CAMPAIGN FOR A FAIR CONTRACT

Contract Action Team organizing faculty to fight for a fair contract

by Jessica Silver-Sharp, AFT 1493 Secretary, Katharine Harer, AFT 1493 Vice President & Rika Yonemura-Fabian, Skyline AFT Chapter Co-Chair

Last summer, as contract negotiations were showing little progress, AFT formed a Contract Action Team (CAT). CAT consists of rank-and-file union members and union officers who encourage faculty activism and build momentum through grass-roots organizing in our campaign to win the fair contract all faculty deserve.

At our January Flex Day, groups of CAT members in red T-shirts spoke with faculty across the District, distributing RED for ED Pledge Cards, asking faculty to commit to actions they’d be willing to take. More than 120 responses helped CAT gauge the temperature of faculty for escalated actions. The top responses were “Join a Rally” and “Join Social Justice Teach-Ins.” Many members also checked off options focused on withholding our labor, including a strike.

The month of January saw the District’s negotiators flaking out on their commitment to bargain in good faith. They arrived at bargaining sessions unprepared; they excused one session three hours early; they canceled another session altogether. All signs point to their continued unwillingness to take faculty needs seriously.

Amping up the pressure on the District

We’re reviving T-shirt days: Wear your RedforEd AFT T-shirts every Wednesday! On February 5, close to 100 members showed up for Union Solidarity

CONTRACT NEGOTIATIONS

Feb. 5 Bargaining Report

By Paul Bissember, AFT 1493 Executive Secretary and Negotiations Team Member

At the February 5th bargaining session, the District presented counter proposals on investigations and binding arbitration. Additionally, we had a discussion on Progressive Discipline. AFT presented counter proposals on the Distance Ed MOU and the FLC lab allocation.

District Counter Proposal to Complaints Against Members and Investigations

We had a good discussion on the topic of investigations, and we are getting closer to an agreement here. The District is conceding to AFT language on the mutual respect for a fair investigative process. They still want to limit the information provided to the AFT to “general” instead of “specific” complaints. The AFT argued that according to a recent Public Employee Relations Board (PERB) ruling, the district should provide specific relevant information. The District disagrees with this PERB interpretation, but will review and get back to the AFT. AFT also requests that a new notice about the complaints be issued if the District has new information prior to the investigatory interview. AFT will return to the table with a counter proposal.

AFT Counter Proposal on Faculty Load Credit (FLC) Lab Allocation

In response to the District’s counter proposal on FLC Lab Allocation, which would not change anything and refer the issue to be studied by a committee, AFT proposed an increase in the FLC for Sciences, Art, Music to 0.9

INSIDE THIS ISSUE

4 Faculty discuss strategies at Solidarity Hours
6 Moms4Housing confront “hedge city”
8 Join AFT’s COPE to build a pro-faculty Board

continued on page 2
(the initial proposal was 1.0). The AFT proposal also included an increase for the Tier 1 and Tier 2 Sports of 0.8FTE (12FLC) and 0.75FTE (9FLC) respectively. In addition, AFT would agree to the district’s proposal to appoint a committee to study further increases to these allocations as well as other lab classes.

The District said that it did not have enough information to change any FLC allocations for labs right now and that AFT’s request to increase lab FLCs may not be fair to faculty. AFT reminded the District that AFT’s initial proposal came from discipline faculty, and that faculty representatives took the time to come to negotiations to present on this issue. The District responded that they require more time to study this issue. AFT said that we could dedicate more bargaining sessions to this issue, and spend more time looking at the specifics. The District said they could be open to this, but rejected the AFT proposal.

**District Counter Proposal on Binding Arbitration**

The previous AFT proposal for an MOU on Binding Arbitration was to include Part-Time faculty. The District agreed to include Part-Time faculty, but with two stipulations: (a) the MOU would apply only to Part-Time faculty who have received two (2) consecutive satisfactory evaluations and have been given an assignment of at least nine (9) FLCs per semester for eight (8) consecutive, and (b) the following topics would be excluded and not eligible for binding arbitration: assignment and retention. AFT argued this is a very high threshold to meet and would exclude the vast majority of Part-Time faculty and issues. AFT will prepare a counter proposal.

