

## Napa Valley College Faculty Association General Meeting DRAFT

2/14/2013

### Announcements

1. CCA Winter Conference Highlights
  - a. Student Success Initiative Mandates: concerns about impact on counselors
  - b. Adult Education to be run through CC's; can be contracted out to high schools but \$ comes through us but unsure how much funding
  - c. Lisa Yanover graduated from Building Strong Locals Academy – great for learning about the union and how to help your exec. board
2. Affordable Health Care Workshop, 15 Feb. 2013
  - a. FA Exec. Board Pres. & District Lead Negotiator & HR Director will attend (paid for by CTA/CCA)
3. Elections: Board Elections will be held this April; if you are interested in running and want to learn more about the positions, please contact the Executive Board Members. I will provide more detailed information about dates for accepting nominations as well as the time commitment for serving on the board.
  - a. Recommend tenured faculty only
  - b. Weekly meetings (for exec.board and sometimes 2X week for negotiators)
  - c. 20% Reassigned Time is attached to president & grievance
  - d. All positions open (treasurer is definitely needed, not sure how many others currently on board will run again)
4. Contract Evaluation Process document
  - a. Signed MOU so it's currently in place but the document is coming back to Academic Senate for review and revision. Take it seriously.

The Grievance Process – Diana Lisi, CTA Representative: Diana Lisi, our CTA rep, presented an overview of the grievance process, including our rights as public employees, the rights of unions to represent employees, and how to determine if one has a grievance or a complaint. Even if a complaint is not covered by the contract, there may be other laws that support an employee's rights. The first step in filing a grievance is to contact your FA grievance officer, Maria Villagomez. She, along with CCA/CTA reps will help to determine if this issue is grievable and will assist in the investigation and recommendations for action. If you were unable to attend today's meeting and did not receive a folder but would like a hard copy of the presentation, please contact me, and I will put one in your mailbox.

1. CTA California Teachers' Association is the only one that has bargaining rights; we're covered under them, umbrella.
2. Don't judge; defend: role (legal obligation) of the Association is to protect us.
  - a. EERA: law that was signed by Gov. Jerry Brown in 1972, gave us the right to have collective bargaining.
3. Employees have the right to union representation at a mtg. with the employee if he or she has a reasonable expectation that discipline may result. **The employee must request the representative.**

- a. Disciplinary mtgs. Cannot be insubordinate; must attend and listen but you have the right to remain silent. The blanket recommendation is to say nothing until the facts are known.
  - b. Investigations of wrongdoing
  - c. Complaint representation: student against faculty or other constituent group against faculty, not faculty against faculty. The one who files a complaint doesn't get union representation, only the one against whom the complaint is filed has the right for union representation. Faculty-faculty complaint not covered, goes through Academic Senate.
  - d. Required responses to derogatory materials
  - e. Other unusual circumstances
  - f. All other areas of professional employment
  - g. Evaluations ONLY if discipline is reasonably expected.
4. The union has a burden to investigate to find out whether it's a grievance or a complaint. Can only grieve items in the contract. But union still needs to do due diligence with complaints/may be able to mediate. Is the grievance sustainable? See checklist.
  5. You have the right to expect representation, assistance, protection from your union.
  6. Administration doesn't have the right to negotiate something that's outside contract. Union has to write off on the grievance. Going around the union is a ULP according to the EERA.

#### Reports

1. Negotiations' Update: From notes from lead negotiator, Dave Ellingson: This spring, we are expecting to return to negotiations regarding areas including, but not limited to,
  - a. Extra pay assignments including Job Blocks and stipends, with the goal of equitable and inclusive processes and (at a minimum!) adequate compensation
  - b. Part-time parity, with the goal of again securing the funds (nominally) allocated for that purpose
  - c. Necessary CBA updates/revisions/inclusions, including expanding our definition of a bargaining unit member and preparing for the implementation of the agency fee structure
  - d. Clarification of the meaning of, and precedent established by, the District's resolution with PERS -- specifically as related to health benefit allotments
  - e. A budgetary "big picture" for the College, with a clear understanding of "TWF" and what the District will expect of faculty as we move forward
  - f. Evaluation Guidelines for contract faculty, after the AS completes its work on revisions
  - g. (Notes from NVCFA President, Denise Rosselli):
    - i. I have been asked by members and non-members alike if there are any ongoing talks or proposed talks about "givebacks" occurring at

the table and the answer is a resounding, “NO!” In fact, CCA has cautioned all community colleges not to engage in any discussions/negotiations surrounding salary and compensation cuts until the financial impact of the passage of Prop 30 is thoroughly fleshed out.

- ii. Finally, Maria Villagomez and I are researching the “mandatory safety training” documents. I will report back to faculty with the Exec Board’s recommendations once our investigation is complete.

(Negotiation Report: notes taken during mtg):

- h. looking at extra-pay assignments
- i. PT parity (allocated but not restricted)
- j. Redefining bargaining unit
- k. Working toward fair share/agency fee
- l. Health benefits allotments & increases in costs
- m. We keep asking for the big picture
- n. Evaluation guidelines (sent back to AS)
- o. Trying to get (financial) information from District—there’s been an information blackout
- p. COLA confusion (restoration of sections, and other?)
- q. Don’t take any extra assignments even with compensation. Keep the union in the loop. Question: Does this include federally mandated trainings? Denise & Maria getting info this afternoon. To be continued.