

President's Report

Leadership Transition Brings Change While Also Maintaining Continuity

by Richard Hansen, FA President

Last week's overwhelmingly positive ratification vote wraps up a very long negotiation process leading to a new 2016-19 Agreement which, as can be seen by its dates, concluded a year late. Negotiators will have one year to recuperate before starting work toward a 2019-22 version. "Thank you" to all faculty who took the time to vote.

This Agreement is the first that Chief Negotiator Kathy Perino can call completely her own. Congratulations are well-deserved for all of the improvements Perino and her team – Lisa Markus, Amy Edwards, Raymond Brennan, and Alan Simes – were able to achieve through their creative strategies and unwavering perseverance. Significant changes can be seen in 23 of 39 Articles and a large number of the Appendices. On many issues, it wasn't easy to reach agreement.

Work on the 2019-22 Agreement will be in the hands of a new Negotiations Team. Along with Kathy Perino (Foothill Math), experienced members Lisa Markus (De Anza Math) and Raymond Brennan (De Anza English) will return and be joined by Anne Argyriou (De Anza Reading), former FA Conciliator, and Steve Batham (Foothill History). FA is very pleased to have the continuity provided by the returning members enhanced with the addition of the conciliation experience of Argyriou and recently-tenured perspective of Batham.

While the newly ratified Agreement is the first completely under Perino's control, it will be the last one I will sign as FA President because I am retiring effective August 11, 2017.

This is my 26th year as a Mathematics instructor at De Anza College and my 20th

FA Summer Hours

During the six-week summer session, beginning the week of July 3, FA office hours will be Tuesday through Thursday from 8:30 a.m. to 4:00 p.m. Since campus conciliators are not on duty during the summer, faculty who need assistance should call the FA office at 650.949.7544.

year in FA leadership. It was in 1997, while I was on my first Professional Development Leave (PDL), that an abrupt change in FA leadership plans catapulted Faith Milonas, Anne Paye, and me to the top. Milonas was president, Paye chief negotiator, and I was vice president and FA News editor. This is how FA leadership often works. There is longevity for leaders as long as the Executive Council is happy with performance, but when an opening appears people step up quickly to fill the void, however reluctant they may be.

Working collaboratively for almost 20 years in shared leadership with Milonas and Paye has been, without doubt, the most satisfying experience in my time at Foothill-De Anza. It is rare in this life to have the kind of close working relationship through both good and bad times that we three shared. I have spent most of this time as FA president but swapped roles with Milonas as vice president and Paye as chief negotiator to accommodate PDLs. While not there in 1997, FA Office Manager, Susanne Elwell, joined this team as an indispensable colleague and comrade-in-arms a few years later, so my core leadership cadre and fondest FA memories center on we four conspiratorial collaborators.

Looking back, two others are also prominent, Tom Strand and Linda Lane, both of whom served FA as grievance officer. Strand retired about a decade ago but stays in touch with FA. Lane retired a few years ago and continues to work with FA training and advising on the grievance side of the union house.

Milonas retired a year before Lane and has stayed active on behalf of all our retired faculty. Both she and Strand have served on the Joint Labor Management Benefits Council

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(JLMBC) over recent years. Always hopeful of finding levity in an acronym, Anne Paye tried mightily to find a way to turn JLMBC into JMBLE or something similar. Undaunted, she insisted on referring to this group as "jumble," and I must admit that I cannot help doing so as well.

Sadly, Paye fell victim to cancer in 2013 though I am sure she was happy to have been able to serve as FA right up to the end. You will find that the 2013-16 Agreement is dedicated to Anne Paye, Chief Negotiator, 1997-2013, "In grateful appreciation for her clear and brilliant reasoning, unmatched ability to craft language, gracious humor and intelligence, and ceaseless devotion to faculty." We miss her.

Looking forward, I cannot overemphasize the important role Kathy Perino plays in both my professional life and the vitality of FA. She is the guiding force of not only the Negotiations Team but all important union matters. Because I have been so heavily involved in representing faculty at the state level, Perino has been front and center, along with Elwell, tending to local concerns. Foothill-De Anza faculty, along with the colleges and district as a whole, can rest assured thanks to Perino's leadership. She and Nicole Gray (Foothill Math), who now has two years of experience as grievance officer, provide the foundation on which to construct a new band of FA collaborators.