**AFT Counter to MOU on Distance Education**

At the last bargaining session, the district proposed a ‘technical’ change to the MOU eliminating the $1,500 stipend for faculty participating in Distance Ed trainings, and instead paying faculty at the special rate. The problem is that this would result in a decreased amount for many faculty participating in these trainings. AFT argued that if this is simply a ‘technical’ change, we should ensure their proposal doesn’t decrease the current agreed upon amount of $1,500. Therefore, the AFT proposed $60 per hour or the special rate, whichever is higher – this way faculty would receive at least $1,500 for Distance Ed trainings. The District will look into this and get back to the AFT.

---

**The Advocate**

*The Advocate* provides a forum for faculty to express their views, opinions and analyses on topics and issues related to faculty rights and working conditions, as well as education theory and practice, and the impact of contemporary political and social issues on higher education.

Some entries are written and submitted individually, while others are collaborative efforts. All faculty are encouraged to contribute.

*The Advocate*’s editorial staff, along with the entire AFT 1493 Executive Committee, works to ensure that statements of fact are accurate. We recognize, respect, and support the right of faculty to freely and openly share their views without the threat of censorship.

**AFT 1493 discourages full-timers from taking on excessive overload**

The following resolution was passed at the December 6, 2017 AFT 1493 Executive Committee meeting:

Whereas economic instability affects the employment status and livelihoods of part-time faculty in the SMCCCD,

Be it resolved, that the AFT 1493 Executive Committee recommends that full-time faculty members seriously consider refraining from taking on excessive overload in situations where part-time faculty will be displaced from courses to which they would have otherwise been assigned.
Why so little progress on workload and compensation? A review

AFT 1493 has been negotiating with the District for over a year now and on the issues of most concern to most faculty—workload and compensation—we’ve made virtually no progress. Let’s review our workload and compensation proposals and how the District has responded to them.

Failure to address excessive non-teaching workload

The District’s latest proposal on workload failed at meeting the most basic recommendations outlined in the Workload Committee’s Report by not establishing a reasonable workload and not setting a workload limit. For full-time faculty, the District proposed that division deans and full-time faculty should assign faculty to committees and other professional responsibilities, thereby bypassing the role of the Academic Senate. They also proposed another requirement: faculty must submit an annual workload report for review by their dean to determine if their work has met (still unspecified) expectations. In addition, the District’s team questioned the “arbitrary assignment” of values for the AFT’s proposed point system, without offering any counterproposal to determine values for the duties that faculty take on outside of their classroom work. This again fails to address the Workload Committee Report that states: “There was a recognition by the committee that there is a need to define a reasonable workload…In order to work toward establishing a reasonable workload, there should be a value placed on specific duties and responsibilities, and a maximum expected value for full-time faculty to engage in each semester.”

AFT’s proposals for equitable load for lab classes rejected

Based on feedback from Music, Art, Physical Education and Science faculty and the need to establish parity around load calculation, AFT proposed increasing the FLC for these labs up to 1.0 over the life of the contract. On October 30, 2019, the District proposed to set aside AFT’s proposal in order to study the issue for one year. AFT pointed out that the District had made the same offer regarding Workload, and no positive progress had resulted. At the February 5 session, the District rejected AFT’s counterproposal to increase in the FLC for Sciences, Art, and Music to 0.9 (the initial proposal was 1.0). The AFT proposal also included an increase for the Tier 1 and Tier 2 Sports of 0.8FTE (12FLC) and 0.75FTE (9FLC) respectively. In addition, AFT would agree to the district’s proposal to appoint a committee to study further increases to these allocations as well as other lab classes. The District did say they could be open to more bargaining sessions on this issue, and spending more time looking at the specifics.

District has not agreed on a resolution to counselors’ workload violation

The contract for counseling faculty suggests that counselors are supposed to see about 24 students a week, but when a new scheduling system (introduced around 2001) set up 30 minute appointments, it allowed counselors to see up to 50 students/wk. When counselors raised this contract violation with the District in March 2019, HR indicated that it would make sense to recalculate the load and rewrite contract language to reflect the actual work that counselors do. Since that time, however, the District has not followed through with any resolution. AFT filed a grievance over the issue on December 5 and is attempting to negotiate a settlement in contract bargaining, but no agreement has yet been reached.

