On Tuesday, October 31, your negotiations team met with the district and a mediator assigned by the state of California due to the impasse in our negotiations. The meeting lasted from 9:30 am to 6 pm.

Prior to mediation, the district had offered a salary increase of 4.56% (the same as the full-time faculty and the classified) and automatic step increases, both important advances for your union. However, the district refused to implement the new state law on re-employment rights, claiming that the present Article 6 on preferred consideration for assignment completely satisfies the new state law. At the same time, administration has claimed (in a grievance) that preferred does not mean what it has for the last 15 years and that giving your class assignment request “consideration” is all they have to do – and if they don’t give you what you deserve by seniority, you cannot grieve it because they did consider your request!

In spite of the positives in the district’s last offer, AdFac has refused to cave in to the district and allow this historical opportunity for re-hire rights to fall by the wayside. By dangling some goodies in our face, the administration had hoped we would grab the goodies and not hold out for real re-hire rights. We refuse to be railroaded into a deal that would compromise an opportunity for you to gain some measure of employment security. This will delay the implementation of the salary increase, but the union will stand firm for you!

To better understand the dispute, be aware that the new state law is a skeleton, with negotiations filling in the flesh and bones. Basically, the state law addresses two activities: preference for class assignments and employment termination. The law mandates that the district’s policies regarding preference for class assignments must include (1) length of time served, (2) number of courses taught at the district, (3) the part-timer’s expertise and availability, (4) evaluations, and (5) other items that may be negotiated by the union with the district. For employment termination, the law requires that two items be included: (1) “policies for termination” implying there should be several processes (one would assume this means for different levels of wrongdoing that resulting in your termination) and (2) evaluations. But all of this must be negotiated.

The law tells us what has to be in the cauldron, but not the exact recipe. Without the flesh and musculature added, the new state law is toothless (which suits the administration just fine!). The union encourages you to read the law itself – just google “California Legal Codes,” then select “Education Code,” then go to section 87482.3.

Remember: This dispute is a nonmonetary issue – if the district does negotiate a reasonable re-employment process for part-time faculty, there is no cost for them. What is at stake here is a seniority system for the assignment of classes and a process for termination, both important issues for part-time faculty, but neither costs a dime!

Your union will keep you informed in what looks to be, surprisingly, a long and difficult process. A second meeting with the mediator has been scheduled for December 15 since some small progress may have been made. Together we shall get the best deal possible for North Orange’s part-time faculty!
President’s Corner

Hello, Adjuncts,

We are seeing a war these days waged by lavishly funded entities that stand to profit from the demise of unions, and rhetoric from segments of the public who mistakenly view unions as benefiting others, but not themselves. The fact remains that without the success of unionism in this country, the financial and political gains of all working people would have been, and would remain, greatly diminished.

As we come to the end of the term I would like you to reflect on what type of educational institution you want to be working in. Adjunct Faculty United has a philosophy and history of fighting for issues that directly affect the quality of education our students receive as well as the conditions under which our adjuncts work. We continue to fight for smaller classes, adjunct office hours, rehire rights, and numerous other issues.

Your union has always gone to the mat for members AND non-members alike, spending a great deal of time and resources for, among many things, negotiating fair contracts, protecting unemployment compensation rights, medical insurance reimbursement, and grievance procedures. Every time an adjunct chooses not to join and support us through membership, it decreases our capacity, reduces our resources, and lessens our ability to fight on behalf of ALL part-timers.

Being a full member of AdFac not only supports the work we do financially, which is crucial when we face legal bills in the tens of thousands, but also demonstrates to the district that we have the numbers and the support of those we represent. You can be certain the district knows how many members we have when we go to the negotiations table, as does every trustee when we ask for his or her support on important issues.

We need members not only to boost our membership numbers and resources, but to have a faculty educated about adjunct issues when voting on the contract, running for union leadership positions, and sitting on union-appointed committees. If you have not yet become a full member of Adjunct Faculty United, please do so now so we can continue to fight for quality education and fair working conditions in the district. Have no doubt that when we stand together we are strong enough to overcome all challenges.

