PONDERINGS OF THE PRESIDENT
By Laurie Ordin

HAPPY NEW YEAR TO ALL OF YOU, or after spending a few days in Savannah, Georgia, I might say Happy New Year Y’all. While I was in Savannah, I learned that Southern hospitality is the real thing, but I also learned that while you might sound sugar sweet as you talked to someone, all you had to say after all the sweetness is, “Bless your heart,” and what you had to say would be translated as “Screw you!” Hmmm….interesting....

Normally, I feel like I use this column to pontificate about some ax I or someone else has to grind, but this month I would like to present you with a few things that have taken place with regard to your union contract and ask you how you feel about them. After you read this piece, please let me know what you think. Email me at my private email: msetgrl@yahoo.com, or call me at 415 246 5145. If you see me on campus, stop me for a quick chat. Feel free to stop by my office, SMN 334.

As I sit down to write this article, I am also preparing for a meeting with President Coon. He is concerned about the progress and tone of our contract negotiations. He would like to know how we can improve this process. During my last meeting with him, I expressed my opinion that if UPM seemed indignant, the indignation was righteous. Let me share a few aspects of offers that have been presented to us by the District. Then please tell me: WHAT DO YOU THINK?

You probably already know about the first item on my list. The District presented a package of offers under ‘Wages’, although at least one of the them, $15,000 available for PAC funds, is not actually wages. The District negotiators repeatedly told UPM at the table that we could redistribute the dollar amount any way we wanted. President Coon then wrote a letter to the faculty clarifying the offer ‘in the interest of transparency and accuracy’ and summarizing the cost to the District. He informed us that the package in its entirety amounted to an 8.68% AVERAGE SALARY INCREASE for all full time and part time faculty. Our bargaining team quickly responded that since we were told that we could...
take the smorgasbord of offers any way we wanted, we would take 8.68% across the board for all full time and part time faculty members. Amazingly, the District backed off and told us that this is not what they intended.

So what was it that they did intend? Several of my colleagues in SMN stopped me and asked how the District could have added 1% + 1% on schedule salary increases, a 2% off schedule bonus for full time faculty only, a few raises that would apply to several very small groups of members, and a small increase in PAC funds, and come up with an average salary increase of 8.68% for all members? Here’s how I’m pretty certain they did it. It appears that they took the total dollar amount that their offer would COST THE DISTRICT for the year and divided that by the total dollar amount that the District spent on faculty salaries for the year and called that an average salary increase. When I tried this, I did indeed come up with 8.68%. That may sound fine, but it isn’t fine for me. But I want to know. WHAT DO YOU THINK?

A bit of clarification is in order. Indulge me: a little mathematics explanation (Sorry, I can’t seem to help myself :). A large part (nearly ⅓) of the numerator (the top part) of the previously mentioned fraction included the one time, 2% bonus for full time members. Let me ask you this. If you receive a one-time bonus that you will never see again, and your paycheck does not continue to be increased by that amount in the following years, would you consider that a salary increase? I wouldn’t, but WHAT DO YOU THINK?

In that same part of the numerator we found that the dollar amount seemed like it was at least twice as big as the offer which had been put on the table would come to. So I asked President Coon to explain. He went to our CFO (who is from Georgia, bless his heart) for the explanation. Turns out that the dollar amount ($447,000) was what the District would have gotten if they offered 4% , not 2%, off the schedule. But wait, there’s more. It really wouldn’t be $447,000 for our full time employees. Take about $80,000+ off that amount for statutory taxes that the District has to pay, but that won’t be seen in our before-taxes pay checks. President Coon offered sincerest apologies for the oversight and error in the contract language. I come up with an error that over promises by at least a quarter of a million dollars in just that one category. WHAT DO YOU THINK?

