TAKE ME TO YOUR LEADER

As a philosopher, I tend to take a larger view of what most people are doing. Sure, this action might be practical, but what does it mean in the larger context? I know that this isn’t unique to philosophy, most of the humanities and sciences are also interested in the larger picture.

So as president of the UFO, I’m trying to take a larger view of the union. Our union will exist for longer than any of us will be teaching at Ohlone (hopefully). This puts the union in a position of weighing the long-term good of the faculty against the individual short-term needs of the faculty now. Right now, people need money. Part-timers need sections to teach, and we all need to stretch our dollars more than we’re used to. This wasn’t lost to me when I proposed that we raise dues at the beginning of the semester. I was treasurer before I was president and this idea has been brewing within me for quite a while. Being president has its perks, one of them being your ideas suddenly get a lot more attention, since you determine what gets attention.

The way I see it, the primary mission of the UFO is to protect its constituents. Negotiating better pay and more benefits are all secondary to the primary mission. This isn’t to say that these aren’t important. Fortunately for us, we haven’t had to protect our constituents in court, as other unions have had to. I hope we never have to. But in order to fulfill our primary mission, the union needs more money.

When I e-mailed the faculty earlier in the semester about this topic, a common response, was “What has the union done for me lately?” If you’re unaware of the changes in the contract (our secondary mission) as of late, I invite you to ask Heather McCarthy or Darren Bardell. Either can give you a laundry list of fantastic improvements that have been made recently to the contract. But ultimately, I think the question itself is a bad question. I don’t ask my seat belt in my car “What have you done for me lately?” This is a narrow short-term view of the situation. Rather I should ask my seat belt, “What are you capable of doing for me when I really need you?”

The honest answer to that question is it depends on the kind of accident that you have. If you’re in a fender bender, we can do pretty well in protecting you. But if you’re in a pretty serious accident, then we may not have the resources to protect you.

I also understand that people are wary giving money to the union, since they’re not entirely sure how it might be spent. I have no doubts at all in our executive board’s judgment on how we should spend your money. This, as far as I know, has never been an issue in the past. The majority of our expenditures are on two things, legal consultation for the improvement of the contract or for complaints and grievances, and the president’s stipend. Before I leave as president, I’d like to change the UFO by-laws so that if the Executive Board ever spends money on anything besides the typical expenditures that we currently have, that it would have to be publicly announced to the faculty so that there is genuine transparency, and the faculty can act as oversight of the Executive Board’s decisions with your money. The Union will outlast this executive board and me. We shouldn’t assume that the moral character of the board would be of the same quality that it currently is.
**SPECIAL ISSUES**

**ON RAISING DUES...**
*From the desk of the UFO President, Wayne Yuen*

As a follow up to the discussion we began at the Fixed Flex day, about raising our dues, I’d like to take this opportunity to present an insight into the UFO’s expenses versus earnings and end the article on a comparative chart of dues of other CC’s.

If we take the calendar 2011 year as an example of our income versus expenses:

- We brought in, through dues: $26,429.00
- Our total expenditures were: $20,125.89
- Which puts $6303.11 in the bank for future use.

For those of you that want to know where the $20k we spent went, here is the rough breakdown of our expenses rounded up and down where appropriate:

- $9,000 a year (~750 a month) for the president’s stipend
- $2,000 went to the CPA
- $1,200 CCCI dues (this is our affiliation with other independent community college unions)
- $6,000 to our lawyer
- $1,800 for miscellaneous things such as couple of IRS fines (last year), voting related expenses, the newsletter, and reimbursement for conference/meeting attendance.

Our income is tied to part-time and full time dues, so in 2011, we had a decrease in dues because of the SERP. We also collect fewer dollars in the summer, and obviously adjunct income fluctuates with how many adjuncts we have. None of this income accounts for the interest that we received in our interest bearing accounts (Two CDs at Bank of America and an investment account with Franklin Templeton).

