

*36 Years Strong!*



**INSIDE**

1 Ponderings of the President	3 PAC Notes	4 Connecting the Dots: Habemus Papam	6 District Legal Costs	7 UPM Polls Members	8 Raoul Teilhet Scholarship	9 CFT Convention
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Volume XXXV No. 11, November 2010

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# Union Press

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## Ponderings of the President by Ira Lansing

TO: David Coon, Superintendent/President,  
College of Marin

FROM: Ira Lansing, President, United  
Professors of Marin

I must admit that numerous “one-liners” came to mind when it was announced that you had been offered the position of superintendent/president. All of them seem to fall in the category of good news/bad news: “The good news is, you got the job. The bad news is, you got the job.” I am certain you are well aware of the issues you will be facing when you first walk onto campus. However, all of your understanding may have been filtered through the perspectives of the people with whom you spoke, and no doubt most of those conversations took place with administrators and trustees. I thought it might be beneficial for you to be aware of the point of view of some faculty (there were about a dozen in all) who addressed the Board of Trustees at their recent November board meeting. These comments were not made by Union officers, although as one

instructor stated: “I am a faculty member. I am a Union member.”

The general tenor of the comments centered on the need for “respectful discourse.” There was a statement that “this Board [of Trustees] is sacrificing its faculty.” There is a need to “step back from the brink—to get back on track”, was said by another instructor. A fifth faculty member offered in part this discourse: “This institution has deteriorated from one where employees at all levels of responsibility took their jobs very seriously, worked together, and felt proud about what they were accomplishing, to one in which people dread coming to work. ... Firing everyone on campus that wants to change this situation and hiring new people will not solve this problem. The only resolution is to move from an environment of lies and accusations back to one of respectful discourse. Although continuing to ignore your employees at the bargaining table, in meetings, and even emails may give the illusion of power, it is

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just that, an illusion. True power and leadership come only from an atmosphere of respect. Please allow me to provide what our students and community deserve.”

It would be easy to write off these comments as the statements of a disgruntled few. However, a rejection of a facilitated Tentative Agreement by 82% of the faculty is not just “a few.” It would also be easy to believe that it was not you, you were not here, when all of this labor discord arose. There are two problems with that perspective: first, you are here now and you have to deal with the sentiment, whether justified towards you or not. Second, the previous administration and most of the current administrators that are still here said that very same thing about our entire contract. We were not here, we did not sign this, and then proceeded to ignore or reinterpret anything that did not suit their purposes. The cost to the District of the resulting litigations and negotiations could

have resolved all of UPM’s financial demands for quite a few years; and the grievances did nothing to sustain management’s perspectives.

That we are skeptical would be an understatement. But quite honestly, we are hopeful. We all realize that the potential for a fresh start exists and that you can set a new direction if you so choose. You have the ability to move forward with the faculty and staff supporting you, or you could allow yourself to be pushed down a path where (to quote another faculty member) “respect for faculty members has become nonexistent at the College of Marin...with devastating consequences.”

I will call to make an appointment with you where we might sit down face-to-face and discuss what can be done to resolve our current labor situation. In the meantime, welcome to Marin.

	<p>Tick-tock, tick, tock, time on the clock.</p> <p>Amount paid for to the attorney for the MCC District for the month of September:  <b>\$10,500.50</b></p>	
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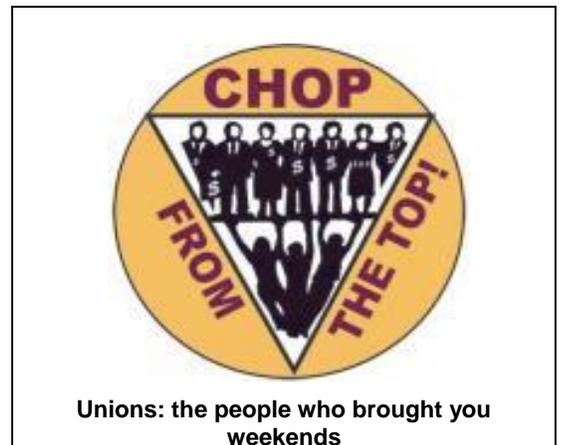
**Letters to the Editor**



Concerned about the rejection of the TA?  
 About other UPM matters?

