

JIM KITCHEN AND OTHER YC-AFT FOUNDERS



All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence.

—Martin Luther King Jr.

Jim Kitchen stepped down as YC-AFT chief negotiator a few months ago, leaving behind a rich 20-year legacy of YC-AFT leadership. He still teaches at Beale AFB campus of Yuba College, but he is needed more at home these days.

Jim has been teaching economics for the past 48 years. He dove into teaching his first course, macroeconomics, in the summer of 1963, after his first year as a graduate student at Michigan State University. In 1965 he started teaching full time at Waterloo Lutheran University in Waterloo, Ontario, Canada and later moved to Algonquin College in Ottawa.

In December 1973, family obligations brought him and his family to Marysville and he started teaching at Chapman and Yuba Colleges. He

also taught for several years at Butte College.

Jim's knowledge of labor economics led to his involvement in issues of powerlessness and unfair treatment endured by part-time instructors at Yuba College. His and the work of Dave Althausen, Charlie Johnson, and others led to the creation of YC-AFT in 1992. Jim served on its board ever since.

Prior to 1992, part-time instructors were represented by the Yuba College Faculty Association (YCFA), the same union that represents full-time instructors in the district today. However, Jim, Dave, Charlie, and others experienced the lack of balanced representation for part-time faculty. In fact, when budget woes forced the YCFA to accept salary cuts, they voted that full-time instructors

take a 5% cut while part-time instructor salaries would be reduced by 20%.



Jim Kitchen

At this time, Jim had already been supporting the efforts of the Communications Workers of America who represented Butte College faculty.

Based on this work he believed that a union would strengthen the rights of part-time faculty. This experience and the sense of disenfranchisement from YCFA were motivating factors for his role in union founding. Without Delay, he, Dave, and Charlie-
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RACE FOR REVENUE SPEEDS UP IN CALIFORNIA

The race for revenue is moving full speed ahead in California. Governor Jerry Brown wants to ask voters to approve temporary sales and income tax increases to help balance what's projected to be a \$13 billion deficit.

Meanwhile, a coalition of educators, unions and community groups is filing their own ballot initiative to tax the wealthy. The "California Funding Restoration Act" would increase income taxes on people who earn more than \$1 million a year. Joshua Peschalt, president of the

California Federation of Teachers, says their initiative asks the wealthiest to help rebuild the state.

It's clear that as the economic divide has widened, the vast majority of people, the 99 percent, are looking at the people at the top end and saying, 'You know what, you're not paying your fair share.'

Peschalt says their extensive polling has consistently found that California voters support a progressive approach of raising taxes to fund education and other essential

services that have been cut in recent years.

"In fact, our pollster said that he'd never seen numbers like this. And this is consistent with the polling we did early in the year when we looked at the 1 percent on the 1 percent: supported that."

The coalition estimates the Restoring California initiative would restore \$6 billion in funds for K-12 as well higher education and senior services.

More information can be found at www.cft.org.

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HOW TO INCREASE YOUR CLASS LOAD

By Star Kreft, M.S.

I went to a meeting recently where the attendees were discussing seniority issues for part-time faculty. As often is the case, personal stories were shared about this frequent concern. One topic during the conversation was about instructors who are not asked to teach classes they are qualified for.

Many of you have probably experienced when someone less senior than you is chosen to teach a class. This can be quite upsetting. Everyone needs to make money. A contract violation could be suspected. The dispute resolution officer could be called in. It could be a mess. But it can be an avoidable mess.

At the bottom of the potential mess, there may be a naughty culprit called "failure to communicate". As you know, failure to communicate comes in different forms. One form is presumption. Ick. Presumption can be bad voodoo.

Frequently part-time faculty members presume that the dean is aware of his or her qualifications to teach a subject other than the one or more typically assigned. The trouble is that there are managers out there who don't really know or remember what a given instructor is able to teach. This can be the case even if the employee has given all current work history and relevant information to the Human Resources Department (HR).

As a part-time faculty member be proactive. List current certifications, work history, continuing education credits, and anything else pertinent to teaching classes. Also, make a list of the classes you want and are qualified to teach.

Make certain that you meet the minimum qualifications by contacting HR first. Then give your two lists to the big cheese. This bit of pro-activity may allow you to teach a class that you have not been asked to teach before. This can be an opportunity to increase your load now

or in the future. Do not miss out on the possibility of more income just because you presumed that your skills are known to your manager. You are your own best advocate.

(Star Kreft is the YC-AFT Grievance Officer And a union rep for part-time faculty of Yuba College.)

NEED A SEMESTER BREAK?

If you opt to take off for a semester for any number of reasons (moving, illness, family care, birth of a child...etc), protect your return rights for the following semester by writing a letter to your dean and Human Resources staffperson. Make sure to take care of this within the deadline period for replying to your teaching invitation. Include your letter that you intend to return the following semester. This will hold your return rights to teach your class.

