was a difficult negotiation, even if it came together quickly; and both sides are taking a risk. The UF is making concessions without all the facts, trusting that the District will spend reserves as the Board has authorized, trusting that if the picture changes for the better next year, we will agree on ways to recover. The District is accepting one-time solutions where they would have preferred ongoing savings, trusting that if things get even worse, we will continue to work with them, trusting that modest agreements, even if they contain concessions, will keep up morale where a harder line would threaten faculty productivity. And faculty should know, they have always acknowledged in bargaining the tremendous contribution we have made by taking on extra students.

I wish our line in the sand could have been "No Cuts. Period." After all, we're against cuts to the schedule. We're absolutely against layoffs. We oppose any cut to pay or benefits. We hate the idea of cutting sabbaticals. We should not have to cut. Demand is up. Our workload has increased. Costs are up: gas; food; supplies. We want to say: no cuts period.

But it's not up to us; we have no choice but to be pragmatic and to make the best of this bad situation. We owe it to one another; we owe it to our students; we have to find ways to share the sacrifices and move forward even as we also have to find ways to convince the public to invest in education. Please vote yes on the TA, and keep the faith. We will turn this corner before long, and in the meantime, we're still making improvements here and there. We're banged up but we're keeping the motor running.

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# Table Talk

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

May 6, 2011

## News at a Glance

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## UF and CCCCDC Reach Tentative Agreement for 2011-12

The UF and CCCCDC have reached a Tentative Agreement for 2011-12, and this week the UF E-Board voted unanimously to recommend ratification to our membership. A complete copy of the TA is being delivered today to campus mailboxes, along with a ballot and a return envelope. UF members may vote by paper ballot using campus mail, or by phone, email or fax. To vote by phone or email, you will need the identification number from the green dot on the envelope that came with your ballot. Please contact the UF Office at 925-680-1771 or uf@uf4cd.org to vote or ask questions. Votes are due in the UF Office by noon on Monday, May 23.

If ratified, this agreement will conclude formal negotiations over compensation and benefits for 2011-12. Discussions over other open articles, including Evaluations, Part-Time Staffing Preference, Calendar and Flex will continue into the fall. But neither side may open additional articles without mutual consent.

## UF Meetings Scheduled to Discuss Tentative Agreement

We have scheduled the following open meetings to review the TA. These are drop-in meetings, so members are welcome to come for any part of the scheduled time.

**Contra Costa College**  
Monday, May 9, 12:30-2pm, Room LA 107

**Los Medanos College**  
Tuesday, May 10, 12:30-2pm, Room 322 (Little Theater)

**Diablo Valley College**  
Thursday, May 12, 12:30-2pm, Room L-151  
(Library Media Room)

**San Ramon Center**  
Monday, May 16, 12:30-2pm, Room W204

## TA Highlights: Issue-By-Issue

The full text of the Tentative Agreement (except for the signature page) has been distributed along with the ballots to campus mailboxes and is also available on-line at [www.uf4cd.org](http://www.uf4cd.org). What follows is a summary of each section along with some analysis.

### Financial Concessions Will Save District \$1.5 Million

The financial concessions in the TA will contribute about \$1.5 million to the 2011-12 budget, which is our estimate of the faculty share of 2011-12 cost increases in benefits premiums. We had originally thought to mitigate these new expenses by reorganizing benefits this year: perhaps by raising copays or somehow incentivizing less expensive plans; perhaps by changing our non-Kaiser options (the District has asked other providers like Blue Cross to submit bids). But it soon became clear that the best solutions would take more time to review; the negotiations involved providers as well as other employee groups. And implementation of even modest changes would likely happen too late in the next fiscal year to help in the short run. Plus we were not ready to make ongoing changes in the face of so many uncertainties, without knowing how deep the cuts will be. We preferred a one-year approach to our immediate budget problem and then to wait for more complete information and a fuller range of options before we consider permanently changing our health plans.

So we looked for the least painful ways we could make one-time concessions. First, we rejected many bad ideas from a long and disturbing list. Finally, we agreed on the following: \$100 per month from every full-timer for one year (taken in pre-tax dollars as a contribution towards benefits premiums in addition to our usual 6%); no new sabbatical money for the next two years (and we give back the leftover money in our sabbatical account from this year); and one year where the UF has to buy all release-time for our officers from the District (usually they fund two FTEF).

The \$100/month for 2011-12 is essentially a modest, one-year pay cut, but because we have structured it as a contribution to benefits, it will not affect anyone's retirement negatively (the way a step and column freeze or salary cut would), and we make the contribution in pretax dollars. So for every \$100 we give the District, our take-home pay decreases by only \$67 or so (depending on our tax brackets).

Losing two years of sabbaticals is certainly disappointing; and we were pleased to note that the management team seemed to agree that this concession was a difficult pill to swallow. We know our District Trustees have in the past voiced strong support for sabbaticals, even in tough economic times (most recently Governing Board President John Nejedly at a UF candidates' forum). So we decided to capture the unified support for professional development and sabbaticals in language at the end of our agreement. But like many Bay 10 unions that have sacrificed sabbaticals over the last couple of years, we came to decide that this concession was ultimately less painful than more money out of our pockets. Nobody really *loses* a sabbatical in this agreement; at worst sabbatical plans must be delayed by a year or two. Those faculty who have already had sabbatical applications ap-

proved for next year will still be able to complete them. And since the Tentative Agreement does not change the sabbatical language in the contract (but only suspends it), we fully expect sabbaticals to return in full force two years from now.

