



UNION NEWS

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JANUS—IT'S NOT SOME HORROR MOVIE, BUT IT IS VERY SCARY

By Robert Perrone

A new case before the U.S. Supreme Court, *Janus v American Federation of State, County, and Municipal Employees, Council 51*, if decided in favor of the plaintiff Mark Janus, will exert a profound impact on workers' rights. The goal of Janus, and the vast array of conservative organizations and individuals who support him is to deny public sector unions the right to charge non-union members a fee-for-service, otherwise known as the agency or fair-share fee. Estimates are that those unions could see a 30% or more drop in funding, crippling the ability of public sector unions to represent their bargaining unit members at all levels—in the workplace, in the state legislatures, and in the halls of Congress.

Union representation is beneficial for both employees and employers. The LRCFT is an effective voice for promoting the day-to-day concerns of faculty, including wages, health and safety, paid sick days, and health-care benefits. Unions, including the LRCFT, were instrumental in convincing the state Legislature in recent decades to pass legislation requiring employers to provide paid parental leave to their employees.

Ample evidence shows that teachers in districts with a union earn higher salaries

and have better benefits than teachers without one. That is not an alternative fact. There is a reason for that because, in fact, there is power in a union. And, while some may believe that they can negotiate their own raises and benefits with their employer, handshakes and promises are not as powerful as legally enforceable contracts.

That is why the LRCFT has spent years of time in bargaining for faculty to be recognized as professionals. And, make no mistake, the LRCFT does have to bargain professionalism. There are several pages in the collective bargaining agreement with the District about compensation and many pages about teaching conditions, which are student's learning conditions. Over more than the 45 years that the LRCFT has acted as the sole bargaining representative for Los Rios faculty, we have spent much time bargaining such issues.

WOMEN AND PEOPLE OF COLOR WILL BE DISPROPORTIONATELY AFFECTED

Many observers have overlooked the fact, however, that Janus is not just a workers' rights case. It is also a case that will decide issues critical to workplace equality for women and people of color.

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First, public-sector jobs are disproportionately women's jobs. Most faculty positions in Los Rios are filled by women. According to the National Women's Law Center's analysis of 2010 census data, although men still make up a majority of those represented by unions in the overall economy, women make up a majority – 56 percent – of union-represented public-sector workers, employed as nurses, first responders, teachers, and in many other jobs crucial to the health, safety and prosperity of communities. Women make up 56 percent of black public-sector workers represented by unions; 62 percent of union-represented Asian public-sector workers, 65 percent of union-represented Native American public-sector workers, and 50 percent of union-represented Latino public-sector workers.

Public-sector unions are thus important engines of equality and economic opportunity for women. The bargaining power, pay standardization and transparency, and anti-discrimination protections that unions provide help correct for the factors that tend to depress women's pay. Public-sector women workers represented by unions make on average

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WELCOME BACK TO A NEW YEAR!

By Dean Murakami

I wanted to take this time to review some of the events and activities that LRCFT worked very hard in 2017 to benefit both faculty and students. One of the major challenges occurred when the White House announced that it would cancel the DACA program. This would affect over 60,000 California Community College students and those that work at community colleges, making them eligible for deportation. The LRCFT immediately passed a resolution in support of the DACA program in December 2016, that resolution was one of the earliest passed by a community college local and was used as a template for other community college locals to pass their own resolution. We urged the District to pass a similar resolution which the district supported whole heartedly, and LRCFT planned workshops developed by Belinda Lum and Sandra Guzman for the Spring 2017 semester. Their work has been recognized by both the California Federation of Teachers and the Faculty Association of California Community Colleges. I have met with Representatives Ami Bera and Doris Matsui on the issues confronting both DACA and all immigrant students. In addition, I was invited by Doris Matsui and Darrell Steinberg in March 2017 to lobby in Washington DC with Sacramento leaders in business, government, labor, and education. Immigration was one of the primary topics we addressed with Congressional Representatives, the Department of Labor, the Department of Education, and the White House. I found it very interesting that certain sectors of the business community were just as committed to resolving the immigration issue and how much they value the work of immigrants.

