

Anti-Union Lawsuit Heads to Supreme Court

On June 30, working men and women in this country received some unwelcome news when the Supreme Court decided to take on an anti-union lawsuit – Friedrichs v. California Teachers Association. If the plaintiffs in this case were to prevail, it would tie the hands of unions to be able to advocate for employees.

The suit looks to overturn another case, Abood v. Detroit Board of Education, which in 1977 upheld the constitutionality of agency shop clauses. These let employees working as part of a bargaining unit to opt out of the union and instead pay agency fees. These agency fees eliminate “free riders” – employees who would benefit from a collective bargaining agreement without sharing in the financial support of the union and the bargaining unit that negotiated that agreement.

The Friedrichs case is one more in a series of attacks on unions, along with Vergara v. California, Bain v. CTA and Doe v. Antioch.

“The road to greater economic inequality and the New Gilded Age is paved with destructive lawsuits like Friedrichs,” said California Federation of Teachers President Joshua Pechthalt in a statement on the case. “I hope the court, in agreeing to hear the case, will end by upholding the principles of the Abood decision, which is in the interests of unions, working people, and broadly supports the middle class standard of living in America.”

The Supreme Court will hear Friedrichs in the Fall.

New Funding Brings Good News

The 2015-16 state budget for community colleges is good news for the LACCD. The new budget includes substantially increased ongoing “base allocations,” added funding for categorical programs targeted for student success, and a large amount of “one-time only” funds for such priorities as instructional equipment and deferred maintenance. This budget also provides our district with \$5.7 million to hire 60 new full time faculty on top of the FON obligations and replacements (see chart below).

In addition to this new funding, we exceeded the state growth target of 2.75% last year. Our 4.77% growth earned LACCD \$22.34 million, of which \$10 million was “overcap” for exceeding the state target. In addition to expanding access for students, growth is factored into our salary increases of 4.04% last year and 4.22% this year.

We can thank Governor Brown and the legislature, but much of this new funding is due to Prop 30 (the millionaires’ tax) and Prop 25 (majority vote for the state budget), both voter-approved ballot initiatives spearheaded by our statewide union, the California Federation of Teachers. This new funding presents both opportunity and challenges.

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Membership Campaign Grows Guild

The Guild’s “Faculty Guild Rising – Building Guild Power Campaign” has yielded great results. Last semester, we added 190 new members. Congratulations to the folks at Trade-Tech, who collected cards from 39 members, and those at Mission, who added 41.

Over the next six months, the Guild will step up its efforts to increase membership. Each faculty member will have a role in the ‘fee payer-to-member’ campaign. Ask your chapter president for the names of fee payers on your campus. Contact them, tell them about the benefits of membership, and ask them to sign a membership card. Be sure to explain what the Guild has been able to accomplish:

- Negotiated a strong collective bargaining agreement
- Won a 4.22% raise this year, on top of the 4.04% salary increase last year
- Protected seniority rights for adjunct faculty
- Obtained 100% vision coverage for adjuncts teaching over a 50% load
- Tied District contributions to health care premiums for adjuncts to the average cost of an individual premium
- Extended the HRA for full-time faculty
- Expanded member service with a series of “Get the Job” and EDD workshops last semester

Since agency fees are taken from faculty salaries, why is it important to turn fee payers into members? Because there is strength in membership. Without a strong, committed membership, management will consider us weak. And because there are forces at work that would strip unions of their power by trying to eliminate agency fees and weaken unions.

Won’t you join our “Faculty Guild Rising Campaign”?



AFT 1521 President Joanne Waddell spoke at a rally in April calling for CalSTRS to divest from companies that manufacture or sell weapons that are illegal in California. In June, CalSTRS unloaded its holdings in Remington Outdoor, which made the assault rifle used in the Sandy Hook Elementary School shootings.

President's Message



Guild President Joanne Waddell

We are proud of the Faculty Guild's accomplishments and growth in the 2014-15 year—the Guild's 50th Anniversary year. But stick around—we are on track for an even better year in 2015-16—framed in our theme, “Faculty Guild Rising”.