—Kent Stevenson

AdFac Chief Negotiator steps down

In October, Catherine Whitsett stepped down as Chief Negotiator after serving 8 years in this capacity. Under her leadership, AdFac successfully negotiated steps, salary increases, bonuses and contract language and was a vital force in our negotiations.

Catherine joined the AdFac Negotiations Team in Fall 2009 after serving as Secretary of the AdFac Executive Board for two years.

Due to scheduling conflicts, she was unable to continue her service as Chief Negotiator in Fall 2017 but remained on the team for the duration of the semester. We value her expertise and hope that she can contribute to our board whenever possible. Thank you for your service and best of luck to you!

AdFacts Promoting Parity for Adjunct Faculty

Volume 16, Issue 3

AdFacts is published by AdFac/AFT Local 6106, an affiliate of the California Federation of Teachers, American Federation of Teachers, AFL-CIO.

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Writers
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Submission deadline: 10th of the month.

Letters to the editor must include your name, address, phone # and email.

E-Mail union@AdFacunited.org

Phone 714/526-5759

Facebook.com/Adjunct-Faculty-United

Please check your e-mails and mailboxes

Sometimes adjuncts don’t open and read their e-mails. While some e-mails are unimportant (e.g., the Bursar’s office will be closed from 1 to 3 PM on Thursday), some really are important. For instance, not long ago, several e-mails were sent announcing disaster preparedness drills. While it may be true that we get no warning of, say, an earthquake, it would be extremely helpful to know what to do in such a situation, which is the reason for conducting such drills. In other words, let’s try to be proactive rather than reactive. Our contract requires us to regularly check our mailboxes and e-mails. And be sure to notify us if you have a new address and phone number.
Welcome, new AdFac members!

Welcome back, returning members!

Assignment request forms

Keep a copy of the form for your records.
Scholarships available to members in 2018

High school students and continuing college students

Raoul Teilhet Scholarship Program

About the scholarship program

Scholarships were established in honor of former CFT President Raoul Teilhet, the charismatic leader of the union during the 1970s when California education employees won collective bargaining. Scholarships of $3,000 are awarded to students entering or attending a four-year university; $1,000 scholarships are awarded to students entering or attending a two-year school. The awards are based on academic achievement, financial need, special talents and skills, participation in extra-curricular activities, and a 500-word essay on a social issue about which the applicant feels strongly.

Who is eligible to apply

Scholarships are available to graduating high school seniors and continuing college students who are children or dependents of CFT members in good standing, or children of deceased CFT members. High school seniors who received a Raoul Teilhet Scholarship are not eligible to apply for a continuing college scholarship.

How to obtain an application

To download a scholarship application, go to www.cft.org and click on Member Services/Scholarships. To obtain a photocopy of the application, contact your local union. To have an application mailed to you, call (714) 754-6638.

High school applications must be postmarked by January 10, 2018. College applications must be postmarked by July 1, 2018.

For dependents and members—Union-Sponsored Scholarships:

Union Plus Scholarship Program

The AFL-CIO offers scholarships ranging from $500 to $4,000 to union members, their spouses, and their dependents who are enrolled at an accredited institution of higher education. Scholarships are also available to graduate students. Application deadline: January 31. This year’s application is online; www.unionplus.org/scholarships.

National Labor College Scholarship Program

The AFL-CIO awards scholarships to eligible union members or union staff employees who want to complete a degree in Labor Studies through the National Labor College. Scholarships are available for three new online degree programs. Learn more at: www.unionplus.org/scholarships.

Robert G. Porter Scholarship Program

AFT awards four $8,000 scholarships to high school seniors who are dependents of AFT members, as well as 20 continuing education grants of $1,000 to AFT members. Application deadline: March 31. Learn more at www.aft.org/aftplus/scholarships, or email porterscholars@aft.org; phone (800) 238-1133, X 4457

Stronger Together!

What Have We Done Together?

