



Contract Negotiations Moving Forward

Negotiations to establish a new contract between the faculty and the District began on May 25th, and have continued during the summer and into the fall.

The new contract, officially known as the *Academic Employees Master Agreement*, replaces the previous contract which expired on June 30th. According to Chief Negotiator Lewis Long, the contract dictates everything related to faculty employment, including pay rates, benefits, workload, duties and obligations of faculty members, the conditions of retirement, and all other working conditions. “The *Master Agreement* is certainly one of, if not the most important single document in the professional life of each faculty member,” explained Long.

In addition to Long, representing the faculty in the negotiations are Saddleback Political Science professor Lee Haggerty, Saddleback College counselor Paula Jacobs, IVC counselor and EOPS and DSPS Director Bill Hewitt, and IVC Political Science professor Stew Frame, who serves as the team’s part-time faculty representative. Saddleback History professor Bill Billingsley serves as the coordinator of the

negotiating advisory groups, and attends negotiations sessions. Saddleback accounting professor Walt DeAgüero was also on the team, but has had to withdraw for personal reasons.

The District is represented by Vice Chancellor of Human Resources Bob King as lead negotiator, Vice Chancellor of Technology and Learning Services Andreea Serban, District Director of Fiscal Services Beth Mueller, Director of Human Resources Teddi Lorch, IVC College President Glenn Roquemore, Saddleback Dean of Liberal Arts Kevin O’Connor. The District’s team is also assisted by Bruce Barsook, an attorney from the firm of Liebert Cassidy Whitmore, retained by the District for the negotiations.

Both the District and the faculty are looking forward to getting these negotiations resolved, according to Long. Representatives of both sides met at the negotiating table on the very first day permitted by the laws covering the negotiating process, and have conducted regular negotiations sessions since. “We were anxious to get started, and to get a new contract established, so we met as soon and often as we possibly could,” explained Long.

Apparently, the negotiators aren’t the only ones who want the contract done. Long stated that he is often approached by faculty members concerned by the apparently slow pace of negotiations, but he claims that, considering the complexity of the document and the issues it addresses, the negotiating teams are making good headway. “Negotiations may seem slow to people not involved in the process, but we’ve been making steady progress, and we don’t want to make any mistakes, or give up anything that will matter to the faculty,” stated Long.

Negotiating team member Haggerty, who also serves as Association President Elect

and has been Chief Negotiator, also explained the importance of proceeding carefully. “Obviously, we all want to get the new contract finished as soon as possible, but the team is being very careful to protect faculty interests, and we’re simply not going to make concessions for the sake of getting the contract done. In the long run, the faculty will benefit more from a good contract than a fast one,” explained Haggerty.

Long claims that the two teams have accomplished a lot of work. Since beginning negotiations, according to Long, the two sides have reached tentative agreement on twenty-one of the thirty-one articles in the contract. “We have put to bed some contentious issues already, and I’m confident that our team will be able to resolve the remaining issues, while preserving faculty rights and safeguarding working conditions.” The two teams will meet at least nine times during the fall semester, and are even looking for additional meeting dates.

At this point, the Faculty Association and the District have reached tentative agreement on the language of the following articles:

- I—Agreement
- II—Effect of Agreement
- III—Severability
- V—Recognition
- VI—Association Rights
- VII—Management Rights
- VIII—Negotiation Procedures
- IX—Unit Stability
- X—Organizational Security
- XI—Professional Dues or Fees and Payroll Deductions
- XII—Board Policies
- XIII—Reopener Clause
- XVIII—Personnel Files
- XIX—Transfers
- XX—Travel
- XXI—Safety
- XXII—Lay-Off Procedures

- XXIII—Discipline Procedures
- XXIV—Federal and State Statutes Regarding Harassment and Discrimination
- XXVI—Bonded Sabbatical and Professional Development
- XXXI—Faculty Retirement Benefits

The following articles (listed in the order that they will be addressed), have not yet been concluded, though discussions on many of them have begun:

- XXIX—Leaves
- XXV—Grievance Procedures
- XVII—Full-Time Faculty Evaluations
- XIV—Assignment, Contract Year, Hours Of Service, And Professional Duties
- XV—Workload
- XXVIII—Workload Banking Program
- XVI—Part-Time Faculty
- XXVII—Benefits
- XXX—Wages
- IV—Definitions

Long explained that negotiators have been able to gain several new benefits for faculty members, while fending off many of the District's proposals which would limit or eliminate other benefits. For example, in the previous contract, health benefits for the dependents of retired faculty members ended when the retiree reached Medicare eligibility, even if the dependents weren't eligible for Medicare, often leaving family members without any health insurance at all. Under the new contract, retirees will be able to purchase, through the District's insurance carriers, health benefits for dependents after the retirees become eligible for Medicare. "There was a significant gap in health coverage for the families of retired faculty members, and especially since so many of our experienced faculty are considering retirement, this was an important issue. I think we gained an important advantage for those faculty, and without imposing an

onerous cost burden on the District," negotiator Bill Hewitt explained.

Hewitt also explained that faculty members are now allowed to purchase continued vision and dental coverage.

While negotiating these benefits, the negotiating team deflected some significant concessions demanded by the District. According to team member Paula Jacobs, "The District had proposed ending all retiree health benefits for those faculty hired after July 2007; proposed a new 'no-strike' article; proposed dangerous changes to the faculty transfer process, management rights, and the way personnel files are handled; and proposed division of the faculty's single Faculty Service Area into discipline specific FSAs in the 'Lay-Off Procedures' article, which would have allowed focused layoffs of faculty. The faculty negotiating team has successfully eliminated all of these proposals."

The Association's negotiators are not resting on their success so far, however. According to Long, there still is a lot of work to be done, especially in the sure to be contentious areas of evaluations, workload and wages.

The team is also determined to improve working conditions, benefits and wages for part-time faculty. "We are very concerned about our District's comparatively poor part-time salary schedule, about the problem of class cancellations which leave part-time faculty under or unemployed, and the problems that some part-time faculty have had with health benefits, among other issues," stated team member and part-time representative Stew Frame.

There is going to be an important role in the negotiations for every faculty member, stated Association President Ken Woodward: "We are going to need a lot of visible faculty support,

especially at Board meetings, and especially when we discuss wages and benefits. We must show the Board that the faculty deserves a meaningful raise, and that we're serious about preserving our benefits. We can't just hand that responsibility off to the negotiating team; each faculty member has a part in these negotiations."

50% Law Threatens Retirement Incentive

The South Orange County Community College District has found itself in danger of violating the state's 50% law, District administrators, Board members, and faculty representatives have learned recently.

The 50% law says that half of a District's expenditures (excluding certain special categories such as new buildings) must be spent on classroom salaries.

Although administrators believed the District to be in violation of the law, careful review of accounting procedures showed the District to be just barely above the required 50%.

However, the retirement of a large group of highly compensated faculty members at this time would throw the District well out of compliance, District administrators explained recently.

The Faculty Association is working with the District and other faculty representatives to develop a comprehensive plan which would allow the District to grant pay raises, hire new faculty, and still offer some sort of retirement incentive plan within the next few years.

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