

UF Negotiating Team Members Weigh In on the TA

Jason Mayfield (UF Vice President for DVC) writes:

I fully support the TA. In addition to the above-COLA raise this year, there are resources allocated towards adjunct salary and office hours, coaching load, department chairs and CTE coordinators compensation, and science-lab load. The TA also brings back extended family leave and the Step 27 salary increase for long-time employees. The TA includes our first intellectual properties rights statement negotiated with the district and directs the Load Task Force to continue working toward making lab load assignments fair for all disciplines. In all, this TA represents years of work on numerous issues and is a important step toward more equitable compensation.

Mike Anker (UF Budget Analyst, Retiree, and Veteran Negotiator) writes:

This agreement addresses several issues that have been on the table for years. This year we made real progress. The fact is that ever since Proposition 13 passed in 1978, finding the money to do everything we should has been a major challenge. In fact, the scarcity of funds has also led to internal divisions. Sometimes we even hear managers talk about "the District" as if they were the District and everyone else was somehow not. The simple truth is that we are all the District, so we are all concerned when money is spent unwisely. The UF has for years watched whether there were too many managers and whether they were paid too much, because wasted money hurts all of us. This agreement has a Medicare provision that may appear to be a sacrifice for faculty, but it just makes good money sense. Some people may be more comfortable having both District insurance and Medicare too, but there does not seem to be any real benefit that Medicare provides and district insurance doesn't. However, the difference in cost is enormous. One example is retiring with 80 points combining age and years of service, hired before 2004, and with one dependent and both of you over 65. For the Anthem EPO policy, the District would have to pay more than \$35,000 a year extra if you retired without signing over Medicare, and you would have to pay over \$10,000 more per year (to cover your spouse). For Kaiser people, the difference is more than \$18,000 extra cost to the District and more than \$6,000 to the retiree. If the extra cost was small, perhaps it would be worth it just to be more comfortable. However, the cost is substantial, and we have found no evidence that any real services are lost, so you can understand why the negotiating team and the Executive Board recommend that you support this provision and, of course, the whole agreement. In case you are wondering, my wife and I signed over our Medicare.

Doug Dildine (UF Part-Time Faculty Advocate) writes:

The centerpiece of this agreement for part-time faculty is the UF/District commitment to bringing all part-time faculty pay to 75% parity (meaning that part-time teaching assignments should pay 75% of full-time teaching assignments, factoring out any pay for office hours and professional obligations). By finally beginning to address parity gaps in a meaningful way, this TA turns an historic corner for part-time faculty in our district.

Jill DeStefano (Veteran UF Negotiator) writes:

A new three-year successor contract protects the best provisions in our contract, from benefits to banked load. We gave up little and won agreement on nearly every issue on our list. Next year, we'll look for new money to go to more full-time hires.

Milton Clarke (UF Vice President for LMC) writes:

The TA is the confluence of various factors, including a favorable budgetary year, the UF's scrutiny of district finances, and an unwavering commitment by the UF to address long-standing inequities. Not only does this TA span a wide spectrum of faculty interests, it also lays the foundation and establishes precedents for ameliorating other faculty grievances and concerns. Ultimately, the TA reflects district-wide faculty priorities as presented by the UF negotiating team, but predicated on faculty direction and guidance. Citing and recounting actual faculty experiences made all the difference to a district management team often consumed with fiduciary responsibilities. The assets and liabilities of future agreements remain contingent on that direction and guidance.

President's Message

Workload Equity, Higher Salaries, and More FT Faculty

Last week, after an epic advocacy campaign by faculty leaders in Sacramento, the California Community College Board of Governors agreed to advance the recommendation of the State Chancellor's Office to ask from our system's share of next year's Proposition 98 funding guarantee \$75 million for hiring new full-time faculty and \$25 million for part-time pay parity and office hours. We may not actually get the money. That will be up to the Governor and Legislature (so our advocacy efforts can't slow down). But just getting to the point where the Board and Chancellor's Office finally seem to recognize that these are urgent priorities has taken years and clearly reflects progress where sometimes the cause has seemed downright Quixotic.



Donna Wapner

Our TA is likewise the product of years spent debating and postponing. Workload equity issues, as we have been calling them, that address the needs of one group or another, never have as much force at the bargaining table as sweeping reforms or across-the-board pay increases that affect everyone. And for every group whose cause we spotlight at the table, there is always some other group that also deserves attention. In truth, there are so many workload inequities built into our system and so much historical imbalance in expectations, contract language, and even pay, that deciding what areas to tackle first has not always been easy.

