

SJCEA San Juan College

Educational Association Update

October 2020

SJCEA has been working hard for its stakeholders and is here to serve you. Officers meet biweekly on Mondays, and the collective bargaining team meets every Friday to either engage in negotiations with San Juan College administration or to plan negotiations



Photo Credit: Gerald Williams

CB Team Negotiates with Administration on Key Issues

The Collective Bargaining Negotiation Team has been negotiating with administration since this summer. Salaries and benefits were identified by faculty in the collective bargaining survey as priority issues. However, traditionally in bargaining these issues are discussed near the end of negotiations. Other issues identified as priority issues include substantive faculty input, hiring and termination processes/policies and transparent administration to faculty communications. The team has made several proposals, which they have presented to the administration for review and discussion. Each proposal addresses a single item in the contract. For example, the CB Team proposed a change to the college's current appeal procedure policy, which is still under negotiation (see attached). The team also submitted proposals on the collective rights of faculty, expectations of administration (including that they explicitly list that they are following criterion 5 of the Higher Learning Commission criteria on accreditation (see <https://www.hlcommission.org/Policies/criteria-and-core-components.html>), academic freedom, intellectual property, non-discrimination and another on religious and cultural observances. The administration initially refused to negotiate on some of these topics by essentially stating that what's in the handbook is already sufficient or that they are issues for all employees. The team is also working on proposals related to discipline, grievance, reduction in force, healthcare, evaluations, etc.

Administration proposed its own 17-page document rather than individual proposals. We are sharing highlights from that document along with SJCEA's commentary/concerns about these measures. The initial measures are in white, and SJCEA's commentary is in yellow. Some of these measures are probably intended to intimidate and agitate members of the bargaining unit; however, the Collective Bargaining Team is working full bore to counter their proposal and negotiate in our best interests.

1. Management/Administration Rights: "to determine the methods, means, and personnel by which the College operations are to be conducted."

This does not promote shared governance or even the most basic input from faculty on our work at the college.

2. SJCEA shall not be allowed to use interoffice mail, email for the dissemination of SJCEA material, literature, or correspondence. SJCEA shall not be allowed to use college time, equipment, website or materials for SJCEA business.

Our SJCEA work is college work. We are working for our students, our departments, our colleagues. We maintain that issues of concern to faculty are issues of concern to learning and students. Use of college equipment, property, bulletin boards, and email is part of the communication of SJCEA work.

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CB Team Negotiates with Administration on Key Issues

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3. College administration “will also set the minimum number of office hours to be carried and observed by a bargaining unit member.”
This implies it may be arbitrary depending on the faculty member.
4. College administration “reserves the right to amend the academic load or required number of office hours to meet the needs of the students and the College.”
Will we be required to teach an unreasonable number of credits or meet an unreasonable number of office hours?
5. “If a grievance meeting/hearing is scheduled during the workload or office hours of an employee, the employee shall utilize accrued annual leave or leave without pay.”
Grievance relates to work issues; why would there be leave without pay?
6. College administration “may perform evaluations of employees at any time.”
Potentially arbitrary and capricious?
7. College administration “may require an employee to complete a drug and/or alcohol test when the College has reasonable suspicion to believe the employee is under the influence of a controlled substance or alcohol.”
The term “reasonable suspicion” is vague enough that it could be used in a potentially arbitrary and punitive manner. If an employee or a student simply accuses a faculty member with no justification could this be considered reasonable by the administration?
8. “Outside employment is subject to the approval of the Dean who will consider, among other things, hours of work, conflict of interest, discredit upon the College, and the safety of the employee, fellow employees, and the public.”
It’s possible that such approval or denial could depend on a faculty member’s role in SJCEA. Also, what faculty members do in their own time, as long as it doesn’t interfere with their college employment is their business.
9. “Therefore, the College and the Union, for the life of this Agreement, each voluntarily and without qualification waives the right and each agrees that the other shall not be obligated to bargain collectively with respect to any subject matter not specifically referred to or covered in this Agreement, even though such subject or matter may not have been within the knowledge or contemplation of either or both of the parties at the time they negotiated or signed this Agreement.”
This could prevent us from bargaining on issues that arise and affect our bargaining unit once the agreement has been signed.

The administration’s document is intended to deny shared governance, despite the prominence with which shared governance is presented as a key principle of the Higher Education Department’s Criteria for Accreditation which the college administration has told the Higher Learning Commission they are doing. Faculty voted in collective bargaining for strong purposes in December 2019. One of those purposes is that faculty have real and not simply implied input into the decisions that affect learning. Rest assured that the goal of the CB team is to honor faculty wishes by offering our own proposals that are in line with those purposes

Results from SJCEA's Analysis of San Juan College's Finances

Recently SJCEA hired NEA national to conduct an independent analysis of the administration finances. SJCEA team and leadership members were surprised to discover that there is much more available in terms of funds, that administration could use for salaries than administration has been transparent and forthcoming about to San Juan College employees and the community.

SJCEA Awarded Grant

SJCEA has been awarded a \$17,500 grant from NEA National. The funds go to NEA New Mexico for our local use. These funds will be used for outside financial analysis of the college, new member recruitment, and other costs associated with establishing SJCEA and a collective bargaining agreement.

Join SJCEA: Commit to Better Working Conditions and Peace of Mind

SJCEA currently has robust enough membership to maintain strong union negotiating power; however, the more members we have, the stronger our union is. It helps to share the financial burden among many because these dues pay for attorneys, arbitrators, and financial audits that will ultimately benefit all of us as we will be able to negotiate a stronger agreement with regard to salaries, benefits, and other rights.

SJCEA also offers you protection that the college cannot. Currently, we are representing 6 SJCEA members, 4 current employees and 2 former employees, from 3 different schools in various actions. Your dues pay for this representation and associated legal fees. Additional benefits of SJCEA membership include affordable life insurance, travel discounts, and many others.

The application form is attached to the email with this newsletter. SJCEA membership is confidential and not shared with anyone but SJCEA officers unless you choose to share this information.

Contact Gerald Williams, president, for more information:
williams@sanjuancollege.edu

Announcements

SJCEA Meeting

As mentioned in a previous email, SJCEA will host a meeting to update you on collective bargaining and other SJCEA issues/events on Friday, October 9 at 11:15-12:30. The Zoom link is in the email that was sent out, but is listed here again.

Zoom Information

<https://us02web.zoom.us/j/89520620214?pwd=UEk1Q1JQS2QrT3lHWGZNcVZlL1d4UT09>

Meeting ID: 895 2062 0214

Your Rights and Responsibilities During School Closures Due to COVID

Have questions about your rights, responsibilities, pay, and benefits in the context of school closures? Or the rights of your students? NEA has answers:

<https://educatingthroughcrisis.org/your-rights/>

Logo Update

The SJCEA team is reworking our logo to include the SJCEA name in it since our name was an issue that that was negotiated. The college did not want us to use “San Juan College” in our name; however, the team pointed out that the name was used in the initial vote for union representation, and, therefore, needed to be used. We will present new logos for voting in the next edition of the newsletter.

Your SJCEA Officers

President: Gerald Williams
Treasurer: Gordon DeSpain

Vice President: Alicia O’Brien
Secretary: Danielle Sullivan

At-large Member: Kris Kraly

Your CB Team

Eric Bateman, Jared Blood, Lori Cheney, Andrea Cooper, Sherri Cummins, Gordon DeSpain, Carrie Elledge, John Hoff, Jennifer Lewis, Kelly Robison, Gerald Williams