

RCCD/Faculty Association 2021-2024 Contract Training

Spring 2022
Academic Affairs &
Management Training

Negotiation Team Members

District Team

- Dr. Monica Green, President, NC and Lead Negotiator
- Ms. Lorraine Jones, District Compliance Officer and Title IX Coordinator
- Dr. Jeannie Kim, Interim Vice Chancellor, Educational Services and Strategic Planning, RCCD
- Dr. Sam Lee, Vice President Academic Affairs, NC
- Dr. Carlos Lopez, Vice President Academic Affairs, MVC
- Dr. Carol Farrar, (former) Vice President, Academic Affairs, RCC (*through December 2020*)

Faculty Association Team

- Dr. Rhonda Taube, Professor of Art, RCC and Co-Lead Negotiator
- Dr. Dariush Haghghat, Professor of Political Science, RCC and Co-Lead Negotiator
- Ms. Diana Campuzano, Associate Faculty, Art
- Ms. Jennifer Floerke, Associate Professor, Communications, District Academic Senate President
- Dr. Monica Gutierrez, Associate Professor, Biology, NC
- Dr. Jeff Rhyne, Professor, English, MVC

Legal Counsel

- Delisle Warden, General Legal Counsel and Chief of Staff, RCCD
- Jack Clarke Jr., Best Best & Krieger Attorneys at Law

Weekly Consultation

- Dr. Wolde-Ab Isaac, Chancellor, RCCD

Guiding Principles

- *Ensure a collegial negotiation process whereby the principles of efficiency, effectiveness, accountability, and transparency are infused into the RCCD-CTA collective bargaining agreement.*
- *Positively impact equitable student access and success*

Negotiation Scope

*RCCD Faculty Association CCA/CTA/NEA
Agreement with the exception of:*

- *Salary*
- *Benefits*

Sunshine Notice

December 8, 2020

Recommendation to
accept the notice to
sunshine the 2015-
2018 RCCD Faculty
Association
CCA/CTA/NEA
Agreement.

Board of Trustees Regular Meeting (IV.A)

Meeting	December 8, 2020
Agenda Item	Other Items (IV.A)
Subject	Sunshine Notice of 2015-2018 RCCD Faculty Association, CCA/CTA/NEA Agreement
College/District	District
Funding	N/A
Recommended Action	Recommend accepting the notice and agree to sunshine the 2015-2018 RCCD Faculty Association, CCA/CTA/NEA Agreement.

Background Narrative:

The RCCD Faculty Association CCA/CTA/NEA in communication dated October 1, 2020 to Chancellor Isaac, has provided notice to sunshine the 2015-2018 Agreement between the District and the RCCD Faculty Association CCA/CTA/NEA; and its intent to open specific items for negotiations.

At this time, it is recommended that the Board Trustees accept this notice and agree to sunshine the 2015-2018 RCCD Faculty Association, CCA/CTA/NEA Agreement by the District presenting its final proposal to open specific items for negotiation with the Association at the next regular meeting of the Board, scheduled for January 19, 2021.

Prepared By: Wolde-Ab Isaac, Ph.D., Chancellor
Monica Green, Ed.D., President, Norco College

Board Approval

January 19, 2021

RCCD Board of Trustees accepted notice and approved the commencement of negotiations.

Board of Trustees Regular Meeting (IV.D)

Meeting	January 19, 2021
Agenda Item	Other Items (IV.D)
Subject	RCCD Sunshine Notice of 2015-2018 RCCD Faculty Association CCA/CTA/NEA Agreement
College/District	District
Funding	N/A
Recommended Action	Recommend accepting the notice and agree to sunshine the 2015-2018 RCCD Faculty Association, CCA/CTA/NEA Agreement.

Background Narrative:

The District has received the RCCD Faculty Association's notice to sunshine the 2015-2018 Agreement between the District and Faculty Association. The District acknowledges the Association's proposal to open Articles VI, Article X, Article XI, Article XIII, Article XIV, Article XVII, Article XX, and miscellaneous for bargaining and proposes to open additional Articles and Appendices for negotiation with the Association.