These “errors” take into account only one category of the District’s offer. If statutory taxes must be paid on off-schedule offers, I’m guessing that they must be paid on other schedule offers as well. My rough guess is there is at least another $180,000 of over promising from the “costs to the District” that you will never see in your paychecks, even before your taxes are taken out. These were all factored into President Coon’s description of your 8.68% average salary increase. I don’t know about you, but if an increase in the costs to the District doesn’t show up in my gross salary, I don’t consider it a pay increase. But, WHAT DO YOU THINK?

Every “error” so far overstates what the District would give us as an “average salary increase.” There are no understatements. WHAT DO YOU THINK?

Just a couple of additional comments for you to ponder. I asked one of our former members, who is now retired, how much of a cost of living increase he received from STRS this year and he told me that it is nearly double what the District is offering us on-schedule. In other words you’d be getting more of a raise if you were retired right now than you are if you are continuing to work. In his holiday message to us, President Coon shared this: “As we celebrate this holiday season, I would like to reflect on the generous spirit of our faculty… and thank you for the many gifts and talents that you share with the College and our community.” Well, you are welcome Dr. Coon. But now please take the coal out of our stockings. We could use a respectable, honest salary increase. That’s what I think. WHAT DO YOU THINK?

Your bargaining team is working hard to bring you a fair contract, but this contract is not just for them. It is for all of us. So stay informed, stay in touch, and stay involved, and let me know: WHAT DO YOU THINK? □
EDITORIAL

BEKLEMMT

IN A RECENT ARTICLE in the British newspaper *The Independent*, cardiologist Zachary Goldberger suggested that the ‘erratic’ and unexpected tempo changes in Beethoven’s music might be a result of a heart rhythm disorder, *cardiac arrhythmia* from which Beethoven suffered.

“When your heart beats irregularly from heart disease, with starts and stops, it does so in some predictable patterns,” said Dr. Goldberger. “We think we hear some of those irregular patterns in Ludwig’s music. Beethoven was, in a sense, setting his arrhythmia to music, reflecting his own physical sensations in his compositions, which became like musical electrocardiograms.”

Writing in the Journal *Perspectives in Biology and Medicine*, Dr. Goldberger led a team that looked at the rhythmic patterns in several Beethoven compositions and found that the sudden, unbalanced changes in tempo appeared similar to the ‘shortness of breath’ syndrome which can be associated with cardiac arrhythmia.

“Interestingly,” said Dr. Goldberger, “Beethoven’s directions to the musicians playing his *String Quartet, Opus 130* included the word *beklemmt*, German for ‘heavy of heart’ but also connoting the sensation of one’s heart being erratically squeezed, a feeling that is often associated with cardiac arrhythmia.”

Dr. Goldberg’s theory is all very speculative of course, but if it is correct, it raises the interesting question of whether there might similarly be some *cardiac arrhythmias* that would account for the District’s erratic behavior at the bargaining table.

What else would account for their fitful, unpredictable and impulsive changes and reversals in contract negotiations?

First a meager offer of 1% for our faculty. Then an offer of 8.68%. Then a reneging of the 8.68%. Then a reversion to less than 1%. What’s going on?

Whatever it is, it’s all very confusing to say the least, leaving our UPM bargaining team more than a little ‘beklemmt.’ □

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Arthur Lutz
Now that the District has revealed to us its inclusion of statutory taxes in our “increase,” it is clear that they have not been transparent. It is also clear that they have not been accurate.

Now he told us that the District had never made the offer of an 8.68% increase and that that the “increase” (Yes, he said the District had never offered an 8.68% increase yet continued to use the word “increase”) he cited in his September 30 response to Laurie included a breakdown of the monies the District had put on the table.

