

## **Spring 2022 Membership Meeting Minutes**

April 28 at the home of Walter Soellner, 523 S. 6<sup>th</sup> St in San Jose, CA 95112

The meeting was also offered remotely on Zoom.

In attendance: Walter Soellner, Patrick Butler, Alice Gosak, Phil Hu, Kathy Jasper, Ron Levesque, Paul Fong, David Yancey (via Zoom), Steve Matusow (Zoom) and Jim Potterton (Zoom)

Absent: Secretary Dan McElroy

The meeting started at about 1:45pm. After introductions by President Paul Fong, the group addressed the agenda.

### 1. Membership

Ron Levesque reminded members that annual payment of dues of \$50 for 2022 is due for those who opt to pay in spring.

Ron announced that member Russ Fischer, long-time librarian at SJCC had died. Todd Williams agreed to write a tribute to Russ in the upcoming newsletter.

### 2. Financial Report

Treasurer Ron Levesque presented a report covering finances between the last membership meeting in October 2021 and April 23, 2022. Our current balance is \$48,789, including the account with United Business Bank and the account at Fidelity Investments. Ron's handout detailed credits and debits, which he explained. All our income is from voluntary dues and Ron explained that dues payments have decreased, which is a concern. In 2021, 51 payments generated \$2,550. Our debits totaled \$1,569, so we covered them well. In 2020, income from dues was almost the same as 2021 at \$2,650. However, these both represent a decline from dues income of \$3,500 in 2019 and \$3,300 in 2018. If we do not increase membership, we will need to be more cautious how we spend. There followed some discussion about how to increase membership. Phil Hu, Executive Director of AFT 6157, promised to share contact information of recent retirees so that the chapter may reach out to them.

### 3. Report on pre-1982 Retiree Medical Benefits

For the record and to follow up from fall 2021, the AFT 6157R survey to retirees hired before September 7, 1982 yielded 35 respondents. Results were published in the fall 2021 newsletter and emailed to AFT leaders and to Michelle McKay in Human Resources.

#### 4. Report from RBOA reps, David Yancey and Patrick Butler (added to the agenda)

Patrick Butler gave the history of our first union, formed in the years after the Rodda Act was passed in 1976, allowing faculty to bargain working conditions, wages and hours. Patrick was highly involved in the campaign to bring the CTA union to campus and he served as president for five years. As chair of the negotiation team for the 1979-1982 contract, he led faculty to an agreement with the district for the provision of medical care coverage for faculty at the level of the Blue Cross 365 Plus plan, which was written into the contract. He also agreed to a contract that stated that full time faculty hired after September 7, 1982 would not be eligible for district-paid retirement benefits. What was agreed to for the pre-1982 hires was actually a supplemental plan to Medicare. Over time, however, these benefits have declined significantly, and are not at the level of coverage that was agreed to in the 1979-1982 contract, says Patrick.

David Yancey was in the union AFT leadership in 2008 and worked in collaboration with the district to establish the current Retirement Board of Authority (RBOA). An irrevocable trust was set up by issuing bonds to provide a fund to support the supplemental plan to Medicare for the pre-1982 group of retirees. David and Patrick currently represent AFT 6157R retirees on the RBOA and have realized that a main issue they face is a lack of a clear process about how to use the bond money, a fund that now has grown to eleven million dollars thanks to excellent investment strategies. David says that some members of the RBOA think they have no authority to act and this matter is a union issue. David and Patrick have explained to them that these retirees are no longer union members and cannot engage in collective bargaining. In fact, they believe RBOA has the authority via its bylaws to oversee issues of medical care for this retiree group and does report to and does advise the Board of Trustees, who have the power to act on any recommendations by RBOA.

David and Patrick have garnered enough votes for RBOA to hold a special meeting in July just to discuss this issue. Some RBOA members did not favor this meeting, doubting its purpose and their own authority to act and even to just discuss the status of benefits for the pre-1982 hires who are now retired.

David and Patrick have come to this AFT 6157R meeting today to discuss this situation, to offer a way forward, and to get our support for next steps. David says we need to know what exactly the rights of retirees are as to using RBOA to help this group of retirees. What recourse do we have? For example, per the RBOA bylaws, we seem to have the power to change the by-laws. We need to act before the district seeks legal guidance in an effort to thwart our moves. Patrick has a lawyer he wants to approach within a week and ask him to agree to review the guiding documents for how the RBOA is organized and how it can use its defined authority. Patrick and David are confident our lawyer will verify that we can take steps via RBOA to review the medical care plan for this pre-1982 group and to make recommendations to the Board of Trustees.

After some discussion, a motion was made to support hiring a lawyer soon to help Patrick and David address the issues at the special meeting of the RBOA in July. The following motion was written by Patrick and was approved unanimously by members present.