LRCFT was an active participant in promoting passage of AB 568, the paid pregnancy legislation by Assembly member Lorena Gonzales-Fletcher. We helped to organize testimony at every committee and I want to thank Gayle Pitman who testified in the Assembly Higher Ed Committee and those that came to the rally where over a thousand support letters were delivered to the Governor. All of that effort resulted in AB 568 being passed by the Assembly and Senate, but was eventually vetoed by the Governor. I want to assure you that Assembly member Gonzales-Fletcher has not given up on this issue, so I hope we can continue to count on your support.

LRCFT was also in negotiations with LRCCD for the new contract during the Spring 2017 semester. Negotiations are always a very long and difficult process and we made significant improvements in the contract, some of which are listed below. I want to thank our Chief Negotiator KC Boylan and the



“The LRCFT immediately passed a resolution in support of the DACA program.”

entire negotiations team for their dedication and effort. I also want to thank the district’s negotiations team as well. The negotiations process sets up conflict and even IBA cannot eliminate it. However, in all the years that I have been involved in negotiations we have never missed our deadline to finish by the end of the semester. I think it is a testament to the working relationship we have with the district, especially when I hear other locals at impasse or negotiations that go on for several years.

- Created a class of adjuncts within second level preference (16 of 20 semesters) who will be eligible for assignments of .60 FTE and above, up to .67 FTE. Must have taught .60 FTE or more for five out of six previous semesters. Begins Spring 2019.
- Faculty who teach on-ground classes may hold up to two office hours online, using current form.
- Faculty who teach online classes may hold up to two office hours online with day and time specified in syllabus.
- Increased the number of office hours for which adjuncts are paid.
- Established four levels of oversized classes.

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—Eliminated Section 2.7.4, which required that faculty forfeit a step on salary schedule B for every two years of not teaching overload or part-time, considered a “break in service.”

—Class and step earned teaching overload is transferred to the same class and step when retiree teaches part-time.

Each year LRCFT works with CFT and FACCC to help shape the state budget for community colleges. We are active participants in meetings with the state chancellor’s office, often testify in the budget committees, and meet individually with each of our assembly and senate representatives. I often see Los Rios faculty advocating for the full funding of Puente, MESA, DSPS, and EOPS. Once the budget is passed the state chancellor’s office uses its formulas to appropriate those funds to the districts. Over the summer we need to understand how much is appropriated in the different budget categories, and then meet with the district on the spending priorities. Much of the budget is based on formulas (e.g. our bucket), but we often have to decide on COLA, retro, medical, retirement increases, and other spending priorities.

We have been fortunate in that I have had a good working relationship with our Vice Chancellors of Finance such as

Louise Davatz, John Sharpe, and Theresa Matista. The fiscal stability of the district has always been an important value of LRCFT and works well in our fiscally conservative district and has been critical as we have gone through two very difficult recessions. I remember a Sacramento Bee article wondering why Los Rios is not sinking and in crisis like every other public institution in the state during the recession, and their question was “what is wrong with them?” They do not understand the sweat and strain all of us went through during that time, but we got through it better than most districts, and it is not what is wrong with Los Rios, it is what is right with Los Rios.

The Faculty Association of California Community Colleges has its Advocacy and Policy conference each year in Sacramento. In 2017 FACCC instituted its inaugural California Community College Alumni of the year Award. For 2017 the recipient was California Chief Justice Tani Cantil-Sakauye who is a graduate of Sacramento City College. She was a most graceful and articulate speaker and was such a passionate advocate of her community college experience. Both faculty and students were so

impressed by her and I think our faculty from Sacramento City College who attended were particular proud. The Chief Justice left such a high bar, but for 2018 the FACCC Alumni of the Year Award will go to Dolores Huerta who graduated from San Joaquin Delta College. She has such a busy schedule promoting her movie biography across the country, but when she was asked about the award she accepted immediately. We are so fortunate to have her speak, especially in these times of immigration and DACA issues. If highly encourage you to register for the FACCC A&P Conference, the LRCFT will pay for your registration.

