

## Full-Time Faculty Issues

### Getting Paid for Hiring Work



Jason Mayfield

as well as full-time hiring. For full-time faculty, much of the work we do serving on hiring committees falls under the general heading of "professional duties" for which no extra compensation is offered. But it's important to remember that faculty can be compensated for hiring work done between semesters. Article 20.5 states that faculty will be compensated at their non-instructional rate for hiring work during winter or summer break. More than 10 hours may require management approval, so make sure you review the article or check in with the UF if you find yourself needing to "volunteer" during a break.

## Part-Time Faculty Issues

### Recent Pay Raises Are Just the Beginning

In workgroup meetings this fall, when the UF agreed with District management that our formula from last year's agreement would yield a second pay-parity increase for part-time load adjustment factors (for lecture and English composition assignments), we also agreed that we would review the numbers twice more this year, to see if another increase might be justified. More importantly, in the long run, for the first time in many years, the District and UF seem to be on (or near) the same page with regards to pay equity for part-time faculty. Both sides are now talking about making incremental, annual pay adjustments until we achieve equity by assignment type, at which point we could shift to pay-per-load instead of hourly pay for part-time faculty. With some new State money earmarked for part-time office hours, and more flexibility in some funding sources, there is reason for part-timers to be optimistic about the next collective bargaining agreement. Some meaningful bumps in pay should be coming. Of course, we will need to be vocal and engaged to make sure the progress we think possible actually materializes.

## Legislative Report

### CCCI Files Amicus Brief to Protect Pensions

On September 20, the California Community College Independents (CCCI), and the Faculty Association of California Community Colleges (FACCC), both organizations to which our UF belongs, joined with others in filing an "amicus brief" with the CA Supreme Court in the case of Alameda County Deputy Sheriffs' Association v. Alameda County Employees' Retirement Association. Like a similar recent case in Marin, the issue at stake is whether public employers should have the right to change vested benefits after employees have earned them. The CA Constitution has been understood to require that any "disadvantageous modifications" be balanced by "the advantages of comparable new benefits." So if, for example, STRS wanted to reduce faculty pensions for those already retired, they could not do so, unless the reduction was balanced by some new gain of comparable value. Recent lower court decisions have called this "modification doctrine" into question. The 55-page brief has been posted on the UF website.



Milton Clarke



Doug Dildine

## President's Message

### Negotiating Stronger Protections for Academic Freedom

Last Friday, I joined dozens of 4CD faculty in attending the FACCC/AAUP Conference on Academic Freedom at Berkeley City College. I found the discussions eye-opening, at times appalling, and in the end, inspiring. Colleagues attended from all over the State: faculty from CCCI locals in Santa Barbara and Eureka had driven long distances; some had flown in from Orange County and LA. Everyone had similar reasons for making the trip and similar stories to share: not only are faculty being divested from decision making and authority when it comes to curriculum and course offerings by statewide shifts towards performance-based funding, guided pathways, AB 705, and other projects that try to tell us what we can teach and how we should teach (as if legislators or administrators knew better than faculty what's best for students), but individual free speech rights are under attack too.

At one college, a senior administrator filed a "formal complaint" (initiating a district investigation) against a professor and faculty union leader who had publicly challenged his decisions. At another, a faculty member was disciplined, in part, for making disparaging remarks about his college on Facebook. One librarian reported that she had been directed not to publish a paper that called into question her library's collection policy because "librarians don't have or need academic freedom." And a great many faculty are being challenged by students, colleagues and administrators in sometimes belligerent and public ways simply for exposing their classes to historical facts and unpopular ideas. As keynote speaker, Erwin Chemerinsky, Dean of Berkeley Law, lamented, "our society seems more polarized today than at any time since Reconstruction and maybe even the Civil War, and it's getting worse."

Recent US Supreme Court decisions and national politics paint a pessimistic picture of what's coming. As civil discourse itself breaks down, and our courts seem less concerned with preventing discrimination than protecting individual rights to discriminate, our colleges and college professors, which play such a key role in teaching tolerance, empathy and critical thinking, are being hijacked by reformers who seem to prioritize "training" over education. Even though depressing, I still found Chemerinsky's closing words inspirational. "We have two choices," he said. "We can give in and give up, or we can fight harder, fight better."

