AdFacts

2017-18 Negotiations Odyssey Continues: District still refuses to consider re-employment rights and continues to ignore new state law  by Denny Konshak

Your union’s negotiating team first met with the administration on February 3, 2017, to begin negotiations on a successor agreement to our contract. At first, negotiations were difficult but progressing: after 15 sessions, the union had accepted the district’s offer of a 4.56% across the board salary increase, had finally convinced human resources to institute an automatic step increase for part-time faculty (previously one had to apply), and had, in principle, agreed to pay for some professional development activities. Other union goals had to be curtailed or delayed. Then came the discussion of the new state law giving part-time faculty some re-employment rights based on seniority for assignments, dependent on positive evaluations, and requiring the district to negotiate “policies for termination,” also based on positive evaluations. Here the district balked, refusing completely to consider any system, arguing that part-time faculty’s re-employment rights are contained within the following (from 6.3.5 of the contract): “It is understood that although a Unit Member may meet the requirements as provided in section 6.2 (basically preferred consideration) of this article, this does not create any guarantee, right, or entitlement of the Unit Member to assignment or employment and nothing in this Agreement shall be construed as creating any obligation of the District to employ, renew the employment of, retain, or continue the employment of any Unit Member . . .” Your union refused to accept this.

We went to impasse, with the state sending a mediator to help resolve the conflict. He failed. Christmas came and went. Next step, in spring, the state appointed a fact finder, who, in April convened a 14-hour ONE-DAY session in which each side argued its positions for her. She has yet to issue her written report, but it should come soon.

YOUR 4.56% RAISE FROM LAST YEAR? The district has refused to implement the parts of the contract upon which we all agree. This means the raise from last year is STILL BEING HELD HOSTAGE! If you taught an average load last year, this means the district is holding approximately $500 of your money.

How to shake it loose? Once the fact finder’s report is received (and acted upon by the district Board of Trustees), the union is free to engage in various job actions, trying to force the district to comply with state law on re-employment rights and to pay you the raise that full timers and classified employees have already gotten. Please be sure the union has your current email address so we can contact you. Email us at union@adfacunited.org. Meanwhile, start exercising those picket sign waving muscles!!! Also note the District Board of Trustees recently approved a $3,000 per year increase in salary for top administrators.
Dear Adjuncts,

Welcome to Fall 2018! We hope your summer was restful and you found a cool spot during the hot days.

Your union has been very busy this summer with negotiations and membership activities. AdFac continues to stand strong against the district’s attempt to deny us re-hire rights as mandated by the California State Legislature. Significantly, a neutral mediator confirmed AdFac’s right to grieve the district’s denial of preferred consideration. This issue should never have gone to mediation in the first place and is further evidence of the district’s desire to bully AdFac by stringing out contract negotiations as long as possible.

At one fourteen-hour-long hearing this summer the district had four lawyers in the room (at great expense) while our only attorney (paid by AdFac dues) was in her office in Los Angeles ready to take a phone call if we needed to consult. The bottom line is the district is paying huge sums to lawyers happy to take taxpayer money and to a negotiating team run amok, less interested in solving problems than putting trophies on their wall.

Rather than working to reach a win-win solution, the district seems committed to making contract negotiations a zero-sum game by punishing AdFac and forcing adjuncts to “knuckle under.” I understand the trustees don’t want to micromanage administrators, but there comes a point when oversight must be asserted. Successful negotiations require partners who are committed to reaching mutually beneficial agreements. That is the type of negotiations to which AdFac United remains committed.

It is imperative that we stand together as colleagues and union members if we expect the district to hear our voices and deal fairly with adjunct faculty. Please support your union!

—Kent Stevenson

Kaye Lennon Scholarship 2018

Congratulations to Javier Suntanto, an ESL student in North Orange Continuing Education at the Anaheim campus. He is the 17th winner since the scholarship program began.

Last year, Sarah Rao, an NOCE student in Pharmacy Tech, won. Each year, AdFac awards a $500 scholarship to a deserving student in NOCE who wishes to continue his/her education at Fullerton or Cypress College the following semester. The scholarship is named after a long-time continuing education teacher who was an ardent advocate for her students. She was a member of the original AdFac negotiations team who lost her life to cancer.

This year’s winner received his scholarship at the NOCE Scholarship Award Luncheon on May 25 at the Anaheim campus.

