

**MSAC Faculty Association  
Representative Council Meeting  
December 4, 2018**

**Present:** Alvarez-Galvan, Barrios, Birca, Blyzka, Calzada, Chan, Crichlow, Cummings, Engisch, Esslinger, Ezzell, Foisia, Flisik, Frickert, Garrett, Greenberg, Hamby, Heard, E. Hernandez, Horton, Howell, Impara, James-Perez, Kaljumagi, Kirchgraber, Knapp, Lackey, Lancaster, Leyva, McIntosh, McLeod, Meyer, Nakamura, Necke, Nejad, Nixon, Norvell, Olds, Ott, Pham, Piluso, Pula, Quinn, Ramey, Rojas, Romero, Rubenstein, Sanetrick, Scott, Sholars, Simon, Smith, Straw, Thomas, Toloui, Uyeki, Velasquez, Vo, Ward, Wolf, Woolery.

**Absent:** Brentingham, Burman, Chen, Cridland, Freeman, Greco, Hernandez-Magallon, Hughey, Jollivet, Jones, Kakiba-Russell, Kunkler, Luther, Santana, Stringfellow, Willis.

**I. Call to Order and Approval of the Agenda**

President Eric Kaljumagi called the meeting to order and the Agenda was approved with the addition of the Negotiations Report at 11:35 a.m.

**II. Approval of Minutes**

The minutes of November 6, 2018 were approved as written.

**III. President's Report – Eric Kaljumagi**

A. President's Advisory Council (PAC) – PAC met on November 14 and heard reports from three committees. The Accreditation Steering Committee noted that our "Quality Focus" essay will be on the integration of external standards with the PIE Process. They will also look at the integration of Student Success and Support, Student Equity, and Basic Skills into a large Guided Pathways framework. The Budget Committee reported that they now have liaisons with the Institutional Effectiveness Committee. They are also working on the Budget Guidebook and the committee's goals, purpose, and function. The Professional Development Council reported that they are planning spring flex day and the management retreat. A comprehensive professional development revision is underway, including a new administrative procedure and board policy on professional development. The remainder of the meeting was spent discussing BP/AP 3050 (Institutional Code of Ethics). The BP has had significant input from the Faculty Association and received its first reading with little comment. The AP has some revisions needed before it can move forward. PAC also met in its expanded form on November 28. After an overview of the comprehensive plan required by AB 1809 (this year's budget bill for higher education which altered over fifty sections of the CA Education Code), the council spent time mapping our five local goals to CCCCCO requirements, and we provided input on what values for our success metrics might be achievable. An explanation of how the college's goals align to the budget concluded the meeting. The PAC will next meet on December 12.

B. Board of Trustees Meeting – The BoT met on December 14 with Trustees Chen-Haggerty and Hidalgo absent. Trustee Chen departed after less than an hour, leaving the Board with the minimum number required for a quorum. Public Communication once again took much time, with one person speaking on behalf of the MakerSpace, one speaking against smoking on campus, and seven speaking on behalf of MEChA regarding the campus fountain, the need for a Latino center, and the need for an Ethnic Studies degree. Approximately fifty faculty filled the boardroom while three spoke on the need to raise faculty salaries and to maintain lifetime benefits. After a report on our proposed Ethnic Studies degree, the various approval items were all passed unanimously. There were several items of note, including: 1) The College will host a preparedness program for international students through a company called ELS. All profits from hosting the preparedness program will be used for the International Students program; 2) The Board has approved a "Director, Special Program." The special program in question is one that will serve "...undocumented students through counseling, instruction, mentoring, and community building."; 3) All temporary employees now have to pay approximately \$50 for their own background screening; 4) A company called CECHCR has been hired to provide health benefits consultation; 5) 110 managers will go to La Quinta Resort and Club in January for a management retreat at a cost of roughly \$67,000. The BoT will next meet on December 12.

C. Committee Vacancy – There are still a vacancy on the FA Budget committee, which meets as needed. If you are interested in serving on this committee, please contact the FA President at [kaljumagi@msac-fa.org](mailto:kaljumagi@msac-fa.org).

D. March for Public Education with UTLA – The United Teachers Los Angeles (UTLA) may go on strike as early as January. CTA is encouraging us to join UTLA in their march for public education on Saturday, December 15 at 10:00 AM. If you are willing to participate, please contact the FA President at [kaljumagi@msac-fa.org](mailto:kaljumagi@msac-fa.org) by December 11.

