Ponderings of the President
by Ira Lansing

P

UH-LEEZ!

General Motors going into bankruptcy. That is a fiscal alert. AIG coming up short by 62 billion dollars. That is a fiscal alert. But the chart below, distributed via e-mail, campus-wide, by President Fran White; that’s not even interesting. Take a close look at the graph. Don’t be taken in by the steep decline it depicts.

Instead, read the captions.

First notice that everything shown by the dashed line is “Projected”, meaning no one really knows but here is someone’s guess. Second, and most importantly, read the title: “Percent Change Year to Year”. This means how much more the District is anticipating in secured property taxes (“secured”, by the way, completely ignores the additional revenue that comes from the unsecured property taxes—kind of like an annual bonus that next year becomes part of the regular secured taxes).

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So anything above 0% is an increase, even if the graph appears to be going down. This is just a picture that says we are getting more, but less of the more for awhile, awhile that lasts only one year by this graph.

Perhaps a more interesting graph would be one that shows the money the District actually receives into the General Fund and can then spend. The graph below uses data from the Adopted Budgets published annually by the Board of Trustees. It also uses the increases shown in the Fran White’s own graph above to project beyond the current year.

As you can see, except for the flat year of 2010-11, the money coming into the District has gone, and is projected to go, up each and every year!

You are probably starting to glaze over now from all this math talk, so let me ask a more interesting question: where does all this money go? Each of these annual increases represents millions of dollars. When was the last time you had a negotiated raise? (Answer: 2006, appropriately timed with the largest property tax bonus the District ever received.) There is nothing wrong with this graph, but there is definitely something wrong with this picture.

Yes, I understand that operating expenses increase, but isn’t at least 50% of any California community college’s expenses supposed to be in education, in the classroom? Yes it is, and it is called the 50% Law, and this District has been found in court to have violated the law in the past, and is most likely in violation again.

Perhaps in an effort to assuage the panic and pain of a campus-wide fiscal alert, the President then invited employees and the community to provide input on how to deal with the “problem”. This may sound very noble, open and transparent, but it is a gross violation of national labor law. Following is the language of a Federal ruling that prohibits an employer from directly seeking input from employees on a matter that is negotiable. Here is what the National Labor Relations Board (NLRB) ruled:

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An employer may not ‘attempt to erode a union's bargaining position by engaging in a direct effort to determine employee sentiment’ rather than discuss such matters solely with the Union. ... The [Employer] ‘may not seek to determine for himself the degree of support or lack thereof,’ which exists for a position that it seeks to advance in negotiations with the employee bargaining representative.”

In other words, the representative of the faculty (UPM in this District) is responsible for assessing the sentiment of the faculty, which is then shared with the employer. The President’s response to a cease and desist with a request to negotiate a cooperative procedure should any information be desired, was she did not believe “that a request for information is direct dealing”. It is if the information relates to a negotiable item, and money sure seems tied to salary. Then again, maybe the District is suggesting that despite the “crisis” they are still willing to give us a raise. Oh, wait a minute, they have offered us 0%-0%-0% for each of the last 3 years.

Let us all remember that salary is only one of almost two dozen contract articles that the District is trying to negotiate. For many of us who will be employed at the College of Marin for years to come, money may be the least of our interests. The above graphical analysis is presented to remind all of us that, in the words of one Trustee at the February 16, 2010 Board meeting, “you are looking at a failed Board. … Your money is being used to tear apart this campus.” We as faculty cannot let this dysfunction extend into our working lives. Our only protection is a fair contract and it is long overdue. Enough money on the part of the District, and time on everyone’s part, has been wasted on matters that could be, and usually would be, settled by amicable discussions. There seems to be no interest by the Trustees or the administration to engage in meaningful bargaining. We are at the point where enough is enough. We know a strike is a tough decision, but there is very little recourse left.

