

30 Years Strong!

UPM

United Professors of Marin

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Volume XXXIX No. 3, March 2009

Union Press

Ponderings of the President

by Ira Lansing

As you know by now, UPM and the District began the fact finding process last month. At the first meeting on February 24 both parties started the presentation of their issues. It is customary for the representative of each party to give brief opening remarks. The attorney the District hired (not the same person as their chief negotiator, who is sitting on the fact finding panel) gave her statement, and I, as UPM's representative, launched into my opening. Unfortunately I never got much beyond the first paragraph. The State appointed fact finder cut me off and indicated that the purpose of the opening remarks was to indicate the general direction the Union intended to follow in the hearing, not to make an argument or to present facts; that would all come later. Fortunately I have numerous years of classroom experience where one never knows just what a student might say or ask, so I drew upon my oratory skills and met the standards set before me by the fact finder. Following, for the first time before any audience, are those opening remarks in their

complete form, as originally intended to be presented:

"I make my living primarily speaking before large groups of people. I do this every weekday, and have done so in the classroom over the last 30 years. Yet today I find this forum strangely unfamiliar. So when I sought advice as to how to begin, I was told to give an overview of the key points and to relate the significant facts, and be sure to explain the money. But it is not about the money, I said, it is about the process. It is always about the money, I was told.

It cannot be about the money when the administration and the Board of Trustees ignore a faculty and staff created Educational Master Plan and then spend \$200,000 over four years to create their own Plan. It can't be about the money when the Board and administration take so long to complete recommendations made by the Western Association of Schools and Colleges, or WASC, that the College is put on probation with the threat of losing its

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accreditation until the faculty and staff put together a herculean 7-month effort and complete the tasks necessary to regain accreditation. It is not about the money when the Trustees give President Fran White annual salary adjustments of 5½% on top of at least 3% raises every year, along with 5% salary increases for themselves last year and this year. It most definitely cannot be about the money when the Trustees and administration choose to pay their chief negotiator and chief litigator, who happens to be one and the same person, an amount of money during the months of the current negotiations that would pay for a cost of living raise for 137 part-time faculty for the term of this current contract. It can not be about the money when the Board and administration could have complied with contract language at a cost of \$0, yet chose to ignore the contract and drag the process out for so long that not only did Arbitrator Gould fine them \$2500 for unnecessary delays, but the eventual contractual cost to the District was four times the initial estimate, a final amount of \$2.4 million.

You see, it is clearly about the process. Take as long as necessary, all the while not engaging. Put up more articles of the contract than have ever been negotiated since the very first contract, and see what sticks. After all, there is so much there, something is bound to take hold and what have we got to lose. It is clearly the process when President White publicly says it was the Union who unilaterally declared impasse, that they, the District were still willing to sit at the table; but when directly

asked to return to the table by UPM, not once, but twice, replied, we cannot, we are in the process.

And it is this process, which finally culminates in this fact finding hearing, that is so important. For with this, the process will finally end, and as we all know and suspect, the Board of Trustees will finally have what they want, regardless of this outcome.

So I guess I am not really giving an overview of the facts—the facts will speak for themselves, as they always do and should. I must speak for the hundreds of faculty who are so fed up with the blatant disregard for the process, yet are forced to go through this very same process, with an administration and a Board of Trustees who seem to have a minimal awareness of what is required, and choose to participate only when it suits them, and then with most anyone except the faculty.

I truly hope this behavior does not get lost amidst all the facts.”

I would add to you, dear reader, that you too should not let the behaviors or the facts get lost to you. Stay informed, stay involved, stay in touch.

Want to know what is the latest information? Send a non-District e-mail address to ira@UnitedProfessorsofMarin.org and you will be added to the UPM informational e-mail list. No solicitors will call.