We have the LRCFT Benefits Conference on the Tuesday of Flex week every Fall semester. This conference is done in collaboration with FACCC. Attendance has grown every year and I want to encourage our new faculty to attend as well. You can learn about the different medical plans, learn about 403B and 457 plans because it is critical that you start yearly in your career, STRS representatives can answer your questions, and each year I have a presentation on the budget and another on critical policy issues facing community colleges. Thanks so much to those that have attended in the past (keep coming!) and I highly encourage you to plan on attending if you have not.

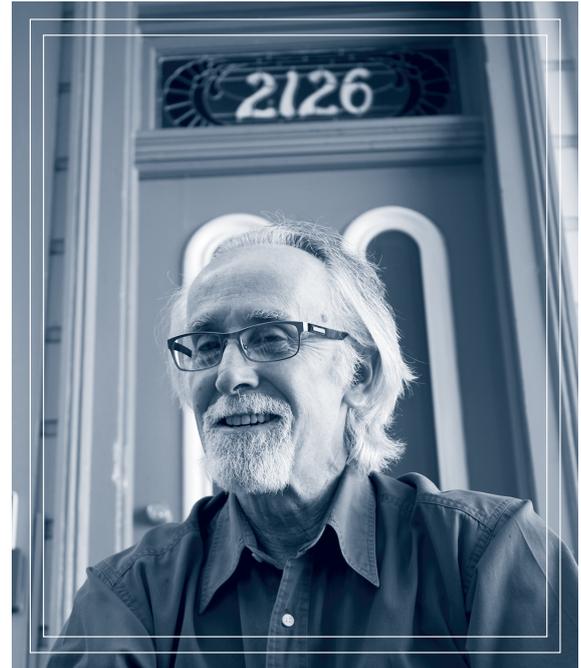
It seems that natural disasters are occurring at an alarming rate. It wasn’t that long ago that the Butte and local fires affected so many that included some from Los Rios. LRCFT routinely makes donations to help those in need. Recently we had the Santa Rosa and NAPA Valley fires that devastated neighborhoods. Patrick McCallum who is a legislative consultant with the district and his wife barely escaped with their lives. While he and his wife are doing fine, many are not. LRCFT has made donations to help those that have lost everything, and we have targeted our donations to the farm workers who often do not have the fiscal resources to make it through each day. In addition, LRCFT has donated funds to supply water filters to those coping with the aftermath of hurricane Maria in Puerto Rico. So many are still without power or fresh water, so much more needs to be done to prevent further suffering and death.

Lastly, I want to encourage you to come out and participate in the different marches LRCFT sponsors each year such as the Martin Luther King March, Cesar Chavez March, International Labor Day March, and Women Take Back the Night. Last year we also had the March for Science where so

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15 percent more income than women workers not represented by unions. That's a bigger gain than union-represented men working in the public sector receive annually compared to men who are not represented by unions. Among public-sector workers, black women also see a 15 percent increase in wages and Latinas see a seven percent increase in wages when they have union representation.

