

union action

VOICE OF AFT 2121



Labor in San Francisco

Young Workers United reaches out to immigrants and youth

4-5



San Francisco
Community College
Federation of Teachers

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By Alisa Messer, AFT 2121 President

This year, the California Federation of Teachers, our statewide affiliate, had the foresight and the courage to push Proposition 25 onto the ballot and through to a winning campaign. Many said obtaining a simple majority vote for the state's budget could not happen in this climate, but the CFT took a calculated political risk to stand up for something that we knew would have a long-term, positive effect on the state's budget process. That risk paid off because we worked to make it happen: across the state, our locals engaged in a vigorous outreach campaign in coalition with other unions and community groups.

This election cycle, California did better than any state in getting out the labor vote. Among California labor unions, the CFT—spurred in part by Prop 25 and by a new internal organizing initiative—was at the very top of the heap in terms of getting out the vote for labor, working families, and education.

For our part, AFT 2121 ran an ambitious and unprecedented internal organizing effort, leading to direct contact with and commitments from the majority of our membership—and as you know, it's not always easy to find you. I want to thank the many volunteers and precinct reps who contributed to the internal and external campaigns, in particular the tireless Barbara Shaw, who logged more volunteer shifts than any other AFT 2121 member. And I expressly want to thank our outstanding field organizers, Mark Piper and Galina Gerasimova, who worked with the CFT's Ed Wong to make our 2121 campaign one of the most successful internal organizing efforts within the CFT.

Your responsiveness to this campaign demonstrates the commitment of our members to supporting public education and public services, and it shows your interest in strengthening our local and its impact.

But the majority of the challenges we faced prior to Election Day remain, so we need to keep organizing. Here's a simple request: join the Committee on Political Education. Our COPE fund allows AFT 2121

The election and beyond

to participate in the political process through contributions to candidates and issues, but our fund is small for our size. Growing the fund will help us commit resources to the kind of continued organizing we'll need to do to defend the City College budget and public education in California. Join by deducting a small amount per paycheck toward this fund: \$5 is an excellent starting contribution to COPE.

Proposition 25's passage is a true victory, but Proposition 24's defeat will leave a substantial hole in the state's budget. If we are unable to educate the California electorate by running a successful campaign to close corporate loopholes and repeal corporate tax cuts that have not yet gone into effect, we clearly have a problem. And with the passage of Proposition 26, which puts many fees into the same super-majority category as taxes, California's hands are tied even further—yet another reason to contribute to COPE and to be ready for more participation and action.

California acted as a firewall on November 2, electing Democratic and, in some cases, progressive candidates. San Francisco also bucked a trend by defeating Proposition B, which sought take-backs in pensions and dependent healthcare. The other 12 anti-worker, pension-related measures in the state won easily, and early polling showed that San Franciscans were in overwhelming support of Prop B, so the 57% “no” vote against B testifies to what organizing and educating accomplished.

The conversations and draconian actions about workers' pensions, including CalSTRS, won't stop now that the election is over. Public workers are under pressure, and while much of the pressure stems from concerns about shrinking and underfunded budgets, many of the resulting “solutions” play straight into the hands of the conservative and tea party anti-services mantra labeling government the enemy. But government, though generally imperfect and eminently improvable, is where we get our roads, our educations, our courts, our safety and safety nets. Investing in government is about investing in our communities.

Austerity measures, cutbacks, and take aways are not the only possible “answer” to our budget crisis. For instance, San Francisco voters showed some willingness to think more proactively with the passage of Proposition N, which raised the real estate transfer tax on sales worth more than \$5 million. Economic crisis or no,

we are the richest state in the richest country on earth; there is money if we choose to focus our priorities. San Francisco workers, including all of us at City College, have already given up and given back taxpayer dollars and more, including benefits and health-care costs: we can only stretch so thin. Our students have given up too much as well, and even those who are able to get their classes are nonetheless succumbing to increasing despair about transfer as CSU and UC fees continue to rise.

Meanwhile educators, who comprise a large section of unionized public sector, face our own specific issues, such as the many crossed wires in the discussions about public education today. Both Bush's No Child Left Behind and the Obama administration's Race to the Top try to quantify student achievement and success in terms of numbers and bubbles on scantron forms. As in the recent film “Waiting for Superman,” they seek panaceas in charter schools and oversimplified solutions to challenging problems—even as they continue to defund. In this context, we are fortunate to have Diane Ravitch, once a key player in the implementation of No Child Left Behind, as a new voice championing our profession. Her recent work advocates for public education and against increased privatization and reliance on testing. One of her refrains is that “education is not a race; it's a right.”

