



# Faculty Association Bulletin

## Negotiation Flashback...and Beyond

By Mitra Moassessi

Being a Chief Negotiator for the past several years, I recognize that negotiating a contract takes hard work, dedication, and many sleepless nights. With every contract negotiation, our contract becomes more mature, and my thanks go to all the previous Chief Negotiators, Negotiating Team members, Negotiating Council members, and all faculty members who have supported their work. 2008 marks the 30<sup>th</sup> anniversary of our collective bargaining agreement, so here is a quick journey through the contract's history:

And how did this one go? It took seven months: on May 24, 2007, the District and FA teams met for the first time, and on December 14, 2007, and after approximately 120 hours of negotiation, the Faculty Association and the District reached agreement on the 2007-10 Faculty contract. That's a big piece of anybody's life.

Was it worth it? On January 31, 2008, the faculty ratified the contract with a record-breaking number of votes, 508 in favor, 3 against. That's 99.4% approval. The faculty certainly thinks it was worth it, and for good reason. There are significant gains for *everyone* in this contract.

In addition to keeping on-schedule percentage adjustment to all salary schedules, and maintaining fully paid medical, dental, and vision benefits for full time faculty— an increasingly difficult fight as we all know— this contract further guarantees significant raises for full-time faculty by allocating an additional \$400,000 each year for the first two years, and an additional \$250,000 for the third year, for adjustment to the full time faculty salary schedule. The end result will raise our overall ranking statewide for full time faculty salary, closer to where it should be, which is number one.

Further, there are significant, even breakthrough gains for part-time faculty. Parity has been defined as 100%, and steps are being taken immediately to work towards that goal. Starting from our current base of about 70% parity, part-timers will reach 81.25% by the third year of this contract, which will also include paid office hours.

The end goal, now clearly stated, is to reach 100% pay parity, with the same non-teaching time commitment (per hour taught) as full-timers. Add that to our existing Associate Faculty job security provisions, and our excellent health benefits, and you have exemplary working conditions for SMC part-timers. Who knew?

So, was it worth all that time and trouble?

Oh yes. Yes, absolutely.

Congratulations to all of us!

Date	Number of Articles	Negotiated by
Sep. 1978- June 79	13	Jim Hawkins
Sep. 1979- June 80	14	Karen Grosz
Sep. 1980- June 82	14	Karen Grosz
Sep. 1982- June 83	14	Peter Geltner
Sep. 1983 – Sep. 84	15	Audrey Roche
Sep. 1984 – Sep.85	15	Jim Hawkins, Audrey Roche
Sep. 1985 – Sep. 86	15	Jim Hawkins, Audrey Roche
Sep. 1986- Sep.89	15	Jim Hawkins
Jan. 1990 – Dec.92	17	Fran Chandler, Ed Gallagher, Charlie Donaldson
Jan. 1993 – Dec.93	17	Teri Bernstein
Jan. 1994 – Dec. 94	19	Teri Bernstein
Jan. 1995 –Aug. 95	19	Teri Bernstein
Aug. 1995- Aug. 98	18	Ed Gallagher
Aug. 1998-Aug. 2001	22	Teri Bernstein
Aug. 2001-Aug. 04	22	Robert Flores
Aug. 2004-Aug. 07	27	Mitra Moassessi
Aug. 2007- Aug. 2010	29	Mitra Moassessi

# Postmortem of a Proposition

By Martin Goldstein

Proposition 92, the Community College Initiative, failed and failed miserably in the February 5 election, going down 58% opposed to 42% in favor. It did slightly better in Los Angeles County, going down 53/47, and even won in the Bay Area, but it still lost by over a million votes statewide. Given that this was a proposition that had been originally presented by its backers as one that only had to qualify in order to win, one with a 65% approval rating going in, there's clearly some explaining to do here.

Which is what I'm going to try to do. I want to explain what happened, to understand it fully and see what we can learn from it. I must note, then, that I was never an insider on any of the decisions made before and during the campaign, so there is only so much I can understand at this point. But I did keep my eyes open throughout, and I saw and heard --and did -- enough to have some considered opinions, and the right to them. So here they are.

