



**Yosemite
Faculty
Association**

REPRESENTATIVE COUNCIL MEETING MINUTES

Date: Wednesday, September 12, 2007
Location: Faculty Lounge, E. Campus

APPROVED

Respectfully Submitted by
Sandra Joan Woodside,
YFA Secretary

Contract Discussion 2:30-3pm on Article 6: Evaluation (Please Bring your Contracts)

Meeting is called to order at 3:10 p.m. Quorum [Y]

PRESENT **EXECUTIVE BOARD**

(1) President: Jillian Daly; (2) V President/MJC: CeCe Hudelson-Putnam;
(3) V President/CC: Gene Womble; (4) Budget Analyst: Nancy Sill;
(5) Secretary: Sandra Woodside; (6) Treasurer: Wendy Griffiths-Bender;
(7) MJC CC Rep: Brian Sinclair; (8) Rep at Large/East: John Zamora;
(9) Rep at Large/West: Alan Layne

PRESENT **REP COUNCIL**

(10) John Mendes; (11) Jill Ramsey/Lisa Riggs; (12) Paul Berger; (13) Bobby Hutchison;
(14) Linda Kropp; (15) Laurie Prusso; (16) Michael Akard; (17) Emily Malsom;
(18) Larry Scheg; (19) David Ward; (20) Jim Stevens/Milan Motroni; (21) Brian Sanders;
(22) Donna Louie; (23) Jon Kropp; (24) Joan Cante CC Adjunct

EXCUSED ABSENCE

Hanna Louie
Rep at Large/CC: Vacant

PRESENT **OTHER POSITIONS**

David Baggett, YFA Faculty Consultant to the Board

GUESTS:

John Carter, Adjunct interested in at-large position.

MINUTES Approval of the April 11, 2007 Minutes. Approved as corrected []

M/S/A Linda Kropp moved to accept the minutes of April 11 as amended through discussion. Alan Layne seconded the motion. The motion passed by voice vote. Nays: 0, Abstentions: 0.

Per Nancy Sill, Budget Analyst, amend the second paragraph under Action Items to read:

President Daly indicated the need to recompense negotiators for 123 hours of negotiations plus additional hours for activities outside of the table. There is money in budget for last year; YFA put in \$25K prior to the agreement to use a facilitator and IBB. Currently it has been agreed to utilize \$12K for the team each person to be paid an equal amount for Fall 06. A total of \$13K remains in the budget to be allocated for the Spring 07 semester.

ACTION ITEMS:

1. Adjunct at-large elections:

Five MJC Adjuncts instructors have expressed an interest in the Adjunct Representative Council position. President Daly has requested candidate statements from those individuals interested in the position. When all the candidate statements have been submitted, YFA will run an electronic election.

Once an MJC Adjunct Representative has been elected, one of the first tasks will be to coordinate the adjunct membership in articulating a process for how future YFA Adjunct elections shall be run.

Brian Sinclair indicated a need for clarification to the by-laws regarding Adjunct elections based on the interpretation of the election process provided by YFA counsel. He wanted to ensure someone is keeping track of changes that will need to be added when YFA goes through a new ratification process.

2. 2007-2008 YFA Reopening Proposal: Handout YFA Reopening Proposal

President Daly indicated the YFA Negotiations Reopener was contained within the new contract and ratified through the contract ratification process (Contract clause 25.2.2). Members of the YFA Executive Committee agreed that an additional ratification by the Representative Council was not necessary. The reopening proposal handout is for information purposes only.

a. List of negotiation issues

According to President Daly, the contract reopener contains broad areas which need to be defined. She stated the Executive Council began listing items of concern for negotiations based on the issues identified in the reopener. President Daly would like the Representatives to go back to their Divisions and discuss the items on the negotiations list to get clarification of concerns from the faculty. The request is for Council representatives to come to the next meeting with specifics from their

divisions.

Linda Kropp expressed a concern about adding contract changes through MOU's without ratification after reading Chancellor Darnell's response to YFA's reopening.

Brian Sanders, Chief Bargaining Agent for YFA during the last rounds of contract negotiations, and serving again on the bargaining unit for the 07-08 year, presented a quick overview of the substantive areas that were changed in the contract and provided some insight into areas of continuing concern for the upcoming negotiations.

