

# Part-Time Faculty Association of Allan Hancock College

PARITY & FAIRNESS THROUGH ADVOCACY  
CFT LOCAL 6185



## President's Letter

Spring 2017

By Mark James Miller, PFA President



### Welcome to Spring!

“It was one of those March days when the sun shines hot and the wind blows cold: when it is summer in the light, and winter in the shade.”

~ Charles Dickens, *Great Expectations*

Spring is here, and I am very happy to announce that along with this Spring Edition of my President's Letter is that for the second year in a row the



President's Letter has been awarded First Place at the California Federation of Teachers Convention Communication Awards. The award, technically for “Best Bulletin Series,” is a very nice one to receive, all the more so because I was unable to produce nearly as many of them as I would have liked to. The judge's comments were nice also: “Consistently good writing...good job keep members informed and up to date on news specific to the union, labor and education communities.” The columns I write for the *Santa Maria Times* were also honored with a First Place Award, for “Best Public Relations.”

Part-Time Faculty Association  
of Allan Hancock College  
Local 6185  
California Federation of Teachers  
American Federation of Teachers  
AFL-CIO

The PFA's goal is to achieve parity with the full-time faculty by improving pay, benefits, and working conditions of its bargaining unit members.

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The judges said: President's columns in the *Santa Maria Times* cover union and education issues, teaching, and broader social issues. Regular and prolific.”

This is wonderful but no one can forget how much work remains to be done and the seriousness of the issues we are facing.

### **2017 California Federation of Teachers Convention: Successful But Somber**

The 75th Annual California Federation of Teachers' Convention was held at the Sheraton Grand Hotel in Sacramento from March 31—April 2. This year the PFA decided to send only two delegates, myself and Jeff Stein, in order to spare some expenses. Our attempts at frugality notwithstanding, however, I don't think I have ever seen such a large turnout for a convention in recent memory. Nearly every seat was taken and there were literally dozens of people sitting on the floor at the back of the ballroom where the General Sessions were being held. Every workshop that I went to was standing room only as well. Jeff had the same experience.

Why? A sign of the times. We are now in the Trump Era and that does not bode well for unions, teachers, or the future of organized labor. As CFT President Joshua Pechthalt said in his State of the Union speech, we have to prepare for the possible loss of our right to collectively bargain, as if we are going backwards to the earliest days of the Industrial Revolution. (State laws in Kansas, for example, deprived teachers of their unions, their right to collectively bargain, and even their right to any form of due process when it comes to disciplinary matters. The reactionaries in Congress may intend to use Kansas as a model.)

So the mood of the convention was spirited but somber, defiant but cautious, as the delegates faced these disturbing possibilities. As Josh Pechthalt said, we have to be ready for “the long fight,” a fight that could go on for decades.

Of course, not all was negative. In General Session III (on Saturday) the Communication Awards were announced, and in addition to winning the awards mentioned above we won three more:



First Place for Best Website, First Place for Best Use of Social Media for our Facebook Page. Once again, congratulations to our webmaster, Dorrان Nadeau, for his continued fine work. We also took home a Third Place for Best Single Effort.

The delegates heard a variety of speakers, and as always, every speaker was worth hearing. Art Pulaski, President of the California Central Labor Council, spoke of the need to resist the anti-union efforts we can certainly expect from Trump and the Republican-controlled Congress. Darrell Steinberg, the Mayor of Sacramento, welcome the delegates at General Session II on Saturday, mentioned that in his experience an educator can make such a huge impact on the life of a child that he wants to provide paid internships for high school seniors who want to consider teaching as a career. He was followed by Assemblyman Tony Thurman, (15th District, Richmond) who stated that in more than thirty of the nation's major cities teachers are priced out of the housing market and cannot afford to buy homes there, necessitating a long and sometimes costly commute. He is sponsoring a bill that would provide affordable housing for teachers.

Philanthropist Tom Steyer spoke at the next General Session. As the son and grandson of teachers, he reminded the audience of how important it is to prepare young people for the future, a mission made even more important when one considers who is now in the White House.

“Democracy does not end on election day,” he said, pointing out that we have to be vigilant all the time. “Trump is coming after our rights.”

### **Victory in the Arbitration Case!**

In the summer of 2015 one of our members, John Miller (I should say here that he and I are not related) was abruptly and arbitrarily terminated from his position as a part-time instructor in the EMS program. I was present when the firing occurred, as was Rich Baker, our Secretary-Treasurer. Rich and I were both shocked at how the process took place: The dean thanked John for his 11 years of good, unblemished service to the college, and then told him he was terminated. He was given no chance to state his side of the story; he was simply told to leave the campus immediately.