There are also challenges to colleges and universities as more reports surface about low completion rates for community colleges and we rely more on private funding and fundraising. We need to think clearly about our most vulnerable students, their access to college education, and how to help them succeed. Revenue and progressive taxation need to be part of the program; we cannot further cut our budgets or tighten our belts and expect positive results.

We can always do more to improve education, health, public safety, and other public services—and we should, we must. But competition, coercion, and starvation are not the answers, and until we help educate the public to rethink revenue and recognize that taxation and budget are a matter of priorities rather than scarcity, we'll be continuing to fight over far too few pie scraps to serve our students and support our families while the corporations and their CEOs roll in all the dough. (amesser@aft2121.org)

On the cover:

Josué Argüelles and Tiffany Crain, co-directors of Young Workers United, lead a presentation about workplace rights. See article on page 5.

Photo by Emily Wilson

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For-profit schools: Bad for students, bad for taxpayers

By Emily Wilson, Editor

People need to be aware of the explosive growth of for-profits in higher education in the last couple of years,” said Carl Friedlander, the Community College Council President for the California Federation of Teachers.

He’s not kidding. According to *The Economist*, enrollment at for-profits jumped by 225 percent in the ten years between 1998 and 2008. That’s more than seven times the rate for other types of higher education.

They often hold out false hopes to students of how long it will take to get through programs and how they’ll find high-paying jobs

The biggest of the for-profit colleges, the University of Phoenix, run by the Apollo Group, has nearly half a million students. This means billions of dollars in federal loans and grants—about \$24 billion in 2008-09.

Friedlander says a good amount of federal money goes to recruitment and public relations, which is part of the reason the proprietary colleges have attracted so many students.

“They often hold out false hopes to students of how long it will take to get through programs and how they’ll find high-paying jobs,” he said. “It’s hard to compete with that. We don’t have the resources, and we’re not going to lie about the possibilities.”

With the cuts to community colleges, students often struggle to find the classes they need, making for-profits appealing.

“Community colleges are starved, and the for-profits say, ‘See, the community colleges can’t handle the growth, so here we are,’” said Craig Smith, Director of Higher Education for the American Federation of Teachers. “In your case, that’s what happened with Kaplan.”

Smith is referring to a memorandum of understanding (MOU) the California Community Colleges Chancellor’s Office signed with Kaplan early in the year, letting students take online Kaplan classes at a discount.

The deal stunned him and his colleagues, Friedlander said.

“It was fraught with all these problems like little accountability and high cost and poor-quality classes,” he said. “There was no consultation about it, which outraged a lot of us.”

Friedlander urged the Chancellor, Jack Scott, to create a task force to review the MOU. He did and ended up terminating the agreement with Kaplan. Stories in the media about fraud in the proprietary colleges—with recruiters caught on tape lying to undercover investigators, for example—certainly helped, Friedlander said.

Smith said since recruiters often get paid for every student they get in the door, they will go to lengths such as going to homeless shelters to sign students up.

“In the ‘90s there were the Nunn Hearings,” Smith said. “And they said ‘Holy cow, there’s all this fraud and abuse.’ They put in place all these regulations to stop it. Slowly, provisions have been eroded under the Bush administration. We fought them being gutted like crazy, but they were—and surprise, surprise, now there’s all kinds of fraud and abuse in this sector.”

Many of the programs seem to offer a good possibility of moving into a job right after graduation, such as culinary arts, technology, or the medical field. But the recruiters misrepresent what the programs cost and the job possibilities once students finish, Smith said.

“They have all these impressive-sounding titles like ‘occupational nurse’ that pay very little,” he said.

When students graduate, often they not only have a difficult time finding a good-paying job, but a huge amount of debt, Smith said.

“Students at for-profits are far more likely to take out loans,” he said. “On average they borrow over \$30,000, and they also have a very high default rate—close to 50 percent. And it’s the worst debt to try and get rid of. It doesn’t get forgiven at bankruptcy; it doesn’t get forgiven at death.”

This is more than a student concern, Smith said—it’s a taxpayer concern, as well.

“Our perspective has always been education and for-profit are in conflict,” he said. “Huge amounts of federal dollars are going into that sector with Pell Grants and student loans.”

The mission of the for-profit colleges is, well, to make a profit, Smith said. He says they are obligated to shareholders, not students.