A quick review of our accomplishments last year includes:

- Successful negotiations that gave us a new contract and a 4.22% raise for 2015-16.
- Active participation in the Board of Trustees elections that resulted in the election/re-election of four pro-labor, pro-public education trustees. Significantly, one of the new Board's first actions was passing and signing a Project Labor Agreement, recognizing their commitment to labor principles.
- Hiring over 150 new full-time faculty for Fall 2015, about half to replace retirees, the rest to meet our state hiring obligation (known as the FON). The increased FON is the result of faculty's work in increasing enrollment.
- Guild workshops held on four campuses that helped over 500 adjunct faculty prepare for the application and interview process of those full time jobs. We are tracking the number of adjunct faculty who have been selected for those jobs, and the numbers are encouraging!

- Launching our “Faculty Guild Rising” campaign to strengthen our position in the labor movement and build our membership.

Now we turn our attention to making the Guild even stronger. For all we have to look forward to this year—the best budget in years, new full time hires, growth targets that provide adjunct opportunities—we have work ahead of us.

Our major focus to continue building our membership is a crucial effort in the face of the threats against employees in the public sector and in public education. These threats are real. The well-funded anti-labor, anti-public education movement (backed by the Koch Brothers and others) uses the political, legislative, and judicial arenas, as well as the media, to move their agenda forward. The most recent example of judicial threats is *Friedrichs v. CTA*, on the SCOTUS docket this year. Its outcome will have a lasting effect on labor, including the Guild. And if you think this case is a nightmare dreamed up in Wisconsin, Michigan, or Pennsylvania, think again. It was filed in California. So were other significant cases that could change the landscape as we know it for California's educators. These potential game-changers, whose names are all too familiar to us, include *Vergara*, *Bain v. CFT/CTA/et.al*, and *Doe v. Antioch*.

As we have learned to do, we are prepared to fight back. This year will be a pivotal year for labor. Be part of the Faculty Guild Rising Campaign. How? Sign up new full time and adjunct faculty as members. Attend chapter meetings. Keep in contact with your Chapter President, E Board delegates, and other Guild leaders on campus. Respond to the Guild's action alert emails.

Join us in the fight to strengthen the Guild and the pro-public education labor movement!

In unity,
Joanne

Contract Mailed!

A hard copy of the 2014-17 Collective Bargaining Agreement has been mailed to your home address. If you have not received it, contact the Guild Office at (323) 851-1521 or email office@aft1521.org. A copy is also available at www.aft1521.org.

Motions Passed at Executive Board

- March 17, 2015**
- Endorsed Darius Leevy for Inglewood Unified School District, pending confirmation from CTA
 - Endorsed Jacque Robinson for Mayor of Pasadena
- April 21, 2015**
- Approved the Guild's 2015-16 budget
 - Set up a task force to develop a salary reallocation plan and bring it to the Executive Board in May
 - Request a feasibility study for Permanent Agricultural Protected Land Status for the Pierce Farm
- May 19, 2015**
- Approved a contribution of \$4000 to Trustee Andra Hoffman for campaign expenses
 - Approved the 2015-16 Executive Council/Executive Board meeting dates

Faculty Raises

Faculty will receive an across-the-board 4.22 percent raise for 2015-2016, which is retroactive to July. The amount is based on a formula negotiated by the Guild in the 2014-17 contract with the District. It is based on Cost-of-Living (COLA), growth funds from the state, and a two percent contribution from the LACCD.

All faculty – full-time and part-time – will receive the increase. This year's raise – on top of last year's 4.04 percent increase – means that Guild members' pay has gone up more than 8 percent since the contract was settled. Our 2014-17 collective bargaining agreement will yield one more raise a year from now.

“This puts us in a strong position as we begin preparing in 2016 for the next round of negotiations,” said Armida Ornelas, Chief Negotiator for the union. “The Guild is committed to a process in which all members benefit.”

“Thanks to chief negotiator Armida Ornelas, everyone on our bargaining team, and, above all, Guild members who supported and fought for this contract,” said Guild President Joanne Waddell. “We see the results and what it means for all of us when we stand together.”



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Accreditation Legislation Moves Forward

On July 15, the California Senate Education Committee passed two bills authored by Assemblymember Phil Ting (D-San Francisco) in order to improve the accreditation process in California. The bills come in reaction to recent conflicts with the Accrediting Commission for Community and Junior Colleges.

CFT leaders have routinely described the ACCJC as a rogue agency, threatening dis-accreditation to schools like City College of San Francisco with little justification for its actions. California assembly bills 1397 and 1385 seek to create some accountability to the system.

