

President's Report

Negotiations: Making Progress

by Debi Bolter, YFA President

Negotiations have begun! I will not be on the negotiation team this year but will continue to provide support and guidance along with the entire Exec Board in all stages of the process. YFA and YCCD have hired a neutral third party, Shirley Campbell, as a facilitator (/mediator). This move sets the tone for positive, engaged bargaining. Shirley retired from the State Mediation and Conciliation Services and now lives in Sonora.



Debi Bolter

Over the summer, the District made an offer that the YFA Rep Council rejected—a 1% one-time bonus payment in exchange for abolishing all past practice not memorialized in the contract. We found this proposal unacceptable and untenable. Sometimes, how we operate isn't formally written down, or sometimes (as with class size) it isn't housed in our contract. It isn't always possible to anticipate every instance, and/or address every issue, to include in a contract. Past practices allow us to fill these gaps organically. Past practice can also clarify or give meaning to contract ambiguities, generalities, and perhaps even modify or amend what is seemingly clear. Had we agreed to the District's proposal, there was also the possibility of a ripple effect into other areas of practice, including our shared governance infrastructure. Most importantly, the law recognizes these epi-contract understandings and practices as part of how stable, healthy labor relations work:

"a union-management contract is far more than words on paper. It is also all the oral understandings, interpretations and mutually acceptable habits of action which have grown up around it over the course of time. Stable and peaceful relations between the parties depend upon the development of a mutually satisfactory superstructure of understanding which gives operating significance and practicality to the purely legal wording of the contract. Peaceful relations depend further upon both parties faithfully living up to their mutual commitments as embodied not only in the actual contract itself but also in the modes of action which have become an integral part of it."
Coca-Cola Bottling Co., 9 LA 197, 198 (Jacobs 1967).

The District has recognized this in their own Policies and Procedures with 2-8007 Administrative Leeway in Absence of Policy which states: *"When situations arise which require either a governing board or an administrative decision, and there is in existence no specific policy to guide the Chancellor, the Chan-*

cellor shall be authorized to act in conformance with the intent of other adopted policies and actions or practices of the past."

Perhaps there was a concern that "sweet deals" permeate the faculty ranks? YFA is confident that our bargaining on maximum class size and workload/Appendix B is the place to discuss any potential "hidden" inequities, if/where they exist. Be sure to read the *Table Talks* that summarize what is discussed at each negotiation meeting. They are also posted on our website: <http://yfa.sites.yosemite.edu>

Part-Time Article: What are the Issues?

Our college, like most these days, depends in large part on the hard work of part-time faculty, who all too often do not have rights commensurate with the work they do. Therefore, YFA kicked off negotiations for the fall with a discussion of a new Part-Time Article, and I'm the negotiator lead for the topic.



Iris Carroll

As you probably read in the current *Table Talk*, the main issues YFA is negotiating for part-timers include

- ◆ how to get and maintain seniority;
- ◆ how seniority works in the scheduling of class and service assignments;
- ◆ compensation for office hours.

Remember that the negotiations process requires a series of back-and-forth conversations. Even though a new Part-Time Article in our contract may prove to require several lengthy conversations, and in the end each side compromises to reach an overall agreement, YFA thinks it's important, and I'm willing to hold on for the ride.

By the Numbers

- YCCD has 707 Part-Time faculty: 175 at Columbia and 536 at MJC (some duplicates)
- Fall 2014 we have 274 full-time faculty
- Fall 2015 our FON is 286 full-time faculty (FON-faculty obligation number set by the state)

CONTRACT CORNER: Evaluations

Part-Time, Probationary and Tenure-Track Evaluations

by Sarah Curl, YFA MJC Vice President and Grievance Officer

It's that time of the year again – evaluations are upon us. And as faculty, we all know that doing your homework is key to success.

According to the contract, the purposes of evaluation are to:

1. Document and acknowledge the quality of performance;
2. Enhance performance;
3. Identify areas in need of improvement;
4. Assist in achieving needed improvement.

Performance is outlined fairly extensively in the contract (Appendix C). It includes:

1. Excellent performance in classroom teaching and other duties;
2. Respect for students' rights and needs;
3. Respect for colleagues and the teaching profession;
and for tenured faculty-
4. Continued professional growth.



Sarah Curl

Part-time faculty: Article 7 details the evaluation process; Appendix C-1a contains the criteria for evaluation; and Appendix C-3c gives the timeline.

Probationary and tenure-track faculty: Article 6 details the evaluation process; Appendix C-1 contains the criteria for evaluation; and Appendices C-3a, C-3b and C-3d give the timelines.

Appendix C also contains forms for findings, peer observation forms and student evaluation forms. Everybody involved in evaluation, whether you are faculty being evaluated, peer evaluator or administrator, needs to go over this material before beginning the process.

Evaluators: Did you know that there are specific instructions that you are required to read whenever you are administering student evaluations? See page 123 in the contract for the script. Normally these instructions come with the packet of student evaluation forms for the particular class.

Everyone: Please attend an evaluation training session, provided by YCCD / YFA. Training sessions are typically held around week 6 of each fall and spring semester. Any questions? Contact your YFA representative: <http://yfa.sites.yosemite.edu> You'll find the contract on the website too.

Remember, YFA is here for any faculty member who needs guidance and support during this process!

From the Faculty Contract...

ARTICLE 6: EVALUATION

TENURED (REGULAR), CONTRACT (PROBATIONARY) AND TEMPORARY FACULTY (pgs 14-19)

ARTICLE 7: ADJUNCT FACULTY ASSIGNMENT AND EVALUATION (pgs 20-23)

YFA Meeting Schedule Fall 2014

Executive Board

October 8

November 12 and 26

December 10

Rep Council

October 15

November 5

December 3