In the coming weeks the membership of UPM will be asked to make the tough decision. We all hope it does not come to that, but if there are no other alternatives than to accept an imposed contract that eliminates the rights and protections of our collective bargaining agreement, then a strike may be the only option. There will be complete information and full discussion. But if you are not there, if you are not paying attention, then how will you make a choice? It is crucial that you stay in touch, stay informed and stay involved. In addition to the UPM web site and your campus mailbox, detailed information is distributed via the e-mail list. Get on the list by sending a request from a non-CoM e-mail address to ira@UnitedProfessorsofMarin.org. What happens is up to you.

Tick-tock, tick, tock, time on the clock.
Amount paid to the attorney for the months of November $7,950.00
December $16,750.00

District Total since start of 2009:
$214,945.50
… and still no contract
RESPECT FOR WORDS

In his novel *Moby Dick*, Herman Melville defines the whale as “a spouting fish with a horizontal tail.”

Melville knew that this definition was false – that whales are mammals rather than fish – because he himself quotes Linnaeus who wrote, “I hereby separate the whales from the fish on account of their warm bilocular heart, their lungs and their moveable eyelids.”

Yet despite Linnaeus and the biological evidence, Melville wrote, “Waiving all argument, I take the good old fashioned view that the whale is a fish, and I call upon holy Jonah to back me.”

Rejecting the evidence of Linnaeus for a bible story might seem peculiar for a writer of Melville’s sophistication, especially since he was otherwise scrupulous in his use of language and in his descriptions of whales and whaling. But since Melville was one of the masters of world literature most critics are willing to grant him the “literary license” to distort language and science a little, because it served the purposes of his remarkable narrative. After reading *Moby Dick*, I think most would agree that Melville had earned his ‘license.’

But not everyone has earned the license to distort words. And in an academic institution we should be especially watchful that language is not corrupted.

Since the end of WWII, a group of ultra-conservative American historians have been proposing semantic revisions of events that occurred during the 1940s; attempting to paint a benign picture of some of America’s less than honorable actions during the war.

I’m referring to the incarceration of 120,000 Americans of Japanese ancestry who were forcibly imprisoned without due process in what these revisionists describe as “relocation centers,” rather than the more accurate description of them as prisons or concentration camps. The barbed-wire fences surrounding the camps, they assert, were “erected to keep out the neighboring farmers’ cows.” The armed guard towers were just “lookouts for dangerous brush fires.” And the camps themselves, according to these ‘historians,’ were established merely “to allow Japanese-Americans the opportunity to “sit-out” the war for their own protection.”

Most academics are trained to critically evaluate and reject these kinds of euphemisms. Certainly we want students to be able to critically evaluate and reject linguistic distortions such as these.

So how come there are many in our faculty who are not able to critically evaluate the linguistic distortions that are being foisted upon us by one of our own administrators?

I’m referring specifically to the pronouncement by Dr. White, that henceforth, the name “Gateway Complex” will be changed to “Academic Center.”
Like other revisionists who manipulate vocabulary in order to prejudice public opinion, Dr. White understands that this pet project of hers is under attack, and rather than argue for the plan on its merits, she has chosen the artful public relations ploy of changing the building’s name in order to win support for its construction. It shows a disrespect for language and for the intelligence of our faculty.

It may be that this new Gateway/Academic building is a worthy addition to our campus and should be supported by our faculty. But we should be supporting it on its merits, not because of the disingenuous label “academic” appended to its name. Calling a pig a cow doesn’t make it kosher.

Perhaps when our Board selects a new President, they will choose a candidate who shows greater respect for the sanctity of words and greater regard for the critical intelligence of our faculty. Maybe Herman Melville deserves a pass for his linguistic distortions, but President White hasn’t earned that privilege.

UPM HAS CAMPUS BUILDING REPRESENTATIVES AVAILABLE TO SPEAK WITH YOU.

Use the following list to identify your building representative and how best to contact them. We hope you will use this opportunity as another avenue for communication to and from your Union.