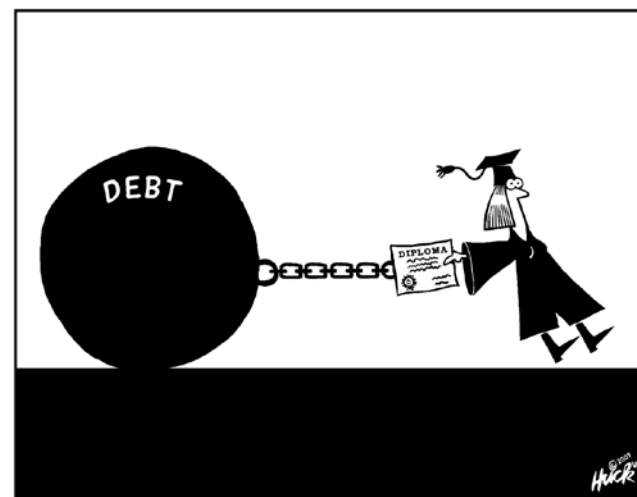
This is one of the reasons that students get a better education at community colleges than at proprietary colleges, Friedlander says.

“First of all, there’s obviously no comparison with cost, and I believe that the quality of education is far superior at community colleges,” he said. “From talking to people who have worked there, it’s a machine—you’re plugged in and there’s a very set curriculum you follow. It’s not a faculty who are engaged—it’s all laid out for you, and you’re a cog in the wheel.”

Tom Harkin (D-Iowa) has been leading Senate hearings on the industry, and he praised recent regulations from the Department of Education that require for-profit colleges to



University of Puerto Rico law student Gamelyn Oduardo helped organize a successful two-month strike that shut down all eleven campuses of the UPR to stave off fee hikes and prevent the selling of university resources. With other unions and community organizations, AFT 2121 endorsed Oduardo’s October tour to Los Angeles and the Bay Area, during which he spoke about the UPR student strike to classes at CCSF and UC Berkeley and participated in events in the community such as at the Mission Cultural Center (above). His visit also included an address to students, faculty, and staff at the statewide Conference to Defend Public Education held at San Francisco State on October 30–31st, which subsequently voted to organize a Nationwide Day of Strike/Direct Action to Reclaim Education on March 2, 2011.



provide prospective students with the program rates of graduation and employment as well as provide the department with reports on student debt and incomes. A controversial regulation on “gainful employment,” if it were enacted, would cut off federal aid to programs if 65 percent of students default on their loans.

Smith says especially after the election it’s important to be vigilant on this issue.

“There’s a chunk of people who don’t support higher education,” he said. “They see it as a private luxury as opposed to a public good, and they see public colleges as wasteful, and there are some people who really believe that.” (ewilson@ccsf.edu)

What's happening with labor in San Francisco

San Francisco Labor Council

The San Francisco Labor Council, affiliated with more than 150 unions representing about 100,000 union members in the city, is the local body of the AFL-CIO. A member organization, AFT 2121 connects to and works with SF's labor community through the Council, with nine elected delegates and a seat on its Executive Committee. The Council concentrates on political and legislative action and spent much of the fall on the November 2 election.

Now, with the precincts walked, votes counted, Proposition B defeated and Proposition N passed, the Council continues its work of communicating and organizing around the issues of local workers and their families and holding elected officials accountable.

Workforce development is one of the issues they are concentrating on now, says Tim Paulson, the council's Executive Director. Paulson says with the help of the UC Berkeley Labor Center, they have developed and are implementing a



plan for workforce development in San Francisco, particularly in the southeastern neighborhoods of the city.

Paulson said other things they are working on include local hire issues, joining with the hotel workers and Local 2 to fight for a contract, and making sure schools stay open.

"We very much want to make sure this administration does the right thing," Paulson said. "They already bailed out Wall Street—now we want to make sure they bail out Main Street. That means stimulus money for schools and bridges and highways."

Rev. Israel Alvaran (below), an interfaith organizer who works with UniteHere! Local 2, visited the AFT 2121 General Membership meeting with fellow organizer Powell DeGange in October to discuss the current struggles San Francisco hotel workers are facing, as well as opportunities for City College students to get more involved through internships and class presentations. For more info, contact Mark Westerberg, mwesterberg@unitehere.org, 415-864-8770 x748.

Local 2 - UniteHere!

In October, more than 800 workers walked off the job at the Hilton Union Square, the largest hotel in San Francisco, for a six-day strike to protest the contract they were being offered.