AdFac welcomes COPE Chair Justin Richardson

Our new COPE Chair, Justin Richardson, is an adjunct faculty member at Fullerton College’s Business and CIS Department. He has been teaching at the community college level since 2014 with a focus on business courses rooted in new media marketing and internet-driven technology.

Justin has spent over a decade in the real estate finance and business banking industries. He served as Vice President of the Corporate Banking Group at California Bank & Trust, and is now CFO/President of his own firm. Great to have you back, Justin!

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

President
Kent Stevenson
Secretary
Miriam Henan
Executive Director
Judi McDuff
Grievance Chair
Denny Konshak
Negotiating Team
Pete Christenson, Manjit Grewall, Miriam Henan, Denny Konshak, Tonya Cobb, Kent Stevenson, John Orr
Treasurer
Pete Christenson
COPE Chair
Justin Richardson
Past President
Sam Russo
Vice Presidents
Tonya Cobb
Cypress College
John Orr
Fullerton College
Manjit Grewall
No. Orange Cont. Ed.
Welcome, new AdFac members!

Catherine Pope, NOCE, Art
Billy Arcila, FC, Guitar
Mehrdad Bonakdar, FC, Math
Chelsea Shore, FC, Comm.
Katie Snyder, FC, English
Joslyn Semichy, FC, Speech
John Tomlinson, FC, Music
Krystle Menendez, FC, Music
Doug Lusk, FC,
Ryan Hunt, FC, History
Jennifer Emard, FC, Speech
Julie Douglass, FC, ESL
Michelle Don Vito, FC, Dig. Art
Apostol Gramada, FC, Physics
Youssef Daoudi, FC, Chemistry
James Avant, FC, Phys Ed
Andre Bock, FC, Phys Ed
Alain Bourgault, FC, Phys Ed
Marcus Clayton, FC, English
Thomas Farmer, FC, Philosophy
Raylene Gonzalez, FC, Business
Yekaterina Gruzgлина, FC,
Steven Kassman, FC, Math
Rachael Lorenzetti, FC, Theatre
Thanh-Thuy Lieu, FC, Math
Melissa Medich, FC, Anthropology
Robert Miranda, FC, Phys Ed
Kevin Mofid, FC, Math
Gus Pappas, FC, English
Samantha Pedersen, FC, English
Yashar Rahbar, FC, Psychology
Gira Raval, FC, Chemistry
David Robinson, FC, Phys Ed
Damian Ross, FC, Art
Ryan Sarehkan, FC, English
Hung Trinh, FC, Math
Michael Ward, FC, Phys Ed
Marielca Zaragosa, FC, English
Crystle Aguierre, FC, Phys Ed
Victoria Elquish, FC, Sociology
Chuck McAbee, FC, Math
Christina Nguyen, FC, Speech
Louis Reich, FC, Philosophy
Cira Oropeza, CC, CTE
Amy Rowe, CC, Fine Arts
Laura Powell-Martin, CC, English
Lee Harris, CC, Dental Hygiene
San Khong, CC, Chemistry
Macleana Samuels, CC, Business
Joseph Trevino, CC, SEM
Glenn Grishkoff, FC, Art
Cameron Young, FC, English
Constance Walsh, FC, Counseling
Ivan Sanchez, FC, Social Science
Sarah Daugherty, CC, English
Izumi Erskine, CC, Music
Jacqueline Pham, CC, English
Svetlana Borissova, CC, Math
Preetha Anand, CC, Chemistry
Lisa Little, CC, Anthropology
Ryan Lee, CC, Math
Jerry Olszewski, FC, Swimming
Scott Hartstein, FC, French
Daniel Ulloa, CC, Math
Jon-Erik Tateri, CC, English
Corey Leis, CC, Psychology
Kriska Parda, CC, Biology
Vu Phan, CC, Math
Kevin Chen, CC, Chemistry
David Lee, CC, Psychology
Harrison Shieh, CC, Economics
Julia Leslie, CC, Communications
Mark Hamamura, CC, Physics
Gary Landis, CC, Chemistry
Justin Perkins, CC, Language Arts
Jennifer Garthoffner, FC, Speech
Ric Ottano, FC, Business
Justin Reed, CC, History
Roland Zapata, FC, Counseling
Saeko Saito, CC, Japanese
Rachel Conaway Bennion, FC, Fashion
Martin Salgado, CC, English
Gerald Quast, FC, Construction
Bruce Gomez, FC, English
Anthony Cipriano, CC, Biology
Derrick Drury, CC, English
Gerald Carson, NOCE, ESL
Markell Morris, CC, Counseling
Nyame-T Prempah, CC, Business
Carla Salcido, FC, Reading
Michael Martinez, FC, Chemistry
Ryan Muoio, CC, Physics
Karen Coley, CC, English
Cyrian Reed, CC, Dance
Donald Jackson, CC, Theater
Andrew Sotomayor, CC, Math
Maureen Salszitz, CC, Anthropology
Jennifer Kalamian, CC, Philosophy
Jordan Gobatie, CC, Tennis
Nicholas Russell, CC, Communication
Jose Corea, CC, English
Carleton Christy, CC, Art
Thomas Reynolds, CC, English
Sandy Masson, CC, Counseling
Deanna Gurrola, CC, Counseling
Huei-Ju Chen, CC, Music
Rattana Hor, CC, Math
Deborah Baker, FC, Cosmetology
Lizett Bobadilla, FC, Counseling
Lorena Chavez, FC, Counseling
Elaine Wilson, FC, Art
Andrea Lucero, FC, Counseling
Luis Rodriguez, FC, Counseling
Sonya Schumann, FC, Music
Jennika Cerda, FC, Counselor
Jason Conway, FC, Counselor
Hayarpi, Nersisyan, FC, Counselor
Lynne Jenkins Orr, NOCE, Older Adults
Marc Kepler, NOCE, ESL
Erika Gavitt, FC, English
Alexander Abatzoglou, CC, Math
Idalith Bustos, CC, English
Fritzie Canas, CC, Counseling
William Hutzel, CC, Physics
Dennis Law, FC, Chemistry
Bryan Lawson, CC, History
Oscar Mira, FC, Political Science
Evelyn Sandoval, CC, Accounting
Thomas Valentine, CC, Phys Ed
Raelynn Hale, FC, Foreign Language
Amy Kaeser, FC, Art History
Tomara Steffen, FC, Fashion
Daniel Pueblos, CC, Social Science
Sit-Yuen Eng, CC, Math
Alica Muldrow, CC, Media Arts
Cassandra Kilzer, CC, Language Arts
Melanie Davis, FC, Speech
Tamara Alexander, CC, Political Science
Raul Gardea, CC, Media Arts
Chrystal Johnson, CC, Biology
Kelly Morris, CC, Kinesiology