	<p>Tick-tock, tick, tock, time on the clock. Amount paid to the attorney for the District during the month of January: \$27,950 ... and still no contract</p>	
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Connecting the Dots

News and Opinion
by Arthur Lutz

Golems

In Jewish mystical literature and folklore there are references and stories about entities known as ***golems***.

The golem is an artificial being that has all the appearances of a real person, but who, in fact, is formed out of inanimate material (usually clay) and who possesses neither human intellect nor human emotion.

The sole task of a golem is to serve the person that created him/her, without question or complaint or intellectual reckoning. Golems are obedient and mindless beings lacking in moral judgment and conscience.

The written history of the golem goes back to the time of the Talmud which describes instances of Rabbis mystically creating human-like creatures to help them perform menial tasks. The most famous golem is the golem of Rabbi Leow, who compliantly helped the Rabbi with his duties, and who, according to legend, may still be hidden in a synagogue in Prague.

Many other folk traditions and literatures also have golems (although by different names); “sorcerer’s apprentices” and “Pinocchios” and “Frankensteins” and “androids” – obedient creatures without moral conscience who were created to serve the needs and desires of their masters. In Modern Hebrew and in Yiddish the term golem is used as an insult, meaning brainless lunk, or sycophant, or toady.

I thought about golems and toadies when I heard that some of our managers and most of our Trustees (and even some of our faculty) supported and approved President White’s decision to discontinue the Football Program at College of Marin.

For the past four years Dr. White has been urging the elimination of football at COM, and just this month with the approval of our Academic Senate (with one objection) and with the help of one-sided and misrepresentative statistics, she accomplished her goal. In spite of faculty and students who spoke to the Board defending the program with passion and logic, four of Dr. White’s ‘toadies’ on the Board outvoted the other three and eliminated a program that has been successfully attracting a cohort of students who might never otherwise be exposed to a college education or environment.

In spite of the recent Independent Journal headline (2/26/09), “***College of Marin Reaches out to Black Students,***” President White and her golems on the Board betrayed this cohort. In spite of Dr. White’s April 30, 2007 *Monday Briefing* in which she praised our football program’s “Scholar Athletes,” she recommended its elimination, claiming lack of student success. And in spite of Dr. White’s repeated speechifying on the importance of attracting minority and underrepresented students to our campus, she eliminated a program that was successfully attracting just such an underrepresented population.

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And it was all carefully orchestrated using questionable and incomplete financial and academic data and a refusal to conduct an open and honest discussion of the matter within the P.E. department. It's shameful that the first COM program to be eliminated and bypass COM's new Revitalization Procedure is a program that serves and attracts African-American students. Surely the relatively few dollars it would take to maintain this program can be found. Without it, we are jeopardizing the important and avowed diversity mission of our college.

I know that our union has been criticized by some faculty for being overly insular in our concerns and for perhaps overlooking some broader academic issues that impact our institution and our students. Whether or not this condemnation is justified, perhaps here is a situation where we can all demonstrate our concern for the 'broader' needs of our institution and our students. Our faculty should reject a role as a compliant Administration **golem**, and should speak out in support of our COM Football Program and the students it serves.