The Blackstone Group, a large private equity firm, owns Hilton Worldwide, and UniteHere! Local 2, representing

12,000 hospitality workers in San Francisco and San Mateo Counties, is setting the corporation

in its sites. CalSTRS, which holds significant stock in the corporation, is already on notice: the treatment of Blackstone's hotel workers matters to education workers in the state.

"They're willing to give their executives a 12 percent increase, but these workers have been without a contract for over 14 months," said Riddhi Mehta with Local 2. "These hotels can't talk out of both sides of their mouths, telling investors they're doing great, and pleading poverty at the bargaining table, trying to lock these workers into permanent recession contracts."

Mehta said the contract being offered would freeze pensions and wages as well as increase workloads, requir-

ing housekeepers to clean 20 rooms a day instead of 14.

There are nine other hotels in San Francisco that are under boycott besides the Hilton Union Square; a full list can be found at www.hotelworkersrising.org.

Mehta asks organizations to be mindful of which hotels are under boycott, especially with holiday parties coming up. CCSF faculty can help by making sure professional organizations respect the boycotts. She points out this issue affects more than just the hotel workers.

"If these workers don't secure a fair contract, they could have to pay \$200 more a month for family medical, and they'll have to rely on city health care services, which is more burden on our public system," she said. "If Blackstone and the Hyatt and Starwood succeed in their agenda, we'll definitely see an increase in workers in the public welfare system."



Jobs with Justice

Supporting Local 2 and the hotel workers' struggle is one of the priorities of Jobs with Justice, says Gordon Mar, the coordinator of Jobs with Justice San Francisco, a newly convened alliance of labor, community, faith-based, and student organizations working for economic and social justice. AFT 2121 formally joined the group at September's Delegate Assembly meeting. Progressive revenue is another one. It's good news that local real estate transfer tax Proposition N passed, Mar says, but now he would like to see what else could happen.

"We're planning to continue building a progressive revenue coalition, bringing together unions and community groups," he said. "I was just talking to John Rizzo on the San Francisco Community College Board, and he's interested in a revenue measure."

The other priority the group has is supporting unions at the California Pacific Medical Center, Mar said.

"There's a range of community groups that have campaigns with CPMC to ensure health care stays accessible for low income residents," he said. "There's also the related issue of making sure St. Luke's is rebuilt as a full service hospital and isn't downsized so the residents of San Francisco have access to good medical care."



Learn more and help your students learn more about the movement for justice for restaurant workers in San Francisco at a CCSF conference presented by Labor and Community Studies:

Wednesday, Dec. 1
 11am-12 noon,
 12-1pm and 1-2pm
 Visual Arts 115,
 Ocean Campus

Thursday, Dec. 2
 9:30-11 am, 11 am-12:30pm,
 and 12:30-2pm
 Upper Level Student Union,
 Ocean Campus

Young Workers United visit CCSF classes to tell students about workplace rights

By Emily Wilson, Editor

Students in Allan Fisher's Level 1 ESL class are learning some things about their rights as workers. Being fired because the boss doesn't like you? Legal. Getting fired and having your check sent to you by mail? Illegal.

Josué Argüelles and Tiffany Crain, co-directors of Young Workers United, lead the presentation, calling on students to read questions about workplace issues, and then, by a show of hands, say what they think is legal or illegal. Sometimes they act out a situation, such as Argüelles breaking something and Crain, playing the role of the boss, telling him she'll just take the cost out of his tip jar (definitely illegal).

The students express surprise about some things employers can do legally, such as assigning workers more duties without extra pay or verbally abusing a worker. "It's not fair, but it is legal," Argüelles adds in Spanish. At the end of the presentation, Argüelles and Crain tell the students that if they want to get together to fight unfair but legal workplace behaviors, that isn't something the



bosses can stop. "One of your principle rights is the right to organize," Crain tells these.

Crain and Argüelles have already done two other class presentations for the day. The two, who have had a long relationship with City College, say these visits give them an opportunity to connect with two groups in particular.

"It's a really good place to be able to reach young people and immigrants," Crain says. "There's a lot of abuse going on in restaurants and these two groups are more abused than others."

Many of the young people and immigrants in his political science classes work in retail as well as restaurants, says City College instructor Mike Estrada. He thinks the presentation from Young Workers United brings them valuable information about democracy and challenging people in power.

"They talk about Walmart as the epitome of corporate greed," he says. "The students are very responsive. They're curious to hear about workplace rights. Many of my students are hearing about it for the first time."