Women union members receive not just higher pay, but more equitable pay. The gender wage gap for union-represented women working in the public sector is 20 percent smaller than the gap experienced by their non-union-represented counterparts and by workers overall. Women represented by unions who work full-time, year-round in the public sector typically make 83 percent of what their male counterparts make — a wage gap of 17 cents for every dollar earned by men. In contrast, women in the public sector not represented by unions typically make 79 percent of what their male counterparts make per week, or 21 cents less for every dollar earned by men — a wage gap largely the same as that between all men and women working full-time, year-round. Black women and Latinas working in the public sector also receive more equitable pay when represented by unions. Although black women working in the public sector without union representation experience a 32 percent wage gap compared to what their white, non-Latino male counterparts earn, that number shrinks to 23 percent for union-represented black women in the public sector. For Latinas, the wage gap shrinks from 29 percent to 25 percent.



against discrimination. Only 20 states and the District of Columbia expressly prohibit employment discrimination on these grounds. More and more courts are recognizing that these forms of discrimination should be considered types of unlawful sex discrimination. Unions, including the LRCFT, have routinely bargained to protect LGBT workers.

In other words, representation by public-sector unions is valuable to working people, and specifically to working women. Forty years ago, in *Abood v. Detroit Board of Education*, the Supreme Court recognized that the First Amendment poses no obstacle to creating systems to ensure that public-sector employees receiving this valuable union representation pay “fair share fees” to contribute to the costs of collective bargaining and implementation of collective-bargaining agreements that result in these tangible benefits. That case also recognized that to carry out their

legally obligated duty to represent everyone in the bargaining unit (known as the “duty of fair representation”), unions need to function. Fair-share fees allow unions to collect some amount of money from everyone they represent — who all receive equal benefits through the union contract; these funds support the union’s collective bargaining and contract enforcement. As the Supreme Court recognized in *Abood* and repeatedly in subsequent cases thereafter, fair-share provisions for non-members are nec-

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SAMPLE WAGE COMPARISON

UNION
\$70,000

NON UNION
\$59,500

WOMEN REPRESENTED BY UNIONS MAKE 15% HIGHER WAGES ON AVERAGE

PROTECTING RIGHTS THROUGH CONTRACT ENFORCEMENT

Collective-bargaining agreements (CBA) also typically protect union workers from discriminatory adverse actions such as termination. CBA’s also provide important heft and enforcement mechanisms to workplace equality guarantees, which are particularly significant for women and people of color. Moreover, for workers who face discrimination because of their sexual orientation or gender identity, these collective-bargaining protections may be the sole and explicit protection

essary to avoid a free-rider problem. Free-riders are workers who benefit from the union's activities and the union's legal duty to fairly represent all who are in the bargaining unit, but refuse to contribute to the costs of procuring these valuable benefits. *Abood* also made clear, however, that no non-member can be required to contribute to any purely political activity undertaken by the union.

THE REAL-WORLD IMPACT OF A JANUS VICTORY

A reversal of the rights of unions to collect agency fees would have grave real-world impacts for workers. If the Supreme Court finds for Mr. Janus, public-sector unions across the country would be left legally obligated to serve everyone they represent equally – with no guarantee that those they represent will pay anything at all for the benefits the union has achieved through collective bargaining and contract enforcement. As a result, the ability of public-sector unions to ensure these protections and benefits would be severely diminished. This would disrupt the lives of nearly eight million individuals represented by public-sector unions across more than 20 states that have adopted collective-bargaining systems that provide for fair-share fees. These workers – the majority of whom are women and people of color – rely on the contracts negotiated by their unions to confer benefits that help support them, their families and their communities. Overturning the precedent set in *Abood* would disrupt the reasonable expectation of millions of public-sector employees that they can obtain the basic economic opportunities provided by union representation.

WOMEN PUBLIC SECTOR WORKERS IN “RIGHT-TO-WORK” STATES

Indeed, we don't have to look to hypotheticals for an example of what will happen if public-sector fair-share fees are found to be unconstitutional. In those so-called “right to work” states that have chosen to disallow fair-share fees, wages are on average 3.1 percent lower — for everyone, not just unionized workers — than wages in non-“right-to-work” states, even when controlling for worker characteristics and state labor-market conditions. And women, who gain so much from the worker voice, pay transparency and fair representation provided by unions, are hit the hardest. Wages in these “right-to-work” states were 4.4 percent lower for women who work full time and year-round than in non-“right-to-work” states (a greater drop than the 1.7 percent lower wages for men who worked full-time and year-round). Similarly, black workers and Latino workers suffered especially large wage impacts, with decreases of 4.8 percent and 4.4 percent, respectively.