The incoming team is also impressive. In a welcome last minute move consistent with the notion that when an opening occurs, faculty step up, Tim Shively (De Anza, English) submitted a letter of interest in the office of FA president. At its last meeting of the academic year, the Executive Council enthusiastically endorsed Shively for president, Amy Edwards (Foothill Biology) for vice president, Bob Stockwell (De Anza Political Science) for Executive Secretary, and Mary Ellen Goodwin (De Anza English as a Second Language) for Part-Time Faculty Associate Secretary.

In addition to years served on the Executive Council, all bring additional experience to FA leadership. Some years ago, Shively served on the Negotiations Team, and he substituted for me as president while I was on PDL in Fall 2014. Edwards has had several years on

the Negotiations Team and will now transition to union leadership. Stockwell, who is well-known at De Anza for his social issue and student-centered activism, will soon be known throughout the district as he ran successfully for the Faculty Association of California Community Colleges (FACCC) board this spring and is poised to take over state-level representation on behalf of FA. In FACCC leadership, he joins Goodwin, a long-time part-time faculty advocate, who was reelected to the Part-Time Faculty Representative seat on FACCC's Executive Committee.

As I depart, FA leadership is clearly in good hands. I am not eager to retire, but it is time to hand leadership to a new generation, and the assembled team reflects both continuity and change, the components that are essential to the ongoing success of the Association.

I hope, over the 20 years of my leadership, faculty found FA responsive to their needs and supportive of their interests. In my view, a collective bargaining agent must focus on its role as a service organization attentive to its members, taking their side in disputes with management during the grievance/conciliation process and striving to achieve the best possible working conditions through negotiations. This doesn't mean the union must or can win every case, nor can it achieve every negotiations goal; the point is to work hard and do the best it can in support of the faculty membership.

A long-term union activist, my primary aim is to promote workplace democracy under which the goal is simple: working people should have a say in workplace decisions, and this democratic participation should extend beyond influence over working conditions to business decision-making in every institution. Here in the California Community Colleges this notion is explicitly stated in the Education Code with respect to what is usually referred to as "shared" or "participatory" governance and the requirement for consultative processes inclusive of college constituency groups. Labor Code contains similar protections for unions with respect to what is and is not subject to collective bargaining.

Locally, this is embodied in governance structures that recognize "primary reliance" (See Page 5)

Canvas Course Conversion Stipend Application to Be Available in July

After the Board of Trustees ratifies the new contract at their July meeting, the stipend form will be made available, and faculty may begin applying for Canvas conversion compensation in the form of cash or Professional Growth Activity (PGA) credit. Cash is only available for faculty who teach online or hybrid classes.

Stipend applications for cash compensation must be submitted within the next two years; the deadline is June 30, 2019. A faculty member can earn a maximum of \$1500 in stipends for course conversions. Though the opportunity for a cash stipend will sunset after two years, PGA credit will continue to be available.

JLMBC Agrees to No Change in 2018 Contributions, Post-97 Stipend Increase

by Lisa Markus, FA Vice-President

With CalPERS rates confirmed last week, the Joint Labor Management Benefits Council (JLMBC) concluded its budgeting process for Health Benefits for full-time employees, deciding contribution rates will remain unchanged in 2018. While the actual costs of the CalPERS medical plans have changed, the determination is based on JLMBC review of the Rate Stabilization Fund (RSF) and projections versus actual expenses for the period 2013-17.



Markus

The Rate Stabilization Fund comes from savings generated from over-budgeting for health benefits when FHDA was self-insured; this ended with the transition to CalPERS in July 2012. The fund at the end of 2012 had a little over \$10 million, and predictions at the time of the transition to CalPERS health care indicated the RSF would be depleted by 2017. Yet, the RSF still has close to \$10 million dollars as of 2016.

Union representatives on the JLMBC requested a report from the District regarding the differences between budgeted costs of benefits (health, dental, and vision) and actual costs to understand why the fund remains fairly stable. After many months of work, complicated by the fact that benefit plans run

on the calendar year while the District budget runs on the fiscal year, the District provided a thorough report showing, surprisingly, that the majority of the over-budgeting was due to over-estimating dental plan costs by about \$1 million each year.