Estrada says his students see Young Workers United as a place where they can get their questions answered and get support. Some of them volunteer with the group, at least for the semester.

City College students make up a good number of their couple hundred members, according to Argüelles. He says these students have a lot to offer.

"We see a lot of real leaders in this community," he says. "A lot of

them have just been waiting for an organization to step into."

Edgar Torres, chair of the Latin American and Latino Studies, would like to see more students getting involved.

"I always try to talk to students about being engaged and participating in many things that have to do with the future," he says. "I tell them you're only a small part of the population, but you're 100 percent of its future."

Torres thinks Young Workers United's history of organizing and working with immigrants is a great example for his students.

"They have a history of basically showing how this is done," Torres says.

The group has also done presentations in Terri Massin's ESL for Health Care Professionals and ESL for Child Care Professionals classes. She says she wants the students to have an idea of their rights and what sorts of things they can expect in the workplace.

"I think it surprises them to find out even if they don't have papers, they have rights," Massin says. "Also that minimum wage is specific to a city, and they are legally obligated to get breaks."

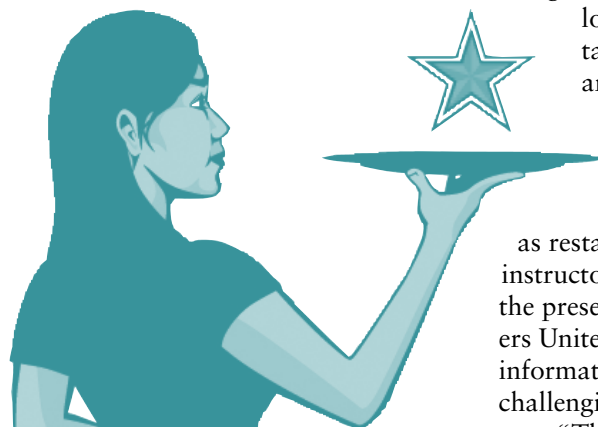
Working with City College faculty and students is satisfying, Crain says.

"I love meeting new students," she says. "I feel like there's a real sense of community, and I like seeing that realization that this is unfair and there's something they can do about it. It's like, 'Oh, I'm not alone.' That's exciting to watch and to be a part of." (ewilson@ccsf.edu)

Young Workers United would like to visit your class. Contact them at youngworkersunited@gmail.com or call (415) 621-4155.

Above right: Maria Osorio and Lourdes Rivera look over information from Young Workers United.

Below: A student in Allan Fisher's ESL class asks YWU co-directors Tiffany Crain and Josué Argüelles a question.



Part-timer committee takes on heavy issues

The most recent Part-Timer Committee meeting was held on October 29. Two on-going, unfinished issues were discussed, as well as several new concerns.

One Person, One Vote: This, you may remember, refers to the practice of the department chairs in conducting their elections to give part-timers a half-vote rather than the full vote of a full-time faculty member. When this problem became evident two years ago, we decided to cooperate with the chairs by waiting until their contract, which covers the matter, came up for renewal. Now, as it turns out, the chairs have rolled over their contract, leaving the issue unresolved.

State Disability Insurance (SDI): It was suggested that the issue had been pushed aside by concerns over pay reduction. It was agreed that part-timers need to be reminded of the issues involved with an election date to be set early in the next semester. Information about SDI will be posted on the website and distributed through the part-timer email list.

Our State-wide Representation

New part-timer state-wide leaders were introduced, including Sesmita Sengupta, newly elected to serve on the CFT's Community College Council as one of four Part-Timers at large, and Hugo Aparicio, newly

appointed to serve as AFT 2121's representative on CFT's Part-Time Faculty Committee.

Summer

Part of the discussion about CCSF's budget clarified that summer school, all but canceled for 2010, will be back in force for 2011. Currently an 80% summer program is planned.

Because the loss of summer school represented such a significant loss in income for those who regularly work it, particular part-time faculty, Marvin Schwartz led a discussion about how concerned faculty might keep in touch about the issue. He would like to create an email list to use as the issue of budgetary reductions moves forward in this and future budget cycles. For more detailed analysis from Marvin or to get onto his list, email marvschwartz@igc.org.

Consolidations

A matter of great interest to some of the faculty is the degree to which AFT 2121 has been supporting and encouraging consolidation of part-time faculty positions into full-time. There were two main areas of concern. One was frustration at our inability to control whether such positions actually end up going to our own part-timers. As it happens, most of them do, but who is hired depends

largely upon the specifics of the job description and the screening and interview instruments, which are in the hands of the hiring committees. Law requires that positions be advertised beyond the walls of the institution.

