



### FA President Resumes Post

Faculty Association President Ken Woodward will be returning from his leave of absence in January to resume the leadership of the Association, according to members of the Executive Committee.

While attending to personal circumstances, Woodward took a leave of absence from his duties, handing the duties of his office to President Elect Lee Haggerty during his leave.

"I wasn't in the least worried about leaving things in Lee's capable hands," Woodward stated. "He's been President and Chief Negotiator [of the Faculty Association], and he's Vice President of CCA, and probably will eventually its President. I knew that he could handle it. And he had a good team to back him up."

Now, however, his personal life under control, Woodward says that he is ready to step back into the presidency.

"We're glad to have him back," said Treasurer Bill Hewitt. "We handled things pretty smoothly while he was gone, but he's a good president, and we'll be even better with

him in charge. It will be especially good to have him around as we begin negotiations."

Woodward reportedly plans to officiate at the Faculty Association Luncheon in January.

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### CCA Salary Guru to Headline January 3<sup>rd</sup> FA Luncheon

CCA salary expert Alan Frey will be the featured speaker at the Faculty Association Flex week luncheon on Wednesday, January 3.

Frey will be discussing the local and state conditions affecting salary negotiations, and what the faculty can expect in terms of a raise from the coming salary negotiations.

"Alan Frey is probably the leading expert in the state about community college faculty salaries, and the conditions that affect them," stated Bill Hewitt, Association Treasurer and CCA District N Director. "He'll be able to give us guidance about what we can ask for and expect in the negotiations."

Also speaking at the event will be members of the negotiating team. According to team members, they will discuss the faculty survey that will be distributed at the beginning of the Spring semester, and what they anticipate will be the most important issues in the upcoming contract negotiations, especially, salaries and health and retirement benefits.

The event is scheduled on Wednesday, January 3<sup>rd</sup>, from 11:30-1:00—immediately after the Chancellor's opening session, in the Saddleback College Cafeteria.

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### FA to Award Student Scholarships

The Faculty Association Representative Council has again voted to fund two scholarships for students pursuing a career in teaching.

For several years, the Association has offered two \$500 scholarships, one on each campus, to students who plan to pursue a career in teaching.

"It's a way to help carry on the legacy," explained FA President Ken Woodward. "We want to encourage students to come back and carry on the important task of education."

The scholarships have traditionally been distributed at each college's Scholarship Ceremony in May.

To qualify for the scholarships, applicants must meet minimum academic conditions, and plan to pursue a career in teaching.

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### FA Negotiating Team Set

At the December Representative Council meeting, the Association officially appointed its negotiating team for the upcoming contract negotiations with the District, Association President Ken Woodward announced.

Please attend the  
**Faculty Association Luncheon**  
Wednesday  
January 3, 2007  
11:30-1:00  
Saddleback College Cafeteria

Special Guest Speaker  
CCA Salary Expert  
**Alan Frey**

Working with Chief Negotiator Lewis Long, who had been appointed earlier, will be Lee Haggerty, Bill Hewitt, Paula Jacobs, Walt DeAguero and Stewart Frame, serving as the part-time representative.

In addition, Saddleback History professor Bill Billingsley will be serving as the coordinator for the Negotiations Advisory Committee, which is responsible for providing to the team input about working conditions, supporting research, and faculty opinions.

"I'm really excited about this team," Long said. "We have very experienced members of the union. Three of the members have been involved in CTA, CCA and NEA governance, two have been presidents of the Association, one has been Chief Negotiator, and another has been grievance chair. We have the incoming President of FACCC, and the current Vice President of CCA on the team. We have a broad coverage of disciplines. Also, we have an accountant, and direct access to an economist [President Woodward]. We're really in good shape to knock out a fair contract."

According to Long, contract negotiations will begin when the Association and the District sunshine their proposals in March. In preparation for the negotiations, the team will be receiving training from CTA specialists, and will conduct a survey of the faculty.

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## Evaluation Instrument MOU Approved

A new evaluation instrument, formally entitled the "Faculty Performance Evaluation Review" form has been approved by the Association Representative Council and the Board of Trustees, and is now available for use.

The evaluation instrument had been the

subject of occasionally heated negotiations for some time, according to former Chief Negotiator and current President Elect Lee Haggerty.

"We felt that the old evaluation instrument could be improved, but were unwilling to gain those improvements by agreeing to an instrument that could be used against the faculty," Haggerty said. "In the meantime, we had the old instrument, which we could live with. We kept working on it until we could get the District to accept an instrument that we felt was acceptable."

According to current Chief Negotiator Lewis Long, adopting the new instrument before the opening of negotiations places the Association in an advantageous position when this topic comes up again in the new contract.

"Instead of starting over from zero, when we return to this item in the new contract, we'll be working from an existing document that, basically, we wrote," Long explained. "If we deadlock on this item, the status quo will end up being our proposal."

The new evaluation instrument isn't perfect, he admits, but believes it's pretty good under the circumstances.

"We don't get to write whatever we want, since we have to negotiate the instrument with the District, but this version, prepared by the Association's team, is far better, and far less threatening, than the District's previous proposal," stated Long.

