San Mateo Community College Federation of Teachers AFT Local 1493 AFL-CIO
aft1493.org
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the Advocate

Contract settlement and ratification vote: two huge successes for the union

Last month (August 2012), faculty resoundingly approved a new Collective Bargaining Agreement (also known as "the Contract"), which will be in force until June 30, 2015. Out of the 290 votes cast—representing the highest voter-participation rate in the recorded history of our Local—282 faculty (97%) voted to approve the new Contract while 8 faculty (3%) voted to reject it. Our new Contract includes many important additions and adjustments, including salary increases for the first time since August 20, 2007. You can see all of the new Contract language on the AFT 1493 website.

Here are the highlights:

Increased Compensation Package

For Part-Time Faculty:

- 3% increase for all steps and columns (Lecture, Lab, and Special Rates)
- Create an additional step—step 11 across all columns (there are currently 10 steps).
- Step 11 will reflect an additional 2% increase on top of the 3% increase applied to the current step 10.

- All Part Time faculty who were at step 10 as of May 2012 will automatically move to step 11 at the beginning of fall 2012 (and thereby will receive a 5% increase).
- A $50 increase to the District-provided health care stipend (from $450 to $500), effective July 1, 2012.

For Full-Time Faculty:

- 2% increase for steps 1 - 17, all columns (MA, MA + 45, etc.)
- 3% increase for steps 18 - 23, all columns (MA, MA+45, etc.)
- 2% increase for all steps and columns of the Regular Faculty Overload salary schedule
- A $50 increase in the District contribution to health insurance premiums, effective January 1, 2013.

  New Caps:
  - Single: $654
  - 2-Party: $951
  - Family: $1234

Non-Economic Changes

Professional Development:
Professional Development funding shall remain at 1% and ALL unused funds may be carried over from year to year and will not reduce subsequent years' funding. Additional language allows travel costs and enrollment fees to be paid for through professional development funds at the discretion of each college's Professional Development Committee.

Part-time Faculty Seniority:
Seniority language for part-time faculty has been strengthened by the addition of new section 19.2.9, which reads: "As provided in 19.2, 19.2.4, 19.2.6, and 19.2.8, when additional classes become available, after all the criteria for determining assignments that are defined in 19.2.1 and 19.2.2

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Goal: Raise __all__ salaries to top 3 or 4 in Bay 10

As you may remember, on May 1st and 2nd, AFT Local 1493 went to Fact Finding with a neutral state-appointed arbitrator heading up a panel comprised of one District administrator and one AFT representative. The AFT presented a strong case that showed not only that our salaries were significantly behind those of other districts in the Bay Area, but that the District could, in fact, afford to pay for the salary increases we were requesting. Soon after our presentation the District agreed to go back to the table and negotiate with us.

Our goal was to bring faculty salaries to the top 3 or 4 in the Bay Area, which the Chancellor has consistently claimed was his goal. Before this settlement, some of the salaries of our full time faculty were among the top 3 or 4 -- but only up to step 18 on the salary schedule. From steps 18 to 23, we ranked from 5th to 8th in comparison to other Bay Area districts. Even more disturbing, all of our part timers -- *throughout the entire part-time salary schedule* -- ranked from 5th to 8th in

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Meet Michelle Kern, new CSM Part Timer Rep.

Five new members were elected to serve on the AFT 1493 Executive Committee for a two-year term for the 2012-13 and 2013-14 academic years. Each will be introducing themselves in The Advocate over the next few issues. Michelle Kern, CSM's new AFT 1493 Part-Timer Rep., introduces herself below. -ed.

I have been a part-time Ceramics instructor in the CSM/Hillsdale High School Concurrent Enrollment program for six years. Prior to this, I taught in arts non-profit programs, artist-in-the-schools programs and worked as an assistant instructor at California State Summer School for the Arts. I began teaching during college, while earning an MFA at CCA in Oakland.

Michelle Kern

Also while in school, I helped found Cricket Engine gallery and artist collective at 5th avenue in Oakland.

When I first began at CSM, I jumped at the chance to join the union and am glad to now be in a place in my professional life where I can serve in an active role in our local. The field of arts education has been a fragile ecosystem for several years, but it has been the organized efforts of teachers to keep it alive and in our institutions. I have also been focused on the issues particular to part-time teachers and am looking forward to working with my colleagues to answer the challenges we face.