Welcome Back, Returning Members!

Justin Richardson, FC, Business
Marc Titel, FC, Business
Carlos Phelps, CC, Air Cond.
Kristine Hartouni, FC, Reading
Christine Lee, FC, Reading
Dragana Filip, CC, Physical Ther.
Sang Nguyen, FC, CC, Business
Mallory Reeves, CC, English
Kelvin Do, CC, Court Reporting
Michelle Priest, FC, Biology
Jesse Slavens, CC, Philosophy
Kasim Alimahomed, CC, Communications
Eva Borbon, CC, Reading/English
Mark Hamza, CC, Chemistry
Hoang Nguyen, CC, Math
Fatima Pazargadi, CC, French
Elizabeth Torres, CC, Court Reporting
Welcome Back Happy Hour  
Friday, September 21, 2018  
5-7:30 pm  
Meet and greet the AdFac staff!  
Get acquainted with fellow part-timers from Cypress, Fullerton and NOCE!  
Get updates on union activities!  

Music  
Prizes  
Appetizers  

Fullerton Elks Lodge  
Hilltop Banquet Center, 1400 Elks View Lane, Fullerton  

RSVP by September 14  
(714) 526-5759 or union@adfacunited.org  
Spouse/Significant Other Welcome!

Tony Thurmond for Superintendent of Public Instruction

Last day to register:  
Oct. 22, 2018

Gavin Newsom for Governor

Vote November 6

Three seats on the District Board of Trustees are up for election on Tuesday, Nov. 6, 2018:

Trustee Area 1     Barbara Dunsheath, incumbent  
Trustee Area 3     Stephen T. Blount, incumbent  
Trustee Area 6     Jeffrey P. Brown, incumbent  
Pao Ling Guo, opponent

With no opponents for trustee areas 1 and 3, Barbara Dunsheath and Stephen Blount will each be automatically re-elected for a four-year term. Our COPE Committee plans to interview the candidates for Trustee Area 6.