But when we examined this breakdown of the District offer, we found a huge inconsistency: The $447,480 off-schedule “increase” didn’t add up (See my article in the December UPM Newsletter for explanation). In fact, the cost to the District was approximately double that of how the numbers added up. When UPM President Ordin asked for clarification, President Coon responded that when they reviewed the numbers, “a discrepancy was noted.” He now said that the $ number was correct, but that they had neglected to indicate to us that the “increase” was no longer 2% but had grown to 4%. (Note that the attachment to President Coon’s 8/30/14 email contained the exact same 2% at a cost to the District of the exact same $447,480; note also that the attachment was dated 8/21/14.) He further divulged that “when you calculate the 4% adjustment equal to $366,814 and then calculate in the necessary statutory taxes equal to $80,666, you arrive at the $447,480 number associated with the District’s latest proposal.”

So, part of our “increase” includes the statutory taxes the District must pay on our “increase.” Now, no one we’ve talked to understands the District terminology as far as the word “increase.” Isn’t a salary “increase” something that is on-going? President Coon’s >>
<<September 30 statement was that the District had offered us a wage package that was equal to an 8.68% “increase.” Then we found that the “increase” was, in part, a one-time payment, not an addition to our yearly salaries. This was misleading. (I could call it other things too.) Still later, we found that part of our “increase” included the taxes the District would owe on the “generous increase” Dr. Coon was giving us.

We are in the process of asking President Coon whether all categories of the District’s wage package, our “increase,” include the District’s cost in paying statutory taxes. We assume this is the case, and if it is, then approximately 18% of our so-called “increase” will never be seen by us; rather, the District will use it to cover taxes it owes, yet we can be assured that they will continue to consider it part of our “increase.”

Innuendo? Transparency? Accuracy? After reviewing the above figures and exchanges, I do not see anything that approaches transparency or accuracy in the District’s offers or communications. In fact, just the opposite: Now that the District has revealed to us its inclusion of statutory taxes in our “increase,” it is clear that they have not been transparent. It is also clear that they have not been accurate since President Coon’s 8/30 attachment contained the same $447,480 at 2% as it did in his 1/8 admission of a noted discrepancy that should have been 4%. How can this possibly be?

As for innuendo, it is insulting to me, as I know it must be to UPM President Ordin, that President Coon would suggest, disparagingly, that Laurie had not been transparent or accurate in her communication with the faculty. In light of the District’s inaccuracy, equivocation and obfuscation, I see President Coon’s mail as a Machiavellian tactic to imply wrong doing on Laurie’s part when, in truth, the District has been, at best, mincing words all along. From this vantage point, we can see President Coon’s mail as a form of projection, and I think President Coon owes President Ordin a formal public apology, just as he owes the faculty a commitment to a real Wage increase.

If President Coon values the faculty as he has said he does, he will direct his CB team to put an offer on the table that is commensurate with the considerable raises he and his managers have given themselves.
BY NOW, PRACTICALLY EVERYONE is aware of the fact that we all took what was effectively a one-percent pay cut due to the increase mandated by the state in STRS employee contributions. Most are probably also aware that the District is pleading financial distress due to an even larger increase in employer contributions. However, few know that the sizes of these increases were unnecessary and could have been avoided.

While it was true that increased contributions were needed to remedy the destabilization of STRS by the Great Recession, there were many possible formulas that would have done this. First of all, the system really only needed the industry-standard 80% funding at any time, instead of the 100% goal that was chosen. (After all, do the banks need to keep 100% of their reserves on hand at all times?). Second, there could have been a greater increase in the state contribution.

Proposals containing either or both of these features were circulating in the legislature last year. Several organizations were doing their best to advocate for them in the best interests of teachers statewide. So what happened?

Earlier this year, I put just this question to Jonathan Lightman, executive director of the Faculty Association of California Community Colleges (FACC). He responded that last year saw one of the poorest turnouts by faculty at critical points in the legislative year, when different organizations, including FACCC, the statewide Academic Senate and CFT were putting out their calls for help. In other words, it was simply a case of political pressure, and our side did not apply enough. Now we have to live with the consequences.

The other side, of course, included and still includes many enemies of teachers and public education.

They are well-funded and well-organized. And forcing us to pay more for retirement is only one of their strategies.