At this time, it is recommended that the Board approve notice of the District's sunshine proposal and interest in commencing negotiations with the Faculty Association beginning in January 2021.

Prepared By: Wolde-Ab Isaac, Ph.D., Chancellor
Monica Green, Ed.D., President, Norco College

Sunshine Notice | RCCDFA Initial Proposal

The RCCDFA proposed opening the following Articles of the 2015-2018 agreement:

- **Article VI: Non-Discrimination** | Addition of anti-racism language in non-discrimination clause
- **Article X: Hours of Work and Faculty Load** | Discuss addition of more robust language on institutional service accountability in this Article and the Department Operations Manual, clarify party responsible for enforcing faculty service and consider a form of tracking, propose virtual office hours increase for full-time faculty, consideration for compensation for part-time faculty for virtual office hours, discuss audit of reassign time with job descriptions, expected duties, and tracking of hours
- **Article XI: Improvement of Instruction and Tenure Review** | Update alternative modes of instruction under evaluation procedures, addition of clarifying language related to skills, process, and additional evaluative discussions
- **Article XIII: Leaves** | Modify sabbatical language to match academic calendar and schedule building
- **Article XIV: Safety Conditions of Employment** | Create more robust language regarding the safety conditions provided by the District
- **Article XVII: Grievance Procedure** | Clarify the parties this grievance procedures pertain to in this Article
- **Article XX: Miscellaneous** | Discuss statement on intellectual property
- **Miscellaneous:** Removal of language that may perpetuate institutional racism (e.g. judgment) and propose addition of a statement on academic freedom

Sunshine Notice | District Initial Proposal

The District proposes opening the following Articles of the 2015-2018 agreement:

Article IV: Association Rights | Clarify and update language for currency, establish accountability method for reassigned time, leave, and additional hours

Article V: Association Membership and Payroll Deduction | Clarify and update language for currency and compliance with Janus (AB119)

Article IX: Calendar | Discuss areas related to multiple calendars years and equity-related FLEX

Article X: Hours of Work and Faculty Load | Discuss the following areas: hours of the workday; term assignment range; addition of list of lab classes and rates; counseling faculty assignments and special projects; counseling service days; institutional service tracking; office hours; part time faculty non-instructional special projects; overload assignments; reassigned time related to a compressed calendar; and addition of a non-credit course workload section.

Article XI: Improvement of Instruction and Tenure Review | Discuss incorporating equity-minded principles in the improvement of instruction and tenure review, discuss the following areas: evaluation of full-time faculty serving as coordinators; clarify part time faculty preference; addition of the vice president of academic affairs to the process; clarify evaluation timeline on 3 subsequent years; inclusion of special assignments, special projects, and reassigned time; clarify four-year tenure process; student course survey procedures; clarify and update language for currency and compliance including unified equity language in the IOI process and job announcements.

Sunshine Notice | District Initial Proposal cont.

The District proposes opening the following articles of the 2015-2018 agreement:

Article XIII: Leaves | Clarify and update language for currency and compliance

Article XV: Reduced Teaching Service Program | Discuss clarifying language on calendar or business days

Article XVI: Transfers | Addition of clarifying language related to the notification process

Article XVII: Grievance Procedure | Discuss clarifying grievance process language for currency and compliance

Article XX: Miscellaneous | Discuss clarifying language for currency

Article XXI: Intersessions | Discuss clarifying language related to intersession hourly schedule and accruals

Article XXII: Load Banking | Clarify full-course equivalent eligibility and calendar

The District intends to propose additional recommendations for consideration:

Adherence to principles of efficiency, effectiveness, accountability and transparency throughout the negotiation process. Correct areas of fact throughout the agreement (e.g. job title, addresses, etc.). Clarify and update language throughout the agreement for currency. Review and discuss the possible inclusion of existing MOAs and MOUs into the agreement. Review and discuss the possible inclusion of Appendices A through S into the applicable Articles of the agreement and possible removal of obsolete appendices.