Compensation: Salary, benefits & part-time parity

AFT proposed that part-time faculty be paid at 85% of full-time salaries, considering the same number of steps and columns in the salary schedule. We demonstrated that over the past 10 years, the District has overestimated expenditures while underestimating revenues. (For example, last year $11 million set aside for academic compensation was not spent on faculty). The District has ample resources to allocate to faculty compensation. We are still waiting for the District to cost out AFT’s proposal. On January 16, District negotiators stated that they still want to maintain the current Total Compensation Formula with 80%, while the AFT countered 100%. AFT explained that the current formula would continue the downward trend with regards to the 50% law, and that we need to see if the District agrees to Part-Time Pay Parity before our union can agree to the Total Compensation Formula proposal.
Faculty discuss strategies to attain a fair contract at Union Solidarity Hours

On Wednesday, February 5, close to 100 faculty members found time to join Union Solidarity Hours at all three campuses. Below are reports from various attendees of the events at each college.

**Skyline Report**

AFT1493 members Showed UP at the Skyline Solidarity Hour! Faculty members came from a wide spectrum of different departments and divisions -- they came before and after committee meetings and between classes. It was an incredible event filled with conversations, ideas, and brainstorming as well as hearing what concerns faculty have as we begin ramping up our actions to support a fair contract. We had over 40 participants, about the same number of signatures to the New Year’s Resolution card for Chancellor Claire. Three students were also there from *The Skyline View*, taking photos and asking good questions.

We started with a brief update on negotiations, and how they are still stalled. Then, we discussed the red Pledge Cards and what continued actions faculty appeared to support thus far. We discussed the importance of attending the Board of Trustees meeting on Wednesday, February 26, as well as inviting the CSEA and our students to the event to show increased support and greater numbers. We had a good conversation on “work-to-rule” and listened to members voice concerns of retaliation over such an action as well as noting the fact that refusing to do committee work or SLOs, for example, may not be as “visible” as other types of actions. Many expressed more support for the idea of carrying out a combination walk-out, strike and teach-in.

**Cañada Report**

At Cañada about 25 faculty and several students met in The Grove to sign the card for Chancellor Claire and strategize about next steps. Faculty expressed frustration with the lack of progress and supported the need to escalate, and they offered their support in talking to other faculty, meeting with elected officials, coming out to the Board of Trustees meeting on Wednesday, February 26, and building a more public campaign.

Notably, the negotiation issue raised most often at the Solidarity Hour centered around workload. Several faculty commented on the impact that the increased workload has had on their families and children. Many identified with the graphic on the card and felt that it captured their frustration and unhappiness with the balance between their commitment to teaching and commitment to their loved ones. We got 23 signatures on the card for Mike Claire.

**Cañada Chapter Co-Chair**

We had good discussions with faculty about bargaining too and the need to escalate and work on collective actions. We also had several students stop by and talk with us, one whom invited us to give a pitch to his student club! He said he would try to make it to the BOT action. Many committed coming to the Board of Trustees meeting on Wednesday, February 26, several new faculty signed pledge cards and about a half dozen additional faculty agreed to speak with 5-10 colleagues...building up the CAT team / periphery!

**Paul Bissember, AFT 1493 Executive Secretary**
We discussed what work to rule may look like, but our group thought it would be more worthwhile to have a rally and then strike. A rally is planned for ASCC Club Day on Wednesday, February 26th (sometime between 11:30 am and 1 pm). Details for the rally, such as speakers, goodies and handouts, were begun to be set up.

-Lezlee Ware, Political Science

CSM Report

We gave an update on negotiations, had a discussion around ideas for next steps, ways to implement work-to-rule and getting people out for the Board of Trustees meeting on Wednesday, February 26. A number of faculty from departments that didn’t have CAT representatives agreed to help us with outreach in their areas. People were definitely interested in taking action to try to move negotiations along, but there was no prevailing consensus as to what that might look like.