Motion made by Walter Soellner and seconded by Kathy Jasper and Paul Fong

**Motion: That AFT 6157R retain an attorney to produce opinions on:**

- 1. The ability of the district Retirement Board of Authority to make recommendations regarding medical benefits (retirement) paid to district retirees hired prior to September 7, 1982.**
- 2. The reduction in retirement medical benefits to those staff hired prior to September 7, 1982.**
- 3. The amount of this retainer would be \$5000. Any additional amounts would need to be approved by the AFT 6157R board.**

**Passed: Unanimously**

The AFT 6157R Board authorized Patrick Butler to approach an attorney with this offer. Patrick will provide his response to the Board members next week. Treasurer Ron Levesque would need to write out a check to the attorney once he has agreed to help.

5. Retiree Workshop with Michelle McKay

At the Fall 2021 meeting, Michelle discussed her plans to offer a Zoom workshop for retirees. Ron followed up with her by email last week and has not received a reply. Paul Fong offered to contact her.

6. Recruiting Adjunct Faculty for AFT 6157R

There was discussion about having retired adjunct faculty join AFT 6157R. There was general agreement about this happening. But should they even have to pay voluntary dues since they do not enjoy the full benefits that full time retirees do? In the end, their dues were set at \$20 a year.

Ron made this **motion**:

**Invite retired adjunct faculty to join the Retiree Chapter and pay \$20 voluntary dues annually.**

Seconded by Kathy Jasper.

**Motion passed unanimously.**

Ron led some follow-up discussion about how best to reach out to adjunct to extend our invitation. Our chapter lacks this contact information. Phil said that AFT 6157 and the District have this information. Kathy Jasper, who recently joined AFT 6157R, staked her claim to being the very first adjunct member of this chapter, joking that she had paid the \$50 dues that full timers pay.

#### 7. Newsletter: Appeal for Contributors

Paul led a discussion about some of the recent and forthcoming articles, seeking suggestions for topics and for writers. The spring newsletter will be published in late May.

#### 8. State of the District and AFT 6157

Phil Hu, Executive Director, reported on the following important developments.

- A. The big news is that although the election of union board members should be taking place right now, there will be no formal election. Since no positions are being contested, those now in office will continue to serve on the AFT board.
- B. One change is that current president Jessica Breheny will step back during her sabbatical and her heavy level of activity and serve as vice president for the next two years. Current vice president Steve Mentor will assume the position of president.
- C. Chancellor Byron Breland has resigned to take a similar position at South Orange and an interim has been installed here. A search committee has been formed to select the new chancellor. Phil is to serve as the AFT rep, replacing Steve Mentor. Shockingly, the Board of Trustees has violated the Ed Code by injecting themselves into the selection process by adding a 4<sup>th</sup> classified staff to the three selected by the CSEA union. This has upset the balance of reps, giving classified 4 to the 3 instructors. Both CSEA and AFT have appealed this as unlawful and a danger to our accreditation. Trustees are overreaching and interfering in the regular selection process for hiring committees. Phil says there are two remedies, remove the additional staff member or add a 4<sup>th</sup> faculty member.

[At this juncture, David Yancey commented to praise Phil for his response to this interference by the trustees as well as to thank him for his effective leadership on AFT. The fact that all incumbent union board members are running again unopposed indicates that there is a high level of satisfaction with and in the AFT in our district.]

- D. Trustee Craig Mann has resigned. AFT wants to act quickly to submit a replacement for him before trustees choose their own interim. A strong recommendation was made to reach out to Tony Alexander, who has a strong labor background. Phil intends to reach out to him.

- E. The Trustees are indeed micromanaging, and when told of this, they do not see things that way. For example, recently one asked for the board to see the fall schedule of classes for their review. The majority seeks a return to full on-campus instruction, despite three different presentations against this by the AFT. In this case, the trustee was unaware that fall schedules have already been published and that registration is ongoing.

9. Fall Elections and AFT (added to the agenda)

Kathy informed the group that California Federation of Teachers (CFT) via Jessica Breheny has appointed her to the South Bay Labor Council (SBLC) to direct election-related activities. She shared flyers about precinct walking and phone banking, seeking volunteers. Labor support is behind Cindy Chavez for mayor. Another flyer is seeking marchers for a May Day march for workers. Kathy also announced she is a representative for adjunct faculty issues, such as overturning the 'windfall offset' on social security payments for those retirees also having a pension through a union.

10. Celebrating Percy Carr

Ron and Paul reminded the members that the chapter has bought a table for 8 retirees to the event to honor Coach Percy Carr on June 4. The first 8 members in good standing that contact Ron will receive a ticket.

11. Founding of AFT 6157R

Ron needed to know date of the creation of AFT 6157R for financial documents. Phil helped by contacting AFT national and they replied that our Retiree Committee was officially chartered on December 1, 2007. This means that come December we can celebrate our 15<sup>th</sup> anniversary.

The meeting ended at 3:20.

Submitted by Ronald Levesque

Minutes approved by Retiree Chapter Board on August 22, 2022