

YC-AFT Local 4952

Executive Board Meeting Minutes

October 21, 2017 – CCC Confer

Members in Attendance:

Name	Attend (X)	Comments
Elaine Robinson	X	
Heidi Walker	X	
Kristina Passerini	X	
Steven Shepard	X	
Neelam Canto-Lugo		Out of Country
Pam Geer	X	
Doug Harris	X	
Judith Kreft	X	
Mary Benson	X	
Brian Doyle	X	
Donna Bahneman		

Meeting called to order by Elaine at 10:00am by Elaine. Time keeper – Mary

Agenda:

- Changes to agenda as follows: Star to give Grievance report and Heidi has some things for Member's input.
- Motion to approve agenda made by Mary, seconded by Pam. Motion was passed.

August Minutes

- Motion to approve minutes by Mary, seconded by Star. Motion was passed.

Treasurer's Report:

- Report on Expenses for the month of September was given
 - California Federation of Teachers (for postage in ratification mailing) - \$560.12
 - Bill for Bezemek - \$121
 - Conference costs – ERobinson - \$460.23
 - Elaine Robinson – reimbursement for items related to ratification mailing - \$201.81
 - YCCD Printing - \$22.62, \$82.70
 - Ben Brucker – Newsletter stipend - \$450.00
- No outstanding bills were presented for payment.

President's Report:

- Attended a CFT meeting discussing many legal issues
 - AB119
 - AB1379
- There have been several President's breakfasts held with FAYCCD and CSEA.
 - They want to have an all-Union event/rally.
 - There is a lot of sharing of information about what is happening in negotiations and issues all around.
 - CSEA has said that the Chancellor wants to create a bunch of special projects with temporary staff which would not then be part of their union.
 - The CSEA negotiation was then cut short.
- Sometime in March is "Parity Week".
 - There was some discussion about all Unions purchasing T-shirts for all members to wear during that week in solidarity.
 - Will discuss this again next month after everyone has a chance to look over the Budget and see if we can do it.
- There was some discussion about having awards for PT faculty for 20 years of service.
 - Would like to do this during Spring Convocation.
 - Elaine will put together a list.
- Meeting was held with the Academic Senate presidents.
 - They were interested in hearing what our concerns are.
 - They would like to see every PT get compensated for their time, not given FLEX credit.
 - They were not exactly agreeing with us on evaluations.
 - Distance Education – there are extra requirements for those that teach online.
 - Any committees that are District ones will be filled by appointment from the Union. Any committees that are college specific will be filled by the appointment of Academic Senate.

CFT Report:

- Regional meeting on Janus vs. AFTSME
 - On Sept. 28th, the Supreme Court agreed to hear the case.
 - They should start their hearings in Feb/Mar.
 - Decision should be rendered somewhere between June/October.
 - Checklist planning material is available for us to start trying to trim the budget.

Reports:

- CFT Janus Summit
 - Kris went to a meeting at CFT on the 19th regarding the Janus case.
 - Big take home is that we will lose agency fee payers and a small percentage of people who will drop their membership.
 - We need to make a bigger outreach to get our nonmembers to become members and have them keep their membership once the Janus decision comes out.

- We still have a duty to represent nonmembers in contract enforcement and contract bargaining.
- If we have a case that needs to go to arbitration for a nonmember, we can make the decision whether to fight the case.

Grievances:

- Still issues with stipends and FLEX payments.
- They have switched payroll vendors and there is no information on the new paystubs to help people understand what they are getting paid for.
- There is no sick leave reporting on our pay stubs which affects some of our members who have been hit by the recent wildfires.
 - It has been reported to the Board of Industrial Relations.
 - It was suggested that we need to have more people report to the BIR to make sure that the issue is taken seriously.

DC3 Meeting:

- They seem to have hired a consultant for the HR issues that will cost the District \$135,000.

Membership:

- No report was submitted.
- Phone calls seemed to be very productive. We had at least 19 new members sign up with the ratification ballots.
- We have not received a September membership report from the District.
- With AB119 we are going to draft language in our next contract about the information that will be given to us from the District about membership.

Old Business:

- Contract Ratification Vote
 - Our members almost unanimously voted in favor of the ratification (one person voted no).
 - At the Board of Trustee meeting, Chancellor Houston reported that he was not made aware of the fact that our contract was so far out of date.
 - Wheeler and Tafoya expressed concern about ratifying a contract that has already ended.
 - Sandy was asking the Labor subcommittee why they were unaware of the status of our contracts.
 - In the end, it was a 3-2 vote in favor of ratification. (Sandy, Teagarden, and Pasquale voting yes; Wheeler and Tafoya voting no)
 - It has become very clear that most of the Board members do not listen to their constituents, but they will listen to fellow Board Members.
 - Kris has reached out to Gary Sandy again to see if we could have a meeting with him.
 - Make him more aware of the issues that we are facing and see if he can get the other Board members to start listening to constituency.
 - Kris has also emailed Gary Sandy a list of all the contract end dates for all unions on campus.

Negotiations Report:

- All agreements are now enforceable, although they are expired.
 - Elaine has not signed the new contract yet.
- We will start a new round of successor contract negotiations that will have a start date of July 1, 2017.
- FT faculty have agreed to a pre-impasse mediation as they were very unhappy with the stall tactics of the District.