Narrowing the mission of the community colleges, increasing student fees, eliminating tenure and reducing other aspects of job security are others. Of course, getting rid of our right to have collective bargaining and unions is their ultimate goal. They could do all of these things and more if they get enough of the state legislators to agree with them.

In the final analysis, the state government in Sacramento has tremendous power over myriad aspects of education in California. If we want to be heard when decisions about these things are made, we have to be organized and articulate. One of the best ways of getting experience in doing this is to participate in the annual Advocacy and Policy Conference. Sponsored by FACCC, this is the biggest effort to help California Community College faculty have a positive impact on the state government.

Also known as the March in March, this year’s event will take place March 1st and 2nd in Sacramento. March 1st (Sunday) will be a day of symposia about the important challenges and opportunities that will affect us in the coming year. March 2nd (Monday) will be the day that groups of faculty will make the rounds of the State Capitol, taking our views directly to the legislators. One can attend either or both days.

The choice is clear. Either we get join together with our colleagues to influence decisions that will affect our future or we sit here this time next year lamenting some more bad stuff that has gone down. I’m going! Will you join me?

More information at FACCC.org or Paul.daSilva@marin.edu
MARTIN LUTHER KING: CHAMPION OF LABOR

By Dick Meister

"I AM A MAN!" THE SIGNS PROCLAIMED in large, bold letters. They were held high, proudly and defiantly, by African American men marching through the streets of Memphis, Tennessee, in the spring of 1968.

They were striking union members, sanitation workers demanding that the city of Memphis formally recognize their union and thus grant them a voice in determining their wages, hours and working conditions. Hundreds of supporters joined their daily marches, most notably Martin Luther King Jr. He had been with the 1,300 strikers from the very beginning of their bitter struggle.

The struggles of workers for union rights often are considered to be of no great importance. Dr. King knew better. He knew that the right to unionization is one of the most important of civil rights. Virtually his last act was in support of that right, for he was killed by an assassin's bullet as he was preparing to lead strikers in yet another demonstration.

There are of course many reasons for honoring him on Martin Luther King Day. But don't forget that one of the most important reasons, one that's often overlooked, is King's championing of the cause of the Memphis strikers and others who sought union recognition.

His assassination brought tremendous public pressure to bear in behalf of the strikers in Memphis. As a consequence, they soon were granted the union rights they had demanded.

For the first time, the workers' own representatives could sit across a table from their bosses and negotiate. They got their first paid holidays and vacations. They got substantial raises in wages that had been so low 40 percent of them had qualified for welfare payments. They got agreement that promotions would be made strictly on the basis of seniority, without regard to race, assuring the promotion of African Americans to supervisory positions for the first time. The strikers, in fact, got just about everything they had sought during the 65-day walkout.

William Lucy, secretary-treasurer of the strikers' union, the American Federation of State, County and Municipal Employees, "saw King bring tears to the eyes of strikers and their families just by walking into a meeting .... the surge of confidence he inspired in the movement in Memphis."

The strikers' victory in Memphis led quickly to union recognition victories by black and white public employees throughout the South and elsewhere. They had passed a major test of union endurance against very heavy odds, prompting a great upsurge of union organizing and militancy among government workers.

As Lucy said, it was "a movement for dignity, for equity, and for access to power and responsibility for all Americans."

Anyone doubting that the labor and civil rights movements were -- and are -- intertwined in that effort need only heed the words of Martin Luther King Jr.: "Our needs are identical with labor's needs: Decent wages, fair working conditions, livable housing, old-age security, health and welfare measures, conditions in which families can grow, have education for their children, and respect in the community."

Dick Meister, a freelance columnist in San Francisco has covered labor issues for four decades as a newspaper and broadcast reporter, editor and commentator. Copyright 2001; Dick Meister.
BAY AREA TEACHERS VOTE TO UNIONIZE

UPM CONGRATULATES THE ADJUNCT FACULTY at Dominican University and at St. Mary’s College for voting to unionize.