Each year benefits for full-time employees and Pre-97 retirees are paid from three sources: the RSF, employee contributions, and district contributions. Due to many factors including the rate of increase in the highest enrolled CalPERS plans (Kaiser, PERS Choice and PERS Select), the increase in employee contributions, and the modest increase in district contributions (from a budgeted \$976 per employee per month in 2012 to the negotiated \$1,011 starting in 2017), the RSF has remained robust.

The RSF is projected to have a balance of \$8.3 million at the end of 2017; however, because the projections for the cost of the dental plan have consistently been over by almost \$1 million each year, it is likely that the balance in the RSF will remain over \$9 million at the end of 2017.

For part-time faculty eligible for district-sponsored health benefits, 2017 contributions will also remain in place for 2018.

In addition, the JLMBC concluded work addressing disparities among employee groups with respect to district contributions to the pre-Medicare retiree "bridge program" benefit for post-97 employees. Agreement was reached for an increase to a common contribution of \$400 per month for all employees except for upper level managers who will still receive a higher contribution based upon their salaries.

2017 FA Election Results

FA Officers: At its June 7, 2017, meeting, the Executive Council appointed FA officers for the 2017-18 academic year. Tim Shively, De Anza English, was appointed to the office of President; Amy Edwards, Foothill Biology, was appointed Vice President; Bob Stockwell, De Anza Political Science, was appointed Executive Secretary; and Mary Ellen Goodwin, De Anza ESL, was appointed Associate Secretary for Part-time Faculty Interests. Nicole Gray, Foothill Mathematics, was previously appointed as Grievance Officer.

The **Negotiating Team** was appointed for the next three-year cycle to negotiate the 2019-22 Agreement. Foothill Mathematics instructor Kathy Perino will remain as Chief Negotiator. Anne Argyriou, De Anza Reading; Steve Batham, Foothill History; Raymond Brennan, De Anza English; and

Lisa Markus, De Anza Mathematics, were appointed as Assistant Negotiators.

Executive Council: Joining or continuing on the Council are Nicole Gray, Foothill Physical Sciences/Mathematics/Engineering; Kathy Perino, Foothill Physical Sciences/Mathematics/Engineering; Bill Ziegenhorn, Foothill Business/Social Sciences; Steve Howland, De Anza Language Arts; Lisa Markus, De Anza Physical Sciences/Mathematics/Engineering; Nicky Yuen, De Anza Social Sciences/Humanities; Raymond Brennan, part-time De Anza Language Arts; and Donna Frankel, part time, Foothill Kinesiology/Athletics.

FA Contract Ratification: In the vote to finalize the 2016-2019 District Agreement, faculty overwhelmingly approved by a vote of 153 to 3.

PAA Applications Due July 3

Professional Achievement Award (PAA) applications (*Appendix I*) are due July 3. Use this checklist to avoid common mishaps:

- Be sure to attach to or after page 1 of *Appendix I* the Professional Growth Activities report form from your campus personnel office. It should confirm a total of at least 9 quarter units earned within the previous four years.

- Include complete copies of the three required, current evaluations: (1) J1 administrative; (2) J1 peer, and (3) J3 student (if practicable). Even if your campus personnel file contains these current evaluations, you must attach copies to *Appendix I*. If any one of these three are missing, the District will view the application as incomplete. Also check that each evaluation was copied correctly, e.g., all pages of a back-to-back version are included.

FT/PT Faculty September Paycheck Alerts

Full-time faculty with ten-month contracts are reminded that their September paycheck will be substantially less than other checks. Three (not one) months of benefit premiums will be deducted: for July, August, and September.

To ease the financial strain, faculty may want to stop or reduce a 403b or 457 contribution for September. For 403b plans, faculty submit to District Payroll a TSA Contract Form, aka the "Amendment of Employment Contract," by September 15 (subsequently the form would be resubmitted to resume the contribution). This form can be downloaded from the District website.

To reduce, stop, or restart a 457 contribution, faculty need to contact their vendor for instructions.

- Be sure your evaluations are the most "current" ones in your campus personnel file; they should be dated within the prior three years.

- Make sure your evaluations are completely signed and dated. For example, the J1 requires several signatures and dates and all must be filled in.