E. STRS Workshops – Due to the well attended STRS workshops last year, the FA has convinced STRS to return to campus again this year. Their “My Retirement Benefits” workshop, which is intended for those ten to fifteen years from retirement, will be on today at 1:30 PM in Founders Hall. This will be followed by their “My Retirement Decisions” workshop, intended for those within five years of retirement, today at 3:00 PM in Founders Hall. Both workshops are now available on the POD calendar (<http://pod.mtsac.edu>). As we will have a very large number of new hires next year, the STRS early-career workshop will be requested next year.

F. CCA Spring Conference – The CCA Spring Conference will be held April 26 – 28 in Irvine. This conference will highlight how to be an effective advocate in California, and there will be sessions related to advocacy at many levels, including with the State Legislature, with local boards of trustees, with our communities, and with our membership. The spring conference also includes the “We Honor Ours” (W.H.O.) award dinner and this year will include very important elections for the CCA President and Vice-President. All customary expenses are paid by CCA and the FA. Due to the need for Exec. Board approval, please contact the FA President at [kaljumagi@msac-fa.org](mailto:kaljumagi@msac-fa.org) by March 8 if you would like to attend the CCA Spring Conference.

G. Executive Board Action – Since the last Faculty Association Representative Council meeting, the Board has: confirmed the appointment of Laura Wohlgezogen to the FA Membership committee; confirmed the appointment of Kim Geary to the FA Political Action committee; approved the attendance of Linda Chan, Lance Heard, Tamra Horton, Eric Kaljumagi, Enriqueta Leyva, Barbara Quinn, Masoud Roueintan, Joan Sholars, Ellen Straw, Tuan Vo, and Emily Woolery to the CCA Winter Conference; approved the attendance of Linda Chan, Lance Heard, Tamra Horton, Eric Kaljumagi, Barbara Quinn, Susie Rubenstein, Michael Sanetrick, Joan Sholars, Ellen Straw, Liz Ward, and Emily Woolery to the CCA Spring Conference; approved up to \$2,000 for breakfast for the Spring Flex Day; approved up to \$750 for refreshments and gifts at the December Representative Council meeting; approved up to \$3,000 for promotional items, including flash drives, for spring flex day; approved a salary increase of \$2.50/hour for FA office staff effective January 2019; determined to hold the 11 December Executive Board meeting in the FA Office; declined to recommend an affiliation with the LA County Federation of Labor; declined to recommend the creation of a publicity and marketing campaign; declined to recommend a reduction to the “governance” budget line item; recommended that the FA Representative Council approve the Political Action Funding Letter; recommended that the FA Representative Council reduce the budget line items of “officer stipends” from \$27,000 to \$20,000 and of “conference/training” from \$25,000 to \$21,000; recommended that the FA Representative Council approve the “sunshine” items for the 2019 negotiations; recommended that the FA Representative Council approve the appointment of Gary Enke to the Executive Board, effective Spring 2019; Recommended that the FA Representative Council approve a joint Number of Flex Days Task Force with the Academic Senate; Recommended that the FA Representative Council approve a joint Class Size Task Force with the Academic Senate.

#### **IV. Vice President’s Report – Joan Sholars**

A. CTA Membership – CTA Membership report states that we have 1042 members. We have lost one member. Invitations to all adjunct non-members has been sent out asking them to become members. The Adjunct Coordinating Committee will work in the Spring to get more of the adjunct to become members.

B. Faculty Speak at BoT Meeting – At the Board of Trustee meeting in November, there were about 60 faculty from English, Math, Counseling, Real Estate and Paralegal in attendance. Tamra Horton, Debbie Rivers and Gary Enke spoke on behalf of the faculty in attendance.

C. Governance Committee – The Governance Committee will meet again after the December Rep Council to continue working on the Bylaws. Since we will be having STRS in Founders Hall conference room, the committee can meet in the Fireplace Room.

D. December Hours – The FA Office will close on Thursday, December 20 through Wednesday, January 2. The office will reopen on Thursday, January 3. During the Winter Intersession the office will be open on Tuesdays and Wednesdays from 8:30 – 12:30. Eric and Joan will be around the other days of the week but the office staff will be here on Tuesdays and Wednesdays.

