

The More You Know – January 12, 2018

Attached is the first edition of *The More You Know* for 2018. This edition provides Government Code 3543.5 regarding some protected union rights. I am providing this information after having heard a disturbing incident involving a threat made to faculty by a YCCD Dean. It was the day after the December YCCD Board meeting where the Board was informed about teaching to the contract and that impasse had been reached during negotiations. The very next day during a department meeting, a Dean stated: (1) that all the Deans were informed about faculty teaching to the contract; (2) that we might not reach our FTES goal; and (3) that it might result in possible RIFs.

This is unprofessional, morally repugnant, and illegal.

- First, administrators have no business discussing RIFs----especially FACULTY RIFs.
- Second, this is a bullying tactic.
- Third, it is illegal to “impose or threaten or impose reprisals on employees” for exercising their union rights. (*California Government Code 3543.5*)

If you receive any such threat or coercion, contact YFA immediately.

Work-to-Rule, Work-to-Contract, Teach-to-the-Contract

1. Teaching to the contract is both a protected and lawful refusal to perform "purely voluntary" work. Free labor is not required by our collective bargaining agreement.
2. To determine if a faculty member's employment conduct is protected/lawful, the Public Employee Relations Board (PERB) views such actions based on whether the work is: (a) required; (b) discretionary; or (c) purely voluntary.
 - a. Required—performing all duties and responsibilities as required by the collective bargaining agreement.
 - b. Discretionary—judgment pursuant to the discernment of underlying standards (i.e., based on your professional judgment).
 - c. Purely Voluntary—anything that is unpaid, free, and therefore, not required.

Continue to read and understand the contract. As the saying goes, “Knowledge is power.”

http://yfa.sites.yosemite.edu/contract_2015/FinalContract_2015.pdf

Stay informed. Stay engaged. Stay united.