Submit your letter with sufficient time for the dean to confirm your request in writing prior to the deadline.

GREIVENCE RESOLUTIONS AND OUR RIGHTS: SOME CONSIDERATIONS

By Star Kreft, M.S.

An employee's rights are codified into a formal contract with management which covers wages, hours, and working conditions of employees in the district. These rights are negotiated for the employees by the YC-AFT Chief Negotiator.

The YC-AFT has a collective bargaining agreement (contract) with the district. The intent of the contract is to be a comprehensive and powerful tool for the rights of the faculty. Once the contract has been negotiated, it is the Association's responsibility to insure that management adheres to the agreements.

If an employee has a disagreement (grievance) with management, where there is a suspected breach of contract, it is important to contact the Grievance Officer quickly.

I am the officer for YC-AFT. It is my goal to ascertain whether the dispute is a grievance or not. A grievance is a violation, misapplication, or misinterpre-

tation of the Collective Bargaining Agreement (CBA). If the particulars of the dispute meet these criteria, a formal process begins in order to address the issue. It is the faculty member's express right to grieve any CBA issue (see Winegarten Rights at the end of this article).



Star Kreft

The grievance procedure is formal. The procedure requires a lot of time and energy due to deadlines, meetings, and paperwork. The process can be long and stressful. The faculty member who is involved can be at risk of being laid off during the process. This is particularly true for part-time faculty. Therefore, if a successful outcome can be achieved via an informal discussion between the Association representatives, management, and the employee in a timely fashion, it may be best.

This is typically the most beneficial to the faculty member because it can be clarifying, expeditious, and quite successful. However, if a grievance is indeed filed, the Association is still obligated to represent the complainant.

My best advice is to try to avoid a grievance if a dispute arises by contacting me immediately. An issue can often be ironed out before it becomes a grievance. Remember that you have the right (Weingarten) to have a Union Representative at a meeting with the employer if there is a reasonable expectation that discipline may result.

Additionally, remember that non-contractual disagreements CANNOT be grieved. A helpful hint would be to choose your battles.

Also try to get along with your manager and co-workers. Issues like personality, problems, faculty on faculty tensions, hurt feelings, etc. cannot be grieved.

Last, but not least, I would like to remind you that YC-AFT and your-
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OFFICE HOURS

By Annette Lee

If you assist students with course work outside of class hours, you probably qualify for office hour pay. However, there are eligibility requirements and you must apply for them by the end of the first week of the class because there is a limited pool of money. Print the form and submit it to your dean.

The Human Resources Department is not obligated to remind us. The current link to the office hours request form is: <http://www.yccd.edu/hr/viewform.php?id=99>.

Faculty also must complete a time card before the end of the semester and submit it to the dean for approval in order to be paid.

For more information refer to Section 8 of our contract:

8.1 The District and YC-AFT acknowledge that unit members are not required to provide office hours to students to contribute to the overall academic success of the student.

8.2 The District will provide a pooled

equipped office space at each official college, campus or center within the District for the office hour program.

8.3 Eligibility for unit members to participate in the program will be members teaching during the fall and spring semesters, or 9-week courses during the regular semester, limited to a maximum of one (1) per week for the duration of the semester excluding the week of finals. Unit members must be teaching unit bearing, transfer, degree, or certificate courses. Additionally, to be eligible, each unit member will be required to have a minimum load of 20% or 3 units in the semester of the request.

8.5 Each unit member that is eligible as described in 8.3 will be compensated at \$25 per office hour as applied for and approved by the Division Dean up to the maximum of one (1) hour per week of the semester excluding the week of finals.

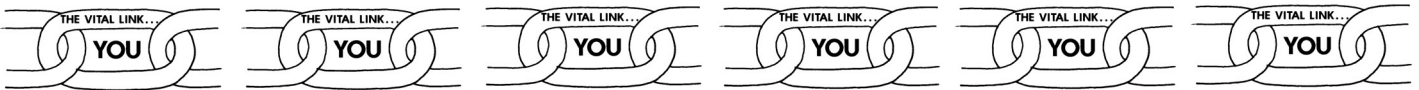
8.6 Unit members approved for Office Hours will be required to list their approved office hours on their syllabus and distribute it to students. Additionally, the unit member will submit a timecard

at the end of the semester for approval by the Division Dean for those office hours that were actually completed. Missed office hours will not be compensated.

8.7 Unit members who request compensation for office hours must complete the "Request for Office Hours" form and submit to the appropriate Dean prior to the end of the first week of the course. The Dean will approve or deny the request based on the following criteria:

- ◇ Demonstrated student need
- ◇ Likelihood of student participation
- ◇ The requested time contributes to student participation

The Dean forwards requests to the Director of HR Development and Personnel Services for review; the approved hours for each request are based on the percentage of the pool requested. The Director of HR Development and Personnel Services, or designee will notify each Dean of the approved allotment of hours. (Annette Lee is a union rep for part-time faculty of the Clear Lake Campus.)