Feel free to voice your comments and/or opinions concerning any Union related article or issue. Letters should be signed, but names will be withheld upon request.

Please direct your letters to  
[john.sutherland@marin.edu](mailto:john.sutherland@marin.edu)



## PAC Notes

Currently the PAC still has available about \$14,000. If you intend to apply for funds for conference leave, keeping in mind a few things will expedite processing your request:

1. You must file a request with PAC for any conference leave, whether or not you are requesting PAC funds.
2. Fill out and date the appropriate multi-copy Conference, Honorary Leave, Short Course Request Form for UPM/AFT Unit Members, which are available in the mail room.
3. Attach conference information.
4. Complete the Assigned Hours and Substitute Arrangements Form. You must also complete, sign and date the CEU Waiver portion at the bottom of the form.
5. Submit the forms and documentation to HR where your request will be time stamped to record when it was received. Under the contract you must submit your request at least 15 days before the first day of leave. If, due to unusual circumstances, you cannot meet the 15 day deadline, you must request a waiver in writing.
6. At the next PAC meeting (weekly throughout the semester) your request and documentation will be reviewed, voted on, and sent to the Vice President of Learning. The District is likely to submit requests for travel out of state or country for Board notification or approval at the next Board meeting, before approving them.
7. You will receive a memo from the Vice President of Learning acknowledging your approved leave, along with the "gold" copy.
8. Retain all receipts for reimbursement
9. Within 60 calendar days of the last date of leave, complete, sign and submit a Claim for Reimbursement form, available from your Department Assistant, along with a copy of the approval letter from the Vice President of Learning and all of your receipts. (Be sure to make a copy of everything you have submitted as backup.)

If you have any questions regarding leaves, consult your contract (Article 5) and your representatives on the PAC, Bonnie Borenstein (x7435) and Carl Cox (x7423).

## **CONNECTING THE DOTS**

News and Opinion

by Arthur Lutz

### **HABEMUS PAPAM\***

**O**n September 21<sup>st</sup> our Board of Trustees announced the appointment of David Wain Coon, Ed.D. as the new President/Superintendent of CoM.

Dr. Coon takes over at a time of confusion and uncertainty. He will be confronted with major challenges – a budgetary shortfall, a faculty contract dispute, campuses that are in disorder and disrepair, and growing signs of community disaffection. We all hope that Dr. Coon will be successful in resolving these issues.

Challenges like these, however, are not unusual in academe, especially in times of financial stress. Nor are they unique in world history. Even as venerable an institution as the Catholic Church faced similar problems.

In the ninth century, during the reign of Pope Leo IV, the Roman Catholic Church, like CoM, was in disarray, and was ethically and financially challenged and beset with internal and external dissension. So when Leo died in 853 a new pope was elected with the hope that he would be able to restore honor, fiscal stability and credibility to the Holy See. This newly elected pope was Pope John VIII, and he slowly began to restore order and standing to the papacy. Unfortunately his tenure ended abruptly because two years after his coronation it was discovered that his real name was not John, but Joan, and

that he was actually a woman who had disguised herself as a man, had risen within the church hierarchy, and was elected pope.

Pope Joan was a remarkable woman. Born in England in 818, she studied philosophy in Athens, moved to Rome with her companion where she entered the priesthood in disguise and gained a reputation as a brilliant scholar. She won a university chair, was appointed Cardinal, and upon the death of Pope Leo she was elected pope. But her true gender was revealed during a papal procession when the jostling of the horse she was riding caused her to go into premature labor and she gave birth, in full papal regalia, in front of throngs of Roman citizens. The crowd was so incensed by her deception that they dragged her through the streets of Rome and stoned her to death on the *Via Sacra* (now known as the “shunned street” because to this day papal processions scrupulously avoid passing along that route.)

