

## CURRENT ISSUES

### Negotiations

by Linda Chan

Negotiations is the process by which two parties come together in an agreement and form a contract. In many ways it is like marriage, very rarely is it 50/50 but more like 10/10 and some other percentage. Negotiations are agreements that go beyond the minimum required by law. Our district is very conservative in how it perceives the law and rarely goes beyond what the law allows. It takes considerable and creative effort to convince the district that it's OK to do things that are beyond the minimum legal requirement. Negotiations this year have been very slow. This is due to the fact that there are three bargaining units who are all bargaining at the same time and the district is being overly conservative with funds it has available for salaries. One of the most important bargaining issues that we have this year is the topic of rehire rights. The District disagrees with our interpretation of the legislation language and we are still currently working on that topic. We have managed to get some agreement on other issues such as age discrimination, derogatory file management and intellectual property (of which there was no language in the con-

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#### Mission Statement

Citrus College Adjunct Faculty Federation, (CCAFF), is dedicated to serving its membership by working to:

- Assure a level of professional respect from the District reflected in its policies and practices consistent with the achievement, dedication and professionalism of its adjunct employees.
- Through contract negotiations, maximize members ability to earn a fair wage consistent with education industry standards.
- Work to provide working conditions for adjunct faculty that maximize their effective interactions with students and co-workers.

tract). We continue to discuss the rest of the contract and we hope to come to conclusion soon.

### Know Your Contract Part I

by Linda Chan

One of the first items that you see in a contract is the recognition clause. This is a statement as to who is covered and who is not covered in your contract. The Equal Employee Relations Act or EERA allows for exclusive bargaining representation of a particular labor unit. In this case, CCAFF is the exclusive bargaining agent for the part time faculty of Citrus College.

Sometimes a new employee does not wish to become a member of the bargaining unit. They then become an agency fee-payer and even though they do not wish to be a member of the local, the bargaining agent still represents all of the employees in that unit, therefore the employee has to pay their fair share for the representation. The agency fee-payer does not have voting rights and other privileges of the unit even though they still must pay their fair share. Our bargaining unit includes all academic Part-time faculty teaching credit classes, counselors, librarians, "walk-on" head coaches, hourly noncredit instructors, and lab supervisors employed for 67% or less a full-time load.

It has been shown that the strength of the union is in its members. The more active and the more vocal a unit is, the stronger it becomes and the more power it will have.

## Bill's Beef

### Tuition Free College

by Bill Zeman

There is going to be another proposition to tax the rich on the ballot this November. As of now, it is still in the signature gathering phase, and the form is labeled, "INCREASES STUDENT AID FUNDING AT CALIFORNIA PUBLIC COLLEGES AND UNIVERSITIES BY ENACTING A DEDICATED TAX ON SOME ESTATES." In the analysis provided by the Attorney General of California it says, "Increases student aid funding for undergraduate students at University of California, California State University, and California Community Colleges, by enacting a dedicated tax (ranging from 12-22%, depending on value) on estate property in California valued at \$3.5 million or more and transferred upon death." I am collecting signatures. If you would like to see the form, and read the whole law, they are in the union office at CI-303. Email an officer to set an appointment.

First, this is in our interest because it will make it vastly less costly for our students to get higher education, which will increase the amount of students, and make more jobs for us. As of now many colleges in the state are experiencing peak enrollment. Something needs to change to cause enrollment to increase again. Without a doubt there are still some people who cannot attend because of cost.

Second, it will also stimulate the overall economy because it removes money from the very wealthy, where it sits idle in stocks, bonds, and real estate, and redistribute it to college

students, where it will be spent on colleges, who will spend it on staff, who will spend it on consumer goods and services, and on the dollars go. This kind of "economic churn" creates a measurably more robust economy.

Third, our visible support for this will create good will with students, who will then be inspired to support adjunct faculty issues. As I write, a new student club called the Citrus Young Democratic Socialists is forming, and their leadership, which supports this bill, has voiced appreciation for our support and future commitment to our causes.

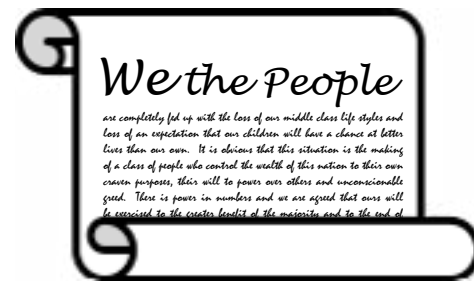
Fourth, unlike many other taxes, this one affects virtually none of us. It only effects people with an inheritance of \$3.5 million or more! Even if you are so fortunate that this is you, I have made arguments for why taxing the rich is in their interest in a previous article; Email us for a copy. Also, you may have heard that Trump and the Republicans just gave the very wealthy a huge tax break on inheritance tax. This law is designed to only take what Trump has just given them! Literally, they will not feel a thing!