UPM Committees and Staff

<p>PRESIDENT Ira Lansing</p> <p>BARGAINING TEAM Paul Christensen (Chief Negotiator) Hank Fearnley, Theo Fung, Arthur Lutz Mike Ransom, John Sutherland</p> <p>UPM-PAC Arthur Lutz</p> <p>GRIEVANCE OFFICER John Sutherland</p> <p>TREASURER Theo Fung</p> <p>BUDGET MONITOR Deborah Graham</p> <p>BAY 10 REPRESENTATIVE Rinetta Early</p> <p>CCC REPRESENTATIVE Open Position</p>	<p>NORTH BAY LABOR COUNCIL REPRESENTATIVE George Hritz</p> <p>PROFESSIONAL AFFAIRS COMMITTEE Mike Ransom, David Rollison</p> <p>WORKLOAD COMMITTEE Carl Cox, TBA</p> <p>HEALTH AND SAFETY COMMITTEE Jamie Deneris, George Adams</p> <p>PROFESSIONAL STANDARDS COMMITTEE Arthur Lutz Mike Ransom</p> <div style="text-align: center;">  </div>	<p>SABBATICAL LEAVE COMMITTEE Jamie Deneris, Don Foss, Chris Schultz, Toni Yoshioka</p> <p>CRA TRUST Ed Essick(Chair) Sarah Brewster, Ira Lansing Ron Palmer</p> <p>UPM EXECUTIVE COMMITTEE Ira Lansing, Paul Christensen Carl Cox, Hank Fearnley Arthur Lutz, Deborah Graham Mike Ransom, John Sutherland Tom Behr</p> <p>WEB MASTER Mike Ransom</p> <p>UNION PRESS EDITOR John Sutherland</p> <p>EXECUTIVE SECRETARY Teresa Capaldo</p>
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UPM Executive Council Election

Three full-time and one part-time seats on the Union Executive Council are up for election. Soon you will be receiving ballots in the mail with names of and statements from the candidates. To increase exposure, candidate statements are printed below. Please be sure that your ballot is returned or postmarked by April 10, 2009. Only part-time members can vote for part-time candidates, and only full-time members can vote for full-time candidates. Your participation is important.

Part-time statements:

Deborah Graham

I am hoping that you will re-elect me to be your part-time representative on the UPM executive council. I believe that we are at a crossroads at the College of Marin and that we need executive council members who will assertively stand up for faculty rights. During my past service on the council and on the UPM bargaining team I have fought for (and we have achieved) 95% salary parity for part-time faculty. I promise to continue my hard work and dedication to UPM and to the needs of part-timers. I hope you will vote for me because of my proven loyalty, passion and courage for the cause of our union, our school and our part-time faculty.

Deborah Graham; Incumbent
Part-time faculty in Dance since 1994

Meg Pasquel

While I have many fine qualities to recommend me to polite society, and have had a wide range of experiences here at College of Marin over the past

20 years, I feel that three qualifications in particular make me an excellent candidate for the UPM Executive Committee. As an Academic Senator, I have become intimately acquainted with the day to day operations of our institution and the various groups who are involved in its running. This broad perspective will allow me to better understand the implications of any decisions reached. Secondly, I feel the training I received in law school (not to mention the practice I got while practicing) will prove valuable to the workload the UPM faces. I am also spearheading the institutionalization of Learning Communities on campus, and this endeavor has resulted in my becoming adept at navigating my way through, and representing the faculty's interests to the administration. I look forward to further honing this skill as a member of the UPM Executive Committee should you choose me to represent you.

Full-time statements:

Bonnie Borenstein

I am interested in serving on the UPM Executive Committee because I think my experience in both academic and union matters will well serve the faculty at the College of Marin. Aside from UPM, I have been an active member of several other unions, including the City University of New York's AFT Local, Local 2 of the Hotel and Restaurant Employees, the American Federation of Television and Radio Actors (AFTRA), and Actor's EQUITY. In addition, for three years I was a faculty member and Basic Skills Coordinator for a union-based college program of District 65/UAW.

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This program, fully integrated into and run by the union in its union hall, offered Baccalaureate degrees in Labor Studies from Hofstra University to qualified union members as part of its educational program. I have been at the College of Marin for seven years now. As many of you know, for my first three years here, I served as an academic dean, which I think has offered me a perspective on management that will be of significant value to UPM in its negotiations. Since joining the faculty four years ago, I have served as UPM's CCC and Bay 10 Representative. Next fall, I look forward to working on the Professional Affairs Committee. I hold a Ph.D. in Communications and Culture from New York University. I believe that my multi-faceted experience, both inside and outside of academia and inside and outside the College of Marin, will offer an opportunity for a fresh outlook on union-management issues while helping to continue the vital place that UPM has played at the College. I thank you for your consideration of my candidacy and look forward to your support.

