

FARSCCD FACTS

Faculty Union Newsletter

www.farsccd.org

farsccd@gmail.com

December 2016

FROM THE BARGAINING TABLE

FINAL GRADES IN! RSCCD OPTS FOR INCOMPLETE!

When it comes to avoiding impasse, RSCCD fails to recognize our value

Yesterday, at the bargaining table, the District (following the direction of the Board of Trustees) chose to file for **impasse** regarding the 2015-2016 contract negotiations between FARSCCD and RSCCD.

Impasse means the parties involved in contract negotiations have become deadlocked and cannot resolve their differences. However, **FARSCCD has made several significant moves toward resolution.**

What reasons did the District give for believing that we are at impasse? They argued that the faculty are asking for too much financially in order to settle the 2015-2016 contract. The amount is \$324,000 according to the District's own cost analysis. At the same time, the latest budget report to the Board of Trustees this fall showed that the District had in excess of \$36 million in the ending balance.

Now, some of you may be astounded that you are working without a contract. **In fact, our FARSCCD members have been working without a contract settlement since July 2015—18 months!**

What separates FARSCCD's counter-proposal for the 2015-16 contract from the District's offer? The Faculty Association is fighting to secure the full year's COLA that comes from the State of California, but the District, since February of 2016, has only offered the faculty six-months of that cost of living adjustment...as if we only need to pay bills, buy groceries and take care of our families for only half of the year.

Peter Hardash, Vice Chancellor of Business Operations and Fiscal Services, states that **the COLA from the state has been sequestered in a separate account**, as those funds have yet been paid to the faculty in a fair and timely manner. **So if the funds are there, why don't they pay us?**

Once the District's bargaining team left the table, we were surprised as our cell phones alerted us to an email from Chancellor Raul Rodriguez. Within five minutes of the District's team departure, **the Chancellor's email message to all RSCCD employees contained a press release lauding the faculty while at the same time disrespecting our hard work by holding our ranking adjustment hostage until we take their inadequate deal.** Chancellor Rodriguez also blatantly omitted the District's static and unchanging position from February 2016 in regard to negotiations.

Please review the rest of the newsletter to see what **the Board of Trustees** has authorized the District's negotiator to put in front of the Faculty Association, **an offer that lacks compromise and wants to force a lop-sided deal on the "superior talent" at the RSCCD – i.e. the faculty.**

Kristen Guzmán

THE CONVOLUTED REALITY OF RAUL RODRIGUEZ

How facts are twisted and misrepresented in an effort to appear infallible.

| FROM RAUL RODRIGUEZ'S PRESS RELEASE | FACT CHECKER |
|---|--|
| <p>For the past 16 months, the Rancho Santiago Community College District has tirelessly endeavored to reach an equitable contract settlement with the Faculty Association of Rancho Santiago Community College District (FARSCCD). During these lengthy negotiations, the District has never missed, cancelled, or rescheduled a single bargaining session.</p> | <p>Part of the reason for the lengthy negotiation timeframe is the inability of the District representatives to negotiate at the table. As a result, each time FARSCCD presented the District a counter-proposal, the District would have to present that proposal to the Board of Trustees. This served to lengthen the process. While the press release claims that they “never missed, cancelled, or rescheduled a single bargaining session”, it fails to mention the multiple times that the District came back to the table without a response to FARSCCD’s proposal - extending negotiations even further.</p> |
| <p>The District presented its Last, Best and Final Offer (LBFO) on June 29, 2016 in an effort to conclude negotiations for the 2015/2016 academic year. FARSCCD has rejected this offer. In the interest of transparency, the District is publishing its LBFO as an attachment to this statement.</p> | <p>One of the main issues FARSCCD has with the District’s LBFO is the 6% insurance escalator cap. As the LBFO was presented to FARSCCD the day before the end of the 2015/2016 academic year, this change in the cap would have no effect on the 2015/16 year.</p> |
| <p>On two separate occasions, August 2, 2016 and again on October 28, 2016, the District presented additional Negotiation Concepts, in a continuing effort to reach a Tentative Agreement. At FARSCCD’s request, these concepts included the District’s pre-commitment to 9th place ranking adjustments for both the previous and current academic years. However, the parties were still unable to reach resolution. Interested faculty may ask their bargaining representatives for further details of those concepts.</p> | <p>While it is true that the District presented concepts on August 2 and October 28, 2016, it is the LBFO from June 29 – 4 months previous to the October 28 concept – that the District reverts to – negating months of negotiations.</p> <p>The 9th place ranking adjustment is a contractual item that both the District’s Chief Negotiator and the Chancellor have acknowledged they have an obligation to pay. The issue has always been a matter of timing of the payment, not whether it should be paid.</p> |
| <p>After 28 meetings, it is now clear to the District that the parties are at impasse. This means that it appears that further meetings between the parties without the assistance of a mediator would be futile. With the full support of the Board of Trustees, the District has provided notice to the FARSCCD Negotiating Team that the District believes the parties are at impasse and will submit notice to the Public Employment Relations Board (“PERB”) to officially declare impasse.</p> <p>Upon PERB’s certification, the parties will go through the impasse procedures in an effort to resolve the negotiations.</p> | <p>Since the June 29 LBFO, as the District has noted, the District has put out “concepts”. These concepts have been no more than a variation of the LBFO while FARSCCD has put out different “concepts” that have substantive differences.</p> <p>Your FARSCCD negotiations team has come to each issue with a sincere desire to reach a mutually agreeable solution. Your FARSCCD negotiations team consulted various members of the faculty through the FARSCCD Advisory Group to address the concerns of the District while still ensuring the interests of the faculty. It is the District that comes to the table each time only allowed to work under the strict and unwavering instructions of the Board of Trustees.</p> |
| <p>The District is committed to this process and finding a resolution that is acceptable to our Faculty, equitable to our other bargaining units, fair to the students and protective of taxpayer dollars. We are hopeful that the formal, prescriptive nature of the impasse process will allow the two bargaining teams the opportunity to find common ground and reach a settlement.</p> | <p>The different bargaining units do not have identical contracts. Yet, time and again, your negotiations team has heard that the district must maintain “parity” (or as the Press Release describes it, “equitable”). It is because of this “parity” that the District refuses to postpone the discussion of the insurance escalator cap to the 2016/17 contract and settle the 2015/16 contract. The District is holding the 9th-place ranking adjustment hostage in an attempt to force FARSCCD to lower the insurance escalator cap.</p> |
| <p>The District remains steadfast in its desire to reach an agreement as quickly as possible while ensuring our long term fiscal health. The District is proud that both of its core campuses, Santiago Canyon College and Santa Ana College, have been named one of the best places to work by the Chronicle of Higher Education and the Orange County Register respectively; and the District will continue to work toward a fair contract that attracts superior talent for our students.</p> | <p>The District’s willingness to “reach an agreement as quickly as possible” is predicated on FARSCCD acquiescing to the District’s demands.</p> |