Expenditures also fluctuates. The simple expenditure is the monthly stipend that the president earns, and the taxes, EDD expenses that comes with that, and our retainer fee to our lawyer. Our legal fees have gone up significantly, since we have been consulting with our legal counsel more regularly, to get you the (awesome!) contract that Heather and Darren negotiated. Other miscellaneous bills would be our membership fees to larger union groups, that provide us important information of what’s going on in other districts, and at the state level. The new expenditures that we’re adding to all of this is our CPA fees. The UFO has not been filing yearly taxes, even though we should have been, as I discovered when I took over the position of treasurer. Our CPA will charge us probably around $2000 to prepare our yearly tax return.

Our current total balance of assets is: $155,309.85. (This is as of January. The numbers are a little old, only because in transitioning to the new semester, we got a new treasurer, when I vacated the post for President. But exact dollars and cents isn’t particularly relevant for this discussion. But if you would like a more exact break down of our expenditures and income, I can give it to you, it would just take some time to break it all down).

Finally there is the concern about a lawsuit. I asked our lawyer, Robert Bezemek, what it would a lawsuit would cost. This was his reply:

> “Lawsuits vary so widely in cost and time, that a general estimate is not easy to provide. For violations of the collective bargaining law - that is, a charge with PERB, it all depends on the cost of putting together the charge, the time involved for research, settlement efforts, trial before PERB and briefing. And these cases can settle at any stage. I just finished a two day PERB trial where the cost of the entire matter, including a couple years of build up, is about $45,000. There is about $1 million at issue in backpay and retirement benefits. The case was very complicated from a legal standpoint. I can forward you my brief if you are interested, and we are awaiting decision.

Simple arbitrations - i.e. 1 or 2 days, are far cheaper than long arbitrations - 3-8 days, for example. Cost can run from $10,000-15,000 up to $100,000. The UPM case where we won about $2 million in backpay was quite high, given the lengthy and complicated bargaining history.

As for court - most union cases take the form of petitions for writs of mandate - the cost in the Fresno retirees case (FURA v. FUSD), which involved retiree health benefits for 4,000 union retirees and others, was more $1 million, but fortunately the District was ordered to pay the legal fees. The retirees won $5 million in back contributions, and no premiums for life - worth millions.

A simple mandate petition can be in the $15,000 - 30,000 range. A 50% law lawsuit, we've done several, would be very expensive”.

If we were to run into a long arbitration process, a significant legal battle, etc. we could easily be bankrupted by it. This also puts us at a significant disadvantage in negotiations since we couldn't really threaten a lawsuit, and have the money to back up that threat, if it were to come to this. (Apparently in the past, negotiations have come to this, but not in recent history.)

We currently have a president that seems a little... disconnected from the beliefs and general morale of the faculty. Moreover, I'll point out, like Heather did earlier in her email to the faculty, that our normal UFO/Faculty Senate Flex day meeting was replaced by a faculty led discussion on Benefits, hosted by the Faculty Senate, whom invited the UFO to make our presentation. That was largely Dr. Browning's work which doesn't show good will or congenial cooperation towards the union. (But I will point out that what Dr. Browning did was perfectly legal, and I'm not denying her legal right to do so.) I am genuinely concerned that our, so far, non-litigious union will need to engage in legal
action to defend the rights of our faculty in the future. I don’t want to engage in legal action, and I will try my best to take steps to avoid legal action on the part of the union by using more diplomatic channels, but being concerned of our long term financial situation limits our ability to fully defend the interests of the faculty.

Remember that raising dues would require a faculty vote. If you have other concerns or questions, please let me know. Also let me know if you think raising dues is a good idea or not. The more I know about what the faculty thinks and wants, the better I can serve you.