My beef is that too many of us are apathetic and do not bother to inform themselves on the issues and even vote, much less advocate for our causes. Worse some are stuck in ideology that blinds them from seeing issues properly and they end up voting and advocating against their own interest. IDEOLOGY ALWAYS MAKES US STUPID! Openness to facts and truth are the antidote. I trust that if you have made it this far, you are not so much part of the problem. I have tried to refute ideologies against taxing the rich with past articles. If you would like more information, I can email you my writings that show it is not only in

the interest of the rich themselves, but that it is a Judeo-Christian command, and an idea born in the Republican Party. I gladly will engage in e-mail correspondence or one on one discussion.

## Legislation

by Linda Chan



The two-year legislation is ending soon. CFT has sponsored several bills. AB 406 by McCarty is a bill preventing charter schools from acting as a for-profit organization or corporation. The bill is currently in the Senate education committee. AB 410 by Cervantes prohibits a school district county office of education or charter school from charging a fee to a beginning teacher to participate in a beginning teacher induction program. Even though the Assembly passed AB 410, it was put in the Senate appropriations suspense file.

AB 2012 by Medina - a bill regarding parental leave, was passed by the Assembly and put into first reading by the Senate. This bill was designed to fix a loophole that would have damaged a part timer who went on parental leave and then would stand to lose the majority if not all their income during that leave.

AB 2788 by Thurmond was a bill to help with the school employee housing.

(continued from page 2)

SB 1214 Portantino allows a tax credit for fees incurred in the completion of a Credentialing Induction Program. This bill is currently on the senate floor. Another bill affecting part time employment is AB 310 by Medina regarding part time faculty of office hours a requires each district report the total Part-time faculty office hours paid. This bill is still active and is in the senate appropriations committee.

## Resolution To Raise The Minimum 67% To 80% Workload Rate Is Passed

by Linda Chan

The current maximum for working at any one district is 67% of a full-time load. A resolution was passed at the CFT convention to raise this maximum to 80%. The CFT convention also passed a resolution to extend postretirement Health Insurance coverage to COBRA participants. The CFT convention was held at the Hilton Costa mesa March 23 through the 25th. Among the many Among the many workshops that were available for part-timers that were hosted by the Part-time Committee was Retirement Planning for Part-time faculty and Health Care issues. The CFT convention is one of the few places where we as members can have governance. In the words of Josh Pechthault, "The role of these conventions is to adopt policy for the organization, reflect on the year gone by, and to help prepare for the challenges ahead." Besides the workshops and the floor debate, the convention hosted two main speakers Assembly Member Tony Thur-



mond who is the CFT-endorsed candidate for State Superintendent of Public Instruction as well as Irwin Chemerinsky who is a constitutional scholar and dean of UC Berkeley law. The convention was well attended by many members from the state of California as well as our own local.

## SUPREME FAILURE TO UPHOLD EGALITARIAN IDEALS

by Mark Wessel

We in the United States have long held that Egalitarianism is a bedrock of our belief in the constitutional order to which we submit. We have collectively agreed to comply with state and federal laws because we have assumed that they represent compromises that safeguard our ability to thrive both as individuals and as a society. But an agenda has been promoted that undermines the possibility of ensuring that citizens have an expectation of fair and equal treatment. With each passing year we find ourselves divided to greater and greater extents into camps of more and less wealth and power. The Supreme Court's conservative majority continues making decisions in case after case that effectively broaden the gap between the wealthy and powerful and those of us increasingly excluded from the egalitarian ideal - full human dignity.

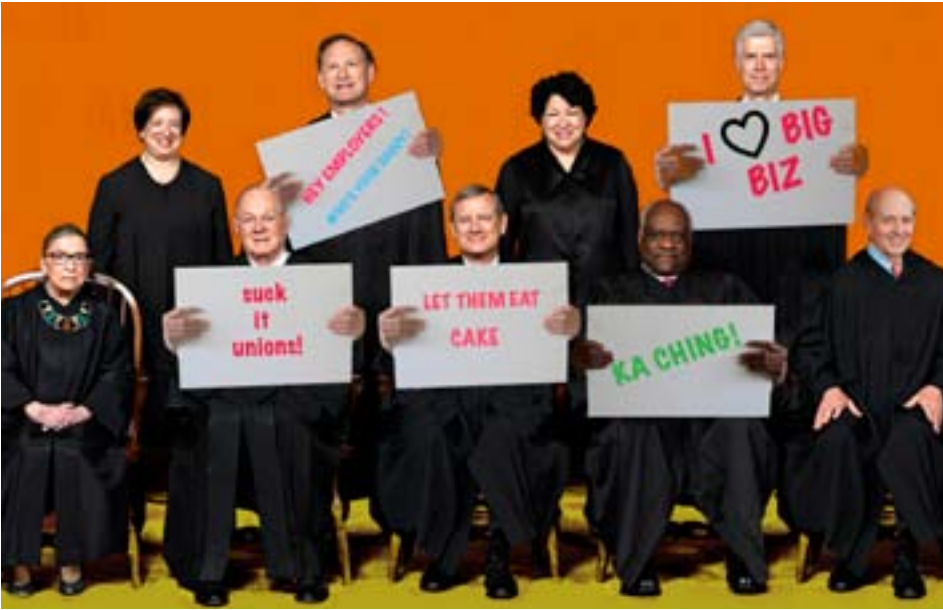
The union movement was established in this country as a way to assure that the less powerful had a voice capable of standing up to the abuses of power that would deny them basic rights stemming from their labor. And it was instrumental in developing widespread prosperity. Our middle class was the envy of the world. But that is no longer true. In 1945 when membership in unions was at its height with 34% of the American public, the top 10% of earners got 32.6% of the wealth that was generated. In 2015, with membership in unions dropping to just 11.1% of the population, the top 10% skimmed off 47.8% of generated wealth. An effective campaign to undermine the power of labor's collective strength has resulted in a proliferation of "Right to Work States" and a shrinking number of workers who have the ability to oppose unfair treatment by employers. Worker related legal cases coming before the Supreme Court decided in favor of employers are more nails in the coffin of Egalitarianism.