-Steven Lehigh, CSM Chapter Chair

The CSM discussion was mostly focused on what we would need to do in order to get organized enough to win the fight ahead and in that light people agreed to go back to their own departments and have local level discussions about how work-to-rule or other actions would work for them. There was also some good discussion on the tools members would need to have these discussion successfully, i.e. some talking points, particularly on the mechanics of embarking on campaigns of work-to-rule or other actions, and feedback forms to relay the information collected back to CAT. About 25 faculty attended and talked about negotiations and escalating faculty responses.

-Lachlan Batchelor, CFT Project Organizer

Folks thought that a principled “opt out” on division meetings might work. One idea was for everyone to email their deans when the division meeting agenda is sent out and say something like “I’m sorry; I can’t make this meeting. I have too much grading and class prep to take care of.” And then everyone goes to some central place to have a grade-in. We make placards or something to make it clear that this is workload resistance.

-Teeka James, AFT 1493 Co-Treasurer

During the time I was there folks were signing the big card for Mike Claire, and then a group of eight or ten of us had a nice chat about the work-to-rule idea, which seemed confusing, and we also discussed some other possible strategies.

-Malathi Iyengar, Ethnic Studies

Contract Action Team organizing for fair contract

Hours at all three campuses. We discussed future actions that demonstrate faculty power, such as Work to Rule, honoring only those obligations outlined by our contract, Walk Outs and Strikes. Faculty also signed super-sized New Year’s Resolution cards to Chancellor Claire, to be delivered in person when we again rally en masse at the Board of Trustees (BOT) meeting, Wednesday, February 26 at 6pm. While Chancellor Claire and our Trustees don’t personally negotiate our contract, they certainly have the ability to influence those who do.

As we all know, our students’ learning conditions are closely connected with our working conditions. That’s why we’ve invited students to rally in solidarity with their teachers at the February 26 BOT meeting. CAT members have begun speaking at student government meetings, at club days and other venues. We encourage you to speak with your students. (You can print this flyer, “Why Are SMCCD Faculty Fighting for a Fair Contract?” and share it with your students.)

Help union leaders escalate our campaign and grow our network of activists!

- Attend CAT’s weekly organizing meeting by phone or with your colleagues at the AFT office at CSM.
- Be a part of the process to win this fight! The next CAT meeting is scheduled for Wednesday, February 19, 2-4.
- Contact your campus AFT Chair to get involved and get the number to call in.
Housing Insecurity

Moms4Housing show who wins when human rights confront hedge cities

By Kimberly R. King, Peralta Federation of Teachers/AFT1603, Laney College Instructor

The California housing crisis has begun to spur struggles to make the demand for housing as a human right a reality. In Oakland, where homelessness has doubled in the last two years, four homeless and marginally housed mothers and their children occupied an empty investor-owned house to provide shelter for their children and draw attention to the need for the city and state to solve the housing crisis. The Moms4Housing movement has drawn attention to the approximately four vacant housing units for every homeless person in our city, putting a spotlight on the role of hedge funds and other real estate speculation in driving the housing crisis. Oakland is now a “hedge city,” a new form of corporate control, identified by the United Nations Special Rapporteur on Adequate Housing. This category includes Hong Kong, Vancouver, London, Chicago, Los Angeles and Oakland just to name a few. In these cities, hedge funds, which are financial corporations that make speculative bets, wind up owning massive amounts of housing, which drives up the prices of the rest. The example of Moms4Housing is one that unions and communities can follow – we must confront corporate control if we are to defend our members’ human rights to housing.

From “cost burdened” to homeless

The epidemic of evictions, foreclosures, homelessness, and other housing insecurities is national, but California is particularly hard hit, and many teachers, college instructors, students and their families are struggling. In California, over half of renters pay over one third of their income for housing, and over a third pay more than half of their income. These people and families are considered “cost burdened” and may have difficulty affording other necessities including food, transportation and medical care, according to the Department of Housing and Urban Development, which also notes that a family with one full-time worker earning the minimum wage cannot afford the local fair-market rent for a two bedroom apartment anywhere in the United States. As the gap between income and housing costs grows, more and more people and families are being forced into homelessness. Nationally, HUD estimates that over half a million Americans are homeless, 17 out of every 10,000 citizens. In California, the rate is significantly higher, with 33 homeless out of every 10,000.