AFT 1493 Executive Committee / General Membership Meetings:

Wed., Oct. 10, 2:15 p.m. – Cañada, Bldg. 3, Room 104

Wed., Nov. 14, 2:15 p.m. – Skyline, Room 6-203

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 April 13, 2011 AFT 1493 Executive Committee meeting:

Whereas economic instability and budget cuts are affecting the employment status and livelihoods of part-time faculty in the SMCCCD,

Be it resolved, that the AFT 1493 Executive Committee recommend 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**.

Proposition 32 claims to be "campaign finance reform" but exempts corporate special interests

Proposition 32, a measure appearing on the November statewide ballot, is not what it seems. While it claims to be about "stopping special interests" the measure actually exempts corporate special interests and Super PACs from its proposed rules. Instead, Prop 32 would give even more power to the wealthy and well-connected to influence elections, control government and weaken our state's middle class, while drastically reducing the ability of unions to represent their members and address workers' needs through the political process.

The millionaire backers of Prop 32 misleadingly call it "The Stop Special Interest Money Now Act," claiming it would rein in campaign contributions by both unions and corporations. In fact, the deceptive wording of the initiative specifically limits the voice of union members like teachers and school employees, as well as nurses, firefighters and police.

This one-sided measure would make our post-"Citizens United" political system even more unbalanced. It does nothing to stop the flow of money from the wealthy in politics. According to non-partisan research, corporations already outspend unions in the political process by a margin of 15 -1.

The very same corporate special interests who carefully exempted themselves from Prop 32 and who stand to benefit from its passage – Big Oil, billionaire businessmen and the Super PACs linked to the Koch Brothers and Karl Rove – are now spending millions to pass Prop 32 and advance their interests at the expense of everyday Californians.

That's because the Koch Brothers, Rove, and the rest of the Super PAC billionaires know that if Prop 32 passes, they will have even more political power to write their own set of rules.

L.A. Times columnist, Michael Hiltzik, wrote the following about Prop. 32:

> In this state, we've come to expect ballot initiatives sponsored by business interests to be, essentially, frauds. But it's hard to conceive how one could be more fraudulent than Proposition 32. If there was any doubt left that the initiative process has been totally corrupted by big business and the wealthy, this should put it to rest for all time.

Proposition 32 is nothing but an attack by Republicans and conservatives on unions and their members. Two previous attempts by the same gang failed at the ballot box, in 1998 and 2005. What's new about this effort is that it's dressed up as a broad reform aimed at "special interests," and it's even more union-unfriendly than its predecessors. (Read the full column at AFT1493.org.)

Proposition 30 will fund education, with 90% of revenue from wealthy

Proposition 30, the Schools and Local Public Safety Protection Act, is on the November 6 ballot. Along with Proposition 32, it is the most important issue facing California voters among the many ballot measures.

State budget cuts to public education funding, totaling $20 billion over the past four years, have taken a terrible toll on our ability to deliver the education our students need and deserve. Prop 30 will raise $9 billion in the first year, and $6 billion a year for six years after that, for public education and other services. It will also provide constitutional approval for the governor's realignment of funding for local public safety services while protecting Proposition 98 school funding.

Prop 30 would increase income tax rates on individual incomes in excess of a quarter million dollars per year, and modestly increase the state sales tax by ¼ cent, to provide desperately needed revenues to rebuild our schools and services.

Prop 30 is a progressive tax measure, with 90% of the revenues coming from wealthy taxpayers and the other 10% from the small increase in the state sales tax. An analysis by the California Budget Project found that the wealthiest one percent of Californians – those with annual incomes of $533,000 or more – would contribute more than three-quarters (78.8 percent) of the revenues raised by Prop 30's tax increases, while the top 5 percent of Californians – those with annual incomes of at least $206,000 – would contribute 81.2 percent of the revenues raised

Prop 30 will begin to restore cuts to school programs devastated by years of recession. It will also prevent another $5 billion in "trigger cuts" scheduled to kick in January 1, 2013 if Prop 30 fails to pass.

The ballot measure will not solve all the state's problems with one magic wave of the fiscal wand. California now suffers an annual state budget deficit nearly twice the revenue the state will receive from this ballot measure. But it's an important start, and key to its success is that it gets most of the money from the people who have it and can easily afford to pay their fair share. The top one percent of income earners has doubled its share of California's income while paying lower tax rates than it used to twenty years ago.