Peggy Dodge

UPM is a vital agent for the well being of College of Marin faculty and of the institution itself. Most current members of the Executive Committee have served in leadership roles in UPM for a long time. Looking from the outside in, the UPM executive committee looks like hard work and not a lot of fun. For that reason I, like many others I imagine, have been content to reelect those members over and over again and be grateful that I didn't have to do it. However, the current Executive Committee members will not be around forever and it is time for others of us to step up beginning grooming ourselves

to lead UPM. I believe I have skills and experience to contribute to UPM and I would like your vote so that I can join the Executive Committee as we build for the future.

I have served on important governance and review committees during my 5.5 years as full time faculty here. During my first year here, I served as co-chair of one of the WASC self study teams in preparation for the Fall 2004 WASC site visit. I served on the Curriculum Committee from Fall 2006 through Spring 2008 and continue as an alternate representing the Health Sciences Department on that committee. I participated on the Access Sub-Committee in Fall 2005-Spring 2006 during the process of developing recommended revisions to Educational Master Plan. I was reappointed appointed to serve on the Educational Planning Committee in Fall 2007 and became chaired the committee through Spring 2008. During Fall 2009 and currently I co-chair The Educational Planning Committee with Dr. Blaze Woodlief and oversaw the development of the recently approved Educational Master Plan 2009-2014. Currently, I also serve on the WASC self study committee concerned with Standard 4.

Laurie Ordin

My name is Laurie Ordin and I'm running for a seat on the UPM executive council because I firmly believe in a worker's right to a fair contract and his/her right to respect in the workplace. The deteriorating treatment that union members at CoM have been subject to has been motivation for me to become more involved with UPM and I have been sitting in on many of the executive

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council meetings for over a year. I will begin serving on the bargaining team July 1, 2009.

I have been a member of the full time mathematics faculty for 13 years and have served on the technology committee, the academic standards committee, the college petitions committee, and am a co-advisor for AGS. I am also currently serving as the math coordinator and co-chair of the math department. Before coming to CoM, I taught part time at various colleges and universities, so I am acutely aware of the needs and challenges that part time faculty face. My academic training is in mathematical statistics, which gives me the insight to critique the often distorted news and data set forth by the District. I have been quite involved recently in the research for Fact Finding. I feel that my analytical abilities and strong, principled advocacy will serve you, my colleagues, well.

John Sutherland

As a CoM instructor of twenty years, I'm running for a position on the UPM Executive Council because I believe in the Union and the collective bargaining

process to protect workers' rights. I've served UPM as a member of the Executive Council for three terms and currently serve as UPM Press Editor, Grievance Officer and Collective Bargaining Team member. I've also served on PAC and Staff Development committees.

Over the past months, along with other Bargaining Team members, I've invested many hours into the fact-finding process in our attempt to win a fair contract. Also as Bargaining Team member, I firmly supported the current 95% pro rata pay for part-timers (Highest in California) and am part of the team that wants to raise that number to 100%. As Union Press editor, I strive to keep members informed and to uphold freedom of speech. As Grievance Officer I spend many hours with my colleagues to protect and enforce our contractual rights. As Executive council member, I contribute and will continue to contribute to making informed decisions that improve the working status and environment for all Union members.

Thanks for your consideration.

New UPM Website
www.unitedprofessorsofmarin.org
District Lawyer Paid \$ 500,000.00 to negotiate?
Fran White has her contract ... where is ours?
UPM Goes to Fact-finding!
UPM Press
Read the latest issue @
www.unitedprofessorsofmarin.org

Evaluation Reminder

Last year, at just about this time, we reported on a (rare) grievance resolution involving several unit members and the evaluation process. Because evaluation dates are quickly approaching, this is a reminder to those of you who have not yet completed evals. For Permanent Unit Members going through the self-evaluation or the Peer Evaluation process, **the time line for completion is April 15, 2009.**

The following is an outline of evaluation procedure. For dates, evaluation team members, frequency of evaluation and responsibilities specific to Probationary, Permanent and Temporary Unit Members, see Article 7 in the CBA. Please be sure to contact UPM to obtain a UPM advisor.