Of particular concern for this current round would be Adjunct Faculty according to Professor Sanders. Because of the financial shortages experienced throughout the District, Adjunct Instructors are being paid well below what other Districts are paying. Part of the YCCD crisis in being able to hire adjuncts may be explained by the lack of parity with other Districts. It will be important to poll the adjuncts, this year, in order to identify and prioritize their interests for bargaining.

b. **YCCD 2007-2008 budget: Handout, Narrative Summary/Assumptions/Actuals/Notes**

The Budget will be presented to Board of Trustees this evening and colors what happens at the bargaining table. Nancy Sill, YFA Budget Analyst, indicated the 07-08 Budget Handouts were provided at District Council.

As a union, according to Professor Sill, we need to start talking about retiree liability, Zero dollars were budgeted but the District put \$70K into the liability. Professor Sill indicated there had been no discussion or agreement on that allocation. She believes YFA and the District need to come to some agreement/understanding regarding the level at which the liability needs to be funded.

3. **Negotiation Stipends for Fall: Approved**

M/S/A: Laurie Prusso moved to approve stipends for Jillian Daly and Gene Womble, in the amount of \$3500 each, for service as bargaining agents on behalf of YFA during the current round of negotiations. Michael Akard seconded the motion. The motion was approved by voice vote. Nays: 0, Abstentions: 1 (Linda Kropp)

President Daly reminded the Representatives that last Spring the members of the Representative Council approved the bargaining unit, which is smaller than the previous years team. The current team, for 07-08 consists of Jillian Daly, Gene Womble and Brian Sanders. The Representative Council approved reassigned time for Brian Sanders for Fall 07. President Daly requested approval by the Council members for a \$3500 stipend each for Jillian Daly and Gene Womble. The request for additional stipends is predicated on approximately 123 Hours at the bargaining table and roughly 50 additional hours. While both President Daly and Vice President Womble receive reassigned time, it is specifically for their roles as officers of the organization.

Linda Kropp stated the requested amount is more money than any other negotiators, in past, have received. Professor Kropp indicated she spent over 100 hours outside of formal

negotiations at the table last year.

Brian Sanders stated he thinks reassigned time works better for negotiators. He indicated if one receives a stipend he/she has to fulfill all his/her faculty responsibilities and add negotiations on top of those responsibilities. Negotiations start and keep going until they are done. One can not guess when negotiations will finish, reassign time keeps going and will cover the length of the process.

CeCelia Hudelson-Putnam indicated that when we look at the YFA By-Laws, we need to look at all the activities performed by members of the negotiating team and ask if we are being equitable to all who receive stipends and reassign time. According to President Daly, the Executive Board requested looking at the cohort of schools against which we compared ourselves for this last round of bargaining to assist in defining the duties of the bargaining team. Larry Schleg asked if the individual could be offered the option between release time and stipend. Gene Womble indicated a single person program does not have the luxury of that type of option. Nancy Sill reminded the group that stipends require 1099 and taxed; Reassigned time is not that expensive because we are only paying the bargaining agents an hourly wage.

Jon Kropp indicated a need for the Representative Council to establish a structure/process that is upfront and agreed upon before bargaining begins. Professor J. Kropp feels this should be more a written policy and then the members of the representative council are not forced to wheel and deal after the fact. Professor Hudelson-Putnam indicated looking at hours is not an equitable solution. Laurie Prusso interjected a need for transparency in the process. Brian Sinclair raised an additional issue regarding the cap on load and how that might affect individuals participating in negotiations. Linda Kropp supported release time as option for negotiations.

President Daly indicated, given the scope of the discussion, that a special representative council meeting, to be held on a Friday, would be necessary to work through this issue.

DISCUSSION ITEMS:

1. YFA/YCCD Retreat on Workload

President Daly reminded members of the representative council to save the date, September 28, 2007, in order to participate in the second YFA Retreat. The retreat is being held at the Ironstone Winery. The Retreat begins 8:00 with a continental breakfast and runs until 3:00. There is a need to organize carpools. Because YFA is paying for the accommodations at Ironstone, the District will provide vans.

Last year's retreat on Faculty Evaluations proved useful in negotiations. This year, YFA would like to expand faculty participation. This year there is space for all executive and representative council members. If division representatives cannot come to the retreat, they are encouraged to have a replacement attend. Workload Appeals Committee members have been invited as well.

The focus of this years retreat is workload. According to President Daly, it is important to engage in a discussion on this issue. CeCelia Hudelson-Putnam indicated the YFA bargaining team is looking for any hot topics that might emerge that could begin to be

addressed in the bargaining process. Laurie Prusso wanted to know if part of the intent in examining workload is to begin to deal with a cultural change in the district around this issue or continue with the fire extinguisher approach that has been historically used.

