

PFT - FAQ on Union Roles & Responsibilities

Q1: What is Collective Bargaining?

A1: Collective bargaining is the process in which working people negotiate contracts (agreements) with their employers to determine the terms of employment. These terms include wages, benefits, hours (faculty assignments guidelines), leaves, health & safety policies, and working conditions. As a group, we have more power to negotiate and stand up to problematic administrative proposals.

Q2: What is a Duty of Fair Representation (DFR)?

A2: As faculty members' exclusive representative, the PFT has a legal obligation to represent all faculty in any case where the contract, law, Board Policy (BP)/Administrative Procedure (AP) has been violated. There are three requirements for our representation:

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

Q3: What happens if we do not provide representation to a faculty member?

A3: If we do not adhere to the DFR requirements then the PFT opens itself up to legal action.

Q4: What are Weingarten Rights?

A4: If a faculty member is called into any meeting that could result in disciplinary action, they have the right to request that a union representative accompany them to the meeting. This right is known as the faculty member's Weingarten Right.

Q5: What is due process?

A5: Due process is the course of proceedings that must occur in accordance with established rules and regulations. In the workplace, due process refers to the rights of an employee to defend and improve themselves prior to the application of an adverse employment action.

Q6: What is a grievance?

A6: A grievance is a complaint brought by a member or the union (representing an individual or group) that describes a violation of our collective bargaining agreement (CBA), State and Federal Laws (including California Education Code), Peralta BPs/APs, and/or Labor Law.

Q7: What is the grievance process?

A7: Grievances are described in Article 19 of our CBA. Briefly, the process is to take the complaint through a series of steps (escalating in the administrative level) to arrive at a resolution. If a resolution cannot be found with the chancellor (step 3), PFT can take the grievance to arbitration where an outside body determines the outcome.

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Q8: Can I file a grievance against a faculty member?

A8: No. Grievances are between the faculty and administration and deal only with violations of the type described in Q6. If a faculty member has a concern/issue about another faculty member then they must file a complaint with PCCD Human Resources. PFT does not file these complaints but can support faculty to navigate the system. If a complaint results in any investigation, PFT will have a responsibility to represent all parties involved.

Q9: Can the PFT fire a faculty member?

A9: No. The PFT is not the employer of faculty members and cannot fire anyone employed by PCCD. It is the administration's responsibility to follow established policies/procedures in order to ensure that we maintain the highest quality instructors in our district.

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