According to Association representatives, on Monday, December 4<sup>th</sup>, the MOU (Memorandum of Understanding) containing the evaluation instrument was approved by the Representative Council of the Faculty Association, and then, on Monday, December 11<sup>th</sup>, the Board of Trustees voted to accept the MOU as part of the *Academic Employees*

*Master Agreement*, commonly known as the contract.

According to Association representatives, this particular item has had a complex history. When the most recent contract was adopted in April of 2005, several issues were felt by the District and the Association to be too complicated to resolve quickly, and rather than hold up the whole contract, both parties agreed to resolve these issues by MOU after the contract's adoption. Although the article in the contract regarding the evaluation process was adopted with the contract in April 2005, the instrument which would record the results of the evaluation still needed to be developed through negotiations.

After a long, arduous negotiation, the Association and District reached agreement on all of the components of the instrument except one: the District insisted on including an item in the evaluation concerning the faculty member's participation in the curriculum development process. For a variety of reasons, including the difficulty of documenting a faculty member's degree of participation in this process, and even the definition of "participation" in this context, the Association resisted the inclusion of this item in the Evaluation Instrument.

Several other District proposals for this instrument which were unacceptable to the Association had already been resolved in a manner to which the Association felt it could agree.

Recently, the District and the Association agreed to a version of the Evaluation Instrument without the objectionable curriculum process item, with the understanding that this issue would be addressed again in the negotiations for the next contract.

## PT Faculty Eligible for Unemployment Insurance Benefits During Summer Break

Susan Rines

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Ever since the Cervisi court decision in 1989 found that a teaching assignment contingent upon class enrollment or funding is not a "reasonable assurance" of continued employment, non-tenured part-time faculty have been eligible for unemployment insurance benefits during the summer break—and all other breaks between quarters as well. It seemed that the Employment Development Department (EDD) agents understood the circumstances peculiar to community college part-time faculty and were ready to assist those who applied for unemployment benefits. However, recent developments indicate that the EDD has been frustrating some applicants with new requirements rather than helping them. These requirements include required attendance at job-search workshops and extensive proof-of-identity documents. For example, in addition to a passport, a pay stub and a utility bill, a part-time faculty member in this District was also asked to send in a copy of the Notification and Acceptance of Teaching Assignment. Then after receiving all this documentation, the EDD still claimed that the faculty member was not eligible to receive benefits because of reasonable assurance of returning to work immediately following the recess period.

If you are a part-time faculty member who has been denied benefits after making every effort to comply with all the action required by EDD, it would be wise to take the following actions. First, mail or fax a copy of the District's Notification and Acceptance of Assignment to EDD. Then go to the FACCC (Faculty

Association of California Community Colleges) website ([faccc.org](http://faccc.org)), click on "Part-time Faculty" and then click on "EDD Resolution Form." Fill out the form and mail or fax it to FACCC at the location indicated at the bottom of the form. Finally, initiate the appeal process and adhere to all requirements and deadlines. Setting the appeal process in motion in a timely manner in conjunction with the other recommended actions protects you from losing your right to appeal. Although the increasing number of EDD Resolution forms has slowed the process, FACCC reports that approximately 90 percent of the cases denying unemployment benefits have been reversed. If sending the district document or going through FACCC resolves the matter quickly, you can always terminate the appeal.

A revised application form is another change confronting faculty applying for benefits. Since it has become increasingly difficult to apply by phone, it is important to be able to maneuver successfully through several pages of on-line questions. Answer "no" to question 22, asking whether you are a member of a union because FA does not provide job search services for its members. For question 27 and 27a, be sure to give accurate information about the date you last worked and the gross wages earned during the last week of employment.

Choose "laid off/lack of work" for question 28. In 28a, state that you are a part-time temporary community college instructor with no assurance of employment. Refer to EDD Field Directive 89-55U1 that explains the Cervisi decision. Answer "no" to questions 29 and 30 which query you about your expectation to return to work for a former employer and a starting date for that work. Questions 31a and 31b, which have to do with returning to work for the next school session and having a reasonable

assurance of doing so, should be answered "no" as well. For question 37 indicate that your occupation is not seasonal by answering "no." Finally, give a "no" answer to question 40 regarding plans to attend school or training. EDD might conclude that if you are going to school, you may not be available for work and, therefore, not eligible for benefits.

Remember that you are eligible for unemployment benefits during all breaks between quarters if you are not earning income, including the week-long break between winter and spring quarters. Also, if you earn less than the EDD benefit from working during breaks, you can apply for and receive a partial benefit.

If you wish to have a better understanding of the laws pertaining to the eligibility of part-time faculty for unemployment benefits, go to the FACCC website and click on the "Unemployment Insurance" link or click on the "Unemployment Benefits" link of the California Part-time Faculty Association website at [cpfa.org](http://cpfa.org).

The Faculty Association  
Executive Committee wishes  
you a safe, peaceful and pleasant  
holiday.



See you in the spring!

### 2006-2008 Faculty Association Officers

Ken Woodward—President  
Lee Haggerty—President Elect  
Bill Hewitt—Treasurer  
Carolyn Gillay—Secretary  
Lewis Long—Past President  
Paula Jacobs—Saddleback Grievance Chair  
Kathy Schmeidler—IVC Grievance Chair