<table>
<thead>
<tr>
<th>Building:</th>
<th>Contact:</th>
<th>Campus Extension or Email:</th>
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<tbody>
<tr>
<td>Austin Science Center</td>
<td>Ira Lansing</td>
<td>7531</td>
</tr>
<tr>
<td>Business Center</td>
<td>Mike Ransom</td>
<td>7579</td>
</tr>
<tr>
<td>Dance, Landscape,</td>
<td>Deborah Graham</td>
<td></td>
</tr>
<tr>
<td>Fine/Visual Arts</td>
<td>Tara Flandreau</td>
<td>7576</td>
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<tr>
<td>Dickson, Fusselman Hall</td>
<td>Paul Christensen</td>
<td>7635</td>
</tr>
<tr>
<td>Harlan Center</td>
<td>John Sutherland</td>
<td>7434</td>
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<tr>
<td>IVC Campus</td>
<td>Arthur Lutz</td>
<td>8518</td>
</tr>
<tr>
<td>Learning Resource Center</td>
<td>Carl Cox</td>
<td>7423</td>
</tr>
<tr>
<td>Part-time Faculty</td>
<td>Tom Behr</td>
<td><a href="mailto:tom.behr@marin.edu">tom.behr@marin.edu</a> or <a href="mailto:Deborah.graham@marin.edu">Deborah.graham@marin.edu</a></td>
</tr>
<tr>
<td>Physical Education</td>
<td>Ira Lansing</td>
<td>7531</td>
</tr>
<tr>
<td>Student Services</td>
<td>Theo Fung</td>
<td>7389</td>
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Informational Picketing
at the
Board of Trustees Meeting
Tuesday, March 16, 5:30-7 PM

As previously reported, the District came to the first of three scheduled days of facilitated bargaining with no counter-offers and no proposals, and the three days were cancelled. District reps said they were prepared to return to fact finding, scheduled to resume on February 26. This can only mean that Larry Frierson (the District’s chief negotiator and litigator), Fran White and the Trustees have no desire to settle a fair contract and their only intent is to move to an imposed contract and the strike that could follow.

No member of UPM wants to go on strike, but we must show the administration that we are prepared to do so if a contract is imposed on us—a contract that would allow management to select our textbooks, force work on Saturdays, deny part-timers re-employment rights, allow termination of tenured faculty because of less than “satisfactory” evaluations and more (the District’s proposals have been presented to the membership previously and will be again prior to any strike actions).

In addition, UPM has received strike sanction from the North Bay Labor Council. A unified front by faculty will serve to remind the District that all construction workers (except for the not-yet-begun Science Complex and the IVC building) will honor our picket lines, all deliveries by Teamsters and other AFL-CIO affiliates will honor our picket lines, and a faculty on strike is not the most inviting environment when searching for a new Superintendent/President.

Barring the miracle of immediate contract resolution, UPM is asking its members to participate in an action that demonstrates our collective resolve to AVOID a strike on Tuesday, March 16, at the Board of Trustees meeting on the Kentfield campus, approximately from 5:30-7 PM.

We know the day and time may not be the most convenient for everyone, but this is when the Trustees will be meeting and we must carry our message to them—the message that nearly three years of bargaining with no serious intentions except to impose a contract will NOT be tolerated. UPM has presented numerous proposals and counter-offers and is prepared to do so again, but Bargaining requires that the other party do the same.

Be there or accept what is forced on you. Your presence is all that is required. Friends, family and students are also welcome.

Your UPM Website
www.unitedprofessorsofmarin.org
Adjunct, ETCUM, Honorary, Temporary, Visiting, Emergency Hire, Substitute, Freeway Flyer and even the sexist Wife Lecturer are just some of the terms that have been used through time to describe our employment status. It’s enough to make one cry out that oft quoted phrase from the Bard, “If you prick us, do we not bleed?”