CFT endorses the following for statewide office:

Governor: Gavin Newsom; Superintendent of Public Instruction: Tony Thurmond; Lieutenant Governor: (Dual) Ed Hernandez & Eleni Kounalakis; Attorney General: Xavier Becerra; Treasurer: Fiona Ma; Secretary of State: Alex Padilla; Controller: Betty Yee; Insurance Commissioner: Richard Lara; Board of Equalization District 2: Malia Cohen
The Grievance Corner  

by Denny Konshak

Arbitrator rules in favor of AdFac

Administration attack on preferred consideration fails!

On June 19, 2018, Arbitrator Jonathan Monat ruled that your union, AdFac, did interpret the contract correctly and that, if a dean or chair does not follow seniority in giving assignments, the union CAN file a grievance and go to arbitration. Vice Chancellor for Human Resources Irma Ramos had denied a grievance filed by a Fullerton College part-time music faculty member last Fall who had preferred consideration (priority for assignment). The music faculty member had been passed over for five assignments he could have taught even though he had seniority. Vice Chancellor Ramos had argued that the entire contract Article 6 (which defines preferred consideration for assignments) was NOT able to be grieved. The union felt this interpretation would completely gut the entire section of the contract, making preferred consideration optional (since there would be no enforcement mechanism).

The dispute went to a hearing before an arbitrator on February 9, 2018, at which AdFac’s Grievance Chair, Denny Konshak, testified that preferred consideration had been in the contract since 2001 and that, over the years, the district had processed over a dozen grievances on Article 6 (the union winning some; the district some). After the hearing, the union’s lawyer, Dana Martinez, wrote a brief, and the district’s lawyers wrote one for their side. They submitted the written briefs on May 11. The arbitrator’s twelve-page decision, denying the district’s interpretation, arrived in late June.

Sanity prevails!!!

What this means to you: If you are preferred consideration -- have taught 33% of a full-time load (5 credits for 4 of the last 6 semesters OR for non-credit, 8 hours a week for 6 of the last 9 trimesters) -- then you should receive priority for assignments by seniority. You DO need to request your assignments on the official form and turn it in on time. You DO need to be qualified for the assignment. If you do not get the assignment you have priority for, contact the union in a timely manner and we can file a grievance, eventually going to a neutral arbitrator if the district does not settle.

Assignment request forms

Don’t forget to complete an Adjunct Faculty Academic Assignment Request Form. There are four forms: for college credit instructors, for college credit counselors and librarians, for noncredit (NOCE) instructors, and one for noncredit (NOCE) counselors. Forms must be completed and turned in one year in advance.

The form requesting classes for Fall 2019 semester must be turned in no later than the first instructional day of November 2018. The form requesting classes for Fall 2019 NOCE trimester must be received no later than the last instructional day of the previous winter trimester 2018.

To access forms, go to the District’s website, www.nocccd.edu. Once at the website: Click on Departments, then Human Resources, then Union Contracts, and finally, click on the desired assignment request form. The forms may be completed online and printed out. Please do not complete one form for two separate semesters, and be sure to complete all parts of the form. Copies are not maintained in division offices.

Keep a copy of the form for your records.

Union Plus—
Working hard for union families since 1986.

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.
Supreme Court ruling ends “fair share”

What did the court decide?
The lawsuit Janus v. AFSCME asked 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 ruled no on June 27.

The ruling jeopardizes 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.

Why has the Supreme Court upheld fair share historically?
Before, unions were legally required to represent all workers, even those who decided not to join the union. Teachers and classified employees who didn’t want to belong to a union were obligated to contribute only the costs of the workplace representation they received. Janus overturned this ruling. The fair share system was 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.

Since the Supreme Court banned fair share, it makes it harder for educators and other union members to improve wages and benefits, protect workplace rights, and advocate for public services.

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 with the Supreme Court supporting 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?
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, we need as many employees in the bargaining unit as possible to join the union.