Linda Kropp wanted to understand the union's goals on this issue since it is difficult to arrive at solutions that avoid causing a negative impact on load for certain populations. Professor Hudelson-Putnam stated the goal is to clarify workload while maintaining fairness. According to Professor Hudelson-Putnam, sweet deals were created, in the past, by individuals going outside the union process. According to her, the union is not duty bound to protect sweet deals. She would prefer to see YFA focus on student success—perhaps through equity in class size as one example.

John Zamora pointed out that Vice President of Instruction Karen Walters-Dunlap wants to decouple workload from curriculum. Professor Zamora noted the notion of the workload issue is diverse across campuses. The college community needs to be focused on how workload helps meet the mission/goals for the two colleges. According to Professor Zamora the issue comes back to student success and college success. According to Professor Zamora every institution has large and small programs, and it is generally understood and agreed that large programs support small ones. From that perspective, our colleges are functioning well.

Nancy Sill indicated this is an opportunity to integrate the workload issue with the strategic plan.

Jon Kropp agreed with John Zamora and indicated that workload has to be discussed in conjunction with what is our core values are as far as the District's/Colleges' commitment to their communities.

Laurie Prusso suggested YFA has to create definitions regarding workload because the concept of percent of load has been manipulated in the past.

According to President Daly, some members of the bargaining team have reviewed approximately thirty colleges across state. It would appear that the standard in those colleges is thirty hours. At YCCD, according to President Daly, everybody is different; there is no standardization across divisions/disciplines. President Daly reminded the members of the Representative Council that the retreat is just going to begin the discussion on workload. The purpose for this round of negotiations is to look at how to describe workload in the contract and do a better job of writing that language into the contract. Linda Kropp indicated that she would be clueless on what a paragraph description of workload would look like across the board. The YFA Executive Committee and the current bargaining team wants group direction on what workload descriptions might look like. According to President Daly, in last negotiation, YFA looked at how much money our cohort makes. Now maybe the YFA membership will want to look at how much our cohort works.

Alan Layne encouraged the bargaining committee to consider getting equity with our cohorts since the District is having difficulty hiring qualified faculty due to comparisons between what YCCD offers and other Districts offer. President Daly inserted, as a last comment, that the League of Innovation recommends a maximum number of seats in a classroom be set at twenty-four. In Ohio, the recommendation is fifteen.

2. **2008-2009 Academic Calendar Debate: Handouts:**

President Daly provided some background on the calendar issue in order to frame the discussion. She indicated President Rose came from a district that had a winter intercession that was successful in generating FTES. Almost every college that created a compressed calendar moved to a winter intercession. YCCD did not. Many of these other districts have been successful, but when President Daly goes to union conferences, she noted that other districts are in urban areas and that does not translate well to Modesto. Last spring the District Council created an ad hoc committee to review incorporating a winter intercession at YCCD. The committee gathered data and gave a report. Jane Chawinga simulated a community college and based her assumptions on a college that would be increasing FTES by year three. She also assumed a 4-5 week intercession will produce greater FTE's than the current 8 wk early start summer. Based on her assumptions, which were not created using real data, by year 2, a new 10 week summer session will produce FTES equivalent to the current 15 week summer. According to President Daly, these are big assumptions made in order to get an FTE gain reflected in the report. Over the next ten years, MJC will go into major construction which will impact it's ability to generate FTES. These very real issues have not been factored into the scenario that is being presented in order to justify adding a winter intercession. According to President Rose, he is presenting ideas on how to change the calendar. His concern is a need to grow, and the fact that he perceives we are maxed out on facilities.

Joan Cante, Adjunct Representative from Columbia, began the discussion by wanting to know what the projected growth is for distance education. John Zamora indicated our FTES generation is not a calendar issue but a scheduling issue; MJC is impacted by time not space. According to him, we need to do a better job of scheduling. Professor Zamora indicated we could do a better job of training and getting faculty used to the idea of teaching on-line, then shift course work to an on-line format. CeCelia Hudelson-Putnam wondered about utilizing satellites and YCCD's presence in high schools.

President Daly indicated this discussion should accomplish two things. First, by Tuesday of next week, there is another calendar meeting. President Daly needs to bring questions to the meeting that would promote generating real data rather than assumptive data, since there is nothing to indicate the current assumptions are, in fact, valid. The second issue has to do with YFA's response should the calendar issue continue to move forward without data. President Daly pointed out that page two of the contract states that the calendar is negotiable and, by Nov 1, both colleges have to present what the calendar will be for the 08-09 academic year. If the rep council does not like the proposed calendar it goes to negotiation.