**Dues Comparison Chart**

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<th>DISTRICT</th>
<th>FULL TIME DUES RATE</th>
<th>EXAMPLE: Annual dues, based on $100,000 gross annual salary/overload</th>
<th>PART TIME DUES RATE</th>
<th>EXAMPLE: Annual dues, based on 9 units/semester, assuming $4k per 3 unit class = $24,000 gross</th>
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<td>Peralta*</td>
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<td>Flat Rate: $17.34 for 3 units or less; $36.05 for more than 3 units</td>
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<td>San Francisco*</td>
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<td>1.26% of gross on all earnings</td>
<td><strong>$302.40</strong></td>
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<td><strong>$288</strong></td>
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<tr>
<td>West Valley/Mission</td>
<td>1% of base salary</td>
<td><strong>$1000</strong></td>
<td>0.5% of gross on all earnings</td>
<td><strong>$120</strong></td>
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</table>

* = Denotes CFT Local

Data collected by FA, AFT 6157-SJECCD Fall 2011

**Interview**

Close Encounters Editor, Anu Ganguly, interviews Ohlone College President/Superintendent, Dr. Gari Browning.

**Editor:** Faculty are concerned about the formula being used to calculate faculty compensation in the environmental scan. Darren and Heather have been to the board to raise the issue directly, they also encouraged faculty to write to the board about the issue, and this came up in the faculty forum when you visited. Can you please update faculty on what is being done regarding the inaccurate formula being used and when the environmental scan data will be corrected?

**Dr. Browning:** I know you want me to acknowledge the point of view that the data presented by some faculty about compensation is valid. I understand that. However, the issue is not black and white. In order to represent faculty and administrative compensation fairly and be able to compare it to that of other colleges, we have to take into account the fact that some faculty and administrators do not use the money included in their salaries to purchase benefits. Depending on whether they have benefits through another source, they are able to keep some or all of the amount that was added to their salaries for benefits. Simply reducing the average salary amount by the cost of district benefits does not take this fact into account. Also, the original impact and purpose for counting benefits as salary was to increase the STRS or PERS pension amount they are eligible for upon retirement. This is a long-term benefit that needs to be part of the calculation for compensation picture to be accurate, as well. Still, as benefit costs rise, these employees are paying more and more, and consequently reducing their total compensation. I would like to find a remedy for this situation and would welcome discussion with UFO leaders along these lines.

**Editor:** Did you consider hiring an outside consultant to come in and help reorganize the college, especially at the administrative level? If so, why did you decide not to? If not, will you?

**Dr. Browning:** To determine the administrative structure that would work best for Ohlone, I consulted closely with the administrators who have responsibility for the affected areas. I also asked the college community for input on changes and received 27 pages of ideas, some of which I was able to incorporate into the administrative structure. Among the suggestions was one to hire such a consultant, but no rationale for using district funds in this way was offered. In my experience, every college is different, and taking advantage of individuals’ experience and talents is key to organizing administration effectively. I believe we were able to use our internal expertise, including the great input I received from faculty and staff, to craft a reasonable reorganization that will be effective. No concerns about the new structure have been expressed so far; but if there are any, I am open to hearing them.

**Editor:** Some faculty on campus have had their computers die, or they are 5 years or older and can’t run current software programs needed for instruction. Faculty have been told there is no money for new computers and there are not reliable computers available to replace broken machines. The result is that some faculty have purchased computers with their own money. Faculty feel like this is a work place issue and want to know when and how it will be resolved. Can you please share your plan for funding the large scale computer replacement that needs to happen?
Dr. Browning: A few years ago, when Jeff O’Connell chaired the Tech Committee, he and Bruce Griffin developed a plan that allowed the worst computers to be replaced first. Using the list, machines were replaced when funding was available. Last week Rob Smedfjeld and Bruce updated the list again. The list, which will have a few changes, can be found here:

http://www2.ohlone.edu/people2/rsmedfjeld/tech/docs/facultycomputers/faculty_computer_replacement_list.pdf

Bond funding can be used immediately for computer purchases, and we hope to purchase about 50 PC’s to prepare for a full rollout. Both Apple and Dell will be shipping demo units for faculty review later this month. We have also set aside $10 million of Measure G funds to allow us to keep pace with technology in the future.