E. Grievance Report – The following are the current FA grievances: 1) The faculty member whose class was cancelled at the last moment due to being over 67% for the third semester in two years has been compensated for the late termination of the class; 2) HR informed Joan of a faculty's request for an accommodation – this one was worrisome as it looked like the instructor had basically talked themselves out of a job. HR is now seeking to do a "fitness to serve" exam on this faculty member. Joan will be working with the faculty member and CTA; 3) The faculty member who is out on paid administrative leave has informed HR that they have retained an attorney (may be CTA or private attorney); 4) Joan is questioning both of the Special Evaluations that are on her desk at this moment. The newest one does not state what the faculty member is to try and improve on and the older one has some questionable wording in it that she is trying to resolve; 5) HR has at least two discrimination/harassment/retaliation complaints from faculty against management that she is helping with. If a faculty member was listed as a possible witness in either of these cases, HR will be contacting them for interviews. Any faculty member can request that the FA attend as their representative – even if they are just a witness. If you know of a faculty member who has been called by HR and they are not sure what to do, please have them call either Eric or Joan so they can meet with them; 6) Both Eric and Joan are hearing from department chairs about adjunct evaluations. Department chairs and division deans are looking more critically at the evaluations and are asking many pertinent questions. One of the weaknesses in our contract is the ability to give adjunct "recommendations" to help them in the classroom. The district can always give recommendations but they would like to go back into the classroom the following semester to see if the adjunct has taken their advice. At this point in time, the only way the district can go back in the classroom is if they assign the adjunct to a new (different) prep; 7) Eric is meeting with a dean, department chair and faculty member this afternoon to review this faculty member's classroom evaluation; 8) At this time, there is possibly one probationary faculty member who might not be getting another contract. This faculty member has been in contact with Joan and we are working on next steps in case; 9) Joan still plans on training the Grievance Committee at the beginning of spring or the end of winter; 10) There are other issues that Eric and Joan are working on but disclosure of information may lead to the identification of the faculty member.

F. Political Action Report – Tony Thurmond was elected as the new Superintendent of Public Instruction. This was a major goal of CTA in this year's elections. Gavin Newsome was elected as Governor. Gary Chow won the election to the Mt. SAC Board of Trustees. He defeated our candidate, Ruth Luevand. Eric and the Political Action Committee will meet at the beginning of Spring to debrief about the election to see what went wrong, what we did okay, and what we definitely need to improve on. Joan will report back to the Representative Council in the Spring. A detailed accounting report of the money spent on the election was provided.

G. Adjunct Faculty Orientation – New Adjunct Faculty Orientation is scheduled for Thursday, February 21 with three sessions planned: 8 a.m. – 11 a.m.; 12 – 3 p.m. and 4 p.m. – 7 p.m.. This orientation is required for all new adjunct faculty. They will be paid for 3 hours at the non-teaching rate. Please let your department chairs know so that they can invite the adjunct to attend one of these sessions.

## **V. Treasurer's Report – Steve Lancaster**

Treasurer Lancaster reviewed the FA Treasurer's report for September 1, 2017 – December 4, 2018 and stated that we have not received this month's bank statement indicating CTA Dues and Agency Fees have been received. We have received notification from the state as to the new monthly CTA Dues and Agency Fees installment resulting from the Janus decision. The installment is \$2000 less per month than last year's Dues and Agency Fees. Recommendations have been made as to where to possibly make budget cuts and these recommendations are presented in New Business F – 2018-19 Budget Amendments. Also, Treasurer Lancaster stated that a proposal will be presented and up for a vote in the Old Business agenda (item B) to change the former

Nonchargeable category to the following new categories: 1) Student Awards - \$2000; 2) Faculty Awards - \$2000; 3) Miscellaneous - \$1500; and 4) Promotion (Swag) - \$1500.