The other issue of concern to some is that as consolidations increase the number of full-timers and decrease the number of part-timers, the "cushion" of lower seniority part-timers, who presumably would be first to be let go in times of cutting back, will get thinner. Part of the basic consolidation agreement is that consolidations are not to result in layoffs, but at least one part-timer is concerned that protecting part-timers in a specific consolidation semester won't protect them two or three years hence in worse economic times. This part-timer is particularly worried that there is virtually no one left in his department to be let go before him. "What about part-timers who don't want full-time jobs?" he asks, in effect. "Consolidations are more a threat to us than a benefit." The general sense at the meeting, however, was that consolidations have been a good thing, with the proviso that chairs should not go overboard and that the ratio of full-timers to part-timers within each department needs to be considered. This ratio is already a factor in determining which departments are allowed consolidations.

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(how big is up to you)



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* New York State United Teachers members have insurance programs through NYSUT Member Benefits Trust. To obtain more information about these plans, members can call 800/626-8101. AFT + is your advocate. For information on all AFT + programs, call 800/238-1133, ext. 8643, or e-mail aftplus@aft.org. The AFT has an expense reimbursement and/or endorsement arrangement for marketing this program. For more information, please contact AFT Financial Services at 800/238-1133, ext. 4493; send an e-mail to disclosureinfo@aft.org; or visit www.aft.org/benefits/disclosure.

health benefit resource

San Francisco

Part-timers who live in San Francisco and do not qualify for health benefits with City College because they work less than 50% of a full-time load may find that they qualify for Healthy San Francisco, a program to provide health resources to San Francisco residents.

The Healthy San Francisco website is careful to point out that this is NOT insurance, and, in fact, you may retain any insurance that you may have, as it could provide the same services for less. The services that healthy San Francisco provides include:

- + Preventive and Routine Care
- + Prescription Medicines
- + Specialty Care
- + Urgency and Emergency Care
- + Hospital Care
- + Mental Health Care

Payment for services is on a sliding scale. Some services such as Vision, Dental, Acupuncture, and others

are not included. To see if you qualify, go to www.healthysanfrancisco.org/visitors/Who_Qualifies.aspx. In general you will qualify if

- + your combined family income is at or below 500% of the Federal Poverty Level.
- + you are a San Francisco resident who can provide proof of San Francisco residency;
- + you have been uninsured for at least 90 days;
- + you are not eligible for public insurance programs such as Medi-Cal, Healthy Families, or Healthy Kids
- + you are between the ages of 18 and 64

Any San Francisco resident in need of medical benefits should check this out.

The Faculty Association of the California Community Colleges also has a new option that might be of help to part-timers without health benefits. Visit the "Keenan" link on the FACCC home page, www.faccc.org, to learn more.

Upgrading part-timers and working on health benefits for retired part-timers

By Chris Hanzo, AFT 2121 Executive Director and Gus Goldstein, AFT 2121 Vice President

New, Expedited Temporary, Full-time Upgrade Process in the Works

AFT 2121 and the District are close to finishing a Full-time Temporary Upgrading Procedure at CCSF, subject to ratification by AFT and the CCSF Board of Trustees. This would allow for the filling of temporary vacancies other than Long-Term Substitutes (LTS) from within the District. Circumstances that may provide opportunities for temporary upgrade, consistent with the Education Code, include:

1. Sudden incapacity or death of the faculty member of record;
2. When hours can no longer legally be assigned to a Day-to-Day Substitute;
3. Sudden retirement/resignation of a faculty member;
4. When a faculty leave cannot be filled through the LTS hiring procedure because it is not known enough in advance;
5. Sudden increase in or demand for classes or services.

Full-time temporary upgrade refers to part-time faculty who would receive assignments under the new upgrading procedure above 67% of a full-time load for less than one full semester (dubbed "Short-Term Temporary" or STT) or for one full semester (dubbed "Long-Term Temporary" or LTT).

Under the Ed Code, part-time faculty members are limited to full-time temporary service (LTS, STT, or LTT) for no more than two semesters in any three-year period.