Here at College of Marin we are far more fortunate than most, if not all, of our counterparts at any comparable institution. Many of you know this firsthand because of the necessity to teach at more than one place of learning and the comparative difference in compensation and rights. At AFT and CFT conventions and training seminars, jaws drop when I find myself in a group of our compatriots involved in a, “We have it worse than you guys” discussion and I, somewhat sheepishly, somewhat proudly tell them that we receive 95% pro rata; that we have medical insurance for ourselves and our partners at a 40% teaching load and rehire rights for ETCUMs at that same load along with a slew of protective rights. How did we get all that?

We have these benefits because of a contract primarily negotiated by our full time colleagues over the last 30 years. These were not gifts from morally directed Boards of Trustees and administrations who thought so highly of us that they insisted on treating us fairly. In a recent example of our treatment by the District, UPM has proposed a sidebar that would allow part-timers to work up to the legal 67% (We’re now held to the current 60%), but they have turned down every offer... even though it would benefit them and our students to do so. Another is when they unsuccessfully tempted the full time faculty with more if they could just give the part timers a smaller piece of the pie.

Some of the credit for this unity goes to the largest voting group in the United Professors of Marin- the part timers. Bargaining team members are appointed by an elected Executive Council that demands fair treatment for all. Our voting power is not diluted by any pro rata differential. UPM has always adhered to the principal of one member, one vote.

Is there room for improvement in our contract? Certainly there is, particularly for those who have been given the designation of “Emergency Hire.” How many years do these emergencies last? How many years have you had that designation? (I’m serious, let me know tbehr@aol.com ) Protecting the most vulnerable is a core value that is front and center in our labor union.

Join the discussion. Meetings have been and are being held by part timers for part timers to discuss our situation and to keep us informed on how we might be protected if current contract negotiations continue in the same failed direction they have for the last three years, ultimately leading to a choice between an imposed contract and a vote authorizing a strike.

I agree with those who say the world is run by those who show up. Look for announcements of union actions and meetings in the newsletter and in the new UPM communication boxes located in the mailrooms.

It’s time for us Part Time BUMs to show up.

Tom Behr
RALLY FOR PUBLIC EDUCATION

No cuts to education and vital community services!

Governor Schwarzenegger released his January state budget proposal with another $2.5 billion in education budget cuts, two days after promising he would protect public education from further harm! Who does he think he is fooling?

The governor and the state Legislature have cut the budget for public education by $17 billion in two years. Thousands of layoffs of K-12 teachers and other school employees. Class sizes soaring. Furloughs and layoffs of university and college instructors and staff. Tens of thousands of eligible students denied classes or admission. Fee increases pricing working families out of higher education.

This was not inevitable. This was a choice. In Oregon, on January 26, to protect public education and other vital social services from further devastation, the voters passed two ballot measures that raised taxes on the very rich and the corporations. If it can happen in Oregon it can happen here. It's a question of priorities. Enough is enough!

Here is what you can do:

• Learn about progressive tax alternatives to cuts (www.cft.org)
• Talk to your family, neighbors and friends about the issues
• Call your state legislators (1-888-268-4334); tell them to think like Oregonians
• Attend a rally March 4

RALLY LOCATIONS ON BACK

DEMONSTRATE ON MARCH 4

STATEWIDE DAY OF ACTION

California Federation of Teachers, AFT/AFL-CIO
## UPM Committees and Staff
### 2009-2010