## **VI Director J Report – Eric Kaljumagi**

Eric Kaljumagi reviewed his November 16-17, 2018 Director J Report and highlighted the following items: 1) Since the fall CCA conference was cancelled, the October CCA Board meeting was also cancelled. 2) Merced College has completed negotiations for 2018-21. They will receive a 4% raise and as much as 8% for part-time faculty. 3) Rio Hondo College has negotiated COLA + 1%. 4) Monterey Peninsula College has avoided a strike and is voting on a one-year contract. 5) Miracosta adjunct faculty have successfully negotiated rehire rights. However, there are a number of suspicious investigations against adjunct faculty. 6) College of the Canyons is at impasse and is waiting for a mediator to be assigned by the State. 7) North Orange's administration are proposing a 50-year vesting requirement for lifetime retiree medical. 8) Imperial Valley reported that "we are in the worst contract negotiations in my 15 years here." 9) College of the Desert enjoyed their second faculty vs. administration bowling event in October. 10) San Bernardino is having payroll issues related to their recent technology upgrade. 11) Multiple colleges reported little to no loss of members this year. So far, most colleges have more members than last year. 12) The Inmate Education Task Force has completed its work. CCA now has model contract language for faculty teaching in prison programs. 13) NEA has grown by 0.6% and is now back over three million members. 14) There are currently twenty-six lawsuits against NEA or its affiliates related to the Janus decision. 15) Chancellor Oakley is starting a listening tour. 16) The CCA Board worked on its goals of political advocacy, membership retention, membership training, and social justice. Each goal now has multiple activities to be accomplished. 17) Dual enrollment remains a concern for CCA. There are multiple reports of high school teachers with minimum qualifications being given the "college" classes with little involvement from the college or its faculty. 18) The CCA President noted that the union for many hotel workers, UNITE HERE, is requesting that hotel guests not make use of "green choice" programs since they result in hotel maids receiving more variable schedules and overall fewer hours. 19) CCA ended its fiscal year with \$1.24M in income against \$823K in expenses. Due to the loss of agency fee, income and expenses should roughly balance next year. 20) As a reminder, the CCA4me.org website has been changed to <http://www.CCA4us.org>. 21) The next CCA Conference will be held in San Diego on 8 – 10 February. 22) The next CCA Board Meeting will be February 8, 2019. Please let Eric know if you have any issues you wish him to bring to the CCA Board. Also, please keep in mind that the CCA Board encourages adjunct faculty to attend CCA conferences.

## **VII. SCOne/CTA State Council – No Report**

## **VIII. Adjunct Faculty Advisory Committee – Linda Chan**

Linda Chan presented the Adjunct Faculty Advisory Committee report. She highlighted that the committee heard a presentation from Sokha Song regarding how HR handles complaints concerning part-time faculty. As a result of this presentation, workshops will be presented to part-time faculty who have been at Mt. SAC for more than a few of years since they did not have the opportunity to hear this presentation. All new part-time faculty now receive this information at the New Adjunct Faculty Orientations. The committee was presented with a mission statement that will be voted on at the next meeting. An online part-time faculty newsletter was proposed. There was discussion on membership and how the committee will reach out to former agency fee payers who are now non-members. The proposed 2020-21 academic calendars were discussed and the consensus was that option B would create financial hardship to part-time instructors. Finally, the committee will be asking for a recommendation to make the pilot program a regular standing committee of the Faculty Association.

## **IX. Academic Senate Report – Martin Ramey**

A. Full Senate – The Senate met on November 29 and approved the following actions: Continued with appointments to the task force to define "regular and effective" contact for distance learning classes pursuant to the MOU with the District and FA; Passed a resolution in support of our transgender students - Resolved, The Academic Senate reaffirms its commitment, as a representative body of the Mt. SAC faculty, to fostering a diverse, inclusive, and safe learning environment for all students free from discrimination, bullying, intimidation, harassment, and fear; and, Resolved, The Academic Senate reaffirms the Mt. SAC faculty's commitment to upholding the College Mission Statement's pledge to "serve our community through...advancing civic engagement, enhancing

personal well-being, promoting critical thinking” for all students who wish to pursue their educational goals at Mt. San Antonio College; and Resolved, the Academic Senate encourages Board of Trustees and the College to continue support the work of the College’s PRIDE Center through the use of financial, human and other resources to support creating a safe space for our LGBTQ community and their allies; Considered a resolution that would require the college to obtain the written affirmative consent of students to receive an auto-awarded degree or certificate prior to actually being awarded that degree/certificate. The next Full Senate meeting will be Thursday, March 7, 11:30 a.m. to 1:00 p.m. in Founders Hall.

#### **X. Negotiations Report – Joan Sholars**

Joan Sholars reported that she is currently setting up meetings in January for both teams and is requesting needed negotiation information from the district. The Executive Board reviewed the Negotiations Survey results and gave Joan the following directions for the negotiation team: 1) Salary – more than COLA is important to our faculty; 2) Health Benefits – waiting to hear our Insurance Task Force recommendations but the main thing that the Executive Board is hearing is that it is important to protect our retirement benefits; 3) The most common thread throughout discussions was equality for all faculty. Our goal is to start negotiations by the middle February. The team will be meeting in January to work on research and proposals.