Lastly, we gave up one year's UF reassigned time. This was one of those deal-sealing additions where we sought another \$80-100K, and we picked the lowest-hanging fruit. Three years ago, when we were putting the Union's financial house in order, the District agreed to increase our funded release time for one year. With this TA, we are essentially returning that favor and paying the District back. We will seek to economize in next year's UF budget by reducing a bit the release-time we use, and we will spend down some of our union's reserves. But this concession on our part allowed us to extend benefits to part-timers whose sections are being cut this year and next and who might otherwise become disqualified from buying health care through the District. Thus we have used some reserve dollars to seal an agreement (and avoid the cost of protracted negotiations and perhaps impasse) and to protect a sizable group of our members from losing a crucial benefit. We will still have a healthy reserve that we'll be able to rebuild quickly, thanks to the changes we made several years ago to our UF dues structure and our generally lean organization.

### The "Separation Incentive" Pays FT Faculty to Leave

One other source of potential savings in the TA is a "separation incentive" that will pay \$1000 per year of service (from 5-20) to any full-timer who retires or quits at the end of this year. For those with 20+ years of service, this means \$20,000 paid in one lump sum (which can be put into a 403B or 457 plan to defer taxes). The deadline to apply is June 10, with the date of retirement no later than June 30, 2011. We recommend that faculty who opt in set a May 28 retirement date (the day after classes end), since this results in two June checks: one from the District and one from STRS. The program will almost certainly save money, so faculty should apply with confidence. If the District were to rescind the incentive (or if the TA were not ratified), nobody would be forced to retire. Applications are being accepted immediately.

We have ongoing concerns about our low full-time to part-time ratio, and this agreement explicitly notes that full-timers may not be replaced (meaning that departments that lose full-timers to this incentive may not get to hire new full-timers, and probably not in 2011-12). Still, we know that the severe schedule reductions are thinning our part-time ranks, so even with some full-time retirements, our ratios will likely improve next year. This does not help with program review and SLOs and the other administrative work that burdens our thinly stretched full-time ranks. But on balance, we think this a prudent step this year. We wish the District had agreed to a cash-incentive sooner. And nothing in the TA precludes our continuing to push for more full-time hires, as we certainly shall once the financial picture stabilizes.

### Part-Time Pay Parity Remains Stable for 2011-12

We know we need a long-term solution to our parity / pay-equity gaps, and we'll be looking at ongoing solutions that meet both District and UF priorities next year. For 2011-12, we keep the parity rate stable at 7.8%, with some limits to the District's liability were the State to

cut categorical funding for parity again (which we don't anticipate) or were our agreement to yield substantially less in savings than we expect (which is also unlikely).

### A Pilot Program for On-Line Office Hours

Starting July 1, 2011, and for the next two years as a pilot program, all faculty (full-time and part-time) will have the option of designating up to one regular office hour as an "on-line office hour." We think this is a huge step forward for students and faculty. The on-line office hour must be a regularly scheduled hour, posted along with on-campus office hours, where the faculty member is available on-line for students (via Skype, WebCt/Blackboard, email, or other electronic means). We expect this will allow faculty to make better use of their time and make us more accessible to students. We've agreed to set up a task force to monitor and evaluate the success of this program and to make recommendations prior to the conclusion of the two-year pilot.

### Keeping Benefits for Part-Timers Facing Load Reductions

We have been frustratingly powerless to prevent schedule reductions and the laying off of part-time faculty these last couple of years; this agreement may help a little, but schedule cuts and layoffs are still our system's main response to the funding crisis. One problem that we have managed to address, however, at least in the short run, is that many of our long-time part-timers are losing benefits as well as pay. Many have seen their load reduced from two or three classes per semester to just one, and this creates a double-hardship if they rely on District benefits. By contract, one needs to average 30% load over two semesters to qualify for District health care. This TA would lower that threshold in 2011-12 to 20% for those who have already qualified at 30%. In other words, a faculty member could lose one of his/her two usual classes next fall and remain in District benefits next spring: no expensive cobra costs; no fear about astronomical premiums if forced to go it alone outside our group plan. We still need Kaiser and Health Net to agree, and the District's benefits consultant, Tom Rich, has been working to convince them that this will not meaningfully increase their risk. But we are optimistic that this plan will go through, and we hope to negotiate something like it in the long run, more permanently, if we do ultimately turn to making permanent changes in benefits next year or beyond.

### UF Contract is Extended to June 30, 2014

Our contract is set to expire June 30, 2011. This TA extends the complete contract for three more years. Each side will still retain the right to open two articles each year, and we will still negotiate compensation every year. But the whole contract will not open for three more years, as it would have in July if we had allowed it to expire. The TA also says that the District will fund step and column for 2011-12 as well as its share (94%) of the increased cost of health benefits (not counting the \$100/month full-timers will contribute). The TA commits both the District and the UF to shared goals we have articulated in the past, including paying compensation in the top third of the Bay 10. Obviously, we hoped to be making faster progress toward this goal! But as long as the vision remains a part of every agreement, we think it gives us something to work towards next year and beyond.