

36 Years Strong!



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Volume XXXV No. 10, October 2010

# Union Press

## Ponderings of the President by Ira Lansing

*“I have watched the decimation of our programs. I am horrified by the deceit and deception. I am sick about what is happening.”*

--Marin Community College Board of Trustee Barbara Dolan, stated at the October 19, 2010 meeting of the Board

After speaking those words Trustee Dolan left the meeting room, as she said “in protest” and did not return that night. Later during the meeting another trustee tried to explain Ms. Dolan’s departure as the result of not feeling well (after all, she did say she was “sick”). It is too bad the Dolan absented herself so quickly because there are numerous unanswered questions.

For starters, exactly what is happening that made you sick? Is it the way the District is handling the use and refurbishing of the track and athletic field? There were community members present that night who spoke about the importance of having public access to a good track and how the College should support them and their own athletes by providing a decent facility. Or maybe it

was the possibility of the Branson School using even more of the College’s athletic facilities—Why not? They paid for them.—at the expense of the community and our own students.

Perhaps Dolan’s displeasure resulted from the rising cost of Adult Education and the decrease in offerings by the College of Marin in this program. There were people present who spoke about the importance of having low cost access to mentally and physically stimulating classes, despite the fact that somehow a program that is supposed to be self-supporting and break even every year has been costing the District hundreds of thousands of dollars over the last few years, and not because of increased *instructional* costs (did faculty get a raise?).

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Maybe Dolan was addressing the decimation of the Disabled Students Programs and Services (DSPS) and the reduction in services and faculty in Adaptive PE. Community members have addressed the Board about the wonderful instructors and how valuable the classes are to those who need them. This is a program that serves those least able to serve themselves, so who wouldn't be sick of the elimination of classes and the transfer of faculty in this program to other areas?

Actually, the source of Dolan's dismay may have come from all the other community members who have spoken to the Board over the last six months about the architecture and design of the Gateway Complex—oops, I mean Academic Center—that will stand on the corner of College Ave. and Sir Francis Drake Blvd. Truly, this building will be in the front yards of many of our community members, and will be seen by many more people passing through this part of the County, so indeed, a bad selection process or a poor design would horrify anyone, let alone a trustee responsible for making those decisions.

Perhaps Ms. Dolan, who has always run as the fiscally responsible Board member, was horrified at the misdirection of College funds and how this has negatively impacted program after program at the College, despite each year receiving more and more unrestricted revenue.

No, wait! I know why Ms. Dolan left in a protest, why she spoke of "deceit and deception". It is because the faculty at the

College of Marin have worked for nearly four years with an unresolved contract, because she, along with her not-newly-elected colleagues on the Board of Trustees, have tacitly allowed numerous contract violations (and lost every grievance resulting from said violations) and authorized nearly \$1 million in legal fees to pay for this behavior; because these same trustees and administrators have demonized certain segments of the faculty, marginalized us as a whole, while treating us with less respect and civility than they have shown to complete strangers (e.g., above mentioned community members). And I know the real reason Dolan walked out was because there has been a steady stream of teachers, counselors, librarians, credit and non-credit, full-time and part-time faculty parading before the Board of Trustees month after month; each one presenting a human face of an employee to his or her employers, to show them how this contract stalemate and the personal mistreatment has affected them inside and outside of their work areas.

Oh, wait. That last part did not really happen. Yet. But it could and definitely should. So here is my suggestion: Before we walk out of anything, let's walk into a Board of Trustees meeting (there is at least one every month) and tell them why we would walk out. Let's be a little more clear and specific than Barbara Dolan was, but we can certainly be equally, if not more, horrified. And remember, there is more than just "the job" that we all can walk out on. If you are not sure what these might be, then you need to stay in touch, stay informed and stay involved.



Tick-tock, tick, tock, time on the clock.

Amount paid for to the attorney for the MCC District for the month of August:

**\$4050.00**



## Faculty Overwhelmingly Reject District's Offer (TA)!

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

UPM will go back to the District and ask to resume bargaining, but as previously explained, there is no mandate for management to do this. Only the conclusion of fact finding is required at this time. This process could lead to an imposed contract.

**THE MEMBERSHIP MUST NOW ACT ACCORDING TO OUR VOTE!**

The faculty are overwhelmingly united in their decision--and management and the Trustees must hear us.