#### **XI. Old Business – Action Items**

A. Service Center One COAT Award – John Cordova – A motion was made, seconded and carried to approve the nomination of John Cordova for the Service Center One COAT Award that honors local community service. John Cordova has been directing Puttin’ on the Hits for many years.

B. 2018 -19 Budget Amendment – Nonchargeable to New Categories – A motion was made, seconded and carried to approve the former nonchargeable category to be broken down into the following budget categories: 1) Student Awards - \$2000; 2) Faculty Awards - \$2000; 3) Miscellaneous - \$1500; and 4) Promotion (Swag) - \$1500.

C. 2020-21 Academic Calendar – A motion was made, seconded and carried to approve 2020-21 Academic Calendar A and the Representative Council recommends that the Negotiation Team bring Calendar A forward in the negotiation process.

#### **XII. New Business – Discussion Items**

A. Sunshine Items for 2018-19 Negotiations – The FA 2018-19 sunshine items were presented to the Representative Council. A motion to suspend the rules and approve the proposed sunshine items for 2018-19 was made, seconded and carried.

B. Creation of Joint Number of Flex Days Task Force – It is currently permissible to have between 2-15 flex days per year. The median number statewide is 5. The Academic Senate encourages us to form a joint task force that will determine the faculty’s position on the appropriate number of professional development days. The actual number of flex days would be negotiated in the future. A motion to suspend the rules and create an Academic Senate and FA joint flex days task force was made, seconded and carried.

C. Creation of Joint Class Size Task Force – Academic Senate Resolution 18-09 expressed concern about the lack of input of the Senate on class size decisions. In response, the FA signed an MOU with the District that includes a task force to review State Academic Senate guidance on class size, consider standards for the Class Size Committee, consider whether the Senate should establish a set of maximum class sizes for all courses, and recommend a process for appealing the decision of the Class Size Committee. A motion to suspend the rules and create an Academic Senate and FA joint class size task force was made, seconded and carried.

D. Negotiations Survey Guidance – Our by-laws state that the Executive Board direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council. It was asked if there was a proposal of policy change. None was presented and thus this will not be an action item at the next Representative Council meeting on March 5<sup>th</sup>.

E. Political Action Funding Letter – The Political Action Funding Letter was presented to the Representative Council that proposes \$15 from faculty yearly dues be placed in our Political Action account (PAC - founded in 2000) to fund our local Board of Trustees' election campaign. This will be an action item at the next Representative council meeting on March 5<sup>th</sup>.

F. 2018-19 Budget Amendments – The Executive Board recommends that the FA Representative Council reduce the budget line items of the “officer stipends” from \$27,000 to \$20,000 and of “conference/training” from \$25,000 to \$21,000. Since we will not need to pay president or vice-president intersession stipends this year and since the fall CCA conference was cancelled, our needs will be met with lower amounts. This will be an action item at the next Representative council meeting on March 5<sup>th</sup>.

G. FA Director Appointment – Gary Enke – A motion was made to suspend the rules and approve the appointment of Gary Enke to the FA Executive Board effective January, 2019 was made, seconded and carried.

### **XIII. Announcements**

A. Next Executive Board Meeting – December 11<sup>th</sup>, 11:30–1:00 in the FA Office.

B. Next Representative Council Meeting – March 5<sup>th</sup>, 11:30–1:00 in Founders Hall.

C. Next Board of Trustees Meeting – December 12<sup>th</sup>, 6:30 pm in Founders Hall.

D. Next CCA Conference – February 8<sup>th</sup> – 10<sup>th</sup> at the San Diego Doubletree and April 26<sup>th</sup> – 28<sup>th</sup> at the Hilton Irvine/Orange County Airport.

E. Next SCOne Council Meeting – January 17<sup>th</sup> 4:30 – 9:00 p.m. at the San Dimas Country Club.

F. Nominations for 2018-19 Executive Board Positions – Executive Board positions will be open at the March 5<sup>th</sup> meeting.

### **XIV. Adjournment**

The meeting was adjourned at 12:50 p.m.

The minutes were respectfully submitted by Liz Ward, Faculty Association