New Business:

- Lake County representative have resigned.
 - Doug is willing to fill the position for the rest of the school year. Will only ask for compensation for the Spring semester.
- Clear Lake Campus has been given a PT faculty position on the DC3 committee (Woodland still does not have one).
 - Doug is considering this position as well.
 - We need confirmation of a position before going forward.
- The requirements for the Negotiations team has changed from its initial conception.
 - We seem to be in a state of “perpetual negotiations”.
 - The amount of time the Chief Negotiator spends on research and replies is greatly out of proportion for the stipend received.
 - All of the Eboard is to consider what changes might be appropriate for the position (and entire team) keeping in mind the potential lack of funds from Janus.
- There was a question brought up about compensation for all Eboard members.
 - The Treasurer will send out the numbers and we will look over her recommendations next meeting.

Newsletter:

- Articles for the newsletter are needed.
 - Ratification
 - Board of Industrial Relations
 - Paycheck issues
 - Asking Members to become more involved.
 - CFT fund for victims of the recent wildfires.

Member's input:

- Sick leave reporting is inaccurate and inadequately reported to faculty.
 - Especially important for those devastated by the wildfires.
- Is a FT who is also teaching PT. They took the copay for insurance out of both paychecks (1st and 10th). When she reported their error, they reportedly paid her back, but kept 30% withheld because of potential “tax issues”. She is currently getting a lawyer to sue the District.
- There seemed to be very little outreach to faculty that were affected by the wildfires.
- There were issues in which the District were requiring the faculty affected to find substitutes for their classes when they had more important things to worry about.
- CFT has a Disaster Relief Fund
 - Asking for contributions from all locals.
 - They are giving \$100 gift cards to members who have lost hours because of the wildfire and \$250 gift cards to members who have lost their homes.

- Doug brought forth a motion to write a check for \$1000 to the Relief Fund. Seconded by Pam. Motion was carried.
- Others can contribute via the website.

Next Meeting:

- December 2nd – 10:00am – Marysville – Justin’s Kitchen
- January 13th – 12:00pm – Lake County – Elaine’s center.

Adjourn at 11:22am

October 2017 Treasurer's Report

Checking:

Balance: \$1,001.90

- Bezemek - \$121.00
- California Federation of Teachers for postage - \$560.12
- Elaine Robinson for items purchased for ratification mailings – \$202.81
- Elaine Robinson -CFT Summer School - \$460.23
- YCCD – printing - \$22.62
- YCCD – Printing - \$82.70
- Ben Brucker – newsletter stipend - \$450.00

Savings:

Balance \$162,346.44

Other items:

- No outstanding bills relayed to me at this time.

Negotiation Update – October 2017

We were advised by the YCCD chief negotiator that, at its September meeting, the trustees approved the content of all TAs for the new CBA, but had concerns about ratifying a contract that had already expired. YCCD proposed adopting a termination date of the agreement of June 30, 2018 by either rolling the entire agreement forward a year (July 2015 – June 2018, thereby skipping the 2014-2015 year) or adding an agreement that simply extended the agreement another year, to June 30, 2018.

Input from counsel was sought. Based on advice received, the proposal was rejected in a letter to YCCD because:

1. To agree with YCCD's proposal would eliminate bargaining for the 2017-2018 year.
2. YC-AFTs ratification mailing had already gone out based on the agreed-upon termination date of June 30, 2017. YCCD's proposal would require initiating another ratification mailing to members, and could not be more ill-timed. Considering that delays in negotiations are due to multiple counterproductive district practices – some of which were the bases for an Unfair Labor Practice Complaint in the past – we could not take the proposal seriously.
3. YCCD has a history of delays which is directly responsible for the lateness of ratification. The solution lies in the district correcting its policies and practices regarding negotiations.
4. PERB has found a responsibility on the part of negotiators to urge adoption of tentative agreements they have entered into. Seeking alterations after all TAs have been executed does not seem consistent with this duty.

We indicated our willingness to discuss terms of an extension of the CBA only after ratification by YCCD had occurred, our expectation that the trustees would take up ratification at its October 2017 meeting, and our commitment to promptly reporting the result of our ratification vote. The YCCD negotiators indicated ratification would be taken up by trustees in October if our ratification result was received prior to the deadline for inclusion on the trustees' agenda. This appears to explicitly confirm an illegitimate requirement by YCCD that union ratification occur before the district takes up ratification.

Our ratification vote was the largest I am aware of in our history, and one vote short of unanimous. The result was immediately reported to YCCD. At its October 12, 2017 meeting the trustees ratified the contract by a vote of 3-2 in open session. Trustee Savarese was absent due to evacuation from Santa Rosa fires. Trustee Hastey recused himself based on his wife's employment as part-time faculty with YCCD. Trustee Wheeler claimed delay in negotiation leading to an already expired CBA was a ploy by YC-AFT. He voted no. Trustee Tafoya voted no. Trustee Sandy was forthright in questioning how the situation had been allowed to evolve to this point, and asking fellow trustees how they could be so ill-informed. He voted yes. Trustee Teagarden voted yes. This left the tie-breaking vote to Chair Trustee Pasquale who voted yes. The Chancellor claimed not to know the term of the agreement had expired, but urged approval of the CVA. He expressed concern the negotiating team had not informed him of this.

It seems appropriate to reach out to Trustee Sandy. Contrary to the clear wishes of the chancellor, this trustee seems willing to meet and discuss issues. He may be the best means of communicating our concerns regarding negotiation practices to the trustees as a group.

Doug Harris Chief Negotiator

DC3

1) Consultant hired to "assess" the "problems" in HR (under staffing, systems & processes). Approx. \$135,000.00

Grievance:

Met 2x with HR AND (1x) with the new I.T. director

1) problem my pay cheque (no ITV stipend & flex) AND to get my payroll sheet for this semester

2) New pay cheque stubs have ZERO information on them other than deductions. NO way to assess if stipends were paid, flex & hours, pay rate, etc