THE RELATIONSHIP BETWEEN ECONOMIC RIGHTS AND CIVIL RIGHTS

In 1961, Martin Luther King Jr. recognized the close relationship between economic rights and civil rights. He stated: “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.” As King understood, the “right-to-work” movement has deep historical roots in opposing integration and has worked against whites and blacks joining together on an equal footing through union membership. Over the forty years, public-sector unions have promoted workplace equality and economic security for working women, people of color, LGBT workers, and the entire nation.

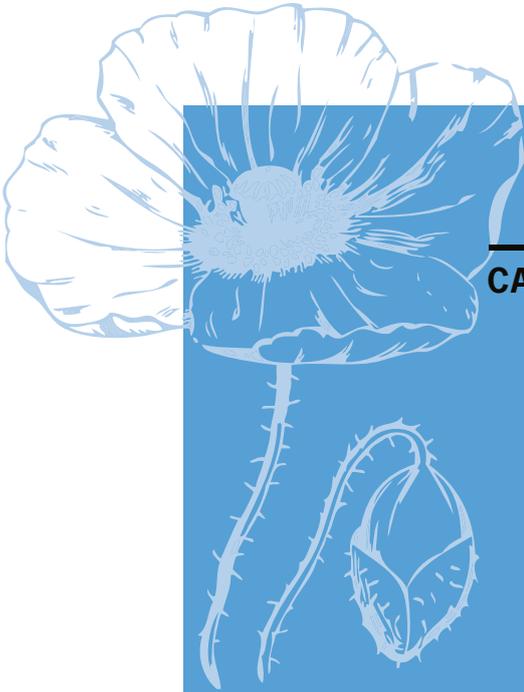
THE GOAL OF THE ANTI-UNION MOVEMENT IN THE U.S.: WEAKEN UNIONS AT ALL COSTS

The goal of anti-union forces in the U.S. is to allow unions to exist while outlawing what unions can actually accomplish; in other words, why kill a union when you can weaken it to the extent that it is defenseless and unable to resist.

But restriction of work place rights might just push unions to expand their vision beyond the workplace. By expanding outreach, unions can counteract the narrow narrative that the pursuit of their members' interests is the cause of non-union workers' problems.

By fighting loudly for “Medicare for All,” a \$15 minimum wage, affordable housing, equality of wages, non-discrimination in all aspects of the lives of working people---issues that are outside the four corners of a labor contract---unions can reclaim their position as the voice not of a specific group of employees, but the entire working class.

Unions must begin bargaining not just for their members, but for the common good. ■



THE UNION GALLERY

CALL FOR ARTISTS!

Second Saturdays
6 – 9 PM Reception
2126 K Street
Sacramento

GALLERY MISSION

The goal of the Union Hall Gallery is to mix labor, education, and art in a manner that will speak to the experiences of the community and the world around it.

We would like to invite our LRCCD colleagues to submit an application to show work at the Union Hall Gallery. The gallery has spotlighted different mediums throughout the years including traditional fine art, video installation, graphic design, photography, and more. We are enthusiastic about showing work that supports LRCCD employees and students or represents union core values, or both.

Email for an application or more information: gallery@lrcft.org

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President's Message [from page 3]

many faculty and students participated wearing LRCFT's T-shirts specifically designed by Robyn Waxman. The Women's March was so successful last year and many of you participated. The next Women's March is scheduled on January 20th and we

highly encourage everyone to participate.

