



# Chabot-Las Positas Faculty Association (CLPFA)

## FACULTY FOCUS



### Negotiations Update

By Charlotte Lofft, FA President

If you have visited the HR website to view the Tentative Agreement that was ratified in October of 2011 ([www.clpccd.org/HR/UnionAgreements/FacultyTA](http://www.clpccd.org/HR/UnionAgreements/FacultyTA)) you may be wondering why it still contains strike outs and underlines. The reasons are related to the fact that we are still finishing up some "leftover" items that the parties agreed to in October of 2011. We are almost done, and we will have the completed Agreement on the web site by this June.

Here is a brief synopsis of what we have accomplished:

1. **Three new articles on Personnel Records and Files.** These articles were generated by our FA attorney in collaboration with the District's attorney. They arose out of the Unfair Labor Practice charge we filed with PERB (the Public Employee Relations Board). We prevailed in that action and the new articles incorporate results from that settlement.
2. **New language on faculty rights with respect to free speech.** We recently agreed to some great language which gives us considerable rights in this matter. As with the language for Personnel Records and Files, above, these negotiations have resulted from a PERB action filed by the FA with regard to our right to negotiate speech.
3. **Improved language for the HRA (Health Retirement Accounts) for Full time faculty hired after January 1, 2013.** Full-time faculty hired after January 1, 2013 will *not* enjoy life-long medical coverage upon their retirement. However, the District will be placing \$200/month into an HRA for every new faculty member, for the duration of their District employment. The faculty members will then have tax-free access to these funds, to use for qualified health needs upon their retirement.
4. **Language for evaluating faculty teaching Distance Education courses.** The DE Committees on both campuses were active in this effort. This has been shared already.
5. **Language to evaluate faculty performing Alternate Duty Assignments.** This will apply to Alternate Duty assignments carrying reassign time of four or more CAHs.
6. **Better language to clarify faculty options in dealing with a Load coverage or underage.** You can carry up to 5 CAHs of non banked coverage and can apply up to 17 CAHs to Workload Banking. The new language will help to assist faculty in determining their rights with respect to these facts. We are working with IT to transform our Load Sheets so that they will show a clear delineation between Unbanked Carry-Over and Banked Load.
7. **Improvements in the article on Pre-retirement Reduction in Load.** Now it is clear that faculty can rescind their request if they act to do so in writing before the Board of Trustees acts on the request.
8. **Improvements in the language on Disabled Pregnancy Leave and Parental Leave.** The new language is consistent with the current law and allows four months of unpaid Parental Leave for either parent as well as an additional three months unpaid leave for a female who has a disabled pregnancy.
9. **A new article on Resignation and Retirement.** The new article allows faculty to rescind their decision to retire, or resign, if they make the request *in writing* before the Board of Trustees acts on the request. *Continued page 4*

### 2013-2014 CLPFA Officers

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## The Social Security Fairness Act

This article addresses the following:

### The Government Pension Offset (GPO)

(Applies if you are married to someone who is earning Social Security) Provides for the reduction (or total loss) of Social Security retirement/survivor benefits that *would have otherwise been paid to your spouse*, based on the FICA taxes your spouse paid during your marriage.

### The Windfall Elimination Provision (WEP)

(Applies if you become vested in both Social Security and CalSTRS defined-benefit programs) Provides for the reduction by half (or more) of the Social Security benefits that *would have otherwise been paid to you*, based on the FICA taxes you paid for work outside of CalSTRS.

By Charlotte Lofft, FA President

The Social Security Fairness Act, introduced by California legislators in the U.S. House of Representatives and the U.S. Senate, would repeal the Windfall Elimination Provision and the Government Pension Offset laws. As stated above, these two acts serve to seriously decrease our access to the Social Security benefits we earned on our own as well as limit our access to a spouse's Social Security benefits.