We can do more for each other and for public education if we all act together. The CFT encourages and invites all former 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 were 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.) Or, sign up online: https://leadernet.aft.org/webform/adjunct-faculty-united

The Supreme Court decided against unions in the Janus case. Those behind the Janus case seek to limit our voice and to dismantle our public education system. But just as teachers across the country choose to stand united, we choose to stand and protect our contract and our rights.
AdFac signs up new members—
with drives held in April/May and more to come this Fall

Last Spring you may have seen tables set up on the Fullerton and the Cypress campuses for our membership drive. AdFac staff and volunteers as well as CFT organizers were on both campuses April 30–May 3 (Fullerton) and May 7-10 (Cypress) to answer questions about the union and to sign up new members.

The results—97 new members, 62 re.commits. This was a very positive outcome. We celebrated with a pizza party for all adjuncts who joined. We are very pleased with the success of this membership drive and plan on more in the future, including a drive at the Anaheim campus for NOCE adjuncts.

Since that drive we have steadily been gaining more new members, both during the summer and the beginning of the Fall. We now have 829 members (see page 3 for a list of our newest members) and are at 59%. Our goal is to reach 80%, and we can do that with your help.

Our strength as a union comes from its members; the more members we have, the more bargaining power we have to improve the working conditions for all adjuncts in this district. Everyone is encouraged to join our union. You can sign up on our website or online: https://leadernet.aft.org/webform/adjunct-faculty-united

AdFac holds unemployment workshops

Two unemployment workshops sponsored by CFT were held for NOCCCD adjuncts at the end of Spring semester. The first was held at Cypress College on May 30, and the second was held at Fullerton College on May 31.

CFT Organizers Erin Conley and Lyndsey Lefebvre conducted both workshops. Their purpose was to teach adjuncts how to apply for unemployment benefits in California. The workshops included eligibility, qualifications and responsibilities, filing a claim, FAQs, interviewing tips and appeals.

Additional workshops are being planned for the fall.

---

Stronger Together!
What Have We Done Together?

<table>
<thead>
<tr>
<th>Year</th>
<th>Credit Faculty</th>
<th>Non-Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007-08</td>
<td>2.1% increase plus 8.86% bonus</td>
<td>Added column plus 6.65% bonus</td>
</tr>
<tr>
<td>2008-09</td>
<td>Increased percentage between columns</td>
<td></td>
</tr>
<tr>
<td>2009-10</td>
<td>9.1% increase in medical premium reimbursement</td>
<td></td>
</tr>
<tr>
<td>2010-11</td>
<td>Credit Faculty 4% bonus Non-Credit 3% bonus Increased sick leave 1.3 hrs. for every 18 hrs. taught</td>
<td></td>
</tr>
<tr>
<td>2013-14</td>
<td>Credit &amp; Non-Credit Faculty 2% increase One additional step for columns A, B &amp; C</td>
<td></td>
</tr>
<tr>
<td>2014-15</td>
<td>Credit Faculty 6% bonus Non-Credit 9% bonus</td>
<td></td>
</tr>
<tr>
<td>2015-16</td>
<td>Credit &amp; Non-Credit Faculty COLA increase Two additional steps for columns A, B, &amp; C</td>
<td></td>
</tr>
<tr>
<td>2016-17</td>
<td>Credit &amp; Non-Credit Faculty 3.25% increase plus 5.6% bonus</td>
<td></td>
</tr>
</tbody>
</table>
In the Villa del Sol
305 No. Harbor Blvd., Suite 313
Fullerton, CA 92832

Phone: 714/526-5759
Fax: 714/526-5337
Email: union@AdFacUnited.org
Facebook.com/Adjunct-Faculty-United

ADJUNCT FACULTY UNITED,
LOCAL 6106, CALIFORNIA
FEDERATION OF TEACHERS,
AMERICAN FEDERATION OF
TEACHERS, AFL-CIO

“We Real education should consist of drawing the goodness and the best out of our own students. What better books can there be than the book of humanity?”

— Cesar Chavez

Promoting Parity for Adjunct Faculty

We Need YOU!
Adjunct Faculty United is seeking a qualified union member interested in serving on our board in a paid position:

Negotiations Committee Chair

A job description can be found in our Constitution online at www.adfacunit.org/Publications (Article V, Section 8). If interested, contact us at (714) 526-5759 or by email: union@adfacunited.org.

Important Dates:

2018 Executive Board Meetings

August 24   September 21
October 19   November 16
December 7

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 Facebook page:
Facebook.com/Adjunct-Faculty-United

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.