AB 1385 addresses colleges' rights to vote on legal fees accrued by the accrediting body, and AB 1397, the California Community Colleges Fair Accreditation Act of 2015, calls for transparency and consistent standards in the accreditation process.

"AB 1397 is a good start to fix the problems we have experienced. California's two million community college students — as well as those at private colleges — deserve an accreditor that can do the job competently," said AFT 1521 President Joanne Waddell in her op-ed for the *Los Angeles Daily News*.

The Assembly passed AB 1397 and 1385 with overwhelming bipartisan support in June. AB 1397 now goes to the Senate Appropriations Committee, and AB 1385 will be taken up by the full Senate.

Annual Guild Member Meeting



The highlight of the annual Guild Membership meeting at Trade Tech in May was a presentation by CFT Communications Director Fred Glass on the Make it Fair campaign. The goal of the campaign is to close commercial property tax loopholes and use the revenue to fund critical services in local communities. Legislation to accomplish this – Senate Constitutional Amendment 5, introduced by State Senators Lon Hancock and Holly Mitchell – is currently pending.

STATE BUDGET

(Continued from page 1)

Growth

Massive class cuts during the Great Recession greatly reduced student access to a college education and having driven away so many potential students will make it even harder to bring them back now. Further, in an expanding economy, enrollment growth will be harder to attain as folks go back to work. This year the state is funding LACCD for 6% growth (almost \$30 million), but we must earn it. To meet this goal, enrollment management is critical and may include such things as:

- Expanding intersessions, which helps students graduate while increasing enrollment
- Utilizing "on demand" scheduling, adding sections when key courses fill early
- Strengthening ties to feeder high schools and sending counselors out to recruit
- Stepping up the college's PR and marketing efforts
- Establishing (and tracking) an annual growth plan projecting FTES for each term

Hiring Full Time Faculty

The \$5.7 million allocation for the LACCD will fund 60 new full time positions. This will be added to the number of full time faculty the state already requires the District to hire (called the Faculty Obligation Number, or FON). The FON also ratchets up to match last year's 4.77% growth (70 more new positions), and retirements (typically 50-70 positions). This could mean that our colleges would need to hire 200 or more new full time faculty for 2016-17. Last year's goal was 157, and we're just over halfway there. Meeting this year's goal will require well planned, focused effort by faculty, administration, and Human Resources in the District Office.

Budget and Student Success

Additional funding will help us increase student success, but our colleges need even more than those targeted funds. Currently, there is discussion about allocating much of the one-time funding for college priorities, targeting some of that for covering our expanding pension contribution obligation. Additionally, shifting the cost of campus

security with the Sheriffs' contract to a district account funded by one-time funding this year is being considered, which would free up \$18 million this year for the colleges.

This approach is preferable to holding back large amounts of that funding for additional reserves. Already last year's ending balance is projected at 70 million, triple what is needed. This is the result of the District's many reserve accounts: General Reserve, 6.5%; Contingency Reserve, 3.5%; M & O 2%; Legal/Workers' Comp, \$5 mil; and a new reserve of \$10 million for future shortfalls. The Guild and Academic Senate are working to hold less money in reserves and free up more funding for our colleges. Here's how you can help:

- Get active and attend college budget committee meetings.
 - Urge your administrators to speak out about reducing reserves to fund our colleges.
 - Invite trustees to your college and urge them to send more funding to our colleges.
- New funding is great, and concerted action by faculty can help make the most of this opportunity.

BUDGET EXPLAINED

Base Funding

Increase in Base Allocation = \$25.5 million

Enrollment Growth of 3% statewide = \$14.3 m; double that amount for the LACCD, which is funded for **5.58% in a new growth formula**

COLA 1.02% = \$5.18 m

Enhanced Non-credit Equalization = \$4.2 m

Full Time Faculty (approx. 60 positions in the LACCD) = \$5.7 m

Mandate Backlogs (ongoing) = \$10 m

Restricted/Categorical

Student Success (SSSP) = \$8 m

Student Equity = \$6.8 m

Deferred Maintenance/Instructional Equipment = \$14 m

EOPS = \$3 m

Prop 39 = \$3 m

Financial Aid = \$3 to \$4 m

CTE & Instructional Effectiveness = \$63 m statewide - Competitive Grant

One-Time Funds

State Mandate and Deferrals = \$59 m (of which \$10 m is ongoing – see above)

Basic Skills = \$70 m statewide - Competitive Grant

Hot Topics in Retirement

By Sharon Hendricks,
AFT 1521 Retirement Liaison

In July, CalSTRS released its Fiscal Year 2014-2015 investment returns, and the reviews are mixed.