Editor: What would you tell faculty who are still upset over your pay raise?

Dr. Browning: This topic was vetted in several forums. I would simply repeat that the Board determined that I was underpaid compared to other superintendent/presidents in the area and that I deserved a raise. I would remind them also that I participated in both rounds of furloughs.

Editor: Rumors have been circulating among both staff and faculty that you had a large screen TV purchased and installed in your office at an expense of roughly $6k for teleconferencing purposes? Is this true? And if so, faculty would like to know why you opted to spend limited resources in these times of financial difficulty on this TV when there are other options available on campus for teleconferencing?

Dr. Browning: This is true, but the monitor cost $3,217 plus installation and was purchased with Measure G funds specifically to allow groups to view bond plans, maps, and spreadsheets rather than for teleconferencing or watching TV. Several times a week, the Measure G staff and vice presidents meet in the conference portion of my office to discuss bond documents. Having an efficient way to look at the large maps and spreadsheets is very helpful and saves time.

Editor: There has been some general confusion regarding your support staff, since there are two assistants that sit in your space. Could you please clarify for faculty what the roles of the two support staff that sit in your office are? Do both of them assist you in some capacity, or does only one assist you and the other simply sit in your space and provide no support or assistance to you?

Dr. Browning: Both assistants support me but in different capacities. The staffing arrangement in my office is long-standing and typical of community colleges. I have an assistant who manages the office, handles my appointments and schedule, organizes key meetings and events, handles contact with the public, and manages the President’s office budget. I also have an assistant who supports the Board of Trustees operation, meeting agendas and materials, Board policy updates, Board committees, Board correspondence, policy and related research, and Board travel. She acts as staff to Board meetings, as well. This arrangement reflects the dual nature of my responsibilities—college operations and the Board of Trustees function.

Editor: Anything else you might want to say to the Ohlone Faculty?

Dr. Browning: I want to thank Anu Ganguly for bringing these questions to my attention and giving me the opportunity to address them in the UFO newsletter. I am always interested in questions faculty have and more than willing to address them directly. Again, I want to thank Anu for providing this forum for responding. I hope we can do this on a regular basis.

Note: These questions were brought to the Editor’s desk by the Ohlone College faculty and were presented to Dr. Browning exactly as they were asked.

EDITORS’S CORNER

Dear Editor,

There are so many great things about working for the Ohlone College that sometimes I almost feel guilty to complain about anything. Besides, I am married to a professor at San Francisco City College and, believe me, they seem to have it worse than we do in many respects. Nevertheless, there is one thing I noticed while working here for almost fourteen years: some (even small) decisions seem to take years of effort and committee work without much resulting movement (take, for instance, the lab vs. lecture teaching load situation, or the location and public access to our museum of paleontology), yet other, often major, changes seem to take place so fast that I often feel caught unawares. Perhaps, it is my fault for staying out of the loop, and yet I still feel we as faculty should have more input. I'll just cite a few examples. Like the fact that our academic calendar has changed, so that now we start our spring semester a week earlier than most Bay Area community colleges, so my wife and I can no longer spend a spring break together. It is not that I am being selfish and think the decision was wrong. But was there a chance for a debate on this, so that we could express our opinions in time? Or the fact that online education has switched platforms to Blackboard, which is perhaps a more powerful but a far less user-friendly and intuitive program than our previous platform WebCT? This was a major decision that affected both faculty and online students, but was there ever a discussion of pro's and con's? Perhaps, I am missing something here, so please feel free to enlighten me. But here is the main reason for my letter.