<table>
<thead>
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<th>Year</th>
<th>Credit Faculty</th>
<th>Non-Credit</th>
</tr>
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<tbody>
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<td>2.1% increase plus 8.86% bonus</td>
<td>Added column plus 6.65% bonus</td>
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<tr>
<td>2008-09</td>
<td>Increased percentage between columns</td>
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<tr>
<td>2009-10</td>
<td>9.1% increase in medical premium reimbursement</td>
<td></td>
</tr>
<tr>
<td>2012-13</td>
<td>Credit Faculty 4% bonus Non-Credit 3% bonus</td>
<td>Increased sick leave 1.3 hrs. for every 18 hrs. taught</td>
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<tr>
<td>2013-14</td>
<td>Credit &amp; Non-Credit Faculty 2% increase One additional step for columns A, B &amp; C</td>
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<tr>
<td>2014-15</td>
<td>Credit Faculty 6% bonus Non-Credit 9% bonus</td>
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<tr>
<td>2015-16</td>
<td>Credit &amp; Non-Credit Faculty COLA increase Two additional steps for columns A, B, &amp; C</td>
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<tr>
<td>2016-17</td>
<td>Credit &amp; Non-Credit Faculty 3.25% increase plus 5.6% bonus</td>
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**The Grievance Corner**  
by Denny Konshak

## Administration attacks preferred consideration

### Background

AdFac and the district have had a system for assigning classes that gives priority for assignment to senior part-time faculty. After having taught at least 5 credits for 4 of the 6 previous semesters (or 6 of 9 trimesters), a part-time faculty member has “preferred consideration” and can expect priority for the assignments they have requested on the official form. Over 500 part-time faculty presently have “preferred” status. This system has been in effect for over 10 years and has meant that in the words of a district document distributed to managers, “Normally, adjunct faculty members entitled to preferred consideration will have priority over faculty members who are not entitled to preferred consideration” in being assigned classes.

### The attack

Now, the district has set out to destroy the preferred consideration system contained in Article 6 of the contract (without re-writing the contract!). In response to a grievance filed by the union for a Fullerton College part-time faculty member, the district has written that “preferred consideration does not create any guarantee, right, or entitlement of the Unit Member to assignment or employment” and thus, even though, the adjunct requested a full load of 9 credits, got only 4 credits, AND 5 classes he could have taught went to less senior part-timers, the district “has not violated the provisions” of the contract granting preferred consideration. Basically, the district is arguing that, since part-timers are “at will” employees under state law and have no guarantee of continued employment, the district needs not acknowledge any “rights” part-time faculty may have under the preferred consideration system. Thus, your right to priority is overwhelmed by the district’s hire/fire rights. Their argument makes “preferred consideration” meaningless. In other words, the district MIGHT pay attention to your seniority, but it doesn’t have to and can completely ignore it if it wishes.

### The union responds

The union believes the district is wrong. The union acknowledges that all part-timers are “at will” employees and “preferred consideration” status is no protection from being fired. However, if one is re-hired, preferred means one’s seniority is considered in making assignments. The union has filed grievances on the issue of faculty not getting their seniority, going all the way back to 2003, and has always prevailed. The union’s lawyers will be taking this grievance to an arbitrator and a hearing is scheduled for early December. We believe we will prevail, but the stakes are high.

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**Get extra money during the holidays!**

As the semester/trimester winds down, AdFac reminds all adjunct faculty to call the Employment Development Department of the State of California at 800/300-5616 as soon as you have administered your last final exam.

Tell them you have been laid off (unfortunately, you have, even if your name is in the printed Spring Class Schedule, since “your” class might not fill or a full-time faculty might take it to fulfill his or her regular load).

Tell the caseworker you want to apply for unemployment compensation. If you are not working otherwise, you should be able to draw checks every week until the semester resumes in late January. The caseworker will need the name and address of your employer (NOCCCD) and may ask you, when you mention you are a teacher, if you have “reasonable assurance of continued employment.” The answer is NO. (Full-timers do, but part-time faculty do NOT.)

If necessary, mention the CERVISI Decision (a community college part-time teacher who was denied, appealed, and won). The decision is codified in EDD Field Directive 89-55UI (in case the caseworker gives you a really hard time!). Of course, if the caseworker you initially talk to is obstreporous, you can always hang up, call back, and start the process all over again with someone more knowledgeable. Or apply online at: www.edd.ca.gov/eapply4ui.