On the one hand, because of a volatile stock market, returns actually slipped below the actuarially assumed mark of 7.5 percent.

Returns came in at 4.8 percent gross for the fiscal year end 2014-2015. Stock market growth has slowed considerably this past fiscal year, resulting in flat growth.

On the other hand, CalSTRS investments remain strong in the long term, well ahead of the 7.5 percent benchmark. For example, CalSTRS returns in the long-term are:

- 12.3 percent over three years
- 12.1 percent over five years
- 7.0 percent over 10 years
- 7.8 percent over 20 years

When the Great Recession hit in 2008, we actually saw a negative return in investments. It's important for faculty to remember that retirement investing is long-term.



Congratulations to Guild Retirement Liaison Sharon Hendricks on being certified elected in March to serve another four-year term on the CalSTRS Board. (The community college seat received only one candidate nomination.) Sharon is currently a vice-chair of the CalSTRS Board and chair of its Investment Committee.

Last year's tepid return only reflects the end of a bullish stock market but is not indicative of the Board's long-term outlook.

Benefits/Retirement Conference

Save the Date! This year's Benefits/Retirement Conference is Friday, October 16 at the JW Marriott in downtown LA. Keep an eye out for more info. This is a conference you won't want to miss!

Questions? Feel free to contact me at: sharonaft1521@gmail.com

Adjunct Faculty Issues Committee

By Kathy Holland,
AFIC Co-Chair

The Adjunct Faculty Issues Committee (AFIC) took a well-deserved break this summer and will resume its monthly meetings on August 28th at the Guild Office. AFIC Co-Chair Phyllis Eckler is stepping down and several members of the committee are not continuing. We wholeheartedly thank them for their service to the committee and the Guild on behalf of adjuncts.

The Adjunct Survival Guide is currently being updated and will

be completed in September. The new version will reflect the changes in the new collective bargaining agreement.

In case you haven't seen the latest Loud & Clear bulletin, all faculty will receive a 4.22% raise, beginning on July 1, 2015. The amount of the raise is based on three parts:

- A cost-of-living adjustment (COLA)
- Growth funds from the state
- A 2% contribution from the District

For those adjuncts who are newly eligible for health benefits (medical, dental, and vision) starting this fall semester, please check out the District web page for adjunct benefits. Questions should be directed to the chair of the JLMBC, Paulina Palomino, at palomipp@icloud.com.



Guild interns participated in an action for commercial property tax reform at the L.A. Chamber of Commerce in April. Also participating were other partners in the coalition for the Make It Fair Campaign -- ACCE, SEIU and CHIRLA.

Spotlight on Contract Changes

Articles 19 and 42: Evaluation

This is the third in a series of articles explaining changes in our 2014-17 collective bargaining agreement.

Background: Both the Guild and management teams wanted to ensure that evaluations are as meaningful as possible, lead to continuous improvement, and are not punitive. A key point was for faculty to take ownership of a process of improvement through professional development and a self-reflective narrative. It was felt that training would be beneficial to give the evaluators the skills and

knowledge necessary to provide the faculty member being evaluated with positive reinforcement, constructive advice, and specific recommendations for improvement or professional growth during the evaluation cycle.

What changed: Evaluations now require that when a faculty member receives a "needs to improve" or "unsatisfactory" rating, the evaluator will prepare a written improvement plan specifying appropriate professional growth activities to address specific issues.

In subsequent evaluations, there

will be a review of progress toward meeting evaluation recommendations, improvement plan goals, and/or professional growth plan.

The article clarifies that the role of the administrative representative on evaluation committees is to ensure adherence to the process, provide relevant materials, and participate as a non-voting member. For tenure review committees, the article clarifies the role of the non-voting Academic Senate representative as ensuring that the evaluation process includes Senate input on academic and professional

matters. It also states that the third tenured faculty member may be either from the contract faculty member's discipline or from a reasonably related or agreed upon discipline chosen by the department.

Next steps: The article calls for mandatory training of all evaluators during the spring semester in preparation for the next academic year. The training will be developed and provided by the AFT and the District.