Compensation for part-timers who receive temporary upgrade under the new procedure to above 67% of a full-time load will be at 100% pro-rata pay instead of the current 86% pro-rata pay rate. For example:

Part-timer at F+30, Step 9, Semester Pay:

60% load at 86% pro-rata = \$19,639
 100% load at 86% pro-rata = \$32,731
 100% load at 100% pro-rata = \$38,060
 Difference in pay at 100% FTE = \$5,328

Expedited Upgrading Procedure

When temporary vacancies arise, Chairs may first seek to cover these vacancies by assigning them to part-timers not yet at 67% FTE or to full-timers on overload, as is currently done. With this new procedure, Chairs could now seek to cover these vacancies by upgrading a current part-timer to above 67% FTE as follows:

- ◆ Chair would request approval from the Vice Chancellor to use the expedited hiring procedure.
- ◆ If approved, Human Resources will distribute the temporary upgrade opportunity electronically District-wide and to current part-timers within the Department.
- ◆ Part-timers will indicate their interest in being upgraded, and the Chair will convene a small committee to review applicants' qualifications and availability, choosing one in accord with contractual criteria.
- ◆ No lengthy applications, interviews, or demonstrations are involved.

The new upgrade process will provide departments a valuable tool in helping staff vacancies quickly. It will provide part-timers with an opportunity to work full-time at 100% pro-rata pay, though not more often than 2 semesters out of 6.

Health Care Coverage for Retired Part-timers

One of the inequities faced by part-timers is that unlike full-timers, part-time faculty members are unable to continue health coverage through the District after retirement. The District is already under pressure with the Government Accounting Standard Board (GASB) rules of accounting, which demand that future encumbrances on public institutions be accounted for as a current financial liability and that plans be developed for meeting that obligation. While insurance companies continue their exorbitant increases in health care premiums, CCSF must now figure out how it will manage an increasing liability of future health care costs. Meanwhile, part-timers approaching retirement are demanding, "What about us?"

Ed. Code 7000-7008 might start addressing the issue for part-timers. It allows them to continue their health coverage as part of the same group when they retire. But the problem is in the implementation. While coverage would remain the same, the premium could significantly rise. The San Francisco Health Service System (HSS) is willing to allow retired part-timers to participate in the health coverage through HSS, as long as CCSF retains all responsibility for determining eligibility and assuring timely payment of premiums.

The District is open to figuring out how to fulfill the promise of Ed. Code 7000. But if the District is to assume liability for payments of premiums, then the details of an agreement with retirees have to be worked out. With limited District resources, the likely scenario for the present is to offer a continuation of health benefits to part-timers after retirement but with the employee picking up the full cost—both the employer and employee premiums.

Retiree premiums are set by HSS and vary depending on the health plan, the number of dependents, and the Medicare status of the insured. You can go to www.myhss.org and click on the "Retirees" link to see the numerous tables of benefits. To calculate what a retiring part-timer would have to pay under this scenario, one must add the "City Pays" and the "Retiree Pays" columns together. (Note that the Ed. Code allows the District to charge a 2% administrative fee on top of that.)

Currently in negotiations, the parties are discussing a mechanism whereby part-timers could pay premiums directly to CCSF to continue health coverage into retirement, albeit at the full employer/employee cost. Over time, we would hope to negotiate an employer contribution to part-timer retiree health coverage. Success here may well hinge on future State funding to the District and health care reform, and the need to roll back ever-increasing health care costs. Finally, AFT wants the District to address the health care needs of part-timers at less than 50% load, who currently have no access to District health coverage. (chanzo@aft2121, ggoldstein@aft2121.org)

Three CCSF counselors—Patty Chong-Delon (below), Jack Sparks, and Jean Bramer—were among the tens of thousands who joined comedians Jon Stewart and Stephen Colbert on the National Mall in Washington, D.C. Oct. 30 for the "Rally to Restore Sanity and/or Fear." Bramer, now retired, reported that there were more people than at the 1960s Vietnam antiwar marches, adding that "Unlike then, this one was FUN."

"Just because people don't scream and get people stressed over what is happening in our country does not mean we don't care," says Chong-Delon. "I felt a need to participate and be counted as one of those people."

"It was thrilling to be part of such an event," says Sparks, "even if our purpose in being there wasn't real clear. I think it was mainly to be among so many like-minded people at a time when it seems all we hear from are the extremes at both end of the political and ideological spectrum."



Scheduling errors

Several instructors were accidentally assigned to teach extra hours in Spring 2010 without compensation. Their credit courses were scheduled for less than full-term but longer than usual class meeting times. The total number of class hours for each course exceeded the number of hours required for a standard 17 1/2 week semester. The union got the scheduling errors corrected for all affected instructors so that extra hours were not required, and the district agreed to take steps to prevent similar scheduling errors in the future.

