After receiving more than 200 applications to replace retired UF Office Administrator Terri Adame, the UF has hired Fabiola (Faby) Hadley, only the fourth person to hold the position in the UF’s 46-year history. A UF alumna with a BS in Business from Golden Gate University, Faby brings extensive experience as a bookkeeper and office manager as well as strong computer and organizing skills. She also speaks fluent Spanish and Italian. In addition to keeping the books and managing the day-to-day operations of the UF Office, Faby will be upgrading UF publications and communications (including our website) as well helping to coordinate membership recruitment and other special projects (like research to support our collective bargaining efforts). She will also oversee renovations to the UF Office over the summer, as DVC has agreed to change the carpet and make other improvements. During her free time, Faby enjoys volunteering in church projects, doing family history research, and traveling.

### Legislative Report

**Faculty Win a Round in Fight for Stable Funding**

The stakes seemed high last week as faculty groups geared up for a public meeting of the Student-Centered Funding Formula Oversight Committee. Even as faculty shared talking points about how the “supplemental allocation,” which accounts for 20% of total funding in the new model, will hurt districts like ours in high-cost regions, UF leaders met with others from the California Community College Independents (CCCI) and the Faculty Association of California Community Colleges (FACCC) to reconsider our strategy.

For months, we had been pushing the Committee to recommend changes to the formula so that districts like ours would be able to maintain existing programs and support low-income students. But our colleges serve hundreds of thousands of disadvantaged students whose funding would be cut off if UF leaders followed the CCCI/FACC recommendation for change. We read previous statements from the Committee and tried to understand why they were reluctant to support changing the formula now, we would push for more time. And the strategy seemed to agree more study too. So we decided that if we lost in our call to remake the formula now, we would push for more time. And the strategy seemed to work. The Committee deadlocked 6-6 in the vote to add a cost-of-living adjustment to the supplemental allocation (which means the motion failed), but they voted 8-4 to call for a study and to extend the “hold harmless period” for another two years. Their recommendation is just a step; the Governor and Legislature will make the final decisions. But we hope the Committee’s vote will carry some weight. Ironically, the stable funding offered by the current “hold harmless” provision in the new funding formula has been a real win for districts who are able to plan ahead for at least a couple of years with some confidence.

After decades of funding boondoggles, faculty are still fighting for simple, stable funding and investment in the classroom (more full-time faculty and better supported part-time faculty). Last week’s little victory may loom large in budget advocacy next year and beyond.

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### Next Steps After PERB Ruling on 4CD Appeal

At the end of the TA, we put a list of still-open issues. This has been a longstanding practice: when we get close to an agreement, we often have a handful of issues where we have not yet concluded talks. Sometimes we just haven’t agreed. Sometimes we want more time to survey faculty or think through options. If an issue is not a “deal-breaker,” we may decide to kick the can down the road. Sometimes this frustration, but it has mostly worked over the years to keep negotiations from derailing. Of everything on that list this year, discipline and district investigations into alleged misconduct have been on the table the longest and are probably the most pressing.

On June 26, 2019, the Public Employee Relations Board (PERB) issued a 44-page ruling overturning the initial decision of an administrative law judge (ALJ) in response to two “Unfair Labor Practice” complaints filed by United Faculty in 2016. Where the ALJ had found that the District violated the Educational Employment Relations Act by refusing to provide UF with copies of written complaints prior to investigatory interviews, PERB found that “a union has a right to reasonable notice of the alleged wrongdoing in advance of an initial investigatory interview, but the union does not obtain the right to an underlying written complaint until after the initial investigatory interview.” The unfair practice complaints and underlying unfair practice charges were therefore dismissed.

Although PERB ruled in favor of the District, the lengthy decision does not resolve many key issues that have been in dispute, and on many issues PERB sided with the UF. They rejected any “blanket rule” for refusing to provide the Union with information regarding complaints but suggested that a case-by-case “two-way negotiation” should take place balancing privacy concerns and other factors with the Union’s legitimate need for information in order to represent its members. Much of the ruling describes the “nuanced approach” that should govern the sharing of information during misconduct investigations, noting that providing “only general information” may be “too vague to allow meaningful representation.” But the ruling is not specific in articulating exactly what sort of information an employer must provide or when.

Instead, the ruling seems to invite more litigation, even to the point of suggesting that the District “likely violated the reasonableness standard by strategically withholding relevant information,” but noting that this standard is not referenced in the UF’s complaints. We could appeal or file fresh charges, but we hope we can now reach agreement and develop new protocols for investigations and disciplinary matters using the PERB rulings as a starting point. If not, then we will not hesitate to litigate.

We have posted the full ruling for faculty to review on the UF website: www.ufecd.org.

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### Ratification Vote on New TA Starts Monday

UF and 4CD negotiators have reached a Tentative Agreement (TA) that raises salaries for all faculty, adds two new articles to the contract (on Academic Freedom and Distance Education) and extends the current collective bargaining agreement through June 30, 2022. An issue-by-issue 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.ufecd.org.

The UF will begin our ratification vote on Monday, Nov. 18, with voting by electronic ballot (communicated by phone or email to the UF Office) by 12 noon on Tuesday, Dec. 4. Every UF member should receive a link to our electronic ballot via campus email on Monday, Nov. 18.