Raul Rodriguez - Where is the leadership? Where is the vision for our District? A destructive manner of pitting one against another with the same old bag of tricks blaming everyone for his failures.

**Raul Rodriguez was President at San Joaquin Delta College from 2002-2010
He has brought the same pattern of divisive management to RSCCD**

The following highlights the on going pattern of divisive management.

Lodi News-Sentinel, May 6, 2008 :

... a crowd of about 50 California Teachers Association union members at the ceremony had a different concern. They used the publicity at the ceremony to let the board members now how serious they are about stalled contract negotiations.

Lodi News-Sentinel, May 16, 2008:

The Delta trustees refusal to share even a significant portion of the COLA with faculty is puzzling.

The result for the college over this period has been record or near record income and record reserves.

...we regret the energy we've had to spend over the last year in trying to get the district leadership to bargain in good faith.

Other districts in the state {with the exception of Delta} have shared this year's {full}... COLA with their faculty and staff.

Why would a college in excellent financial shape-with admittedly a couple of lean budget years ahead — deliberately snub a highly productive faculty?

We can't see how fomenting conflict with a productive faculty could be in the best interests of the college.

...faculty conflicts with the board and administration are not simply over salary and benefits.

***From San Joaquin Delta's CTA organizing committee to their trustees -
August 31, 2008:***

...the Board and President Rodriguez, as a group, have bargained in bad faith; devalued teaching (one of the core activities of the college); repeatedly misrepresented the financial resources of the college; shown no interest in finding common ground with the faculty; and (at times) neglected the most basic interests of the college. Please be aware that glib pieties from President Rodriguez...only further inflame the situation. I can't see how the current stalemate serves the interests of our students, the faculty, top administrators, or the board of trustees.....As a result, I continue to hope we can heal this rift. But the first step will have to be a commitment from you to bargain in good faith.

Narges Rabii-Rakin

Saudi Arabia Partnership Approved

LGBTQI, Jews and Women Need not Apply

On Tuesday, December 6th the RSCCD Foundation board members, which includes elected trustee Arianna Barrios, unanimously approved a partnership between the RSCCD Foundation, Saudi based Al Khaleej Training and Education and the controversial Colleges of Excellence (CoE). The CoE, a Saudi company has been under investigation for corruption by the Saudi government as reported in the September 2015 issue of *TheNewArab*, a UK based publication. CoE is also the subject of lawsuits as a result of multi-million dollar losses by colleges throughout North America and Europe who partnered with them. A year ago a report by *Education Investor* indicated some publicly funded colleges in the UK may be forced to file for bankruptcy as a result of their partnerships with CoE.

In August 2016 the *Ottawa Sun* reported that Algonquin College of Ottawa lost \$5.8 million due to their ill-fated partnership with CoE. The *Ottawa Sun's* report was confirmed by the Public Relations and Communications department of Algonquin College that further indicated the college's reserve funds would be used to make up the losses.

During his remarks at the December 6th Foundation meeting, Chancellor Raul Rodriguez disputed the fact other colleges faced losses claiming the media reported inaccurately and there really were no losses. He offered no other explanation nor any proof.

Narges Rabii-Rakin

Further Reading: Delta teachers file labor complaint

http://www.lodinews.com/news/article_c4698182-2a16-548b-9aa4-cb231e6186bf.html

Have you had enough?

Please plan to attend the next Advisory Committee Meeting at **Santiago Canyon College on Wednesday January 4, 2017 at 10 am.** Join us for refreshments, union conversation and planning. If you are interested in the meeting items or wish to attend, please send us an email to FARSCCD@gmail.com with your personal email.