This TA finally turns a corner and begins to address these issues. Groups that have been coming to the UF for years seeking help, from our under-supported coaches to our CTE Program Leads to our science professors, all will finally see real results. Senior faculty whose pay has been frozen for years without a step increase finally will get the boost they were promised two years ago (which was overdue even then). Part-time faculty, whose pay has lagged behind other districts, many of which have already reached pay-parity goals, finally get progress too, not just promises. We even reached agreement on intellectual property rights, something we were not able to do the last time the UF raised the issue.

Of course, we still aren't satisfied with salaries in our district. And we have more work to do on load equity, evaluations, distance education, and a whole host of other concerns. But I am really happy to see so many old issues finally addressed (and fairly) in this TA. This is a good agreement, and it should set us up for continuing the progress in the future. If the State's next budget reflects the system's request, we could see a big hiring year in 2018-2019, and even without new categorical funding, the UF will be pressing for more full-time hires next year. Better support from District HR (also in this TA) will help. We will be aiming for another raise in 2019-2020. Those talks will start next spring, and for the first time in a while, we should be negotiating forward rather than retroactively. By giving ourselves the time this year for work-groups to address distance education, lab load and benefits, we should see more progress soon.

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Table Talk

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

September 28, 2017

News at a Glance

- **Lead Story:** *Ratification Vote Begins for Tentative Agreement*
- **Full Review of TA:** *Point-By-Point Review of the TA; UF Negotiators Analyze the Details*
- **Political Action Report:** *Faculty Bills Head to Governor's Desk*
- **President's Message:** *Workload Equity, Pay Raises, and Next Steps (Hiring More Full-Time Faculty)*

UF Begins Ratification Vote for Tentative Agreement

UF and District negotiators have reached a Tentative Agreement (TA) for 2017-2018 and 2018-2019 that raises faculty pay and addresses many of the issues the UF has brought to the table over the past several years. A point-by-point discussion of the details is included in this issue of *Table Talk*, and the full text of the TA is available for review at the UF's website: www.uf4cd.org.

The UF will begin our ratification vote on Thursday, Sept. 28, with votes due (either electronically or communicated by phone or email to the UF Office) by Wednesday, Oct. 11. Every UF member should receive a link to our electronic ballot via campus email on Thursday, Sept. 28.

If you do not receive your voting link by the end of the day on Thursday, please call Terri Adame at the UF Office: 925-680-1771 or send her an email at uf@uf4cd.org. Each voting link may only be used once, so don't share your link with anyone else. Faculty who prefer may elect to vote by phone or email simply by contacting the UF Office.

We have also scheduled open, drop-in meetings to discuss the TA at all of our colleges and centers (see schedule on this page). If you have questions or concerns about the TA but can't make it to one of these meetings, please email UF President Donna Wapner at dwapner@sbcglobal.net or UF Executive Director Jeff Michels at ufjeffmichels@gmail.com, or speak to any UF Executive Board member.

If UF members vote to support the TA, it will go to the District Governing Board for their ratification at their October 11 meeting. We expect that retroactive salary increases will reach faculty in December, before the winter break.

UF Meetings to Discuss TA

CCC	
Mon., 10/2, 9-10am	AA 145
Wed., 10/4, 12-1pm	GE 305
DVC	
Tues., 10/3, 4-5pm	L - 151
Wed., 10/4, 8-9am	L - 151
LMC	
Mon., 10/2, 2:30-3:30pm	L - 105
Tues., 10/3, 9-10am	MA - 142
SRC	
Mon., 10/9, 2-3pm	W - 204
Brentwood	
Tues., 10/10, 12-1pm	Classroom 8

Point-by-Point Review of the Tentative Agreement

Duration: Extending the Contract for Three Years

The TA creates a “successor contract” that extends all articles and provisions for the next three years (2017-2018, 2018-2019, and 2019-2020), expiring June 30, 2020. Salary and benefits for 2019-2020 will still need to be negotiated, and both sides can also open up to two articles each, in addition to an agreed-upon list of automatic reopeners for 2019-2020. So mostly this is a two-year agreement, but it ensures that the full contract will not reopen until 2020 (the maximum extension allowed by law).