Basic Needs Summit addresses students’ food and housing insecurities

The #RealCollegeCalifornia Basic Needs Summit was held Dec 6, 2019 at Laney College, an amazing gathering of college faculty, administrators and student services professionals focused on best practices to address food and housing insecurities faced by California students. The California Community Colleges #RealCollege Survey (conducted in 2016 and 2018) found that 50% of students were food insecure, 60% were housing insecure, and 19% were homeless. In our district, Peralta, a 2017 survey found that 84% of students district-wide experienced at least one form of housing insecurity or homelessness and 30% had one or more experience with homelessness. Peralta District Chancellor Regina Stanback-Stroud shared welcoming words at the Summit, including that we cannot turn an unseeing eye to poverty and there is enough housing and food available to provide for basic needs, but there is not the political will to meet these very real needs. I completely agree with her. What was not mentioned by Chancellor Stroud and is less understood by college and government leaders is that California Community College instructors, like their students and their K-12 counterparts, also experience housing and other basic needs insecurity that must be addressed. For example, a contingent part-time faculty colleague recently revealed that he is living in a small room (basically “a closet”) with no heat. This committed instructor chose this living condition over living 2 hours away...
from his campus. He is not alone – in an informal survey of 166 part-time faculty in the Peralta District, 51% described themselves as housing insecure, 1.2% described themselves as homeless or unhoused, 61% described themselves as income-insecure, either living paycheck-to-paycheck with no savings at all or with significant debt, and 16% reported they are receiving welfare benefits other than unemployment.

Teachers and students face housing insecurities

Nationwide, K-12 teachers on average have to spend 50 percent of their income on rent, putting them in the category of the “severely cost burdened.” In some parts of the country, living where you teach is literally impossible. More than 1.5 million public school students reported experiencing homelessness during the 2017-18 school year according to a study by the National Center for Homeless Education, with California at the forefront with 263,000 students. The number of homeless students in the US is the highest in more than a decade. It has increased 15% in the past three years, including 137% more children living on the streets. (The Guardian, Feb. 4, 2020.)

Moms4Housing made it clear that we do not have to live like this in the wealthiest state in the wealthiest country ever to exist. They occupied a corporate investor-owned property, raised awareness of the role of real estate speculation in the housing crisis, lost in eviction court, but won in the court of public opinion, experiencing wide support from the Oakland and broader Bay Area community. They are now negotiating to purchase the house through the Oakland Community Land Trust -- because their just demands and community organizing, which included support from the Alameda County Labor Council, created effective public pressure that got Governor Newsome and Mayor Schaaf to pressure the Wedgwood Corporation to sell. Faculty, staff and students at Laney College have united with community activists through the Laney College chapter of the Poor People’s Campaign and are playing our role to raise awareness through regular teach-ins and supporting actions and movements for housing and other basic needs, such as Moms4Housing.

Fair taxation of corporations can provide low-cost housing

Let’s learn from Moms4Housing. What are the public policy choices when a city has more vacant units than homeless residents? And if housing units are being kept vacant and off the market to bring in greater financial returns to speculators, while children sleep in the streets because their parents cannot afford the cost of available housing, is this acceptable? The question is not one of resources; it is one of political interests and power. The UN Special Rapporteur on Housing visited Oakland and San Francisco and questioned why a wealthy state like California and these Bay Area cities have not spent enough funds to provide adequate housing. She noted that the Bay Area is home to some of the wealthiest companies in the world, including Apple, Facebook, Google, Wells Fargo and Chevron. Fair taxation of these corporations could easily provide low-cost housing and increased wages for public employees. The Schools and Communities First ballot initiative will do this.