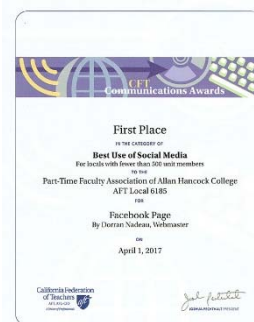
In my mind, being able to defend yourself in a situation like this is a basic human right, and Article 17 of our collective bargaining agreement clearly states that we are entitled to due process in disciplinary matters. Feeling that John’s rights had been violated, the PFA fought this termination through every step in the grievance process. All along the way the District refused to budge. They would not compromise, they would not mediate, (the mediator that came to a mediation session told us this was the shortest such meeting he had ever been to), they simply stonewalled. We were forced, for the very first time, to go all the way to arbitration, a process that is lengthy, stressful, and costly to both sides.

The attorney representing the district took the unusual step, in the spring of 2016, of insisting that both sides file a brief with the arbitrator, another costly step that dragged the process out even longer. In her brief, the district’s attorney took the incredible position that John had no right to challenge his termination because our collective bargaining agreement was voided by the Education Code! Our contract, fought for over so many years and with tremendous effort on our side, was worthless, according to her, and she moved that the entire matter be “thrown out of court,” so to speak.

To say that the PFA leadership was made angry by this would be an understatement as deep as the Grand Canyon. It was an insult we could not bear. Fortunately for us, the arbitrator saw it the same way, ruled against the district and stated that the arbitration had to move forward.

The hearing was held on January 19, 2017. An arbitration hearing is set up like a trial; no jury, but the arbitrator acts as the judge. Witnesses are called and questioned by the attorneys for both sides. The hearing began in the morning and lasted all day. At issue was whether the District had terminated John unjustly. The arbitrator, after hearing all the testimony and weighing all the evidence, found in the ruling issued on April 7, “I have concluded that the Employer did not have just and sufficient cause” for firing John. As a remedy, the arbitrator states that he be returned to his job and receive “lost earnings and benefits” and “be paid interest...based on the current California statutory rate.”

This is a huge victory for the PFA and for John as well. At PFA we have always made it clear that we have a “one for all and all for one” philosophy, and that we will fight for our members if they are not treated fairly. It shows the power of people working together and when they know they are fighting for a just cause. It also shows the power of unionism, and how important a union is. If we did not have a collective bargaining agreement in place, John would have had



no recourse but to try and sue in the courts, a daunting process to say the least. Justice has been done, and at the PFA we fervently hope issues like this never take place again, for everybody's sake.

### **Academic Senate Votes Against Splitting Professional Development Travel Funds With Part-Time**

At a meeting on April 4, the Academic Senate voted 10-9 against splitting the Professional Development funds that are used for travel expenses. At present 75% of these funds are allocated to full-time faculty and 25% to part-time. Our part-time faculty representatives to the Academic Senate, Rich Baker and Danielle Blanchard, proposed that these funds be divided equally between full and part-time due to the larger number of part-time instructors we have on campus. However, the Senate narrowly voted this down. Rich and Danielle plan to reintroduce the measure in the near future.



### **Bargaining Update**

Bargaining began in January and our entire three-year agreement is up for negotiation this time. At present we have TA'd (tentatively agreed) to the following articles: Article 4, Article 7, Article 8, Article 9, Article 10, Article 16, Article 18, Article 19, Article 21, and Article 22. The hardest articles, those dealing with money, have yet to be resolved. Since bargaining began we have held six sessions of approximately seven hours each. We are feeling cautiously optimistic at this time but that is something that can change very quickly. Our next bargaining session is scheduled for April 26.

### **Upcoming Events**

Mark your calendars: On May 11, a representative from the local Cal-STRS office is coming the PFA to answer questions about our retirement program. This is a major issue for everyone, regardless of whether you are getting near to retirement age of s STRS was the subject of two of the workshops I attended at the CFT convention and I learned a great deal of important information. Among other things (that I didn't know): The defined benefit plan was conceived of and put into practice by corporations in the 1920s as a way of retaining the best upper-management employees. In the 1930s unions began demanding these kind of plans be made available to workers as well. Because these plans are a tradition pension, and guarantee benefits to the workers that have them, they are a major target of so-called "reformers" who want to eliminate them just as they want to destroy unions at the same time. So come to the PFA office on May 11 and learn more.

### **If You Need Information on Union Benefits:**

Our union offers numerous benefits to its members. If you ever need information on our various benefit programs, Joe Hooper is the man to contact. You can reach Joe at [jhooper@cft.org](mailto:jhooper@cft.org).

**Don't forget our battle cry!**

