

# Association Notes



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## Bargaining Update

### District Stalls Negotiations!

After four months and a half dozen meetings relating to health care, the District pulled all considerations for changes to health care off of the bargaining table. That means the “two-tier” system is still in place and that faculty will not be given the option to increase salary by moving to PersChoice coverage. More about this frustrating turn of events will be provided below.

On a positive note, the District agreed to maintain the current health care coverage through the 2009 calendar year and to extend the provisions of an interim agreement for distance education through the summer of 2009. Please note that these are pending Board of Trustees’ approval at their next meeting. Salary for the final two years of our contract will be negotiated when school begins.

In response to this turn of events, the Faculty Association and the negotiating team have been developing plans to bargain more effectively. These include the development of an organizing committee, increasing direct communications with the Board, and applying political pressure on the Administration.

### Why the Frustration?



- Since early 2007, the District has been pushing the faculty to switch to PersChoice. When the time came to follow through with the plan, they declined to act, wasting everyone’s time.
- The District entered into a tentative agreement in November which specifically noted that the two-tier system would be addressed. Yet, the District’s negotiating team did not appear to ever have authorization to bargain the issue.
- The District notified the Association of the position via email at 5:08 Friday night even though negotiations were set to begin Monday morning.

**A detailed account of District’s duplicity can be found on pages 3 through 5.**

# RHCFA is on the Move

## Organizing is under way.

This has been a busy summer for the Faculty Association leadership. We have been putting our organization team in place by designating a coordinator and identifying division activators. With these groups in place, we will be able to further our negotiation goals more effectively. You will be hearing much more about these efforts during division and Association meetings in the fall.

## Going over Board

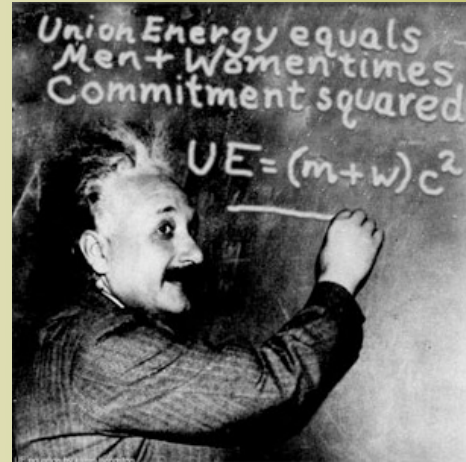
The Association leadership has recommitted to fostering good relationships and open communications with the members of the Board of Trustees. We are not content with messages being filtered through the administration so we have been and are going to continue direct communications with our trustees (within appropriate guidelines). This will allow us to explain our positions more effectively.

## Gearing up for more negotiations

We still need to settle raises for the final two years of our contract. In addition, we can bring a few new issues to the table. The Faculty Association will be soliciting your input as to what our priorities should be. In addition, we will be adding two members to the negotiations team. Please contact us if you are interested.

## We are (not) #1!

Speaking of salary, a recent survey of the 72 college districts showed that Rio Hondo has slipped from 13th in pay to 18th. This fact was informally brought to the attention of a high-level administrator with the suggestion that we should be first in salary. The reaction from the administrator was a set of rolled eyes.



## How Can I Help?

Unions are only as strong as the dedicated men and women who work together to accomplish their goals. Now is the time to combine our collective efforts for the betterment of the Rio Hondo College community. The Faculty Association leadership has been working to emphasize positive relationships with District and will continue to do so in the future. When necessary, however, this emphasis does not preclude the use of group efforts to accomplish the goal of the best possible working conditions for our faculty. Here are some ways you can help:

- Attend Rio Hondo College Faculty Association meetings to show we are united
- Demonstrate support for the Association by wearing union shirts (coming soon) and participating in group actions
- Join the organizing effort by becoming a division activator
- Join one of the many Faculty Association committees

# A Health Care Narrative

For those of you who are interested in the details of the health care odyssey, this section should be informative. Contained herein is an account of what transpired during negotiations relating to health care over the past eighteen months.