Although the Catholic Church claims the story of Joan is a hoax perpetrated by anti-papal Protestants, there are hundreds of documents, artifacts and events that support Pope Joan’s historicity, including a bust in the cathedral of Siena carved in ~1400 and inscribed; *Johannes VIII, Femina ex Anglia* (John VIII, Englishwoman.)

The evidence for Joan’s papacy was so persuasive and the scandal so discomfiting to the church that they instituted procedures to insure that such a deception (even if it never actually occurred,) would never happen again.

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For 600 years after Joan, as part of the papal coronation ceremony, each newly elected pope was required to sit, naked under his robes, on a special seat (*sedia stercoraria*) which was hollowed out in the middle so that a committee of Cardinals might observe (from below) and confirm the gender of the newly elected pope. (One of these seats is currently on exhibit in the Louvre.)

Although the use of this examination seat has long been discontinued by the church, the current papal coronation ritual still includes a section in the liturgy where the senior Cardinal gestures towards the fully clothed pope's "private parts" and intones, "*Testiculus habet et bene pendent; mas nobis nominus est,*" which loosely translated means, "Yes I see them; indeed our nominee is a man!"

Certainly no one is suggesting that one needs male "equipment" to lead an organization like CoM. Nor would

anyone suggest that our new president undergo the indignity of a *sedia stercoraria* examination. On the other hand, it would be reassuring to know that Dr. Coon not only has the administrative skills to be president, but that he also has the **cojones** to reject the anti-faculty, anti-union policies of the outgoing Fran White administration and lead the District back to the bargaining table to negotiate a contract that honors and respects the legitimate needs of our faculty.

References:

Pope Joan (Morgana's Observatory)  
<http://dreamscape.com/morgana/popejoan.htm>  
 Pope Joan – Catholic Encyclopedia  
[http://en.wikipedia.org/wiki/Pope\\_Joan](http://en.wikipedia.org/wiki/Pope_Joan)  
 Carpe Diem: Pope John VIII aka Pope Joan:  
<http://conundrum.blogspot.com>  
<http://dalje.com/en-world/church-hid-the-existence-of-a-female-pope/159310>

\*Habemus Papam! ("We Have a Pope!")  
 Announcement given in [Latin](#) from the balcony of St. Peter's Basilica upon the [election](#) of a new [pope](#).

## UPM BUILDING REPRESENTATIVES

<u>Building:</u>	<u>Contact:</u>	<u>Campus Extension or Email:</u>
Austin Science Center	Ira Lansing	7531
Business Center	Mike Ransom	7579
Fine/Visual Arts	Tara Flandreau	7576
Fusselman Hall	Paul Christensen	7635
Harlan Center	John Sutherland	7434
IVC Campus	Arthur Lutz	8518
Learning Resource Center	Carl Cox	7423
Part-time Faculty	Tom Behr	<a href="mailto:tom.behr@marin.edu">tom.behr@marin.edu</a>
	Deborah Graham	<a href="mailto:Deborah.graham@marin.edu">Deborah.graham@marin.edu</a>
	Michele Martinisi	<a href="mailto:michele.martinisi@marin.edu">michele.martinisi@marin.edu</a>
Physical Education	Ira Lansing	7531
Student Services	Theo Fung	7389

## District Legal Costs

Since 2005, the MCC District has paid out nearly \$1 million dollars to its attorney. Here's a year-by-year breakdown:

### **MCCD Legal Costs**

Larry Frierson

2005: \$12,790.00

2006: \$116,707.57

2007: \$167,951.80

2008: \$230,476.70

2009: \$260,280.50

2010: \$114,200.00

**Total: \$902,406.57**

Mind you, these are not the only legal costs the District has incurred. It has also paid other attorneys to help out in contract negotiations and in Fact-Finding. So one might well ask, "Who has benefited from these extraordinary legal bills?"

