

May 29, 2020

Dear Colleagues,

First, congratulations on completing what is likely the most challenging semester in our careers. Not only have you juggled your career, personal, and familial responsibilities, but you have done it with grace and humility amid a global crisis. Thank you for all the hard work, dedication, and sacrifices that you provide to our students.

I know faculty are eager for information and clarification regarding a wide-variety of work-related matters that have been impacted by the far-reaching effects of the virus. I hope this email will provide some answers to the most common questions and concerns regarding two matters:

1. Update on the temporary COVID-19 Summer and Fall MOU negotiations.
2. Update on the ongoing salary and benefits negotiations.

### **Temporary COVID-19 Summer and Fall MOU Negotiations**

Our UF bargaining team met and has been negotiating with the District's team for the past two weeks. We continue to exert pressure on the district to recognize the following:

- Unit members have been financially impacted by the ongoing, out-of-pocket cost of online/remote instruction/assignments, which by law shall be reimbursed by the District (Legal Ref. CA Labor Code Section 2802 and CA Ed Code 87032).
- Faculty confidentiality, workload for DE coordinators, and faculty contractual rights must be protected; therefore, the District must purchase an evaluation integration tool for Canvas. Decisions regarding any such tool must involve faculty senates, DE coordinators and United Faculty.
- Our faculty transitioned this spring under emergency circumstances, and it was done halfway through the semester. This means that the work that has been done for transitioning these courses online is far from complete; therefore, faculty must be compensated for the continuous and additional work for the Summer and Fall Semesters.
- Faculty must be compensated fairly for campus-provided emergency distance education training.

**However, the one area of greatest concern to us is strategies to prevent the spread of COVID-19 for potential future face-to-face delivery.** The district seems to be ignoring the biological and moral reality of the current pandemic. As of right now, we still have not seen a clear, scientifically informed, and well-thought-out strategic plan for stopping the spread of the COVID-19 virus on our campuses and in our communities. Rather, what our team has observed is a "hope for the best" approach, rather than "being cautious."

I could not stress enough that our priority is the health and safety of our faculty, students, and communities. Many of our faculty and their family members have underlying health conditions. Any loss of life is unacceptable and irreparable. For our faculty to make the best decisions and to protect them and their families, it is important that we provide as many options as possible. And it is just as important to compensate faculty fairly, especially since many have lost income in their households. Often, the district claims values of equity and fairness, but we have not seen these claims materialize. Putting our faculty at risk by ignoring our requests for strategies to prevent the spread of the virus is morally reprehensible.

We will continue negotiations with the district next week, and we will provide you with updates.

### Ongoing Salary and Benefits Negotiations

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- Despite the doom and gloom predictions that our district continues employing to evade their fiduciary duties, we are moving towards the last stages of our impasse process.
- I must remind faculty that our district has the second largest reserve of all community college districts in the State of California.
- We are still negotiating pre-pandemic years, for which the district has already received funds and has a fiduciary duty to spend fairly and responsibly.
- As we witness our own district leadership politicize the COVID-19 crisis and ask faculty to shoulder the burden of the budget cuts, we also see presidents and chancellors take 10% salary cuts at other colleges and universities in California. And while we are encouraged to “act prudently for the greatest good,” our very own chancellor received a 5% on-schedule salary increase over the last three years totaling a 15% increase, while our faculty are still waiting on getting their Cost of Living Adjustment. Of course, all this ignores the chancellor’s \$14,476 in fringe benefits on top of it.
- Other NOCCCD leaders in close proximity to the chancellor have recently received significant salary increases through reclassification.
- Our district’s financial projections over the past three years have assumed a deficit but ended up with tens of millions of dollars in carry-overs. **A quick glance at the financial projections of the last few years will make you lose all confidence in our district’s ability to project accurately and responsibly. As a matter of fact, calling the district’s projections inaccurate is an understatement; they have been far from the actual by over 60 million dollars in total over the last three years. Our safety net in comparison to other districts is unmatched. Here is an example:**

Year	Projected	Actual	Difference
2016/2017	Deficit of \$6,132,595	Carryover of \$12,921,007	\$19,053,542
2017/2018	Deficit of \$1,536,743	Carryover of \$19,611,122	\$21,147,865
2018/2019	Deficit of \$4,613,419	Carryover of \$17,701,894	\$22,315,313

- Although a date for a fact-finding session was not provided because of the ongoing crisis, we are still moving towards it as our communities slowly open-up again. The fact finder, who is a neutral person assigned by the state, will be the person making an assessment regarding what the district can afford in terms of salary and benefits.

The unspoken words of our district are that we “should be grateful,” which is not only paternalistic and offensive to our faculty and their high level of dedication, but also ignores that such a narrative has been historically employed by the privileged to silence those with fewer resources at a time when our largest and most diverse faculty cohort earned their tenure. While we feel fortunate that we have our jobs, we do not compare our salary and benefits to folks outside of our profession. We are professionals, and we have earned our jobs. Now is the time to compensate our faculty in a manner that reflects their commitment and dedication.

In Solidarity,

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*"Power concedes nothing without a demand. It never did and it never will"* - Frederick Douglass