## **A switch to PersChoice is made a priority by the District.**

The story begins in early 2007 when the District and the Association started actively negotiating the terms for the 2007-2010 contract. From the outset, the District's attorney, Jackson Parham, emphasized that something had to be done with health care since costs were rising much faster than inflation. In fact, all negotiating team members remember sitting through a lengthy, hour-long presentation that Jackson gave on the subject. The concern with health care costs is illustrated by an early proposal made by the District. We would be given a raise of COLA minus the increased costs of health care above the allowance. That would mean, for example, if health care went up 10%, our 4.53% raise might have only been about 4%.

Jackson suggested that we should change coverage to PersChoice and that savings could be placed on the salary schedule. The Association did due diligence on the matter, giving an extensive survey to the membership and meeting with several divisions. We were seriously considering the District's proposal.

## **Health benefits become the focus of future negotiations.**

Reaching settlement on a health care change proved difficult. So, on November 20th, 2007, the District and Association reached a tentative agreement to put off any decision on health care for a year. This was influenced, in part, by the fact that health care costs rose by only about 2%. [Note: even though the District insisted that our pay increase would be reduced if health care costs rose at a rate higher than COLA, they refused to consider giving us a bigger raise when the costs were less than COLA!] At the time of the agreement, Jackson expressed his dismay that a switch to PersChoice was not being made.

A key component of the tentative agreement was the establishment of a health benefits committee that would explore the issues in more detail and make a recommendation to the negotiations teams. Even

though this was in the agreement, implementation proved challenging. For example, at one point the District scheduled a meeting to discuss the committee, but then cancelled without rescheduling.

## **The Health Benefits Committee makes a long-awaited proposal.**

After strong pleas from the Association negotiating team, the Health Benefits Committee finally started meeting. Before this, we had notified the District that a decision had to be made by the middle of April so that we could inform faculty of the decision prior to the end of the school year and seek ratification of a tentative agreement. Our first meeting was on February 22nd, and this was followed by meetings on March 7th, March 14th, April 11th, and May 22nd. All of the negotiators for both the Association and the District were present along with a few other participants. Obviously, the April deadline was not met even though the Association emphasized the importance every step of the way. More about the difficulties encountered will be provided below.

The benefits committee finally agreed upon a recommendation to the negotiating teams at the last meeting. Faculty would be asked to reduce costs of health care by having the District pay for coverage up to the PersChoice level. This would lead to a potential savings of over \$500,000. If this was approved, the faculty would then decide how to allocate the surplus. We could have the savings added to the salary schedule or we could use the sum to eliminate the two-tier system of benefits and have the remainder go on the salary schedule.

The committee believed that giving faculty a choice of options would be the best way to balance all interests. We were not certain how the faculty felt about getting rid of the two-tier system versus a larger pay increase. With the recommendation completed, the work of the committee was finished. The next step was to go back to negotiations to determine the details....

# The Narrative continues

## The District shows no urgency.

From the outset, the District seemed to move quite slowly on health care, despite the fact that they were the most interested in a change in the first place. The Association representatives showed up on time for every benefits meeting, while the District was late on occasion. We came prepared with complete agendas and financial analyses, a rarity for the District. At every meeting, the Association reminded the District that we needed to meet our deadline of mid-April.

The health benefits meeting of March 14th epitomized the District's lack of investment in the process.

The meeting began with a whimper when the District, started with a "check-in", a technique where the meeting participants go around the room and say how they were doing. I (Adam Wetsman) went last and noted that a thirty-minute introduction period was unnecessary and a waste of time.

A key issue discussed in the meeting was how much it would cost to drop the two-tier system. The Association had met with Rio Hondo's chief financial officer prior to the meeting and the two had agreed upon a figure. This was presented at the meeting. However, the issue was far from settled when Jackson disagreed with his own team member! A lengthy discussion ensued with no resolution. In essence, the District was arguing both sides of the issue, taking up precious meeting time.