Areas of Agreement

Applying to entire contract agreement

- Pronouns replaced with gender neutral language
- References to PT-Faculty updated to 'Associate Faculty'
- BP/AP number references updated
- References to 'employee' updated to 'faculty member'
- References to 'Faculty Association' updated to 'the Association'
- Titles and corrections of fact
- Incorporate relevant Appendices, MOUs, and MOAs into appropriate Articles

Incorporate Relevant Appendices, MOUs, into Appropriate Articles

MOUs

- 56 MOUs
- Dates ranging between 2008 – 2020
- 22 incorporated into appropriate Articles
- 2 incorporated into appropriate Appendices
- 4 retained as MOU
- 28 expired, retired, or obsolete

Appendices

- 19 Appendices
- 8 Appendices retained (A, B, C, D, E, F, H (new G), & L (new H))
- 1 Appendix (renamed Academic Calendars)
- 7 Appendices (G, I, K, P, Q, R, S) added to other areas of the Agreement
- 3 retired (M, N, O)

Highlighted Areas of Agreement

- Article IV: Association Rights
- Article V: Association Membership and Payroll Deduction
- Article VI: Non-Discrimination
- Article VIII: Fringe Benefits*
- Article IX: Calendar
- Article X: Hours of Work and Faculty Load
- Article XI: Improvement of Instruction and Tenure Review
- Article XIII: Leaves
- Article XIV: Safety Conditions of Employment
- Article XV: Reduced Teaching Service Load
- Article XVI: Transfers
- Article XVII: Grievance Procedure
- Article XX: Miscellaneous
- Article XXI: Intersessions
- Article XXII: Load Banking

**Opened for updates only – not in Sunshine agreement*

Timeline

- December 8, 2020
 - Board of Trustees Regular Meeting (Sunshine)
- January 19, 2021
 - Board of Trustees Regular Meeting (Sunshine)
- January 22, 2021
 - Negotiation Sessions Commenced (Session 1)
- April 29, 2021
 - Negotiation Sessions Concluded (Session 13)
- May 2021
 - CTA Forums (May review)
- June 14, 2021
 - Chancellor's Cabinet Meeting
- June 15, 2021
 - Board of Trustees Regular Meeting
- 2021-2022 Training

ARTICLE-BY-ARTICLE REVIEW

This training is not in lieu of thoroughly reading the collective bargaining agreement. It is recommended you reference the agreement throughout this training.

ARTICLE I – RECOGNITION AND DEFINITIONS CLAUSE

- I.A. Unit membership– excluded employees clarified (*pg. 4*)
- I.A. Excluded employees list sent to FA start of AY and upon the FA's request (*pg. 4*)
- I.E.-H. Definitions added (*pg. 4-5*)
 - Faculty in good standing
 - Qualified full-time faculty member
 - Bumping
 - Special assignments

ARTICLE IV – ASSOCIATION RIGHTS

- IV.B. FA right to post ‘official communication’ on RCCD-ALL. This will require defining ‘official communication’ for the purposes of this Article. *(pg. 8)*
- IV.B. FA written postings to be filed with college CIO *(pg. 8)*
- IV.D. Post CBA on RCCD [website](#) *(pg. 8)*
- IV.E. FA provided with appropriate space to maintain confidential materials & hold meetings *(pg. 8)*
- IV.E. FA to provide CIOs/VC-ESSP with FA reassigned time, leaves, and additional hours every term *(pg. 9)*

ARTICLE V – ASSOCIATION MEMBERSHIP AND PAYROLL DEDUCTION

- V.A. 2-week time limit – apply revocation of FA dues and fees (*pg. 10*)
- V.D. Monthly notice – Newly hired employees under Association representation (*pg. 10*)
- V.D.2. Three annual notices – all bargaining unit information (*pg. 11*)
- V.E. – New faculty orientations – 30 to 60 minutes (extended) (*pg. 11*)

ARTICLE VI – NON-DISCRIMINATION

- VI.A./C. References to BP/AP added (*pg. 13*)
- VI.B. New anti-racist statement (*pg. 13*)

The Association recognizes the structural, physical, and symbolic violence caused by institutional racism and stands in solidarity with everyone working to realize racial justice. We acknowledge that RCCD faculty must play a critical role in disrupting racism. Teaching for racial justice includes antiracist curriculum and pedagogy as well as advocating for district-wide antiracist practices that listen to, value, and advance the hopes and needs of our students, faculty, staff, and community. We believe teaching is an ethical and political act and commit to working toward ending systemic racism, including listening, learning, changing, and disrupting all the ways racism shows up in our lives, communities, and the Riverside Community College District.