Yet, workers, families and our unions must also hold elected officials accountable to use the funds available to meet basic human needs. The California state budget is estimated to reach $26 billion in reserves by summer 2021. (L.A. Times, Nov. 20, 2019.) The people of California need this funding – supposedly set aside for a rainy day - NOW. For the students, teachers, and families of California, the housing crisis is a tsunami leaving tens of thousands unsheltered. Teacher and faculty unions working together to apply political pressure with students, families, and community struggles for housing as a human right, such as Moms4Housing, can get the quality housing and schools that our communities deserve.
Your union is doing a lot of COPE*-ING these days as we prepare for a very important Board of Trustees election this November. [* C.O.P.E. stands for Committee on Political Education.] Two open seats -- one in Area 1 (from Pacifica to Half Moon Bay and including San Carlos and Atherton) and the other in Area 5 (Redwood City, Menlo Park and East Palo Alto) -- give our union a seriously golden opportunity. We have a chance to bring in two pro-labor, pro-education board members who will: 1) listen carefully to faculty and staff and take our working conditions seriously, and 2) think for themselves rather than being manipulated by higher administration. Given the year we’ve spent in bargaining, it’s pretty clear we need to make some strategic improvements to our board. A board can make recommendations to the Chancellor and give direction to the District bargaining team. We could use some of that right now.

Please join COPE to elect pro-faculty Trustees

To back up a little for those of you who aren’t yet members of COPE, here’s how it works: SMCCD faculty members join at any level they choose –from $2/month up to $25 or more/month. The money is deducted from our paychecks monthly, pre-taxed at the district and deposited into a credit union account that belongs to AFT 1493 COPE, and our union can only access funds from this account if COPE members vote to contribute a specific sum to a candidate who’s running for election.

The process goes like this: Once we’ve identified the candidate(s) we want to elect to our board, we invite them to come to our AFT Executive Committee monthly members’ meeting where they are interviewed by the Executive Committee (EC.) The next step is to vote to endorse or not to endorse. If the AFT EC endorses the candidate(s), we invite them to a reception, or forum, to meet our COPE members. At the same time, we send information about the candidates we’ve vetted and recommended to every COPE member. Then we ask our COPE members to vote (via email) on whether to endorse and, in some cases, whether to contribute a specific amount from our COPE fund to the candidate’s campaign. Having a COPE fund gives our union the legal ability to support board candidates who don’t have personal wealth to run their campaigns and helps provide needed diversity on our board. It’s important to know that our union can’t legally spend any of our members’ dues on elections. Thus, AFT 1493 COPE is established as a separate organization with the express purpose to fund political activities, primarily candidates for the SMCCD Board of Trustees.

Over the past few years, we’ve built up our COPE membership from about 20 current and retired faculty -- a third of whom were no longer, I’m sad to say, alive -- to nearly 100 members, all of whom are among the living who are helping to make our COPE fund viable. Out of a faculty of nearly 800, we can, and should, do better than that. So if you haven’t joined COPE, it’s easy, quick and you can pick any level of contribution that suits your budget. The COPE form is on the AFT 1493 website (aft1493.org) but you’ll need to print it and put it in campus mail to the AFT office OR email me (harer@aft1493.org) and I’ll hand deliver a form to you and hand carry it to the AFT office. I will. It’s that important.

Looking for candidates for November

Here’s a quick progress report on our search for candidates to fill the two open board seats. Since last summer, AFT President, Joaquin Rivera, Executive Secretary, Paul Bissember, and I have interviewed a handful of possible candidates. We have a few others we’re interested in and have yet to meet in person, and we plan to do those interviews soon. In our research, we’ve asked for recommendations from other Bay Area education unions, including CCSF, UESF, SFSU and Mission/West Valley and from folks involved in local politics in San Mateo County. Current SMCCD employees can’t run for our board, but retirees can.

As of this writing, we haven’t settled on any candidates yet. If you live in the county or have friends or family or colleagues who do, you can help us identify the right candidates for our two open seats. Just email me a name and I’ll do the follow up.

The filing dates for candidates go from mid-July to the first week of August. That gives us about five months to find the right people for the job. Improving our board strengthens our ability to help our faculty, so this is really about all of us. Please consider joining COPE today! And think about who you might know who would make a good member of the SMCCD board. A good board can make the difference between a protracted and ugly contract battle and a peaceful and collaborative process that ends up benefitting all faculty members.