From page 1: JIM KITCHEN AND OTHER UNION FOUNDERS

filed a request for recognition of representation for part-time instructors to the Public Employees Relations Board. Dave got help from people in the Los Rios College District union, who arranged for an organizational representative to support them. Their efforts led to a Public Employee Relations Board (PERB) election, and the American Federation of Teachers won. This is when Jim joined the executive board.

The first full contract gave part-time instructors pay raises, making great strides toward restoration of previous pay rates. This and future contracts also strengthened return rights by defining them much more clearly and broadly than what YCFA had formulated.

No longer were an instructor's return rights limited to a particular course

taught at one campus site. Instead they were now based on the course load within a college region. If the location, course name, or number were changed, part-timers would no longer lose their return rights, but would retain the right to a course load they were qualified to teach.

Over the course of 20 years that Jim has served on the executive board he has overseen the adoption of pay for part-timers serving on the Academic Senate and Site Councils and the adoption of a great retirement plan which has demonstrated a rate of return between four and a half and six percent.

As a community activist Jim served several terms on the Marysville City Council. He has served several years on the Board of the Yuba-Sutter Chamber

of Commerce, and was Board President in 1998. Jim also served as the Mayor of Marysville in 1995. Although fun at the time, he would not want that responsibility again.

In fact, Jim credits his extended service on the City Council with getting the city's endorsement for Measure J not too long ago (the bond issue that is funding Yuba College's current expansions).

If one of his life's passions has been protecting and enhancing the rights and representation of part-time instructors, another has been the valuable student community he has dedicated his life to teaching.

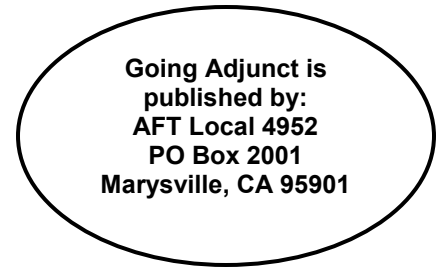
If not for the work of Kitchen and his cohorts at the time, we would not have the rights and privileges we do today.

OUR CONDOLENCES

We send our condolences to YC-AFT President Julia Green on the passing of her husband this past holiday season. May his memory be a blessing for Julia and her sons.

YC-AFT BOARD CHANGES

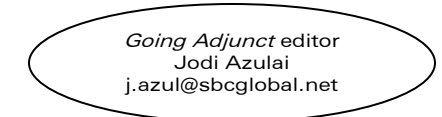
Elaine Robinson has replaced Jay Batchelder as secretary/treasurer. Jay accepted a full time teaching position at Sierra College. Star Kreft replaced Jim Kitchen as Grievance Officer. Elaine and Star are also both campus reps for Yuba College.



MONEY TALKS (Formerly Free Speech)



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Treasurer/Secretary
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from page 2: GRIEVANCE

Grievance Officer is here for you. I also, encourage you to become a member. Membership provides you with liability insurance and the right to vote on the contract and in Association elections. These important rights are essential for you if you wish to have a strong voice for you and your job.

Weingarten Rights

The Unites States Supreme Court has ruled (NLRB v. Weingarten) that an employee has the right to union representation during any employee interviews which may result in discipline.

"WHO SAID IT?" CONTEST

Guess which GOP candidates said the following. Winners will be announced in the next issue of *Going Adjunct*!

1. "I do not believe that state, federal or local workers...should be involved in unions. And I would actually support a bill

In California, the Public Employee Relations Board (PERB) has also held that these rights apply to public employees covered by the bargaining laws it administers.

- 1) Employees must request that a representative be present.
- 2) Employees must have a reasonable belief that discipline will result from the meeting.
- 3) Employees have the right to know what the subject is.
- 4) Employees have the right to consult with a representative prior to the meeting.
- 5) Employees do not have the right to refuse to attend a meeting if the request for a

that says that we should not have public employee unions for the purposes of wages and benefits to be negotiated."

2. "My friends in Ohio are fighting to defend crucial reforms that the state has put in place to limit the power of union

representative has been denied.

6) Employees do not have the right to a specific representative.

6) Weingarten rights do not apply if the employer is simply informing an employee of some discipline which has already been decided. They only apply if she/he is being questioned.

If you think you have a grievance contact me, Star, at starkreft@hotmail.com.

To become a YC-AFT member, contact Mary Benson at mary_benson@att.net

bosses and keep taxes low. I stand with John R. Kasich and Ohio's leaders as they take on this important fight to get control of government spending."

Send your answers to Jodi:
j.azul@sbcglobal.net