Compensation and Salary Increases

For 2017-2018 and 2018-2019, the District will cover step and column increases as well as its share (94%) of health benefits premiums. Full-time faculty will also receive an ongoing 2% salary increase, retroactive to the start of fall, 2017, on the B-1 salary schedule (A load). For part-time faculty, the raise will be applied to the “load adjustment factor,” depending on assignment type. Our district currently uses a load adjustment factor (raising the hours paid rather than the hourly rate in their computer system) to enable salaries to be increased by assignment type as a way of addressing pay-equity gaps for part-time faculty because our hourly part-time pay does not take into account load variations, the way full-time assignments do (with different load factors for lecture, lab, English Composition, etc.). The result is the same as any salary increase (and our district now publishes separate salary schedules by each assignment type, so part-timers can accurately understand their rate of pay.) Aiming to make progress towards our previously negotiated goal of paying part-time faculty 75% of full-time pay (excluding office hours and professional obligations), we agreed to apply the money for the part-time salary increase as follows: a 1% raise for standard lab assignments (lab 2); a 4.3% raise for lecture assignments and lab 1 (science labs); and a 5.2% raise for English composition-type assignments.

Step 27

Retroactive to fall, 2017, steps 23-27 will be added to the B-1 salary schedule (full-time “A” load), with an ongoing 2% increase at Step 27. Faculty currently at step 22 will have their step recalculated and adjusted as appropriate, and those eligible will receive the 2% salary increase retroactive to the start of the fall 2017 semester. This is in addition to the general 2% raise to the B-1 schedule, so for senior full-time faculty, this means a 4% raise this year.

Coaching Assignments

Compensation for intercollegiate athletics coaching assignments will be increased as follows: for part-timers, salaries on the B-8 schedule (“F” contract) will be increased by 25% retroactive to the start of fall, 2017. For full-timers, the load for all intercollegiate coaching assignments will increase 25% beginning spring of 2018 (from 44.19% to 52.24% A-load).

Science Lab Load

After years at the table on this issue, we have finally reached agreement to raise the load for science labs. Beginning fall, 2018, Lab One will be redefined at 90% of lecture, and all science labs, as defined previously by the Load Task Force, will be reclassified as Lab One. For those few lab hours that used to be coded as lecture and then switched to Lab One last year, this will mean a decrease in load (since they will go from 100% lecture to 90% lecture), but for other science lab hours, the load will increase from its current rate of 75% to 90%, so this should be a net win for all science faculty. Of course, we were aiming to pay science labs at 100% of lecture when we started negotiating, but a great many factors complicated talks at the bargaining table, including the fact that many labs have smaller class maximums or are attached to overlapping lecture sections. We decided a win at 90% was better than a stand-off at 100% (and still in line with what some other Bay 10 districts have done).

Department Chair Allocations and CTE Program Coordination

The TA increases compensation for department chairs and also gives a \$1000/semester stipend (or load equivalent) to CTE program coordinators. Faculty who are both chairs and coordinators will receive compensation for both assignments. The TA defines CTE program coordinators (for the first time in our contract) as faculty who lead programs that offer at least one certificate and have an advisory group made up of community members that meets at least once each semester. In total, the TA allocates an additional \$160,000 to the department chair formula, with an estimated \$124,000 earmarked for CTE program coordinators and \$36,000 going to department chairs. Since funding for chairs is linked to the salary schedule, compensation for chairs will increase an additional 2% as well (about another \$10,000). In all, it’s about a 9% increase for department chairs and \$2000/year for Program Leads.

Capping Cash in Lieu of District Benefits

One of two cost-saving measures in this agreement is the cap on cash in lieu of district benefits for those full-time faculty who get medical insurance elsewhere. Tied to the Kaiser single rate, this monthly payment to faculty who opt out of district healthcare plans has gone up in recent years. The TA caps cash-lieu-of-benefits at \$600/month starting January 1, 2018.

Medicare Coordinated Plans for Future Retirees

The second cost-saving measure in the TA requires future retirees who become Medicare-eligible (currently age 65) to enroll in a Medicare-coordinated plan (Kaiser Senior Advantage or Blue Cross Advantage) to participate in District-sponsored medical benefits. Most retirees in our district already elect these Medicare-coordinated plans, which lower costs to both retirees and the District by allowing providers like Kaiser or Blue Cross to bill Medicare for covered services. Some have preferred to keep the double coverage of both Medicare and a District health plan for maximum versatility, but after years of research, discussion and debate on this topic, we have agreed that the cost of this uncoordinated, overlapping coverage is simply too high. 4CD managers and classified staff already have this requirement, as does every district whose retiree benefits we have reviewed. Facing the challenge of protecting benefits while looking to fund other priorities (including raises), closing this loophole in our contract seems reasonable, but we have also written some protection into the TA, as the UF will have the right at any time in the future to automatically reopen this agreement and return to bargaining if we determine that the coverage offered our retirees in Medicare-coordinated plans is substantially inferior to the coverage our active employees receive. Note that the TA does not change the district’s contribution to retiree premiums; they still cover 100% for employees hired before 2004 and 50% for spouse; etc.