**THESE WERE JUST A FEW HIGHLIGHTS.
HAVE A GREAT YEAR!!** ■



LRCCFT represents at the Cesar Chavez March in 2017

LRCFT SOCIAL JUSTICE WORKSHOP SERIES

By Belinda Lum

Over the past year, we have witnessed a constant barrage of attacks directed at women, the poor and working class, the LGBTQIA communities, immigrants, and people of color. Although these incidents brought national attention to the prevalence of hate and bigotry—as faculty we were well aware that these ideas were becoming increasingly prevalent on our campuses, in our classrooms, and in our meetings. In response, LRCFT committed significant time, effort, resources, and energy towards strengthening the work that we do to actively support historically under-represented communities with significant attention to undocumented communities.

Immediately following the election, our efforts focused on providing baseline information to our faculty on immigrant experiences and the legislation impacting these communities. Additionally, we hosted “Know Your Rights” workshops that were conducted in partnership with the California Rural Legal Aid Foundation (CRLAF) and the Northern California American Civil Liberties Union. These workshops were open to students, staff, faculty, and administrators of the Los Rios Community College District as well as the community at large.

During the fall 2017 semester, we hosted a number of social justice workshops, including Self Defense for Inclusive Communities, LGBTQIA Safe Space Training, and an UndocuAlly Training. Our overarching goal was to provide opportunities for union members to not only improve professionally, but to also join together as a broader community to actively work towards social justice and positive social



change. The Self Defense class focused on how to stay safe during marches and protests, and offered participants the chance for hands-on learning of these techniques. The LGBTQIA Safe Space training was organized and taught by members of the LGBTQIA Faculty Caucus at SCC and provided important and insightful lessons on how to create safe and welcoming environments for LGBTQIA individuals in our offices, classrooms, and in our pedagogical approaches.

Finally, we launched the Union’s UndocuAlly program. We have trained eight Union members from the four campuses to run UndocuAlly workshops for faculty, staff, and administrators. We created an LRCFT UndocuAlly Sticker, and created a registry of trained allies so that students and fellow allies, can refer members of our undocumented community to individuals who may be able to help them. In addition, LRCFT members are actively lobbying and pushing the District to create a stronger infrastructure for undocumented communities. This includes adapting our policies regarding ICE on campus, creating Dream Resource Centers, coming into compliance with AB 21, and insuring the District’s policies regarding financial aid distribution to AB 540 and DACA students is consistent with the rest of the state.

We plan to continue this work in spring 2018 by offering flex-eligible LGBTQIA Safe Space Trainings and UndocuAlly trainings, and growing the four workshop offerings based on suggestions from the membership. For those interested in suggesting or offering workshops, please contact one of your Union representatives. ■



Faculty spar at Self Defense for Inclusive Communities

THANK YOU, PROFESSOR!

By Jason Newman

I remember Jason Henderson four years ago when he attended my introductory U.S. history class. As educators, we reach thousands of students a year, and we forget sometimes that we make a positive influence in the lives and careers of our students.

Greetings Professor Newman,

My name is Jason Henderson. I hope this message finds you well. Also, I apologize that this message has taken this long to send, as I should have sent it the week following the semester I transferred from Cosumnes River College. I just simply wanted to say thank you for the impact you had on my life. The methods you used to instruct your class and teach your students continues to help me out tremendously. Looking back, it was invaluable experience to learn about the true history of our country, my own heritage, and the impacts of our decisions as a culture. I remember vividly how you would challenge us to write everything down; during lecture you would repeat portions 4 or 5 or

even 6 times to ensure we understood its importance. You challenged us to ask questions and seek knowledge. The greatest thing you taught me was about myself. Within that 16 weeks, I learned how to learn, and I believe that you taught me that. I know it's in your job description to impart knowledge, and gauge where a student's understanding lies at the end of those semesters, but the genius of your instruction was the way you helped me understand myself, helped me perceive the world, and absorb discipline.

"The great man (or woman) is the man who makes every man feel great"

Again, thank you. Thank you for your compassion, selflessness, and leadership.

Have a great semester and a great year!

With optimism,
Jason

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