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**Legislative Update—AB 119**

On college and university campuses throughout California, unions are seeing the implementation of AB 119 as an important tool for introducing themselves to newly hired instructors. The bill, which was passed by the legislature to make it easier to reach new hires, requires California’s public employers to provide unions mandatory access to new bargaining unit employees at orientation. It also requires them to promptly provide contact information for new employees within 30 days of hiring, and existing unit members every four months.

AdFac will be speaking with adjuncts in the Winter Trimester/Spring Semester to explain the advantages of becoming full members. For more information, call: 714-526-5759.

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*Note: If your load has been reduced, you may also be eligible for unemployment due to a reduction in your previous teaching load/income.*
Supreme Court to rule on union “fair share”

What will the court decide?
The lawsuit Janus v. AFSCME asks the US Supreme Court to decide whether public sector unions may continue to charge non-members in a workplace represented by the union a fee (agency fee or “fair share”) equal to the cost of representing them. The court’s ruling is expected early next year. An adverse ruling would jeopardize existing public sector collective bargaining laws in California and 16 other states. Unions would experience damage to their ability to work on behalf of their members, and lose funding to advocate for broader issues.

Who’s behind Janus v. AFSCME?
The suit is backed by the Center for Individual Rights. If, as expected, the conservative court majority rules in favor of the plaintiffs, the 40-year-old precedent set in Abood v. Detroit Board of Education authorizing union fair share fees would be overturned. Last year, the Supreme Court invited a virtually identical predecessor suit, Friedrichs v. California Teachers Association, which deadlocked 4-4 after Justice Scalia died.

Why has the Supreme Court upheld fair share historically?
Right now, unions are legally required to represent all workers, even those who decide not to join the union. Teachers and classified employees who don’t want to join a union are obligated to contribute only the costs of the workplace representation they receive. Janus is seeking to overturn this ruling. The current fair share system is a workable compromise. When “free riders” pay nothing for the benefits all employees in a union workplace enjoy, others must shoulder that much heavier a burden and the union is weaker at bargaining time.

If the Supreme Court bans fair share, it will be harder for educators and other union members to improve wages and benefits, protect workplace rights, and advocate for public services.

For example, one major accomplishment of union political spending in California was passing Prop. 30 in 2012. This voter-approved measure played an enormous role in reversing California’s budget shortfall by modestly increasing income taxes of the wealthiest, bringing the state billions each year for education and services. Prop 30 and its extension, Prop 55, could not have passed without union political advocacy. But if the Supreme Court supports Janus, the union’s resources will be diminished in all areas of its work, making successes such as Prop 30 and 55 much less likely.

What do workers lose if we lose fair share?
In states without full union rights, the average worker makes $1,500 less per year, workers are much less likely to have health insurance, and the rate of workplace deaths is 36% higher. In states that have made fair share fees illegal, wages and benefits are lower and dropping. (source: California Teacher, Oct/Nov 2017)

Are you a full member? If not, join now
To secure the best wages and working conditions, our collective bargaining agreement provides that every employee in the bargaining unit join the union or pay the union a service fee, or fair share or agency fee. This fee covers only the cost of contract negotiation.

But we can do more for each other and for public education if we all act together. The CFT encourages and invites all agency fee payers to become full members of the Federation. Members of the union have a voice and vote in all the activities of the union, most important, in the approval of the collective bargaining agreement. Adjunct Faculty United and other locals also offer members valuable services such as group life insurance plans, worker-friendly mortgages, and discounted retail products.

If you are an agency fee payer, sign up now to become a full member of the union. Contact us and we can mail you a form. (Note: If you are not sure whether you are a full member, please give us a call at 714-526-5759.)

We’re looking for a few good wo/men
Help us sign up new members!
We are looking for union-friendly AdFac members who enjoy meeting and talking with adjuncts about our union so that we can increase our local’s membership. Unions are organizations of workers who join so they will have greater influence in determining their wages, hours, and other working conditions. We believe there is strength in numbers. Unions are best able to represent workers when members are strong and unified. But unions are only as strong as their members’ involvement. Historically, unions have fought for and won many benefits that most Americans enjoy today, such as an eight-hour work day and minimum wage. AdFac’s accomplishments include: raises, additional steps, preferred consideration, bonuses, medical premium reimbursement.