We must take actions that tell the District it is in their best interests to return to the bargaining table and to negotiate a fair contract now. We have said it--now we must show them that we mean it.

**Come to the Special Membership Meeting on Friday, October 29, 10:30 AM (location TBA). In addition to an update on the above, this will be a WORKING MEETING. Members will be expected to contribute to the suggestions for non-strike actions and to sign up to participate in the actions of their choice.**

**WE MUST ACT NOW ACCORDING TO OUR VOTE!  
ONCE AGAIN WE MUST RESPOND AS A UNITED FACULTY!**

--UPM Executive Council

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.

Concerned about the need for SLO's in your syllabus?  
For more information, go to the UPM website at:

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

## CONNECTING THE DOTS

News and Opinion  
by Arthur Lutz

### HONI SOIT... a response to some recent faculty posts

In 1348, when King Edward III was dancing with his daughter-in-law Joan of Kent at a royal ball in Calais, Joan's garter accidentally slipped off her leg.

There had long been suspicions that Joan's interest in Edward was less than innocent, and when this mishap occurred some of the more dubious courtiers openly snickered, attributing the incident to a purposeful flirtation by Joan to titillate the king.

Edward was outraged by these suspicions, and in an act of chivalry he picked up Joan's garter and tied it around his own knee and proclaimed to the crowd, **HONI SOIT QUI MAL Y PENSE** (Shame on those who falsely accuse others of malevolent motives.)

This phrase became the motto of the *Order of the Garter*, a knightly order that King Edward established, based on the *Arthurian* legend which emphasized chivalrous behavior in battle and courtly love.

The *Order of the Garter* still exists today in Britain; its members are elected by the reigning monarch for their service to the Crown. And while adherence to 'knightly behavior' and 'courtly love' is no longer a requirement for today's *Garter* recipients, the motto **honi soit qui mal y pense**, remains a worthy expectation. *Garter* appointees are expected to be honorable and principled and to refrain from 'falsely accusing others of malevolent motives.' It's a pretty good imperative for all people to follow, even those of us here at the College of Marin.

Unfortunately some of our faculty don't seem to agree.

I'm thinking of the letters, emails and comments by some of our faculty accusing our union leadership of self-serving and malevolent motives in negotiating the recent tentative contract agreement with the District. They charge that our UPM bargaining team cynically negotiated provisions that rewarded union leaders and long term tenured employees at the expense of part-timers; secretly traded away adjunct health care coverage; cowardly surrendered faculty rights to management; abandoned the principles of due process and academic freedom; and urged a yes vote by our faculty in order to force a strike so that adjuncts might be terminated.

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None of these accusations are true. Our bargaining team negotiated the best agreement we were able to extract from the District and an unsympathetic state-mandated arbitrator. We asked for 100% wage equity for adjuncts. We fought for an equitable evaluation procedure. We opposed the District's regressive health care caps. We challenged the District on every one of their unacceptable demands and we were successful in mitigating many of these. The District, however, would not agree to any further movement. It was then our obligation to present this proffer to our membership for their final judgment. Contrary to allegations, we did not urge or recommend approval of this tentative agreement, nor did we advise that a no vote would necessitate a strike.

To attribute malevolent and self-serving motives to a UPM bargaining team that worked for almost four years without compensation to preserve our contract from a concerted anti-faculty anti-union attack by management, is unprincipled, and plays directly into the hands of the District's efforts to degrade our faculty and destroy our union.

The faculty who are making these charges against our UPM leadership should read the motto on the *Order of the Garter* coat of arms.

***HONI SOIT QUI MAL Y PENSE!***



And they should direct their dismay and anger at the **District**, where it belongs.

## Grievance Update

Over the past few years, the District has, as if by design, violated the MCCD/UPM Contract on multiple counts. Currently the grievance board in the Union office is full, and we are heading towards more arbitration hearings.

You'll recall that the District has been slapped more than once by arbitrators for its intentional violations of the Contract: The Retirement Savings Arbitration resulted in substantial pay increases for all faculty members, not to mention fines for the District; the Teaching Load Arbitration resulted in affirmation of contract language that ensures faculty full instructional loads; the Summer Session Arbitration upheld contractual language and fined the District for unjustly taking away summer work from a faculty member; the Conference Leave Arbitration confirmed reimbursement for approved leaves and reprimanded the District for retaliatory actions. The list continues to grow. Here are a few issues we're presently dealing with:

### Investigation of Faculty

Over two years ago, the District conducted an investigation into charges of racism against two faculty members. Though it is contractually obligated to release the investigation report to the faculty members involved (CBA 24.14), the District has refused to do so and is facing another arbitration and possible fine.