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<thead>
<tr>
<th><strong>PRESIDENT</strong></th>
<th>Ira Lansing</th>
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<tr>
<td><strong>BARGAINING TEAM</strong></td>
<td>Paul Christensen (Chief Negotiator) Tom Behr, Theo Fung, Arthur Lutz, Michele Martinisi, Laurie Ordin</td>
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<td><strong>UPM-PAC</strong></td>
<td>Arthur Lutz</td>
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<td><strong>GRIEVANCE OFFICER</strong></td>
<td>John Sutherland</td>
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<tr>
<td><strong>TREASURER</strong></td>
<td>Theo Fung, Co-Treasurer: Mike Ransom</td>
</tr>
<tr>
<td><strong>BUDGET MONITOR</strong></td>
<td>Deborah Graham</td>
</tr>
<tr>
<td><strong>BAY 10 REPRESENTATIVE</strong></td>
<td>Open Position</td>
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<td><strong>CCC REPRESENTATIVE</strong></td>
<td>Laurie Ordin</td>
</tr>
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<td><strong>NORTH BAY LABOR COUNCIL REP</strong></td>
<td>George Hritz</td>
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<tr>
<td><strong>PROFESSIONAL AFFAIRS COMMITTEE</strong></td>
<td>Bonnie Borenstein, Carl Cox</td>
</tr>
<tr>
<td><strong>WORKLOAD COMMITTEE</strong></td>
<td>Theo Fung, Deborah Graham</td>
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<tr>
<td><strong>HEALTH AND SAFETY COMMITTEE</strong></td>
<td>George Adams, Carol Lacy</td>
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<td><strong>PROFESSIONAL STANDARDS COMMITTEE</strong></td>
<td>Arthur Lutz, Mike Ransom</td>
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<td><strong>SABBATICAL LEAVE COMMITTEE</strong></td>
<td>Walter Turner (Chair), Patricia O’Keefe, Radica Portello, Chris Schultz</td>
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<tr>
<td><strong>CRA TRUST</strong></td>
<td>Ed Essick (Chair), Maula Allen, Sarah Brewster, Judy Coombes, Ira Lansing</td>
</tr>
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<td><strong>UPM EXECUTIVE COMMITTEE</strong></td>
<td>Ira Lansing, Paul Christensen, Tom Behr, Bonnie Borenstein, Carl Cox, Deborah Graham, Arthur Lutz, Laurie Ordin, John Sutherland</td>
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<tr>
<td><strong>WEB MASTER</strong></td>
<td>Mike Ransom</td>
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<td><strong>UNION PRESS EDITOR</strong></td>
<td>John Sutherland</td>
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<tr>
<td><strong>EXECUTIVE SECRETARY</strong></td>
<td>Teresa Capaldo</td>
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**UPM Members Protest at Opening Day Convocation**

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### Letters to the Editor

Feel free to voice your comments and/or opinions concerning any Union related article or issue. Letters should be signed, but names will be withheld upon request. Please direct your letters to john.sutherland@marin.edu
United Professors of Marin  
UPM-PAC Payroll Deduction Form

The UPM-PAC (Political Action Committee) provides financial support to candidates and measures that support or benefit education in Marin County and the College of Marin in particular. If you would like to support the UPM-PAC with a monthly contribution, small or large, please fill out the form below and send it to the Payroll Office.

To: Payroll, College of Marin  
Date: _____________________

I hereby authorize the Marin Community College to deduct from my earnings the sum of __________ beginning in the month of ________, ________ (year), and each month thereafter, and to remit this sum to the United Professors of Marin PAC #990958 until I revoke this authorization in writing.

Signature: __________________________________________
Print Name: __________________________________________
Address: ____________________________________________
City: ________________________________________________
Zip: _________________________________________________
SSN: ________________________________________________

UPM Membership Application

I hereby apply for membership in the United Professors of Marin, AFT Local 1610

Date: _____________________________ Email: _______________
Name__________________________ SS #: __________________
Address:________________________ Department: ____________
City:___________________________ Zip: ________________
Home Phone:_____________________ Campus Ext.: __________

Check the appropriate category:
_____ I am a permanent credit or non-credit employee or leave replacement.
_____ I am a temporary non-credit employee on the quarter system.
_____ I am a temporary credit or non-credit employee on the semester system.

Return to UPM Kentfield campus mailbox or UPM Office, Science Center 136