Yes on Prop 30! No on Prop 32!
Tax Millionaires/Fund Schools!
Stop the Corporate Power Grab!

Do you know whether you are a member of AFT 1493 or if you are an "agency fee payer"?

In 1996, our District faculty approved a collective bargaining agreement between AFT Local 1493 and the District that included the implementation of an agency shop. The agency shop clause requires that all members of the bargaining unit either be a member of AFT or pay a fee (the agency fee) which is 100% of the dues assessments charged to members. If you get an agency fee amount deducted from your payroll warrant, it is important to understand that this is <u>not</u> union dues. Agency fee payers are not entitled to any of the benefits of union membership except negotiation, administration and enforcement of the contract. For example, agency fee payers do not have access to free professional liability insurance, may not vote in union elections, may not participate in union-sponsored benefit plans, and a host of other advantages accruing to membership in AFT Local 1493. For more information about these advantages, please take a look at "AFT 1493: Join the Union" on the AFT's website (***aft1493.org***).

Pay stubs for all faculty have said "Union Dues" whether the faculty member was a union member or an agency fee payer. This line will be changed to "AFT-Union Dues/Agency Fees," but it still won't tell you whether you are an AFT member or not. You have to actively choose to be a union member.

As the exclusive bargaining agent for faculty employees, AFT Local 1493 incurs significant costs representing you, whether or not you are a union member. For this reason, you are required, as a condition of employment, to either join AFT Local 1493 and pay union dues, or pay an agency fee. We would like to encourage all agency fee payers to join us and have a voice in the union.

Agency fees, together with union dues paid by Local 1493 members, provide the means by which the Local can protect and advance the professional and economic interests of all the employees that it represents. One of the most valuable of these union services is negotiation of the contract that governs your earnings (and other economic benefits) and the conditions under which you work. Agency fees and union dues pay the costs of these negotiations, including the staff work and legal, economic and educational research necessary to develop the union's program on your behalf. The Union also works to administer and enforce the contract, respond to employee complaints about working conditions, represent employees in their relations with the District, and fulfill legislatively mandated roles in implementing shared governance under AB 1725.

Collective bargaining and protecting employees' rights under the contract require year-round activity by the Union's officers and staff. Further, since many of your working conditions and benefits, as well as the resources available to fund school operations, are governed by legislation, the local, state, and national federations with which it is affiliated monitor the legislative process and lobby where necessary to protect your interests.

In recognition of the principle that non-members should pay their fair share of obtaining and maintaining the benefits of union representational activities, the California state legislature has approved the deduction of agency fees from the wages of public employees who are not union members. Collection of agency fees has been approved by the Supreme Court and by the courts of the state of California.

A small percentage of the budget of the Local (and of the state and national organizations with which it is affiliated--the California Federation of Teachers [CFT], the American Federation of Teachers [AFT], and the AFL-CIO) may be used in relation to issues and legislation only incidentally related to the terms and conditions of employment or applied toward the cost of benefits available only to union members. These expenses are not chargeable to agency fee payers.

Each year the Union sends out a packet of information to agency fee payers, which includes a breakdown of all AFT Local 1493 expenses and the portion of union expenses that are chargeable/non-chargeable to agency fee payers based on our expenditures that year, along with a report on the Local's chargeable and non-chargeable breakdown by an independent accountant. In the agency fee packet each year agency fee payers are also sent the chargeable and non-chargeable breakdown for the AFT and the CFT, and their independent auditors' verifications. Included in the annual agency fee packet is the procedure for requesting a rebate of the non-chargeable amount collected in agency fees for the previous year.

In the past, the District's payroll warrants caused some agency fee payers to assume they were union members because all faculty pay stubs included the line, "Union Dues." For years AFT has tried to get the District to indicate on payroll warrants whether a faculty member is an agency fee payer or an AFT union member. While the District still says it cannot have a dynamic tag line on payroll warrants that would identify fee payers and members as such, it has agreed to change that tag line to "AFT-Union Dues/Agency Fees." The Websmart pay stub will be changed with the September paycheck while the printed check stub will probably be changed with the October paycheck. The pay stubs will still not differentiate, however, between Union members and agency fee payers, so if you're not sure, please call the AFT office at x6491. To become an AFT member is a conscious choice each of us makes. It is very easy to switch from being a fee payer to an official AFT member, and by doing so you will gain more rights and benefits.