- Make a copy of your entire PAA application for your records. It may provide you some level of protection if any application pages are inadvertently lost.

- Deliver the completed application to your division dean or manager prior to the July 1 deadline. Be sure to **get and take with you** the signed and dated "Tear Sheet" (page 3 of the application). This page is the only verification you'll have that you turned in the application on time.

Contact Wen Xu in District Payroll with questions (650.949.6115, XuWen@fhda.edu).

Part-time faculty are also reminded they do not receive a paycheck in September, but rather, a small "advance" in early October for work done in September.

PT Faculty Eligible for Unemployment

After their last final exam in Spring Quarter or Summer Session, part-time faculty are eligible to apply for unemployment with the Employment Development Department (EDD) even if scheduled for a Fall Quarter assignment since such assignments are subject to cancellation. The EDD website (www.edd.ca.gov/Unemployment/Filing_a_Claim.htm) guides faculty through the steps. Faculty can also file by phone (800.300.5616).

Contact the EA office (650.949.7544) for more information on filing.

FT Faculty Must Plan Now for 2018 PDLs

Are you a full-time faculty considering a Professional Development Leave (PDL) beginning in the 2018-19 academic year? If so, it's not too early to start working on the application due October 15, 2017.

Before starting to work on your PDL, carefully read *Article 17* to review eligibility requirements, processes, and deadlines. Also study the three PDL forms: *Appendix P1 The Application*, *Appendix P2 The Request for Change*, *Appendix P3 The Report*; these forms and the PowerPoint used this Spring at PDL workshops are available on the EA website (fa.fhda.edu) and district website (http://hr.fhda.edu/_faculty-information.html).

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on the Academic Senate in "10 plus 1" areas focused on professional matters related to instruction. In practice, this vision for the participatory governance of a college has been extended beyond the Academic Senates to a wide variety of local constituency groups. In theory, all of the committee work on a campus feeds up to consultative bodies that directly advise the college president and other administrators. At De Anza, the College Council is this top-level body, at Foothill it is PaRC, the Planning and Resource Council, and at the district level, it is the Chancellor's Advisory Council (CAC). All of these bodies provide advice ultimately to the District's publically elected Board of Trustees.

This Education Code mandated structure is mirrored at the state level in the form of the Consultation Council at which seats are specified to include all of the system constituency groups: faculty and classified staff, including their unions, as well as administrators ranging widely over instruction, student services, business, facilities, and human resource officers, college presidents, district chancellors, and trustees. Mirroring local structures, each of these groups promote their individual interests with influence filtering up through the Consultation Council to advise the State Chancellor in advance of decision-making in the hands of governor-appointed members of the California Community College Board of Governors.

This decentralized state system with its complex local governance of colleges and districts has been criticized as inefficient. Maybe so, but it is a human and humane institution that encourages and exhibits an

extraordinary commitment and engagement on the part of its participants. Education is all about enriching the lives of people who enroll as students, and it is the people who populate the institutions that make the educational process work.

The recent over-emphasis on the efficiency of this process is a mistake. Educators are not cogs in an instructional machine, and the students they educate are not widget-like products. Importation of an industrial, top-down model of production efficiency is wrong-headed, and for that matter, an anti-democratic approach to the industrial economy is too.

The economy is a human construction populated by humans. Rather than emphasizing profit, growth, efficiency, and the accumulation of wealth for those at the top, the economy should be fundamentally a collaborative effort to provide a comfortable and meaningful life for all those who participate. And, participation should be encouraged and could be achieved through a shared or participatory governance applied to the industrial economy.

I am grateful for the support I have received from my EA, college, and district colleagues as it has allowed me to explore these ideas as they are manifest in the California Community College system. I hope the influence I may have exerted at the state level and the information I brought back, often disseminated through the *EA News*, were helpful. I am proud to have had the opportunity to serve the interests of faculty through my state level FACCC and CCCI (California Community College Independents) leadership positions.

FACCC has been called "the best political voice for community college faculty in the state." And since community college faculty gained the right to bargain collectively in 1977, the CCCI independent confederation has persevered as a radical experiment in small-scale, locally-based unionism. CCCI holds a seat on the State Chancellor's Office Consultation Council and, over the last ten years, has expanded its influence by hiring its own legislative advocate. As a result, CCCI initiated the 2014 State Auditor study of the ACCJC (Accrediting Commission of Community and Junior Colleges), a key factor in developments leading to the current reform of the system's accreditation process.