Faculty who are part of CalSTRS (the California State Teacher's Retirement System) don't pay into Social Security for our work as faculty members. Regardless, if we have earned Social Security benefits from our employment outside of CalSTRS (on the basis of FICA taxes paid during said employment) our access to those benefits will be significantly reduced when we

retire and begin taking our CalSTRS pension.

Go to

[www.ssfairness.com](http://www.ssfairness.com)

for more information

and to join their mailing list to get updates. Contact

Senator Diane

Feinstein who is

actively backing the

elimination of these

arbitrary laws.



## Complaint Filed Against ACCJC by City College of San Francisco

Colleagues:

As you may know, the faculty of City College of San Francisco, represented by Local AFT 2121, and the California Federation of Teachers, have recently submitted to the ACCJC a third party [Complaint and Comment](#) regarding the ACCJC's unjustified action in placing City College on Show Cause. Such a submission is allowed under the ACCJC's procedures.

The Complaint details the alleged due process failures conflicts of interest of the ACCJC in placing City College on Show Cause. You can review the complaint at City College of San Francisco's web site which is: [aft2121.org](http://aft2121.org).

Charlotte Lofft, FA President

## Pension Reform Impacts on CalSTRS

### California Public Employees' Pension Reform Act of 2013

CalSTRS has conducted an assessment of AB 340, the California Public Employees' Pension Reform Act of 2013, and its impact on CalSTRS members and operations and outlined key changes.

- Frequently Asked Questions: [AB 340, the Public Employees' Pension Reform Act of 2013](#)
- Detailed Summary: [Recent Pension Legislation and its Impact on CalSTRS Benefit Programs](#)

Note: The detailed summary has been revised after a reevaluation of the provisions regarding postretirement employment. The \$0 earnings limit will be extended to all members whose most recent retirement is on or after January 1, 2013, regardless of age, for the first 180 days of the member's most recent retirement.

- Fact Sheet: [Summary of AB 340, the California Public Employees' Pension Reform Act of 2013 and its Impact on CalSTRS Members](#)
- Statement: [CalSTRS Releases Summary of Pension Changes and Funding Resolution](#)

## **The Biology Building At Chabot College: A Public Hazard**

*By Charlotte Lofft, FA President*

*With help from the Chabot College Biology Faculty*

It is safe to say that Chabot's Biology students are working in laboratories and classrooms that are far inferior to the facilities at their local high school.

The Chabot Biology Building (2100) was built in 1965. More than 20 years ago, the building was identified as needing upgrades; blueprints were drawn up to renovate the building. It never happened.

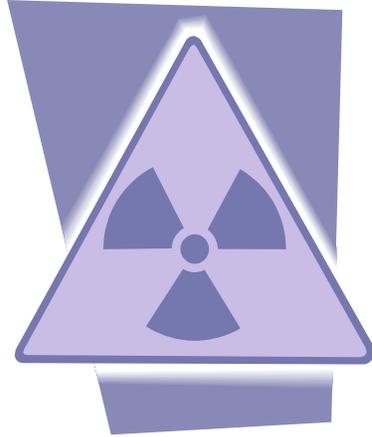
Building 2100 was identified in the Chabot College's Master Plan as a building needing renovation and was originally part of the current Measure B Facilities Bond, but it was given low priority and eventually removed from the list.

In 2008 a proposal was drafted under the Community College Construction Act of 1980 to modernize the building. Funding was never procured. Building 2100 was again listed on the 2012 Draft Master Plan as a building needing replacement/renovation.

The FA became involved recently when we learned of the extremely dangerous and unhealthy faculty working conditions in Building 2100. Article 9C of the FA Contract with the District requires the District to provide a safe work place for faculty; we believe that this provision is not being upheld in Building 2100 and will take strong steps to enforce this provision of the Contract.

This is a list of the appalling conditions in Building 2100 at Chabot College. It is a disgrace to expect faculty, staff, and students to function in these conditions.

a. Cadaver room: Lacks proper ventilation, drainage, temperature control, does not follow OSHA standards for formaldehyde exposure.