Considering the District's mantra that it has no money to hire more full-time instructors or to give its faculty a raise, the million-plus dollars in legal fees arouse suspicion. We have endured three long years of unfruitful negotiations, as well as the longest fact-finding process in the history of California Community Colleges. And we have fought a number of grievances (and won them in arbitration) over the last few years:

### **Grievances**

Retirement Savings Arbitration: UPM wins

Teaching Load Arbitration: UPM wins

Summer Session Arbitration: UPM wins

Conference Leave Arbitration: UPM wins

And yet, the District leaders continue to sing the money blues. A quick look at our Budget over the years begs more questions. For example, the 2006-07 Budget, listed 110.06 faculty FTE (one

vacancy), with 16.59 Administrative FTE (one vacancy). In contrast, the 2010-11 Budget lists 103.58 faculty FTE (9 vacancies) and 17.50 Administrative FTE. That's an increase of one Administrative FTE and a decrease of 7.48 faculty FTE.

But wait; there's more!

The budgeted 103.58 faculty FTE includes 9 vacant positions, which means that the 7.48 FTE faculty decrease is accompanied by 9 additional vacancies, bringing the overall decrease in FTE expenditures to 16.48!

The District's FTE shell game prompts even more questions. How is it that the faculty FTE has dropped by 7.48 with 9 additional vacant positions and the District still has no money? The District has apparently eliminated 7.48 FTE, so where is that money? And where has the money gone from the additional 9 FTE? Or what plans have been made to fill those vacant positions?

In 2006-07, property tax revenues accounted for \$35,447,440 of the total Budget while the 2010-11 (the largest budget in the history of the college), property tax revenues have grown to \$38,854,722. Oh yes, our Reserves, according to VP Chang in a recent Department Chairs meeting, are at 14.7%.

Reduced faculty, increased administration, hidden expenditures, increased reserves, drawn out negotiations and fact-finding, a huge general fund, exorbitant legal fees, increased grievances and arbitrations—

Who benefits?

John Sutherland

## UPM Polls Membership

In October, by a vote of 164 to reject and 37 to accept (82% vs. 18%), members of UPM said they will not accept the proposed contract changes coming from the District in facilitated bargaining.

Due the rejection of the TA, the Fact-Finder has requested that UPM poll its members to find out exactly what was unacceptable. To this end, UPM has set up a committee charged with administering a questionnaire to ALL union members. Last week, UPM held several meetings to administer the questionnaire, but many members have yet to complete it.

Armed with the information you provide, UPM will go back to the District and ask to resume bargaining, but there is no mandate for management to do this. Only the conclusion of fact finding is required at this time. If the District does not agree to return to the bargaining table, it could impose a contract.

In the best interest of all parties, contact one of the following Questionnaire Committee members and schedule an appointment to contribute your perspective. Your voice is critical to ensure a successful outcome.

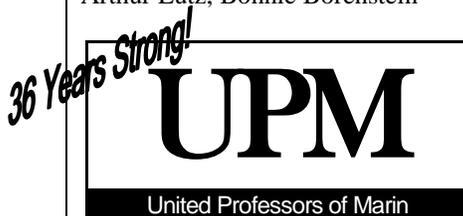
### **Questionnaire Administering Committee**

Tom Behr, Bonnie Borenstein, Carl Cox, Harriet Eskildsen, Hank Fearnley, Patrick Kelly, Colleen Marlow, John Marmysz, Sara McKinnon, Mike Ransom, Kathleen Smyth, Paul Smith, and John Sutherland