Gene Womble wanted to know who from Columbia will be attending the calendar meeting. According to Kathy Schulz, Columbia College Academic Senate President, there has been no discussion of this at Columbia.

Nancy Sill indicated she was uneasy with this issue as it was presented at College Council. According to Professor Sill, this recommendation for intercession popped up a year ago as a golden egg that would pull the college out of its fiscal problems. Professor Sill want to know where the data is behind this claim. The assumption being made is the faculty does not want to work, rather than show data that supports the validity of the change to an intercession.

Gene Womble questioned if it is possible for Columbia to put forth an entirely different calendar. David Baggett commented that past boards wanted more consistency between the colleges. Professor Baggett doesn't see this board as letting two different calendars fly.

CeCelia Hudelson-Putnam wondered, from Union perspective, if faculty would be able to annualize load if the college went to an intercession? Emily Malsam pointed out that if the college would be offering virtual classes to meet the need of intercession, then we would need to talk about the cap on distance teaching for faculty. According to Professor Malsam, the current cap has been set at two on-line classes.

Nancy Sill questioned the demographics of the area and wondered who might actually take classes during an intercession. Stan State forces students to take their winter intercession. Professor Sill stated should be working closely with other colleges who have transitioned to an intercession.

As additional issues were raised, Nancy Sill suggested MJC should survey our customers-the students. Professor Putnam is concerned for the calendar committee whose traditional charge has been to determine holidays and start times.

3. College Leadership Council-Function.

President Daly addressed concerns that have been raised about YFA participation on the College Leadership Council. This is new committee for President Rose. It is supposed to be a loose council with leadership and includes YFA, Senate, CSEA, the VP's of Student Services and Instruction and President Rose. It appears the committee was formulated as a result of his evaluation with the Chancellor. He was told he needed to use his leadership more to discuss issues and act as a sounding board. The CLC is his way of addressing the issue. According to President Daly, the CLC has only had two meetings to date. The first meeting was to discuss the function of the group, the second meeting the members discussed ideas concerning some short term goals of college.

The YFA Executive Board discussed the issue of the committee and expressed deep concerns regarding its purpose and function. Members of the YFA Executive Committee want to make sure this body is not making decisions and by-passing College Council and shared governance.

Linda Kropp commented that the fact the group has no minutes is a concern. If the Leadership Council is representing the college community, then the constituency should know what is said during the meetings. According to President Rose this is not a decision-making body. Brian Sinclair stated CSEA and Senate have two representatives each and YFA has only one. According to Professor Sinclair, even if the intention of the group is good, there is a danger of forming opinions on issues before they go to College Council to be vetted.

According to President Daly, President Rose has asked the Deans to sit in College Council. He wants them to have first-hand experience in College Council. Rose's take is that things that are discussed in Council get miscommunicated to the Dean's. He indicated that Council meetings are open meetings. Jon Kropp commented this is not the way to change. According to him, the traditional function of College Council is to be the

primary decision-making body. If there have been problems in the past between President Rose and the Council, a remediation plan should be to try to make council work.

John Zamora made a motion to put another member from YFA on the College Leadership Council if YFA remains on it. Alan Layne seconded the motion. The motion was tabled for lack of a quorum.

The meeting was adjourned at 5:30 p.m. for lack of a quorum.

UPDATES:

1. MJC Technical Assistance Retreat on Participatory Governance Sept 24 2-6PM, Scott Lay, State Academic Senate, League, training how to improve ourselves. Goal to create handbook to describe system.
2. Enrollment
3. The Chancellor's Short Term Goals

REPORTS: Reports were tabled.

PRESIDENT	JILLIAN DALY
COLLEGE COUNCIL	BRIAN SINCLAIR
BUDGET ANALYST	NANCY SILL
TREASURER	WENDY GRIFFITHS-BENDER
MJC VP	CECELIA HUDELSON-PUTNAM
YFA PAC	CECELIA HUDELSON-PUTNAM
COLUMBIA VP	GENE WOMBLE
FACULTY CONSULTANT	DAVID BAGGETT

ANNOUNCEMENTS:

Next YFA Representative Council will be Wednesday, October 10, 2007. Contract Review on Article 9: Sabbatical Leave. MJC VP CeCe Hudelson-Putnam will reside.