RETIREMENT

Analyzing the impacts of the Pension Reform Act

by Zev Kvitky, CFT Field Rep.

September 12th, 2012 marked ''the biggest rollback to public pension benefits in the history of California pensions" according to Governor Brown, who signed the pension reform into law. This is a major defeat for all public employees who are being made the scapegoat for everything wrong with our society.

For many CFT members and other public employees across the state, it is perceived as a stunning betrayal by Democratic legislators who claim to support vital public services and those who provide them. Absent any communication with public employee stakeholders, Democratic leaders in both the Assembly and Senate announced a last-minute deal struck with Brown to implement significant pension cuts, rushed the deal through committee with only an up-or-down vote, and passed the measure into law in less than a week. On August 31st, the last day of the 2012 legislative session, the pension reform passed the legislature with only 9 no votes in the Assembly and a single no vote in the Senate.

Given the trend towards drastic pension reductions around the state and country, the measure signed into law by Brown could have been much worse. This was the rationale given by some Democratic legislators for passing this measure. With substantial pension takeaways submitted to voters in San Jose, San Francisco, and San Diego, and the growing momentum to cut pensions or replace them with 401k plans, many lawmakers explained this measure as a way to take the steam out of such right-wing efforts, while having a minimal impact on the vast majority of public employees. Here are some of the significant changes CalSTRS has identified.

New CalSTRS members required to work longer

Changes in the normal retirement age from 60 to 62 with a 2 percent age factor will mean that new employees will need to work until age 62 to receive full retirement benefits compared to the current allowable age of 60. CalSTRS estimates the total fund savings from the changes to the benefit formula to be $22.7 billion over 30 years.

Primary savings to the fund reflect:

- A reduced benefit formula.
- A required final compensation based on three years.
- A cap on compensation allowed to calculate a defined benefit, otherwise known as creditable compensation.

Initial changes to the normal, ongoing cost of benefits are estimated to result in a contribution rate of 8 percent of payroll for new employees. Based on legislative changes set forth in AB 340, which requires that employees pay at least 50 percent of normal costs, a normal cost of 15.9 percent of payroll is projected for future members. This represents a reduction from the existing plan structure projected normal cost, for those same future members, of 18.51 percent. Normal cost is the present value of benefits attributed by the pension formula to employees.

Anti-spiking tool enhances safeguards

AB 340 establishes a limit on compensation that is counted toward calculating a member's pension which will further enhance existing CalSTRS safeguards against pension spiking. For new CalSTRS members (starting on or after January 1, 2013), who like existing members, are not covered by Social Security, the initial limit is 120 percent of 2013 Social Security wages, which will be approximately $132,000.

CalSTRS plan design validated

Overall, the changes as set forth in AB 340 recognize the appropriateness of the existing CalSTRS plan design. CalSTRS administers a comprehensive, hybrid system that includes a defined benefit plan, a cash balance plan similar to a 401(k) but with a minimum earnings guarantee, and a defined contribution plan. CalSTRS members earn a reasonable benefit for the service they provide to California's students. They receive on average about 55 percent of their final salary and retire at nearly age 62 having performed more than a quarter century of service. What cannot be measured is the potential impact the new pension changes will have on the attractiveness of public education as a profession.

Long-Term Funding

The CalSTRS $64.5 billion funding shortfall can be managed with thoughtful action. With the Legislature's approval of SCR 105 on August 31, plans are underway to work with affected stakeholders to develop three alternative plans as requested in the resolution. The plans will consider gradual, incremental increases in contributions to address the long-term funding needs of the Defined Benefit Program. Once completed CalSTRS will submit the plans to the Legislature early next year as outlined in the resolution. The Legislature has expressed its intent to address the long-term health of the fund in the 2013-14 legislative session.

For a more detailed CalSTRS fact sheet on the effects of the Pension Reform Act, see: "Summary of AB 340, the California Public Employees' Pension Reform Act of 2013 and its Impact on CalSTRS Members" at: *http://www.calstrs.com/Newsroom/whats_new/AB340_impact_summary.pdf*

Sale of KCSM-TV still in limbo; District holds out on public information request

In May the District announced the upcoming sale of KSCM-TV, the noncommercial TV station it has owned and operated for 48 years. Their action was part of an epidemic of higher education institutions nationwide ridding themselves of educational TV and radio licenses. At that time, Media Alliance, a Bay Area public interest group that advocates for press freedom and media access and accountability, filed a public information request to make the list of bidders public.