Part-Time Pay Equity/Parity

The TA allocates any available remaining ongoing funding in 2018-2019, using our existing formula, to load adjustment factors for part-time parity up to \$500,000. We estimate that before this agreement, the cost of bringing salaries for part-time lecture and English composition assignments to our goal of 75% of full-time pay would cost \$3.2 million. Our slow progress in parity over the past decade is one key reason our part-time salaries still seem to lag behind neighboring districts with whom we compete. With the raise in 2017-18, this provision ensures that if there is adequate new funding from the State in 2018-2019, as we expect, we will press forward towards our goal.

Equity Hour Program Expanded One Year

The TA extends the Equity Hour Program pilot one more year to include 2018-2019. This program has seemed successful so far not only by paying part-time faculty for more individual work with students but also by providing paid professional development opportunities, but we still need to collect data to assess the impact on students. The TA ensures that the program will continue long enough for a meaningful review (and means that faculty participating can keep getting paid for the work they are doing).

Extended Family Leave

The TA reinstates and makes permanent a provision that had expired allowing faculty to use as much sick leave as required to care for a family member, provided that designated funds are available.

Baby Bonding Leave

The TA adds to our contract new leave options mandated by AB2393, which allow employees to use up to 12 weeks of sick leave to bond with a new child.

Hiring Committee Support

Responding to a concern voiced by faculty, the TA stipulates that District HR will conduct an initial paper-screening for all full-time faculty hires to evaluate minimum qualifications, dividing applications into three groups: those that meet min quals; those that don’t; and those that might with equivalency. Then all three sorted groups are given to faculty hiring committees to review. We also clarify that District HR will investigate all complaints related to recruitment, including complaints from committee members. And we agree to work out a process for providing better support from an Equal Employment Officer to consult hiring committees at every stage of the hiring process.

Part-Time Benefits Timelines

The TA updates timelines for benefits enrollment for PT faculty to ensure that open enrollment will be at least two weeks at the start of each semester.

Evaluation of Part-Time Faculty Teaching at Multiple Campuses

For part-time faculty who teach for a college at two different locations (such as DVC’s Pleasant Hill Campus and San Ramon Center), the TA allows a department at one location to accept an evaluation from the other in lieu of conducting an independent evaluation if all faculty involved agree.

Modification of Evaluation Timeline for Tenured Faculty

The TA allows departments to shift some evaluation timelines for tenured faculty from every sixth fall to every sixth spring, if they plan ahead.

Intellectual Property Rights

For the first time in our contract, the TA clarifies intellectual property (IP) rights for faculty when we produce copyrightable work either during the normal course of our duties (such as lecture notes or handouts or other material faculty develop for courses) or with extra support (such as on a funded sabbatical directed towards completing a specific work). When faculty produce work away from the district, of course, that work exclusively belongs to faculty. Similarly, when faculty produce work during the regular exercise of their duties, that work also belongs exclusively to faculty (but colleges have the right to modify materials as needed to make necessary accommodations for students). When faculty produce work on sabbatical, faculty retain exclusive commercial rights but share with the District a joint use and modification right. This means that if I produce curriculum while on sabbatical (assuming that was the purpose of my sabbatical), then I must share that curriculum with the District. If I write a textbook on sabbatical, I must share that with the District as well (though they do not have the right to sell or give away copies to students, since that would infringe on my exclusive commercial right). At any time, the District or College may enter into a specific written agreement that includes other distribution of intellectual property. And in some rare cases, the District may own IP rights, if there is extraordinary support (such as if the District receives a grant to produce works). In crafting our IP rights agreement, we looked at dozens of agreements from other districts (and from UC and CSU as well), and our TA is in line with the best of them.

Next Steps in the Agreement

The TA articulates plans for future progress (starting with working groups) on distance education and in evaluating load assignments (continuing work of the Load Task Force); and opens five articles automatically for 2019-2020: 7 (load), 12 (Leaves), 19 (Grievance Procedures), 21 (Benefits) and 25 (Part-Time Staffing Preference). Each side can open up to two more articles as well.