

**Spring 2018**

**Roles &  
Responsibilities**



# Overview of Today's Discussion:

Today we'll discuss...

- Collective Bargaining
- Duty of Fair Representation
- What's a Grievance?
- What's NOT a Grievance?
- Other Complaints?

# Collective Bargaining

Collective bargaining is the process in which working people negotiate contracts with their employers to determine their terms of employment, including:

- Pay
- Benefits
- Hours (Faculty Assignments)
- Leave
- Health & Safety Policies
- Working Conditions

As a group, we have more power to negotiate and stand up to administrative overreach.

# Duty of Fair Representation (DFR)

Or: Why does PFT protect all faculty--even the “bad” ones?

As faculty members' exclusive representative, the PFT has a legal obligation to represent all faculty in any case where the contract, law, or AP/BP has been violated.

Our DFR requires three things of us:

- Members' interests must be served without hostility or discrimination
- Discretion must be exercised with good faith and honesty
- The union may not act arbitrarily

If we do not adhere to these requirements, we can be sued.

# What's a grievance?

A grievance is a complaint brought by a member or the union (on behalf of a member, group of members, or unit as a whole). It is a complaint that focuses on violations of:

- Our collective bargaining agreement (CBA)
- State and Federal laws (including California Ed. Code)
- Administrative Procedures (APs) and Board Policies (BPs)
- Labor Law and Education Employment Relations Act (EERA)

Grievances are described in Article 19 of our CBA and follow a prescribed set of steps:

- Informal resolution (with the immediate supervisor of the grievant)
- Step 1 (with the college president)
- Step 2 (with VC of HR)
- Step 3 (with the Chancellor)

# What if a resolution isn't obtained after Step 3?

Grievances that are not settled within the district can be taken to arbitration.

- An arbitrator hears both sides of the case and determines an outcome.
- Arbitration is binding - both parties must adhere to the decision.
- Arbitration is expensive and costs are split between the District and grievant (member or PFT).
- At this point, the union does not have a DFR.

# What's NOT a grievance?

Grievances are not complaints.

Grievances cannot be brought against another faculty member or staff member.

# So what if I have a complaint?

Complaints about other faculty members or staff should be brought to the administration.

Some complaints (sexual harassment, prejudicial treatment, etc.) should be taken to the District Human Resources department and filed.

- Such complaints are usually investigated by the district.
- The PFT will be obligated to represent all faculty involved in such investigations if they could lead to discipline of any kind (Weingarten Rights).
- The PFT can help direct you toward the correct paperwork & contacts but cannot file these complaints for faculty.

# Why the PFT?

Your union remains the best place for all faculty to work together to build and keep a strong, supportive workplace. A faculty-run union like ours ensures:

- Knowledge of the contract, APs/BPs, and laws
- Access to the top legal advice in the state
- Affiliation with the California Federation of Teachers
- Advocacy with district administrators and Board of Trustees
- Collective knowledge of district history
- Dedicated faculty focused on ensuring that all faculty are supported and heard
- Ability to speak out against administration when necessary while maintaining job security

# A strong membership is a strong voice!

Without a strong membership:

- We won't have the financial resources required to advocate, negotiate, and defend
- We won't have the leverage we need to negotiate a strong contract
- We won't have the voices required to ensure that policies support everyone

What can you do?

- Attend membership meetings
- Ensure that you are a member with an updated membership form on file
- Ask the faculty in your department to sign up and attend meetings with you
- Come to our Mayday for May Day Conference for more information!

# But don't take our word for it...

“I consider it important, indeed urgently necessary, for intellectual workers to get together, both to protect their own economic status and also, generally speaking, to secure their influence in the political field.” – Albert Einstein, charter member of AFT Local 552 (c. 1938)

“In our glorious fight for civil rights, we must guard against being fooled by false slogans, such as ‘right to work.’ It is a law to rob us of our civil rights and job rights. Its purpose is to destroy labor unions and the freedom of collective bargaining by which unions have improved wages and working conditions of everyone...Wherever these laws have been passed, wages are lower, job opportunities are fewer and there are no civil rights. We do not intend to let them do this to us. We demand this fraud be stopped. Our weapon is our vote.” —Martin Luther King, speaking about right-to-work laws in 1961

# Where can I find this information?

The PFT website has the most recent forms, handbooks, and contract: [pft1603.org](http://pft1603.org)

And we are happy to help answer questions:

- At the PFT:
  - Jennifer ([shanoski@gmail.com](mailto:shanoski@gmail.com))
  - Anna ([anna@pft1603.org](mailto:anna@pft1603.org))
  - Kayla ([union@pft1603.org](mailto:union@pft1603.org))
- Campus Representatives:
  - Scott Hoshida, BCC ([scotthoshida@gmail.com](mailto:scotthoshida@gmail.com))
  - Josh Boatright, BCC ([joshuaboatright@gmail.com](mailto:joshuaboatright@gmail.com))