Two such cases before the current Supreme Court, one, a combined case that has recently been decided and another that is projected to finalize in late June are examples of a propensity on the part of the five conservative justices to side yet again with those already enjoying the advantages of wealth and power, and undermine the ability of workers to resist unfair treatment.

The combined cases are EPIC Systems Corp. v. Lewis, Ernst & Youngv. Morris, and NLRB v. Murphy Oil. Justice Gorsuch, writing for the conservative majority, summarized the question presented by this case: Should employers be

(continued on page 4)





allowed to insist that workplace disputes be handled in one-on-one arbitration, or should employees always have an option of bringing claims in collective actions? “As a matter of policy these questions are surely debatable,” wrote Gorsuch, “But as a matter of law the answer is clear. In the Federal Arbitration Act, Congress has instructed federal courts to enforce arbitration agreements according to their terms — including terms providing for individualized proceedings.” Joining Gorsuch were Chief Justice Roberts and Justices Kennedy, Thomas and Alito. But the National Labor Relations Act, makes illegal any contract that denies employees the right to engage in “concerted activities” for the purpose of “mutual aid and protection.” That means that some

sort of collective action cannot be prohibited. This acted as the crux of dissent from Justice Ruth Bader Ginsburg, who called the decision “egregiously wrong”. She strongly objected to the majority decision as follows: “The court today holds enforceable these arm-twisted, take-it-or-leave-it contracts — including the provisions requiring employees to litigate wage and hours claims only one-by-one,” she said. “Federal labor law does not countenance such isolation of employees.” “Trying to arbitrate such claims individually would be too expensive to be worth it,” she wrote, and “the risks of employer retaliation would likely dissuade most workers from seeking redress alone.”

Even though the cases involve non-unionized workers, labor leaders see the decision as representative of how the court sides with business over workers. “Five justices on the Supreme Court decided that it is acceptable for working people to have our legal rights taken away by corporations in order to keep our jobs,” AFL-CIO President Richard Trumka said.

The second case of concern is Janus V. AFSCME Council 31. Twice in the past five years this Court has

questioned its holding in *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977) that it is constitutional for a government to force its employees to pay agency fees to an exclusive representative for speaking and contracting with the government over policies that affect their profession. In the last term this Court split 4 to 4 on whether to overrule *Abood*. *Friedrichs v. Cal.* The current case presents the same question presented in *Friedrichs*: should *Abood* be overruled and public sector agency fee arrangements declared unconstitutional under the First Amendment?

It is worth noting that the plaintiff in this case, Janus, is well funded by a variety of deep pocketed organizations and foundations with conservative business backing. Donar’s Trust and Donar’s Capital Fund, advised and backed by Charles and David Koch, the Lynde and Harry Bradley Foundation, Ed Uihlein Family Foundation, Dunn’s Foundation for the Advancement of Right Thinking and the Walton Family Foundation are supporters of the National Right to Work Committee, (NRTWC) and the National Right to Work Legal Defense Fund (NRTWLDF), who represent the plaintiff.

Collective bargaining is a buffer against the ability of the wealthy to cravenly collect and horde more and more of the nation’s prosperity. The erosion of collective bargaining is responsible for wage stagnation and rising inequality in America. But the Supreme Court’s conservative justices don’t seem to recognize the destruction their rulings have on the prosperity of a majority of Americans, or they simply don’t care, choosing instead to support privilege over egalitarian ideals.

## AFFILIATIONS

Citrus College Adjunct Faculty Federation (CCAFF) maintains an affiliation with:

- The American Federation of Teachers (AFT)
- The California Federation of Teachers (CFT)
- AFL-CIO
- The California Labor Federation
- The Los Angeles County Federation of Labor