### Overload

Contrary to past practice, the District has recently been denying contractually

allowed overload to full-time instructors. UPM has asked Chairs to report any denials, and already we have had several accounts of the District disallowing overload for spring 2011. We are currently working on these grievances. If you have been denied, please contact UPM right away.

### Conference Leave

As per above, the District has been told by Arbitrator Andrea Knapp that it cannot deny conference leaves as defined in the Contract, nor can it arbitrarily refuse to reimburse faculty for approved leaves. Yet several recent cases show that the District has willfully continued to violate the Contract and the arbitrator's decision. In one case, the District's inconsistency in reimbursing leaves accompanied by 15-day waivers shows partiality towards some and retributive treatment towards others. In another case, despite the clarity of contractual limitations for reimbursement (CBA 5.5.3.3), District reps Linda Beam and Nick Chang have unilaterally created a new requirement for leave compensation—the manner in which faculty submit receipts!

The paradox in the District's intentional undermining of contractual language is that the MCCD/UPM Contract comprises the District's language as well as ours. That is, the contract is an *agreement* between the two parties, and the District's refusal to abide by its own language is costing valuable time and even more valuable Marin County taxpayer resources.

John Sutherland, UPM Grievance Officer

## Message from AFT:

<http://leadernet.aft.org/documents/MembershipCardFAQs.pdf>

Please use the link above to access AFT Leadernet for Frequently Asked Questions (FAQs) regarding the AFT membership card and fulfillment program. We think the Q&A provided will be useful in helping our affiliates understand just how the program works, as well as how they may assist members with requesting a card or with other related questions.

If you have any further questions, please feel free to e-mail [membership@aft.org](mailto:membership@aft.org) or call 800/238-1133, ext. 3421. If you are not registered and need access to the AFT Leadernet, please email [leadernet@aft.org](mailto:leadernet@aft.org) to request access. Thank you.

Membership Division T: 800/238-1133 x 3421; F: 202/638-2589; E: [membership@aft.org](mailto:membership@aft.org)

### 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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## Faculty Mobilizer

**United Professors of Marin** Local 1610

Salary: \$62.66/hour

Reports to: UPM Executive Council on a weekly basis

Schedule: Part-time, approximately 25 hours/month for three months, may include some weekends, evenings and occasional travel

Begins: mid-August

### About the Position

United Professors of Marin (UPM) seeks a highly enthusiastic individual to help oversee efforts to recruit, mobilize, organize, and build solidarity among union members and other unions.

UPM represents all permanent and temporary faculty who work in the credit and non-credit programs at the College of Marin (both Kentfield and Indian Valley Novato campuses). UPM is an affiliate of the American Federation of Teachers (AFT) and the California Federation of Teachers, as well as the AFL/CIO.

### Specific Responsibilities

- Plan, launch and direct a new organizing campaign
- Write campaign materials, reports, press releases and fact sheets for review
- Educate faculty unit members on current and future contractual issues, responding to questions on same
- Attend meetings with other labor organizations or community groups for the same purpose
- Recruit non-unit members of the faculty into the Union
- Develop an expertise in campus policies and politics

### Qualifications

- Prior campus and/or union organizing campaign experience preferred
- Excellent verbal and written communication skills
- Very well organized
- Able to articulate complex policies and concepts in everyday language
- Able to see projects through to completion
- Fast learner
- Creative and open minded, able to adjust course in mid-stream
- Able to work independently and with direction as needed

*This position is outcome oriented and prospective candidates should come prepared to present a plan on how to mobilize, increase membership and participation in UPM's activities and positions as well as greater communication and attendance from membership.*

### To Apply

Interested candidates should send a letter describing qualifications and experience relevant to the position, with a current resume, to: United Professors of Marin, PO Box 504, Kentfield, CA 94914. For more information about UPM see: [www.unitedprofessorsofmarin.org](http://www.unitedprofessorsofmarin.org)



**UPM HAS CAMPUS BUILDING REPRESENTATIVES AVAILABLE TO SPEAK WITH YOU.**

Use the following list to identify your building representative and how best to contact them. We hope you will use this opportunity as another avenue for communication to and from your Union.

<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



**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)

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