As my retirement approaches, I hope my career teaching mathematics at De Anza and in EA leadership has made some positive difference. The California Community Colleges represent a grand social experiment, and it has been a privilege and an honor to support its continued success. It has made this experience richer to have been able to serve this system from the perspective of working with such great colleagues in the Foothill-De Anza CCD and its excellent colleges.

Summer Gets Complicated for Part-Time Faculty Benefits

by Kathy Perino, FA Chief Negotiator

The following reminders are for part-time faculty participating in the District's health benefit plans. The employee contribution will be handled differently for the summer months depending on the employment status and/or medicare eligibility of the part-time faculty employee.

Part-time faculty with an assignment in Spring Quarter, Summer Session, and Fall Quarter will continue to have the employee contribution deducted from the payroll check, provided the pay for each month is enough to cover the employee contribution. However, part-time faculty with a Fall assignment do work in September but do not receive a paycheck in September, so faculty in this group will receive a notification from the District that he/she must submit payment for the September employee contribution directly to District benefits. September payment can be made via check or credit card. No additional paperwork is required for faculty with assignments in Spring, Summer, and Fall.

Part-time faculty not teaching Summer Session (or any other term) fall into "non-pay" status in those months not on the district payroll. The end of the employment contract is considered a life qualifying event, and because there is no guarantee of employment in the following term, the District is legally required to offer COBRA coverage to eligible part-time faculty for the summer. (Note: Part-time faculty who are 65 or older and medicare eligible, or part-time faculty with a dependent

that is medicare eligible, are not allowed to participate in COBRA coverage, so a Direct Pay exception is available.)

Therefore, beginning July 1, all part-time faculty under age 65 who do not have a summer assignment will receive a notice that they are eligible for COBRA coverage. Part-time faculty wishing to maintain coverage over the summer should submit the accompanying form to the Benefits Unit. These faculty members should expect a bill from their provider, often Kaiser or Anthem Blue Cross, and should be aware that the bill is often delayed four to six weeks. Once the bill is paid, faculty can submit the bill and proof of payment to the District Benefits Unit and the District will reimburse the employee for the District share of the health care cost. Upon returning to active (paid) status with the District, faculty who elect COBRA coverage will have to complete paperwork with the Benefits Unit upon return to paid status.

Medicare eligible part-time faculty, or part-time faculty with a medicare eligible dependent, with no summer assignment will receive a Direct Pay notice from the district as of July 1. Similar to the COBRA group, employees will receive a bill from the provider and make a payment directly to the provider. Faculty can submit the bill and proof of payment to the District Benefits Unit and receive reimbursement for the District share of the health benefits. Part-time faculty in Direct Pay status will be automatically transitioned back to active/paid status in the Fall term, assuming they have an assignment in Fall.

Faculty with questions may wish to review the explanations and forms maintained by the Benefits office here: <http://hr.fhda.edu/benefits/e-forms.html>, or may contact the District Benefits Office at MyBenefits@fhda.edu, or the EA office 650-949-7544.



Perino

Summer Deadlines

June 29: Full-time faculty file intent to change salary column for next academic year with campus Personnel Office (*Appendix A, B*).

July 3: Full-time faculty submit Professional Achievement Award application to division dean (*38.2.1, 38.3*).

Aug. 21: Part-time faculty file intention to change salary column starting in the Fall 2017 Quarter with campus Personnel Office (*Appendix B.1, C, E, G*).

Sept. 15: Full-time faculty submit completion of requirements documentation for salary column change in academic year 2017-18 to campus Personnel Office (*Appendix A, B*).

Sept. 21: Part-time faculty submit completion of requirements documentation for column change in the Fall Quarter (next academic year) to campus Personnel Office (*Appendix B.1, C, E, G*).

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Letters and articles from District faculty are invited. EA, 12345 El Monte Road, Los Altos Hills, CA 94022. Ph: 650.949.7544 Email: ElwellSusanne@fhda.edu Website: <http://fa.fhda.edu>

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