Problem purchasing service credit from CalSTRS

In order to purchase nonmember service credit ("air time") from CalSTRS, an instructor executed a payroll authorization form authorizing tax deferred salary deductions for 60 months. After making payments for about 48 months, the instructor took an unpaid leave for one semester for a Fulbright fellowship. Because no payments were made to CalSTRS for 120 days during that semester, CalSTRS canceled the entire purchase and refunded all payments. This potentially caused an adverse tax consequence for the instructor and would have required the instructor to pay twice as much for a new purchase of the same service credit. The union assisted the instructor in a protracted dialogue with CalSTRS, including a request for review by the CalSTRS Executive Review Committee. CalSTRS finally agreed to reinstate the original purchase and to accept the return of the prior payments. CCSF Payroll then issued an amended W-2 and helped avoid any adverse tax consequence for the instructor.

CalSTRS Reduced Work Program

Another instructor applied for the CalSTRS Reduced Work Program ("RWP"), which allows a full-time instructor to teach a reduced load immediately prior to retirement but to continue earning service credit based on a full load. CalSTRS denied the application partly on the ground that the instructor had not earned five years service credit in the five years immediately before the RWP was to begin. This was due to the fact that the instructor had taken three days of unpaid sick leave during those five years, resulting in slightly less than five years service credit being earned. The union assisted the instructor in dealing with CalSTRS and maintained, among other things, that a

recent change in the Education Code made clear that only five years of full-time employment was required immediately before an RWP, not five years service credit. CalSTRS finally agreed to approve the instructor's RWP application.

Teaching load balance

A faculty member approached the union about his negative teaching load balance, which meant that he had to make up the difference in extra assignments. An analysis determined that the instructor had failed to receive full credit for a course he had taught and for a non-instructional project he had completed. At the union's request, the district corrected both discrepancies so that the instructor's load balance was accurate.

Compensation for district retirement contributions

A part-time instructor was not in any retirement plan for five years of his employment with the district. The union argued that during the time in question, the law required all part-time instructors to be in some retirement plan (i.e., CalSTRS Defined Benefit, CalSTRS Cash Balance, or Social Security) and that in this case it apparently should have been Cash Balance. The district has tentatively agreed to compensate the instructor retroactively for the district retirement contributions that should have been made, along with interest that would have been earned in a Cash Balance account.

Unpaid leave and health insurance

Before leaving for an unpaid leave, an instructor canceled his Blue Shield health insurance effective Feb. 15, 2009. Blue Shield subsequently denied claims for medical expenses incurred in the first half of February, 2009, on the ground that coverage could only be canceled at the end of a month and was deemed canceled January 31. After the union's intervention, the district verified that cancellation in the middle of the month was permissible at CCSF (contrary to HSS policy requiring cancellation at the end of a month) and communicated the same to HSS. Blue Shield is now in the process of honoring the instructor's claims.

Rights around overpayment

A part-timer was notified at the beginning of summer that he had been overpaid for the spring semester. Suddenly this fall he found himself the recipient of a demand to start repaying the debt out of this semester's

pay. He was alarmed at the prospect of having to have it all paid back by December 31. AFT 2121 talked with payroll to understand the circumstances. The District was willing to spread the payments over the entire academic year; however, they pointed out that there would be tax implications, since the overpayment would artificially inflate this year's income. The instructor decided to bite the bullet and get it all repaid this semester, with equal payments out of the seven remaining pay periods. If you are ever notified that you have been overpaid, be assured that you have some rights: You need to sign an authorization before the District can reduce your pay to reclaim the money.

Part-timers and unemployment insurance

Throughout last spring, last summer, and this fall, the union has continued to advise part-time faculty members regarding problems with unemployment insurance and to represent them at EDD appeal hearings when needed.

Tuesday, November 23

Delegate Assembly
JAD, Room 139
3:00-5:00pm

Tuesday, December 7

Executive Board Meeting
311 Ocean @ Miramar
3:00-4:30pm

Friday, December 10

AFT 2121 Holiday Party
Ocean Campus
Pierre Coste Dining Room
4:00-7:00pm

Tuesday, December 14

Delegate Assembly
Ocean, Arts Room 307
3:00-5:00pm

Support your local artist

AFT 2121 cartoonist and member Nancy Husari will have artwork shown at the Alameda Women Artists 17th Annual Exhibit, November 12-December 4, 2010, Alameda Museum, 2324 Alameda Ave., Alameda, CA, 510-521-1233.