We are offering compensation to recruit new members for our union. This is a great opportunity to earn extra income. Please contact us if you’d like to get involved.

714-526-5759 union@adfacunited.org
AdFac welcomes part-timers back to school at fun party

Friday, Sept. 22, marked the date for AdFac’s annual “Back-2-School party.” About 60 part-timers and guests enjoyed a few hours of fun and camaraderie at the Fullerton Elks Lodge hosted by Adjunct Faculty United. Part-timers were greeted by AdFac Executive Board members and President Kent Stevenson, who brought everyone up to date on union activities. Among the attendees were Dr. JoAnna Schilling, Cypress College President; and Trustee Ed Lopez. Also attending were Tina Johannsen, former President of United Faculty; and her husband, Dimitri.

Representatives Erika and Janet from SchoolsFirst Federal Credit Union offered information about the credit union and raffled off a gift certificate.

Jason Swanson of Aava Dental gave away grocery bags with toothbrushes and toothpaste. Aava also donated an electric toothbrush (won by Miriam Henan).

Fullerton/Cypress College adjunct Billy Arcila provided classical guitar throughout the event.

Guests enjoyed appetizers, drinks and cake and opportunities to meet and greet.

Thanks to all who attended. We enjoyed getting to meet you and hope to see more of you at our next event.

Adjuncts can get health care premiums reimbursed

Did you know that Adjunct Faculty United offers adjuncts health insurance premium reimbursement? The District will reimburse up to $870 per semester or $580 per trimester for insurance premiums you paid during the semester/trimester to an independent health care plan in which you are enrolled. Here are the details (see our contract Article 12 on our website: www.adfacunited.org/Publications):

♦ To qualify for the insurance premium reimbursement, you must meet the following requirements:

♦ You must not be otherwise eligible for or enrolled in health care coverage, as an employee, spouse, domestic partner, or dependent, under a health insurance program sponsored or paid, in full or in part, by another employer.

♦ You must be actively employed during a semester/trimester with at least a 33% load and must have been employed by the District as an adjunct for 3 out of the previous 5 semesters or 5 of the previous 9 trimesters.

If you are eligible to receive reimbursement for premiums paid, you must submit a reimbursement form, one per semester/trimester, along with proof of insurance and proof of payment to the District Office of Human Resources not later than the last day of the semester/trimester for which reimbursement is to be claimed. Credit: For Fall 2017 the deadline is Dec. 16, 2017. Noncredit: Dec. 1, 2017 deadline.

Forms can be accessed on My Gateway>District Forms>HR employee Benefits. Reimbursement forms Part I and II must be returned to the District Benefits Office with proof of payment* no later than 5pm on:

Fall Trimester: December 1, 2017
Fall Semester: December 16, 2017
Winter Trimester: April 6, 2018
Spring Semester: May 26, 2018
Spring Trimester: June 29, 2018

*Copy of canceled check, bank statement showing check has cleared, or receipt from the health insurance company confirming paid premiums.

For more information, please contact the District Benefits office (714-808-4806), benefits@nocccd.edu.
We Need YOU!

Adjunct Faculty United is seeking qualified union members interested in serving on our board in 2 paid positions:

1. COPE (Committee on Political Education) Chair
2. Negotiations Committee Chair

Job descriptions can be found in our Constitution online at www.adfacunited.org/Publications (Article V, Sect. 7 & 8).

We also have a committee position open:

3. Technology Coordinating Council

This position (#3) is paid by the District.

If interested, contact us at (714) 526-5759 or by email: union@adfacunited.org.

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"Educate and inform the whole mass of the people... They are the only sure reliance for the preservation of our liberty."

—Thomas Jefferson

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For AFT membership needs and information, go to: http://www.aft.org/members.

At this site you can register your membership card in order to take advantage of all AFT member benefits. Any changes to your account information (email, phone, or postal address) can also be made here. By keeping your information up to date, you will continue to receive updated benefits info and publications.

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2017 Executive Board Meeting
December 8

Members are welcome to attend the board meetings which begin at 12:30 p.m. at the AdFac office, 305 N. Harbor Blvd., Suite 313, Fullerton, CA.

Check out our new Facebook page:

Facebook.com/Adjunct-Faculty-United