If you do not receive your voting link by the end of the day on Monday, please call Fabiola Hadley at the UF Office: 925-680-1771 or send her an email at ufecd@ucf.edu. 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.

At our Nov. 7 meeting, the UF Executive Board voted unanimously to recommend to our members that we ratify the TA.
Highlights of the Tentative Agreement: Compensation

Raising salaries and protecting benefits have been top UF priorities for years, due primarily to the challenges of living in the Bay Area on a professor’s pay. This TA raises salaries for all faculty while making modest concessions in benefits (raising copays $5 and changing retiree benefits for future hires only).

We also include a three-year plan to shift from paying part-timers hourly plus load adjustment factors to pay-per-load (starting at 72% of full-time pay). This will mean significant raises for PT lecture, lab and English composition, and eventually for all summer and full-time overload assignments as well.

Step/Column and Benefits

For 2019-20, 2020-21, and 2021-22, the District will cover step/column increasess (District-paid increment) plus the additional 1%. In addition, benefits on the B-2 schedule will be increased an additional 1%, and on the B-3 schedule an additional 2%.

Full-Time Faculty Salaries

Salaries on the B-1 schedule (full-time faculty “A” load) will be increased by 5% retroactive to July 1, 2019, except for steps 1, 2, and 3, which will be increased by an additional 1% for a total of 6%. On July 1, 2020, salaries on the B-1 schedule will be increased an additional 3%. Salaries on the B-2 schedule (covering “AC” overload) will be increased by 2% starting spring semester, 2020, and full-time faculty who taught overload for AC pay in fall of 2019 will receive a one-time, off-schedule payment equal to 2% of their fall 2019 AC pay. Department Chair funding is increased by this agreement starting next fall by $50,000 (approximately 5%) on top of the other salary increases.

Part-Time Faculty Salaries

In order to address pay equity (parity) and move towards implementation of Phase 1 of our Parity Plan (see below), part-time salaries will be increased by assignment type, unit, and in “load assignment factor,” in addition to a 5% increase to the B-2 salary schedule effective with the spring 2020 semester. The cumulative effect on part-time pay for each assignment type will be as follows: Lecture and Lab I will increase 7% for spring 2020 and an additional 5% for fall 2020. Lab II will increase 7% for spring 2020 and an additional 7% for fall 2020. English Comp. will increase 12% for spring 2020 and an additional 10.5% for fall 2020. Activity assignments will increase 2% for spring 2020. Salaries on the B-4 schedule (part-time counselors, librarians and disability specialists) will be increased by 5% for spring 2020. Salaries on the B-8 schedule (coaches) will be increased by 2% for spring 2020. Also, all part-time faculty who worked in fall of 2019 will receive a one-time, off-schedule payment equal to 5-7.5% of their fall 2019 pay.

Summer Salaries

All summer salaries (both full-time AC and part-time C) will increase (including the 5% B-4 salary schedule increase mentioned above) as follows effective summer 2020: Lecture and Lab I: 19%; Lab II: 25%; English Composition: 19%; Activity: 5%; Librarians: Counselor: 5%.

Part-Time Faculty Parity Plan

For Phase 1 we will formula driven with the goal to shift to pay-per-load for all part-time instructional assignments in fall 2021 at 72% of full-time pay. In Phase 1, beginning fall 2021, assuming the formula produces adequate funds, office hours for part-time faculty will become mandatory in the same proportion as currently compensated in the optional office hour program per Article 7.8.4. These office hours will no longer be compensated separately but shall be considered to be part of each part-time faculty member’s regular assignment, compensated through base salary. The Equity Hour Program shall remain in place for this agreement and at current funding levels.

Summer pay for all faculty will also increase in Phase 1, assuming funds are available through the formula, to 72% of regular full-time pay.

More Highlights: Academic Freedom; Distance Ed; Evals

Academic Freedom

We borrowed language from the best contracts we could find around the State and crafted a comprehensive article outlining faculty rights.

Distance Education

Our new article establishes a minimum level of training necessary for faculty who want to teach online for the first time and requires faculty who currently teach online to agree to this TA and to complete an approved training course to attend a 4-week online workshop within one year (compensated up to 10 hours at their non-instructional rate). We also clarify faculty privacy rights online.

Evaluation of Faculty Who Teach Online (including Hybrid)

The TA substantially revises the guidebooks, forms and procedures for faculty who teach fully online or partially online. We updated evaluation criteria as well as the questions asked of evaluators and students (to make them more appropriate for online instruction).

Using Electronic Surveys for Student Evaluations

We agreed on a pilot program so that evaluators may choose to administer student evaluations using electronic rather than paper surveys.

Improvement Plans (especially for Probationary Faculty)

We fixed some time line issues so that improvement plans can be made in any semester and we added a “progress report” to be completed when there is an improvement plan.

Sabbatical Leave Fund

We capped the year-to-year rollover to $300,000, which helped us afford other priorities like raising department-chair funding. We do not expect this to reduce the number of faculty who can take sabbaticals.

Board/UF Relations

The TA eliminates all outdated references to “agency fee” (in response to a recent Supreme Court ruling) and lowers the cost for the UF to purchase reissuance time from the District.

Grievances

We agreed to some time limits (one hour total) for grievance taken to open session before the District Governing Board at Level 4. We have only had a couple of these in the past decade.