ARTICLE IX – CALENDAR

- IX.A. District will maintain four academic year calendars (*pg. 19*)
- IX.D. Equity-related training – 8 of 24 hours must be defined by Faculty Development Committees and the District Compliance Officer and Title IX Coordinator (*pg. 19*)

ARTICLE X – HOURS OF WORK AND FACULTY LOAD *(page 1 of 3)*

- X.A. Clarified work week (5 day availability; mini 3 days on campus; 42.5-hour work week; no more than 8 hour day) *(pg. 21)*
- X.D. Clarified normal term teaching load (0.9667-1.0666) *(pg. 21)*
- X.I. Defined distance education according to CBA *(pg. 22)*
- X.J.2.d. Master list of extensive preparation laboratories maintained *(pg. 23)*
- X.J.5. Large group instruction formula may be applied to distance education *(pg. 25)*

ARTICLE X – HOURS OF WORK AND FACULTY LOAD *(page 2 of 3)*

- X.J.8. Work experience clarified *(pg. 25-26)*
- X.J.9. Reassigned time – Coordinators and special assignments to require job descriptions *(pg. 26)*
- X.O. Institutional service – annual plans required *(pg. 28)*
- X.O. Institutional service – progressive discipline needs to be defined *(pg. 28)*
- X.P. Office hours – Increased to maximum of three (3) virtual office hours pending approval *(pg. 28)*
- X.Q.6. Associate faculty – Up to three (3) hours of paid equity-related professional development *(pg. 29)*

ARTICLE X – HOURS OF WORK AND FACULTY LOAD *(page 3 of 3)*

- X.R. Associate faculty – Reemployment preference status (30 days) and determination (45 days) time limits added *(pg. 30)*
- X.X.1.-4. Negotiated reassigned time – New definitions, principles for implementation, and guidelines for reassignment development *(pg. 36)*
- X.Y. Special projects – New definition, parameters, and subject to evaluation *(pg. 37)*
- X.Z. Department chair compensation – adjusted semester FTE reassignment and consideration for multiple small disciplines *(pgs. 37 & 40)*

ARTICLE XI – IMPROVEMENT OF INSTRUCTION AND TENURE REVIEW *(page 1 of 4)*

- XI. Addition of language that seeks to cultivate equitable access and success for students *(pgs. 45-58)*
- XI.B.1. Faculty expectations added *(pgs. 45-46)*
- XI.B.2. Associate faculty expectations added *(pg. 47)*

ARTICLE XI – IMPROVEMENT OF INSTRUCTION AND TENURE REVIEW *(page 2 of 4)*

For Contract Faculty:

- XI.D.1.b./XI.D.1.e. Expectation that all committee members participate *(pgs. 49 & 50)*
- XI.D.1.c. Expanded mandatory components *(pgs. 49-50)*
- XI.D.1.d. Self-reflective narrative statement on fulfilling institutional service, equitable access and success, and any reassigned time *(pg. 50)*
- XI.D.1.g. Contract faculty evaluations – clarified ‘need for improvement’ process *(pg. 51)*

ARTICLE XI – IMPROVEMENT OF INSTRUCTION AND TENURE REVIEW *(page 3 of 4)*

For Regular Faculty:

- XI.D.2.c. Expanded mandatory components *(pg. 53)*
- XI.D.2.c. Self-reflective narrative statement on fulfilling institutional service, equitable access and success, and any reassigned time *(pg. 54)*
- XI.D.2.d.-g. Clarified ‘need for improvement’ process *(pgs. 54-55)*

ARTICLE XI – IMPROVEMENT OF INSTRUCTION AND TENURE REVIEW *(page 4 of 4)*

For Associate Faculty:

- XI.D.3.b. Expanded scope and process (pg. 56)
- XI.D.3.e. Department Chair may review grade distribution and retention statistics after evaluation process is complete (pg. 56)

