

EXECUTIVE COUNCIL MINUTES
Meeting Held October 4, 2023

PRESENT: Erick Aragon, Raymond Brennan, Mary Donahue, Laura Gamez, Jordana Griffiths, Julie Jenkins, Ellen Judd, Rachel Mudge, Jim Nguyen, Kim Palmore, Tim Shively, Felisa Vilaubi.

ABSENT: Karen Chow.

GUESTS: Nicole Gray, Patricia Lim, Kathy Perino, Robert Stockwell.

M/S Agenda approved as written. Vote unanimous.

M/S Minutes approved as written. 9 – in favor, 0 – opposed, 3 abstentions.

M/S Financial Statements approved as written. Vote unanimous.

M/S 2023-24 Proposed Budget approved as written. Vote unanimous.

ARBITRATION REQUESTS

Grievance Officer Nicole Gray distributed a document outlining the criteria used by the Faculty Association in deciding whether or not to carry a case to arbitration: 1) the impact on the *Agreement*, 2) the merits of the case, 3) the cost to the Association both in staff time and money, and 4) the recommendations of legal counsel. Gray noted that typically only the Executive Council could make the decision regarding arbitration, but because this case involved the non-renewal of contract during the tenure process the grievant had the individual right to go through arbitration if the Executive Council were to decide not to take the case forward.

Maintaining the anonymity of the faculty member and cautioning the need for strict confidentiality, Gray outlined the issues behind the non-renewal. The opinion letter from legal counsel was distributed containing the analysis of findings and recommendations regarding the case. After review, FA Legal Counsel Patricia Lim answered questions from the council members as they deliberated.

M/S that FA not carry this case to arbitration. Vote unanimous.

Gray reminded the Executive Council again of the criteria for making a decision on arbitration and the need to maintain strict confidentiality. Nicole outlined the issues of the second arbitration request regarding the removal of reemployment preference, noting that in this case the faculty member did not have the right to carry the case to arbitration on their own. The legal opinion letter for this case was distributed and read by the council members. Lim, again, answered questions during deliberations.

M/S that FA not carry this case to arbitration. Vote unanimous.

ANNOUNCEMENTS

President Tim Shively shared information regarding a rally to win part-time health benefits at San Jose-Evergreen. The event, being organized by the American Federation of Teachers (AFT) will be held on Friday, October 13 from 11:00 am to 1:00 pm outside the district office in downtown San Jose. Associate Secretary for Part-time Faculty Interests Raymond Brennan, who also works at San Jose Community College noted that, currently, there are no benefits for part-time faculty, even though full-time faculty have 100 percent coverage.

FOR THE GOOD OF THE ORDER

There were no items.