Conferences are opportunities to exchange ideas and share best practices. Before the day was over, I sent our E-board materials on Academic

Freedom with language found in other contracts. For years, the UF has worked to improve due process for misconduct investigations. Clearly, we should also seek contractual protections for our Academic Freedom. This spring, in consultation with our Academic Senates, we will seek to negotiate new contract language that addresses these issues. We must be proactive and strengthen our fundamental rights so that they can withstand the attacks on the horizon.



Donna Wapner

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# Table Talk

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

October 2, 2018

## News at a Glance

- **Lead Story:** *Election for UF President Begins Today; Votes Due by October 17; Candidate Forums Scheduled*
- **Negotiations Update:** *4CD Takes Steps to Improve Full-Time/Part-Time Ratio; UF to Seek Salary Increase Next Spring*
- **Hot Topics:** *UF President Candidate Statements from Silvester Henderson and Donna Wapner*
- **Full-Time Issues:** *Compensation for Work on Hiring*
- **Part-Time Issues:** *Recent Pay Raises Are Just the Beginning*
- **Legislative Report:** *CCCI Files Amicus Brief to Protect Pensions*
- **President's Message:** *Negotiating Stronger Protections for Academic Freedom*

## Election for UF President Begins Today

The UF will hold an election for UF President, beginning today, October 2, with votes due by noon on Wednesday, October 17. All UF members should receive a voting link by campus email by the end of the day on October 2 from a "no-reply" address (as in our previous electronic votes). Each link is unique to each member and can only be used once, so if you know a colleague who did not receive the email, do not share voting links. Any member who does not receive a link should call Terri Adame, our UF Office Administrator: 925-680-1771. Terri can also take votes by phone or email: uf@uf4cd.org.

Two candidates are running for UF President (for the two-year term that begins Jan. 1, 2019): Donna Wapner (DVC Professor of Health Science and Addiction Counseling, and current UF President); and Silvester Henderson (LMC Professor of Music and Choral Activities, and former Academic Senate President). Candidate statements are printed in this issue of *Table Talk* and have been posted on the UF website. In addition, Donna and Silvester will appear in public forums, as listed above, where they will be available to meet faculty and answer questions. Forums will be videotaped and posted on the UF website. For more information about UF elections, faculty may consult the *UF Elections Handbook*, posted on our website: www.uf4cd.org.

## UF Candidates Forums

### LMC

**Wed., Oct. 3,  
11am-12noon,  
College Complex  
2nd Floor, Room 212**

### DVC

**Thurs., Oct. 4, 1-2pm,  
BFL CCC (Community  
Conference Center)**

### CCC

**Mon., Oct. 8, 4-5pm,  
GE 212**

**All forums will be filmed,  
and videos will be posted  
on the UF website:  
www.uf4cd.org.**

**To participate by Zoom,  
see details and link sent  
today via campus email.**

## Negotiations Update

### Improving FT/PT Ratio and Raising Salaries

It looks as if 4CD will advertise at least 40 open full-time faculty positions to start next fall, including replacements for faculty who have retired, and that number could go even higher. At least 22 will be new positions, funded by an ongoing 2018/2019 State allocation worth about \$1,309,000 to our district.

At every level, these 22+ new positions, which will finally start to make a positive change in 4CD's full-time/part-time faculty ratio, are a direct result of faculty advocacy and a focused UF strategy. At the State level, the Governor's original budget proposal included no new money at all for full-time hires. Through all the debates over a new funding formula and online college, UF representatives, working with colleagues in FACCC and CCCI, spoke at hearings, wrote letters, phoned legislators and met with staff at the State Chancellor's Office to insist that faculty hiring be recognized as a top priority for our system. And our legislators here in Contra Costa County listened to us and were instrumental in negotiating for the money we received.