- Within specified timeline, District notifies evaluatee of evaluation responsibility.
- Evaluatee chooses peer evaluator and notifies Vice President/Dean.
- If peer evaluator is not chosen within 30 days, the District will appoint one.
- Evaluatee makes syllabi/evaluation tools available to Peer Evaluator/Evaluation Team.
- Evaluatee schedules classroom visit with Peer Evaluator/Evaluation Team.
- Peer Evaluator/Evaluation Team makes classroom visit
- Peer evaluator/Evaluation Team completes/administers applicable form(s).
- Peer Evaluator/Evaluation Team submits Progress Report to VP/Dean

- Peer evaluator/Evaluation Team writes final report, consults with evaluatee, submits all materials to VP/HR.

Important!

7.7.1 Failure of Peer Evaluator to Meet Evaluation Responsibilities. In the event the peer evaluator fails to initiate the evaluation procedure and/or meet the designated time lines of the evaluation by February 1, the District shall designate a management representative who shall perform the evaluation and the provisions of Article 24.9 shall apply

24.9 Violations of ARTICLE 7, Evaluation Processes

DEFINITION: Failure to Complete the Required Evaluation Procedures in Accordance With the Dates Specified in Article 7.

24.9.1 Penalties. Violations shall be penalized as follows:

Warning Letter (as defined in 24.0.2) shall be issued on each instance.

First instance: Censure letter placed in employee's personnel file.

Second instance: Suspension without pay for 1 day.

Third instance: Suspension without pay for 3 days.

All subsequent instances: Suspension without pay for 4 days.

Once again, please be aware of your responsibilities as evaluatee and peer evaluator. You'll find everything you ever wanted to know about evaluations in Article 7 of the CBA.

CB Vacancy Notification

Soon you will be receiving a flyer announcing a vacancy on the Collective Bargaining Team. The term of service will begin July 1, 2009. Please consider applying for this important position. For more details, contact Ira Lansing:

ira@UnitedProfessorsofMarin.org



Letters to the Editor

Want to share your thoughts on the new Banner system? Have something to say about contract negotiations? Feel that your rights are being violated?

Feel free to voice your comments and/or opinions concerning any article or issue about you, the College or your union. Please direct your letters to john.sutherland@marin.edu Names withheld upon request.



**United Professors of Marin
UPM-PAC Payroll Deduction Form**

The UPM-PAC (Political Action Committee) provides financial support to candidates and measures that support or benefit education in Marin County and the College of Marin in particular. If you would like to support the UPM-PAC with a monthly contribution, small or large, please fill out the form below and send it to the Payroll Office.

To: Payroll, College of Marin
Date: _____

I hereby authorize the Marin Community College to deduct from my earnings the sum of _____ beginning in the month of _____, _____ (year), and each month thereafter, and to remit this sum to the United Professors of Marin PAC #990958 until I revoke this authorization in writing.

Signature: _____

Print Name: _____

Address: _____

City: _____

Zip: _____

SSN: _____

UPM Membership Application

I hereby apply for membership in the United Professors of Marin, AFT Local 1610

Date: _____ Email: _____

Name _____ SS #: _____

Address: _____ Department: _____

City: _____ Zip: _____

Home Phone: _____ Campus Ext.: _____

Check the appropriate category:

____ I am a permanent credit or non-credit employee or leave replacement.

____ I am a temporary non-credit employee on the quarter system.

____ I am a temporary credit or non-credit employee on the semester system.

Return to UPM Kentfield campus mailbox or UPM Office, Science Center 136