The District has held out on Media Alliance's public records request for 5+ months now. The District claims negotiations are still in progress with the two identified bidders, Public Media Company, a division of Public Radio Capitol which most recently sold KUSF to KDFC in a 3-way signal swap with Entercom broadcasting and Independent Public Media, a Denver-based nonprofit. Trustees claim neither bidder has satisfactorily met the District's financial requirements nor FCC license-holder requirements to date.

Goal: Raise all salaries to top 3 or 4 in Bay Ten

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comparison to other Bay Area districts.

During our lengthy negotiations with the District, we focused on the steps on the full-time salary schedule that were the least competitive so as to bring as many of our members as possible to the top 3 or 4 in the Bay Area. This required a greater increase for Steps 18 to 23. On the part-time schedule, this called for an increase for all part-time instructors. In fact, since part-timers were so far behind, we worked to negotiate a bigger raise for them, and we were successful in winning a larger increase plus an added step at the top of the part-time schedule. Part-time teachers who had been with the District for many years were stuck at the 10th step. The District has added an 11th step to the part-time schedule.

With the 2% and 3% increases won in this contract settlement, the vast majority of full time salaries now rank among the top 3 or 4 in the Bay Area. The exception is for those in the Ph.D. column at Steps 18-23, who now rank 5th, whereas before this settlement they ranked between 5th and 8th. It's important to note that even though the 3 to 5 % increases in part-timers salaries now place some of our part-time colleagues among the top 3 or 4, the salaries of *most* part-time instructors in our district still rank 5th or 6th.

It is our goal to continue improving the salaries of all faculty and to work on closing the parity gap between full- and part-time faculty. The AFT Negotiating Team wants to thank you for your support throughout this long and complicated negotiations process. Without your help, we would not be where we are today.

- AFT 1493 Negotiating Team: Joaquin Rivera, Chief Negotiator; Katharine Harer, Victoria Clinton, Sandra Raeber Dorsett

"ACCJC Gone Wild": In-depth report takes on ACCJC

Our District colleges are currently in the midst of investing a huge amount of time, energy and money in preparing for another accreditation by the Accrediting Commission for Community and Junior Colleges (ACCJC), which accredits two-year colleges in California and Hawaii. As Chancellor Galatolo pointed out during his opening day remarks last month, sanctions imposed on colleges by the ACCJC in recent years have far exceeded the total sanctions by all other accreditation bodies in the country *combined*. The reasons for the sanctions have rarely been questioned although they have had little if anything to do with the instructional quality of the sanctioned institutions.

Who actually runs the ACCJC? What is the basis for the huge number of sanctions they have been imposing? What laws govern the decisions taken by ACCJC and who oversees their actions? These are some of the many questions that were taken up in an eye-opening report, titled "ACCJC Gone Wild", released last month by Martin Hittelman, former President of the California Federation of Teachers and Professor Emeritus of Mathematics at Los Angeles Valley College. The report presents an extensive analysis of many issues concerning how the ACCJC has functioned under the leadership of Commission President Barbara Beno, and it is highly recommended reading for anyone involved in or interested in the accreditation process that our colleges regularly undergo.

"ACCJC Gone Wild" is downloadable from the AFT1493 website (***aft1493.org***)

Contract settlement & ratification are huge successes

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have been met, classes will be offered to the most senior part-time faculty members until their faculty load request is met (not to exceed 67% of full time or as prescribed by law)."

Absences:
Full-time faculty's absences due to illness will be deducted in 2.5 hour increments instead of days. One's accrued sick leave bank will have 5 hours deducted for a full-day's absence and 2.5 hours deducted for a partial-day's absence.

Post-Retirement Contracts:
Previously our contract guaranteed that once granted, a post-retirement contract would be for three years. Because of this, the District had been reluctant to grant any post-retirement contracts during the past few years. The changes allow for a faculty member to negotiate a post-retirement contract for up to three years and the agreed upon length will be specified in a contract between the faculty member and the corresponding administrator.

AFT and the District will resume negotiations on re-openers for salary, benefits, and two to-be-named non-economic items from each party for the 2013-2014 and 2014-2015 academic years.