- b. Classroom: A maze of wires, blinds not operational, can't control sun glare and therefore can't meet emergency standards for lockdown if needed.
- c. Fire safety: Only one room meets the National Fire Protection Association standard of two or more exits in every lab. There is no sprinkler system in building 2100.
- d. Fume hoods are 48 years old, some installed in inconvenient locations.
- e. Some rooms lack safety showers and permanently installed eyewashes.
- f. Inadequate ventilation system
- g. Need plumbing upgrade to prevent contamination of sewer system.
- h. Pipes corroded and leaks becoming more frequent
- i. Preparation Room no longer in compliance with safety regulations.
- j. Safety technicians forced to work alone in Preparation Rooms. Not safe to do so.
- k. Space between workstations in laboratories too small; potential for spills and falls.
- l. Some counter space and electrical capacity insufficient.
- m. Some of the counters that were updated in Building 2400 were done so with low grade counters: Therefore, holes in counters that leak the microbes; major safety hazard.
- n. Asbestos hazard in the lecture rooms. Hold lectures for 48 students in the rooms that were meant for 24 students.



## **Unemployment for Part-time Faculty Who Do Not Teach This Summer**

*Submitted by Teri Donat, Part-time Rep, LPC*

The academic year is coming to an end. Part-timers, if you do not have work for the summer you can file for unemployment. You can file as soon as classes end. You want to submit your application right away. There is a one week waiting period and you get paid from the time you file not when you stopped teaching. For detail on applying see the California Employment Development website [http://www.edd.ca.gov/unemployment/filing\\_a\\_claim.htm](http://www.edd.ca.gov/unemployment/filing_a_claim.htm) or the Faculty Association website <http://clpcfca.com/> under Adjunct Faculty. If you have any questions or issues contact the Faculty Association part-time rep for your campus.

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### **10. Improved forms with respect to the following:**

- a. Verification of experience for hiring faculty.
- b. Assignment Preference Form for Part Time faculty assignments. NOTE: You need to use your campus email address in communicating with the dean.
- c. Workload Banking. New form will allow you to transfer a specified number of units from Unbanked Carryover into Workload Banking.
- d. Use of Banked Load to augment a Sabbatical.

**11. Better pay for Coaches, Music, and Forensics.** We have agreed to have an outside consultant acceptable to both sides do a thorough study on the comparative coaching salaries in the Bay Ten Community College Districts. Our current TA requires that we have this done by Fall, 2013 with a plan in place to correct any disparities.

## **Faculty Senate Election Results**

Dear Colleagues,

Kathy Kelley has been re-elected to another two-year term as Academic Senate President. Congratulations!

**Ming Ho                  Jim Matthews      Andrew Pierson**  
Senate Election Committee



## **What's in a Name**

*Email sent from Charlotte Lofft*  
*Survey by Zac Walsh*

As you know, the FA did a survey of Part time faculty which was intended to determine your preference regarding how to identify Part Time faculty in the Contract. The current language says, "Part-time (Adjunct) Faculty", and we had been told that some of you don't like the word "Adjunct".

The survey did show definitively that you prefer to drop a reference to Adjunct in the Contract. We will, therefore, go through and edit that word out of the Contract within the next two months. I expect the document to go to press by the end of May, so this is propitious timing in that it can have this accommodation made.

I believe that there was also a preference for the language to say "Part-time Instructor". We can't necessarily accommodate that request since many Part-time faculty are not instructors but are counselors, librarians, or faculty on special assignments. So, we can use the word "Instructor" where it applies but the vast majority of the language will say "Part-time Faculty".

By way of history, we used to have the Contract say "Part-time Faculty", but about ten years ago it changed to the current language of "Part-time (Adjunct) Faculty". This was done at the then-request of the Part-time Faculty. So, now we have come full circle and will revert back to where we were before. We are happy to do so.