

*AFT- 1521 College Guild, West L.A. College Chapter, Adjunct Meeting
Minutes of Meeting of November 12, 2009*

Minutes: Minutes of the September meeting were read and approved. Approval of the Minutes of the October meeting was postponed. Minutes of the October Meeting were not distributed and will be available at the January 2010 meeting.

Olga discussed the need to have greater committee participation from adjunct faculty. Adjuncts may be paid for such extra service, if there is a demand to be paid, but may also step up as volunteers. In early December, Olga will send another recruitment letter.

Insurance Issues: Ken Tiara (Computer Science adjunct) attended the recent FACC Conference. FACC offers adjunct faculty health insurance through Kaiser. Ken described it as a good plan that covers subscribers who may have pre-existing medical conditions. FACC also offers dental and vision coverages. There is a question whether because of a computer glitch, qualified adjunct faculty were not offered dental and vision coverage by the LACCD. Because of the reduction in force, many adjunct faculty have lost opportunities to access the District health insurance plans.

CCSF Hourly Seniority Policies: Ken also briefly described the San Francisco Community College hourly seniority policy. In reduction of force situations, the first to lose hourly classes are retirees, followed by full-timers, and last by true adjuncts. Olga noted that CCSF has a different culture and tradition than the LACCD. She thanked and complimented Ken on his report.

Fulltime Obligation Number (FON): The California Code of Regulations (CCR), Title 5, Section 51025 requires community college districts to increase their base number of full-time faculty over the prior year in proportion to the amount of growth in credit funded FTES **if** the Board of Governors determines that adequate funds have been provided to support implementation of adjustments to full-time faculty hiring obligations. In 2008, the FON for the LACCD was 1, 461. The law provides for a fine, if the college or college district does not meet its FON. Mary Jane McMaster wondered how a college can escape a fine, if a department consists of all part-timers. Olga commented that this goes to the concept of averaging; the FON includes non-teaching faculty and this skews the calculations. Betty Jacobs asked if the district can get a waiver. This is possible, but the FON could also rise to 1, 616. There is also the issue of how the FON is apportioned among the nine colleges, and whether East and Pierce may have built their budget surpluses on a practice of not hiring sufficient full-time faculty. There are discussions going on at the district level to determine how to apportion the FON fairly. Betty also asked if it is less expensive to pay the fine than to hire the required number of full-time faculty. Olga said, No. It is more expensive to pay the fine. The Guild strongly supports the hiring of new faculty. The District would still have the obligation to do the hiring to meet the FON. There is a discussion going on within the district to see what is the fairest way to apportion the FON obligation.

Article 16C. Termination: Reduction in Force and Dismissal: Olga reviewed the article for the members. She stressed the following points: An adjunct employee must be notified in writing of the reasons for termination due to a reduction in force, and the adjunct has the right to remain on h/er seniority list for six semesters. Adjunct employees are evaluated on the Basic Evaluation form, Appendix C, pp 185-87 in the current Agreement. For this evaluation, there is no formal data collection. The evaluation may be based upon a class visit, student evaluations, and the Instructor's syllabus with included SLOs. The college president may remove an adjunct employee from a seniority list based upon two performance evaluations indicating an overall "needs to improve" or "unsatisfactory". Adjunct employees may also be removed from the seniority list for violations of the Ed Code (#87732), in the presence of student complaints, and in the presence of a danger created by the Instructor. With respect to these allegations, an administrator may visit the Instructor's class at any time; however, in all other situations, the Chair or h/er designee should attempt to coordinate time and place of visits.

Adjunct Rep Elections: Elections will take place soon after Spring semester begins. Ballots must be sent right after classes begin. Our practice of write-in provisions on the ballots has helped a lot in cases where divisions did not field a sufficient number of candidates. Olga hopes to head-off the problem we experienced last year, when ballots were not mailed out in a timely manner. She will expect the administration to send notices of election via email and flier.

Seniority List Distribution:

Olga discussed seniority list distribution per Article 16A3:

Seniority lists shall be updated each semester to ensure continuity of the list for each discipline and whenever new names are added to the lists....

The department chair shall provide (in electronic format) the department's updated list or lists to the appropriate Vice President by each semester census date. The Vice President shall review the list for accuracy and provide electronic copies of the appropriate list to the Department Chair, all adjunct faculty members in the discipline in which the assignments are made, and the AFT Chapter President, and AFT Grievance Representative by the sixth week of the Fall and Spring semesters.

In other words, the Chair compiles the hourly seniority list, the administration reviews it, and the Chair distributes it to all faculty in the discipline and to the AFT. The process, from compilation to distribution is to be completed by the 6th week of the Spring and 6th week of the Fall semester. Having a copy of the relevant seniority list is a check on accuracy of assignments and makes the Chair's job easier. At the last meeting of the Divisional Council, Olga praised Betty Jacobs, Language Arts Division Chair, for sending copies of all seniority lists in the division via e-mail to those entitled to a copy.

Regarding second class seniority lists, Article 16A.4:

Beginning Fall 2000, no new names shall be added to the seniority lists for more than one assignment. In addition, beginning Fall 2001, notwithstanding any other provision of this article, no permanent or probationary faculty member shall be entitled to have his or her name added to a seniority list if that addition would result in the faculty member acquiring seniority for more than one assignment at a college.

Olga noted that the contract here is making an effort to be fair. Everybody with an entitlement will be offered a class, before second classes are staffed. The Adjunct Faculty Committee has made a proposal that second classes be staffed by going back to the top of the first class list, when the final person on the list has been offered a class and more classes are available. The Adjunct Faculty Committee also wants the adjunct faculty with seniority to be put on the priority lists for Winter and Summer Intersessions.

Evelyn Liskin raised the question: Can an adjunct faculty member be moved to a different time and day for her class assignment? Olga cited Article 16A.2:

Whenever practicable, adjunct employees shall be assigned to the same assignments as the previous semester. If it is not practicable to assign the employee to the same assignment the adjunct employee shall be assigned to a comparable position. A comparable position means the same number of standard hours for classroom teaching assignments, same number of hours of non-classroom assignments. In some circumstances classroom adjunct faculty may be assigned a different number of standard hours in a given semester than his/her seniority assignment. Nevertheless, his/her seniority rights would continue to be for a class with the same number of standard hours by which he/she attained seniority.

The basic entitlement here is to a number of standard hours. “Whenever practicable...” is not the language of an absolute entitlement.

MOU on Large Compensation Policy: The proposed MOU has been vetted at previous meetings, and a consensus was achieved on going forward to negotiations with the administration on implementation.

Olga re-introduced the Academic Senate policy on Division Re-alignment. She stated that it is important who initiates a change in the composition of a division or the creation of a new division, or the elimination of a division.

She has added wording from Article 17 to the Senate document:

Subject to the limitations specified in this article, departments shall be established and may be modified by the President or his or her designee in consultation with the President of the Academic Senate and the AFT Chapter President. Each college shall establish a procedure under which such decisions are considered and made at the college, but in every case the procedure shall provide some means by which faculty can petition for the establishment of a new department or modification of existing departments.

Any modification to the existing departmental structure of a college that results in one or more disciplines moving from one department to another shall be implemented at the

beginning of an academic year and, whenever practicable, at a time that coincides with the expiration of the terms of the Department Chairs involved.

Meeting adjourned at 3:30