## UPM Committees and Staff

2010-2011

<p><b>PRESIDENT</b> Ira Lansing</p> <p><b>BARGAINING TEAM</b> Paul Christensen (Chief Negotiator) Theo Fung, Arthur Lutz, Michele Martinisi, Laurie Ordin, Patty O'Keefe</p> <p><b>UPM-PAC</b> Arthur Lutz, Laurie Ordin, Co-Chairs</p> <p><b>GRIEVANCE OFFICER</b> John Sutherland</p> <p><b>TREASURER</b> Theo Fung</p> <p><b>BUDGET MONITOR</b> Deborah Graham</p> <p><b>BAY 10 REPRESENTATIVE</b> George Hritz</p> <p><b>CCC REPRESENTATIVE</b> Open</p>	<p><b>NORTH BAY LABOR COUNCIL REP</b> Tom Behr</p> <p><b>PROFESSIONAL AFFAIRS COMMITTEE</b> Bonnie Borenstein, Carl Cox</p> <p><b>WORKLOAD COMMITTEE</b> Theo Fung, Deborah Graham</p> <p><b>HEALTH AND SAFETY COMMITTEE</b> George Adams, Chris Schultz</p> <p><b>PROFESSIONAL STANDARDS COMMITTEE</b> Arthur Lutz, Bonnie Borenstein</p>	<p><b>SABBATICAL LEAVE COMMITTEE</b> Walter Turner (Chair), George Hritz, Radica Portello, Chris Schultz</p> <p><b>CRA TRUST</b> Sarah Brewster, Judy Coombes , Ed Essick(Chair), Ira Lansing, Laurie Ordin</p> <p><b>UPM EXECUTIVE COMMITTEE</b> Ira Lansing, Paul Christensen, Bonnie Borenstein, Carl Cox, Deborah Graham, Arthur Lutz, Michele Martinisi, Laurie Ordin, John Sutherland</p> <p><b>WEB MASTER</b> Mike Ransom</p> <p><b>UNION PRESS EDITOR</b> John Sutherland</p> <p><b>EXECUTIVE SECRETARY</b> Teresa Capaldo</p> <p><b>PART-TIME REPRESENTATIVE</b> Tom Behr</p>
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# CFT

## Raoul Teilhet Scholarships

**FOR HIGH SCHOOL  
STUDENTS and  
CONTINUING  
COLLEGE STUDENTS**

### About the scholarship program

The 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.

### About the scholarship awards

Scholarships of \$3000 are awarded to students entering or attending a four-year university; \$1000 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](http://www.cft.org). To obtain a photocopy of the application, contact your local union, or to have an application mailed to you, phone the CFT Administrative Office.

California Federation  
of Teachers  
AFT, AFL-CIO   
*A Union of Professionals*

Administrative Office  
2550 N. Hollywood Way, Suite 400  
Burbank, CA 95105  
T: 818/843-8226  
F: 818/843-8662  
[www.cft.org](http://www.cft.org)



HIGH SCHOOL APPLICATIONS MUST BE POSTMARKED BY  
**JANUARY 10, 2008**

COLLEGE APPLICATIONS MUST BE POSTMARKED BY  
**JULY 1, 2008**

## 2011 CFT Convention March 18-20 in Manhattan Beach

### SAVE THE DATE "Standing Up, Standing Together, Speaking Out"

The sixty ninth annual California Federation of Teachers convention, the highest decision-making body of the statewide organization, will be held this year March 18-20 at the Marriott Manhattan Beach. In a time of great challenges for public education, the convention provides members with the opportunity to work together to make changes for the better—for ourselves, for our students, and for California.

At the center of the convention will be discussion and debate around education and union policy. Much of this comes from the resolutions submitted by locals and committees of the CFT. This year we will also remember one hundred years of free speech battles that produced, often with great sacrifice from our members and others, the rights we enjoy today, and which need continuous protection as we go forward.

As we do every other year, this year we will elect new leadership for the statewide union.

The CFT's vitality and democracy depend on participation in the convention by delegates from all locals in good standing representing all the divisions—classified, community college, early childhood/K-12, adult education and university—of the CFT.

Bestowal of the prestigious Ben Rust award, the highest honor of the union, the Women in Education Award, and Legislator of the Year Award, will be highlights, as usual. Awards will also go to local activists and the winners of the annual communications contest.

For more information [contact your AFT local](#). Media inquiries, contact Fred Glass, 510-579-3343.

## United Professors of Marin

PO Box 503 ~ Kentfield, CA. ~ 94914

Telephone / Fax (415) 459-1524

Visit the UPM website for the full text of the recently rejected TA and for a side-by-side comparison of the TA, the District's Last Best Offer and Current Contract language.

Get the latest updates at:

**[www.unitedprofessorsofmarin.org](http://www.unitedprofessorsofmarin.org)**



"We must learn to live together as brothers or we are going to perish together as fools." M.L. King Jr.

## 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

## 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: \_\_\_\_\_