



Local 1610

College of  
MARIN

## UPM's Tuesday Debriefing

March 18, 2008

**“Impasse for the Beginner”** (Not a new title in the “Dummies” series of books—no dummies in this crowd!—but a basic Q&A for those who wish to stay in the know.)

•**What just happened?** The UPM bargaining team concluded that the District has not provided any new or significant proposals in the majority of the 18 (out of 26) contract articles that they put on the table for negotiations. Consequently, the Executive Council authorized asking the Public Employment Relations Board (PERB) to certify that both parties are at impasse.

•**What happens next?** PERB has five days from receipt of the request to determine that both parties agree that they have presently gone about as far as they can go. Impasse must be mutually agreed upon. Once that has been determined, PERB appoints a mediator. Finding a mediator and scheduling times could take weeks.

•**What does the mediator do?** The mediator shuttles back and forth between the parties (who are in a predetermined location at a predetermined time), presenting proposals, compromises and suggestions; all in an effort to come to a resolution. If successful, we have a contract. If not, the parties can go back to bargaining on their own or proceed to the next step.

•**Is fact-finding the next step?** Yes. Fact-finding involves a panel of three people, one appointed by each party plus one neutral person. The fact-finders are presented with supporting arguments and information from UPM and the District regarding the issues under negotiation. The three people then create a written report that represents their perception of what could be the outcome from all of the information they have received. Before and during this process the parties may still continue to bargain.

•**How long does fact-finding take?** Putting together the panel, presenting all the details and formulating the report could take anywhere from weeks to months.

•**What happens after the fact-finders present their report?** There are at least three options. The parties can go back to bargaining, using some of the findings or just continue negotiating as before. The District can adopt the fact-finding report, or they may impose their “last best offer” that was the result of serious offers and counter-offers done in good faith (this avoids imposition of a proposal that was seriously considered by only one side).

•**What if the faculty are not happy with the fact-finding report or the “last best offer”?** If the District refuses to continue to negotiate, grin and bear it or go on strike.

**•Has any of this ever happened before at CoM?** The very first contract ever negotiated in the District (starting back in 1978) went to impasse and the mediation step. Not surprisingly, it took a neutral outsider to resolve issues associated with a brand new, first-time contract. UPM membership and the District accepted the mediator's suggestions and the contract was settled, albeit 30 months after it started. Again, this was the very first contract. Subsequent contracts have averaged about 17 months to negotiate and have never gone to impasse.

**•What happens next?** Some formal/procedural waiting. The UPM bargaining team will hold a series of meetings for the members to provide more detailed information. Specifics of where we are on the various issues will be presented. Watch for dates and times.

## **Think You Could Do Better—Or Want to Learn How?**

The American Federation of Teachers is sponsoring a week-long "Union Leadership Institute". The program offers workshops and training in everything from basic union principles to communications, negotiations, grievances, budgeting and of course, leadership. It will be held on the UCLA campus, June 22-27. Pre-registration is required and scholarships to cover costs are available. The non-scholarship deadline is April 25. Scholarship applications are due March 31. For more information and applications, contact the UPM office at 415-459-1524 or [teresa@UnitedProfessorsofMarin.org](mailto:teresa@UnitedProfessorsofMarin.org).

## **Updates**

### ***Calendar***

The ending dates for finals, classes and the semester itself for fall, 2008 will change from the previously published calendar. More details when available.

### ***Flex Time***

As previously reported, the Flex Obligation form distributed early this semester uses an incorrect formula for computing your owed hours. A new one should be forthcoming. Until then, wait to file your flex form.

## **UPM to Host Candidate Interviews**

The California Federation of Teachers will interview candidates running for Senate District 3 for the purpose of endorsement. The incumbent, **Senator Carole Migden**, will be one of the interviewees. The interviews will be held in the UPM office on Tuesday, March 25, beginning at about 3:00 PM.

## **Kudos to...**

**Walter Turner** and **Yolanda van Ecke**, the full- and part-time nominees, respectively, for the Golden Bell Award for outstanding faculty. Have a great week!