The meeting then started to become productive as the group brainstormed several dozen possible options for how to address health care. Led again by Jackson, however, the exercise degenerated into pointlessness as the suggestions became more and more remote. Finally, a faculty member took control

of the situation and started to organize the options, restoring order to the process. Just as we were getting close to making some real progress, the District announced that we had reached our scheduled stopping time. The suggestion was made that we continue for a bit, but they indicated that some administrators "might" have meetings.

Before leaving, we set the next meeting for April 11th. Since we believed we were close to a consensus and that our mid-April deadline was looming, the proposal was made to first meet as a health benefits committee and then, once a proposal was made, move into negotiations. As things turned out, this was merely wishful thinking.

Before the April 11th meeting, Jackson informed the Association that someone would be giving a presentation for health care services provided by a group other than CalPERS. The committee had agreed at earlier meetings that moving out of the system would not be possible for 2009. However, getting more information would be helpful. After the presentation, Jackson said that he believed we should delay a final decision and get even

more information about switching out of CalPERS, at the same time acknowledging that such a move would not be possible for 2009. Throwing our original mid-April deadline away, we scheduled another meeting for May 22nd.

At our last meeting, we reviewed information and concluded, yet again, that moving out of CalPERS would not make any sense. The committee then made the recommendation noted earlier. The District was asked to schedule a negotiations session, which they did for **five** weeks later.



# The Narrative continues

## Health care negotiations lead nowhere.

At the June 26th negotiations meeting, the District as usual showed up with no proposals in hand. This contrasted sharply with the Association team who had prepared a three-page health care proposal complete with financial analyses. The plan was essentially the same as the one proposed over a month earlier by the benefits committee, with important details included. Despite having two Board meetings since the committee recommendation was made, having legal counsel present, and two college vice-presidents in the room, the District noted that they could not make a decision and would have to take the proposal to the Board.



## The District unilaterally denies all health care changes.

All of these events brought us to Friday night, July 25th at 5:08 pm. This is when the District lawyer, Jackson, sent an email to the Association stating that the “Board” was “resolute against any modification to the two tier system”. They were also not very interested in offering the chance to move to PerChoice in exchange for a salary increase. Why this turn of events was only transmitted at the last minute is open to speculation.

If things were not interesting enough, the bargaining session on Monday raised even more questions. First, the District negotiators changed their story, noting that “the District”, not “the Board”, was responsible for the decision and that the District included the Board, administration, and the negotiating team. When asked by the Association when the negotiating team met with the Board, they refused to answer. Also curious was the fact that President Ted Martinez had signed in on the negotiations roll sheet,

presumably meeting with the negotiating team just prior to our meeting, something never done before.

When Jackson was asked why, after a year and a half of championing the move to PersChoice, this was taken off the table, he did nothing more than acknowledge the apparent change in position. More importantly, the Association pointed out that the District knew since February that the two-tier system was a primary concern of faculty and was included in the tentative agreement from November. Why had the negotiating team not asked the Board about this months earlier? After all, insufficient authority to reach agreement is indicative of bad faith bargaining, a violation of the law. Jackson deftly parried the issue by noting that the benefits committee meetings were not bargaining sessions and therefore not subject to bad faith. Such a despicable response is perhaps the best place to end this narrative.

## Superheroes deserve our thanks.

What do you call people who dedicate themselves to long hours of frustrating and often thankless work, who fight battles against cunning foes, facing seemingly insurmountable odds? Okay, yes, most would call them crazy. However, the more appropriate descriptor is superheroes. For the last eighteen months, negotiators Doreen Kaller and Jim Chandler have worked tirelessly with me for the faculty association with no compensation. To adequately describe their efforts would require another page in this update. Thanks also go to Carolyn Russell, Lynette Nyaggah, Jennifer Fernandez, and Rodney Lineweber (who was fired from Rio Hondo) who were on the team for many months. We appreciate the work of Ted Preston, Mike Slavich, and Herb Sussman (retired) were on the health benefits committee with Doreen, Jim, and I. Robin Devitt, from CCA, provided valuable assistance throughout the process.