ARTICLE XIII – LEAVES

- XIII.B.1. Clarified District procedure for calculating sick leave (*pg. 61*)
- XIII.F. Clarified personal necessity leave accrual (*pg. 65*)
- XIII.Q.4.f. Clarified method of compensation for sabbatical leave (*pg. 72*)

ARTICLE XIV – SAFETY CONDITIONS OF EMPLOYMENT *(page 1 of 2)*

- XIV.A.1. Strengthened language on District compliance with federal and state law mandates based on safety provisions in federal, state, county, and city guidelines and mandates *(pg. 75)*
- XIV.A.2. Specified at least four faculty will be represented on District Safety Committee *(pg. 75)*
- XIV.A.3. Appropriate guidelines provided to faculty who handle hazardous material *(pg. 75)*
- XIV.A.4. Provision added for personal protective wear *(pg. 75)*

ARTICLE XIV – SAFETY CONDITIONS OF EMPLOYMENT *(page 2 of 2)*

- XIV.A.6. Included faculty obligation to observe health directives while conducting District business onsite *(pg. 75)*
- XIV.B. Clarified the reporting of safety incidents *(pgs. 75-76)*
- XIV.C. Clarified reporting of threats against a faculty member *(pg. 76)*

ARTICLE XV – REDUCED TEACHING SERVICE PROGRAM

- XV.C./XV.I.1.-2. Clarified language related to time
(*pg. 78*)

ARTICLE XVI – TRANSFERS

- XVI.B. Clarified the notification process and added time deadlines; ultimate goal to expedite the process (*pgs. 79-80*)

ARTICLE XVII – CONTRACTUAL AND NON- CONTRACTUAL GRIEVANCE PROCEDURE (1 of 2)

Title change inclusive of non-contractual grievance procedure

For both contractual & non-contractual grievances:

- XVII.A.2.g./XVII.B.12. Added provision prohibiting faculty from engaging in personal investigations (*pgs. 82 & 85*)
- XVII.A.2.h./XVII.B.13. Added provision prohibiting faculty from soliciting student involvement in an investigation other than as good faith witnesses (*pgs. 82 & 85*)
- XVII.D. Clause added – these procedures do not supersede Federal/State laws/statutes/regulations or RCCD Board Policies and Administrative Procedures (*pg. 87*)

ARTICLE XVII – CONTRACTUAL AND NON- CONTRACTUAL GRIEVANCE PROCEDURE *(2 of 2)*

For non-contractual grievances:

- XVII.B.5. District and FA will mutually agree upon investigative firms hired to conduct faculty investigations *(pg. 84)*
- XVII.B.6. District will provide written notice of complaint to accused faculty member and notify of right to representation *(pg. 84)*
- XVII.C. New faculty dispute resolution process *(pgs. 85-87)*

ARTICLE XX – MISCELLANEOUS

- XX.H.2./4. Contract Education/Economic Development and Workforce Preparation – specified qualified District faculty in good standing have first right of refusal and must demonstrate industry-specific expertise (*pg. 92*)
- XX.J. Academic freedom stated added in alignment with Board Policy 2030 (*pg. 94*)

ARTICLE XXI – INTERSESSIONS

- XXI.E.1. Establishment of District-wide set of guidelines for intersession workload with additional college-specific information (*pg. 96*)
- XXI.F.1. Sick leave usage and rates clarified (*pgs. 97-98*)

ARTICLE XXII – LOAD BANKING

- XXII.A.1. New allowance to bank partial courses
(*pg. 100*)
- XXII.A.7. Included provision that banked hours may be used for professional or personal reasons excluding full-time employment with another college district (*pg. 100*)
- XXII.B. Clarified banked courses assigned at intersession salary rate may be cashed in at the intersession salary rate (*pg. 100*)

Major Areas Requiring Action

- Defining training/education in equity and social justice areas
- Annual Institutional Service Plan submission process
- Reassigned time job description and evaluation form development
- Reassigned time analysis plan development
- Review and refine Improvement of Instruction forms, where appropriate
- Defining progressive discipline

Questions