This winter I was due to apply for a sabbatical leave for the next academic year. I had major research and professional development plans, including grant proposals, etc. Then I found out to my dismay that sabbatical program was suspended, and no sabbaticals were granted this year. I also found out that only those who applied for sabbatical LAST year would be considered for leave NEXT year (and that just a couple would be granted), which would mean I should not even bother to apply until possibly next year for the year after, at best. I realize that we are all facing a budget crisis and need to make sacrifices, but
I feel it is a huge sacrifice that only affects the faculty. I wrote to President Browning, and she replied promptly and explained in detail the administration's position on the temporary suspension of the sabbatical program. She also reiterated her strong commitment to the sabbatical program in the future. I was happy to hear that and hope that the program will be back on track as soon as possible. But I also found out from her that our union has recently won concessions in our current contract concerning the sabbatical program. That is, now faculty is compensated 100% (instead of 80%) in salary for a 1-semester leave and 70% (instead of 60%) for year-long leave. That sounds great, but I want to ask - is this an improvement if it made the program more expensive and gave further grounds for the administration to suspend it, albeit temporarily (we hope)? I was and would be content with the previous level of compensation, especially if it means that more sabbaticals would be granted, rather than to have the lucky few be fully compensated.

Please bring the program back, even if it takes renegotiation! I can only dare to speak for science faculty, but for us sabbatical leaves are a lifeblood. University faculty get them on average every 2 years, state college faculty - every 4 years, and we at community colleges - every 6 years. We deserve them, and we need them. They keep us growing intellectually and professionally, provide motivation for continued leading-edge teaching, maintain our active engagement in our field, and help us publish new science and earn the respect of our academic colleagues. How can I be engaged in collaborative research and keep my scientific edge honed if I had to tell my collaborators from other colleges and universities that my sabbatical leave will not happen, and that I will not be able to participate in planned field research with them for the next couple of years? For me it is a major blow, and I don't think I am alone in my disappointment.

The sabbatical program needs our support, let’s join efforts with Dr. Browning and the UFO in restoring and improving it. It is an essential part of our academic freedom and one of the most powerful reasons why the morale of Ohlone faculty members like myself has remained so high over all these years.

—Paul Belasky

**Faculty Contribution**

**LAB LECTURE EQUITY UPDATE**

*Alison Kuehner*

This article is an update on the work that has been done by the union to investigate the working conditions and compensation as part of faculty lab assignments. First, a brief recap of last year’s progress, then an update on the work done spring semester 2012.

In the spring of 2011, a committee of four faculty (none of whom had a lab assignment) surveyed the Ohlone faculty about their lab duties and gathered data from other colleges about lab assignments. Based on this work, the committee recommended classifying labs into clearly defined categories.
The World is a book, and those who do not travel read only a page. —Augustine

Remember your first venture abroad, when the world suddenly became a bigger and brighter place?

Feel free to spread the word to your students about a London-Paris trip in June 2013—early sign-up translates into deep discounts.

Links:
http://www.ohlone.edu/org/studyabroad/londonparis

http://www.sandratpark.com/main/Teaching.html

Quick facts:
$3,044 = includes roundtrip airfare, hotel, daily breakfast, some meals, tour guide, train from England to France, admission to Versailles, Louvre, Notre Dame. Optional side trips to Windsor Castle, Oxford, coast of Normandy. 8 to 10 travel days.

Hybrid course:
English 127, Journals and Memoirs, 3 academic credits. An introduction to London and Paris as art and literary destinations. Students interested in journalism, creative writing, photography, fashion, music, food, or art will develop their creative process as they contribute to a collaborative, multi-media travel blog.

Invite your students to what Hemingway and the Lost Generation in Paris thought of as “a moveable feast” – how sitting at a sidewalk café can be an epic feast, a lifetime memory —!

Questions? Email spark@ohlone.edu or sandrapark04@yahoo.com

A SALARY COMPARISON

Carol Lawton - Part-Time Faculty Representative-at-Large

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<th>CCC</th>
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<th>Highest step lecture $</th>
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* Lower than Ohlone

We want to hear from you

Please send your comments and feedback regarding this newsletter to the editor at aganguly@ohlone.edu

This newsletter is a publication of the United Faculty of Ohlone