My first judgment actually came before the proposition even qualified. It was that this proposition about community colleges was created and presented with absolutely no input from, and little relevance to, the part-time faculty community. It was written without them and nowhere referred to them; it was as if they and part-time faculty problems didn't exist.

Right off the bat this did not endear it to me (and to most other part-timers) and as a result it was largely ignored by the part-time teachers here at SMC and around the state. Then I discovered that virtually no one outside the few people running the campaign had any input into the process. The attitude towards this by those in charge was, as best I could tell, indifference.

In any case, I chose to work for the proposition anyway, with hopes that such work would get part-timers more recognized, and even in defeat I can say some of that has happened. But I can further say with certainty that any future work of this nature that proceeds without significant part-time input, proceeds without me and anyone else I can convince. Never again like that. Period.

As for the proposition itself, it came to us with an inexplicable poke-in-the-eye fiscal provision requiring an unheard-of 4/5 vote of the

Legislature to override it. Given that some people were already concerned about "ballot box budgeting," and others were troubled by the 2/3 majority already required to pass budget measures, this was simply a provision likely to inspire a lot of negativity in many quarters, and it did.

Added to that was the "lower student fees" mantra that immediately begged the question of how much would this proposition cost, a question answered in the ballot information as \$300 million and counting. This made it a proposition with a cost penalty, when simply keeping student fees the same would not have. The student fee provision might have tested well at some point in the process, but it certainly didn't play well in the current economic climate. Maybe that's why nobody did any polling during the campaign.

The major problem for this proposition was, of course, the opposition to it by the powerful classroom teachers union, CTA. This open opposition, by the way, was a real surprise to me; its potential was easily foreseeable, and we'd been assured that this had been worked out. Apparently, it hadn't been.

I've learned since that a serious effort to coordinate with them had been made a few years ago, but no agreement was reached, and the proposition creators chose to proceed anyway, knowing CTA would come out against it. In retrospect, proceeding with CTA opposition was clearly a bad idea.

Further dooming our effort was the fact that about half the community college districts in the state did not contribute in any real way to funding or otherwise supporting Prop 92. If you are running a campaign to fix something, you expect those who will benefit from the fix to be fighting for it. If they don't care, then why should anyone else? Losing by a million votes gives you the answer to that one.

So we went into the battle with a flawed proposition, an openly opposed teachers union, and an apathetic set of supporters, and then, to add insult to injury, we had a pathetic advertising campaign. Essentially, the selling of the proposition was left up to a Sacramento ad agency that did virtually nothing but a small and poorly done television campaign during the last week before the election.

*Continued on page 4.*

# DPAC , GASB, the Board, and Us – A Drama in Three Acts

By Mitra Moassessi

## ACT I:

Under the new GASB 45 standards, state and local government employers are required to measure and disclose an amount for the expected annual cost of OPEB's -- Other Post Employment Benefits -- on the accrual basis of accounting. OPEB's are retirement benefits other than pensions, such as health care, and on September 26, 2007, DPAC, the District Planning and Advisory Council, approved a recommendation to form a GASB 45 task force for the purpose of educating the college community about GASB 45, and developing a recommendation regarding its requirements.

At an October 3, 2007 DPAC meeting, the members of DPAC agreed on the Task Force's mission: It should hold regular meetings to study the issue of unfunded retiree benefits and GASB 45, conduct forums for the purpose of educating the college community, recommend whether to pre-fund or not to pre-fund retiree benefits, and determine alternatives for funding if the decision is made to pre-fund. It was also agreed that the Task Force should be comprised of administration/management and employee groups. DPAC agreed to not include any student representative in the GASB 45 Task Force.

However, at the November 14, 2007 DPAC meeting, it was reported that the Board of Trustees had already voted to pre-fund GASB 45, and that the task force's mission would now be to decide *how* to fund GASB 45 and *how much* to fund, rather than discuss *whether* to do so in the first place. Since the charge of the GASB Task Force was changed outside of DPAC, the Faculty Association decided to withdraw from the task force in protest.