In allocating the money, the State's original plan was to divide funds based on a complex formula that would have lowered 4CD's share below what a straight per-FTES distribution provides, but UF representatives lobbied the State Chancellor's Office for a more equitable distribution, and we won.

Even then, there were questions about how the money could be spent. Surprisingly, not all districts will be required to use their new faculty allocation to hire more full-timers. Although the money is earmarked for this purpose, the rules allow districts that have more full-time faculty than required by their "Faculty Obligation Number" (FON) to spend the new money however they like. 4CD has a relatively low FT/PT ratio, but for historical reasons hard to explain, we are above our FON, so the District might have made other plans for the money. Fortunately, the UF has spent the last two years drawing attention at every turn to our desperate need for more full-time faculty.

At the District Governing Board level, Donna Wapner and Jeffrey Michels, representing the UF, have spoken nearly every month for the past two years about the importance of making new full-time positions a top District priority. We wrote a statement of support for a 75/25 full-time part-time ratio goal, which we asked our trustees to endorse. And we raised the issue consistently with Chancellor Wood and District leadership. At the college level, we met with college presidents. When DVC Interim President Ted Weiden determined last year that DVC would not even replace all retirees (to move a couple of positions off of "categorical funding" and back to the "general fund," thus lowering the FT/PT ratio at DVC), we complained loudly and publicly. And when Susan Lamb was hired as DVC President, we brought this issue to her attention even before she had officially started. We have made sure our trustees and managers understand how important it is that 4CD address our shortage of full-time faculty, and that focus is paying off. Working in a transparent and collegial way, Vice Chancellor of Finance Jonah Nicholas reviewed the revenue/cost calculations with the UF, and district and college leaders have agreed to put every dollar towards new full-time positions.

This is terrific news, but only a first step. We still hope the Board will pass a resolution setting a long-term goal for our district. And we still have a long way to go to reverse the trends of overusing and exploiting PT labor in our district and in our system. Last year, the UF negotiated a two-year deal in which we balanced priorities deliberately. We raised pay in year one and addressed a lot of longstanding equity issues, and for year two, we prioritized new full-time hires. Now we're turning to spring negotiations and the next deal, with a significant salary increase at the top of our list. With long-term planning and tenacity, we are confident we can negotiate the pay increases both FT and PT faculty need to live and work in this expensive Bay Area.

### Candidate Statement: Silvester Carl Henderson

**"If you want to go fast, go alone; but if you want to go far, go with a tribe"**

My name is Silvester Carl Henderson.

As a 35 plus year collegiate professor and educator, I have worked extremely hard to remain current, innovative and creative in my instructional style via an open mind to learning and to change.

In the twenty-five years that I have taught at Los Medanos College, I have remained emotionally invested in the promotion of higher education and student success within our campus community and our district office. As I investigate my emotions, my desire to promote the Contra Costa Community College District describes my heartfelt passion for leadership, social justice, and inclusive faithfulness. I believe in our Faculty and our rights are of utmost importance to me! During my service as the Music Department Chair, Academic Senate President for Los Medanos College, and President of the Faculty Senate Coordinating Council (District Senate), I have benefited from learning the art of collegial collaboration through participatory governance. If elected as your President, I will represent the entire district's faculty with a level of commitment and energy that has been documented during my many leadership roles along with my most recent prominent appointment as an "At Large Senate Representative", for the Academic Senate for California Community Colleges (State Senate).

We deserve to work in an environment where our district executive managers validate our efforts not just through promises, but through tangible actions. As your President, I will work collaboratively with the United Faculty Executive Board and its unit leaders to improve our employment rights and working conditions.

As your President, I will fight for accurate contractual adherence, increased salaries and benefits, and work calendar governance considerations and amendments. In addition, I will place a strong emphasis on reconsidering our "*Salary Steps and Columns*", along with strong contract renegotiation for our counseling faculty while improving the employment barriers that marginalize our massive part-time faculty. If I am given the honor of serving as your President, I promise to create an environment of "Trust", along with open and honest transparency. All faculty members will be given an open-door policy to offer me strategies and suggestions to create real "*Positional and Professional Equality*".

As faculty members, we are responsible for presenting our students with the tools to learn, along with helping them to develop a heart of social tolerance and equity. However, for this to effectively occur, any proposed work changes must be considered, addressed, improved and legally implemented. This will allow our collective energies to remain in the classroom.

Freedom of Speech is only truly free if we have no fear of retaliation for our words. I will always fight to preserve our right to engage in our own individual areas of scholarship and instruction. Trust me when I say, I cannot be "**Bought**", "**Bribed**" or "**Bullied**". If elected, I will remain true to my responsibilities and promises. I will honor your voice, and your voice only!

As Professors, we are required to maintain a high standard of instruction. However, this employment request can only be achieved through respect, human honesty, administrative fairness, contractual protection and employment improvement. That is what you will get from me as your union President: a collegial and respectful leader, but a promise to fight for what is ours when necessary. **I would be honored to have your vote and to speak for the "Tribe"! Let's work together!**



### Candidate Statement: Donna Wapner

I have served 12 years on the UF Executive Board (as benefits lead, faculty advocate, VP for DVC, and for the last four years as UF President), and in that time, I have worked as a grievance officer, negotiator, conciliator and strategist. But perhaps most importantly, I have helped to maintain a team of UF leaders committed to protecting and improving our working conditions, pay and benefits.



Representing our faculty effectively takes a breadth of knowledge about the intricacies of our contract; a deep understanding of negotiation strategies and techniques; a firm knowledge of employee legal rights; a willingness to work beyond our college and advocate locally and statewide; excellent communication skills; and dogged persistence. Even with my expertise, there are constant curve balls, delicate and frenetic situations, and many land-mines to regularly avert. I believe that I am a better faculty representative today than when I started as President four years ago. The learning curve is enormous! But I remain entirely committed to serving our faculty and to fighting for our rights as educators and the quality of our jobs. My experience, and that of the dedicated colleagues on my team, serve our union well. As threats are mounting to our pensions, our medical benefits, our academic freedom and our role in shared governance, even to our rights to union representation, we need experienced, tested, committed leaders now more than ever.

For the past 12 years, since I have been part of the UF leadership team, our track record has been one of success. Some of our accomplishments include:

- Increasing salaries across the board by about 18% with substantial increases to part-time parity adjustments;
- increasing options for full-timers to teach overload for extra pay;
- adding pay for part-timers to work with students outside of class (Equity Hour);
- guaranteeing banked load options and protecting our banked-load article (one of the best in the State);
- adding on-line office hours;
- improving flexibility for sabbatical leaves;
- substantially expanding family leave options;
- increasing load for science labs;
- adding compensation for Certificated Program Leads;
- extending time to submit Verifications of Employment for initial salary placement;
- establishing Intellectual Property Rights in our contract;
- raising compensation for Dept. Chairs and establishing a 10% floor for Chair release time;
- increasing pay/load for coaching assignments by 25%;
- adding a "longevity" step with a 2% raise at Step 27;
- improving staffing preference rights for PT faculty...

There is still much to accomplish, and many inequities in our workplace still need to be addressed. Some goals I will work towards if reelected include:

- Increasing FT/PT salaries (and reaching PT pay parity goals);
- Adding more FT faculty positions and enhancing diversity hiring practices;
- decreasing paperwork/administrative work for faculty;
- compensating for responsibilities above a certain point (i.e. guided pathways, AB 705, summer dept. chair duties, building committees, multiple hiring committees)
- increasing paid PT office hours;
- increasing professional development funds;
- compensating new PT faculty to attend an orientation;
- creating better processes related to investigations, grievances, and disciplinary actions;
- negotiating stronger protections for academic freedom and continuing to address faculty safety concerns;
- protecting our benefit packages.

We are living in challenging times. Employee legal rights and protections are being dismantled. This is not the time to change leadership just to do it. It is the time to intensify our efforts and come together more focused, more resolute, and more strategic. Vote for me as your UF president. You have seen what I've accomplished. I will continue to work hard on your behalf.