## ACT II:

On February 27, 2008, by a vote of five to three, DPAC approved a motion to accept the following recommendation of the GASB 45 task force:

“The GASB 45 Task Force recommends that the Santa Monica Community College District begin to pre-fund its retiree health benefits obligation. The Task Force recommends an initial contribution of \$1.4 million and subsequent annual contribu-

tions in the amount of \$500,000 over the next four fiscal years. The Task Force also recommends that the College's initial contribution be drawn from the SCCCDC (Southern California Community College District) JPA and placed in an irrevocable trust. Lastly, the Task Force also recommends that at the end of the stated five-year period, the District re-evaluate its retiree health benefits liability.”

Voting in favor of the motion were the administration, classified managers, Academic Senate, and students (2 votes). Voting against the motion were the: Faculty Association and CSEA (2 votes).

Why did the task force decide to have an annual contribution of \$500,000? The reasons presented were that (1) \$500,000 is a good number, and (2) over four years it would add up to \$2,000,000, which is the amount the Board of Trustees voted to set aside as designated reserve for GASB.

At a time that the State of California is facing a 16 billion dollar budget shortfall over the next two years, could the college really afford to set aside \$500,000 each year for the next four years, we asked. What protects the retiree health benefits now — and always — is our *contract*, and setting aside \$500,000 from unrestricted General Fund, in addition to what the District already spends on retiree health benefits, is removing money that could — and should — be spent on other priorities.

## ACT III:

At the March 10 Board of Trustees meeting, the DPAC recommendation on pre-funding was discussed extensively. The Board approved a motion (6 -1) to establish an irrevocable trust with CALPers, with an initial deposit of \$1.4 million of funds currently on deposit with the Southern California Community College District Joint Powers Authority (SCCCDC JPA).

Future contributions to this fund, however, will be decided each year at the time that the annual budget is adopted. No further decision has been made on the \$2,000,000 set aside in the designated reserve for GASB funding.

## ...but what have you done for me lately?

By Mitra Moassessi

In Fall 2007, the Faculty Association became aware of a payroll problem that impacted full-time faculty teaching overload classes over eight week sessions, and part-time faculty teaching eight week non-load factor one classes. This error resulted in affected faculty being paid for less than the total number of hours taught.

The Faculty Association discussed the error with the District and requested that the District take the necessary steps to correct the problem going forward, and also to review the pay history of impacted faculty for the past four years and make the necessary corrections.

Faculty who were impacted by this error were contacted by the office of Academic Affairs on January 16, 2008, and were issued supplemental checks to correct the error.

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### *Proposition continued.*

“They’re the experts, they know what they’re doing,” we were told. Well, they didn’t. Or maybe we were simply too small a fish for them – they had the \$100 million account for the “Yes” vote on the anti-social (and anti-union) Indian gaming initiatives, so perhaps they were too busy with those to pay attention to a small group of teachers with only a few million dollars on the table.

Or maybe, if we are really going to try to learn something here, maybe we have learned that you simply can’t work for the extreme ends of the social spectrum at the same time, a pro-gambling initiative and a pro-education one, and do justice to both, especially when one is paying 50 times as much as the other. (The Indian gaming propositions won big, by the way, just in case you were wondering.)

Let me close with a ray of hope from the aftermath of this, which is that I sense that everyone is now realizing how necessary it is for us to have some kind of community college group that represents the interests of all teachers in the system, regardless of which union people are in. We’ve tried it the other way with divided unions, and it doesn’t work.

Working together is now on the table. This time we lost. If we learn enough from it, and do enough as a result, next time we can win.

## Thanks!

Over wintersession, five wonderful CSEA operations employees helped the Faculty Association move hundreds of pounds of archival files to an upstairs room in the Liberal Arts building. This was no small feat, considering there is no elevator in L.A.! Wendy Henriquez, Lucio Huerta, Courtney Johnson and Jorge Saldana, led by Robert Ybarra, expertly moved the cabinets up two flights of stairs, freeing up some desperately needed space in our small office. Thank you!



Robert Ybarra, Courtney Johnson, Wendy Henriquez, Lucio Huerta, Jorge Saldana

### **SMC FACULTY ASSOCIATION BULLETIN**

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