On December 29th in an official NLRB election, the Adjuncts at Dominican University voted 139 to 77 to form a union. Earlier, by a vote of 204 to 64 the Adjunct professors at St. Mary’s similarly voted to unionize.

They join adjuncts at Mills College, the California College of the Arts (CCA) and the San Francisco Art Institute (SFAI) who recently also voted to unionize.

In solidarity with their unionizing efforts, prior to their vote, our UPM Executive Council sent a letter of support to the Dominican Adjunct faculty. We are proud that we were able to play some role in the success of their efforts. **IN UNION THERE IS STRENGTH!**

ORGANIZE

WHAT IS A UNION?

A UNION IS AN ORGANIZATION of workers who use their collective power to pressure an employer to provide adequate wages, decent health and welfare benefits and humane working conditions.

Without a union, employers can operate any way they wish. They can fire workers at will, establish pay rates and determine (or eliminate) benefits. They can do this because workers on their own, as individuals, do not have the power to contest the will of the employer.

For more than 200 years, however, workers have learned that if they organize, they have the power to challenge the policies of an employer.

The conflict between employer and employee does not exist because employers are inherently bad and workers are inherently good. The conflict is systemic. It exists because employer profits depend on demanding as much work from their employees as possible and paying them as little as possible.

This is especially true in the for-profit manufacturing industries. But it is also true in non-profits and in the public employment sector and in education, because if workers are paid lower wages, the excess monies can be used to pay higher management salaries.

And that is exactly what is happening here at College of Marin, where the District has offered our faculty a less than 1% yearly wage increase, so they have the excess money to increase administrator’s salaries by up to 30%.

The size of management’s wage increase is directly related to the savings that accrue by offering our faculty a smaller pay raise.

What our union is trying to do is to make sure that the District’s budget, (financed by Marin Taxpayers,) is used equitably – that excess profits are not generated on the backs of our faculty in order to increase the pay of our managers.

In order to be successful in resisting this inequity, we need for our administration to know that our faculty is united behind our union. So: As our UPM President urges, **Stay Informed, stay in touch, get Involved, AND SUPPORT YOUR UNION!**

JANUARY LABOR HISTORY

THIS YEAR, WE CELEBRATE Martin Luther King Day on January 19th – a day to honor Dr. King’s struggle for human rights and social and economic justice.

People forget that Dr. King fought throughout his life to connect the labor movement with the civil rights movement, envisioning them as twin pillars for social reform. His writings and speeches underscore Dr. King’s support for trade unionism as a crucial element in the struggle for civil rights.

Please see the eulogy for Dr. King, written by Dick Meister, on page 7. □

"ALL LABOR THAT UPLIFTS HUMANITY HAS DIGNITY."

Martin Luther King, Jr.

UPM Newsletter 8 January 2015
WHY DO ADJUNCTS WANT TO UNIONIZE?

If you want to know why Adjunct instructors are unionizing throughout the state and around the country, consider the case of, Margaret Mary Vojtko, 83, of Homestead, Pennsylvania. She was an adjunct professor of French and medieval literature at Duquesne University—a pay-by-the-course part-timer with no medical benefits. Margaret was active in trying to form an adjunct’s union, and after teaching for 25 years she was told her contract wouldn’t be renewed, and then offered a tutoring job at two-thirds her old salary. Her new position paid so little that she slept in her office because she was unable to afford to heat her home because of her medical bills. She died five months after being fired.

Margaret Vojtko’s story is not atypical. It is being repeated throughout academe—an impetus for adjuncts around the country to demand recognition.

UPM has always valued and fought for our adjunct faculty, achieving for them the highest compensation and best protections of any contingent faculty in California.

A MESSAGE FROM OUR UPM TREASURER

UPM’s FINANCIAL RECORDS ARE AVAILABLE for review by members of our union at our union office (VS 11). These statements, bills, dues and documents reflect reports for 2013. 2014 records will be available for review after March 1, 2015.

UPM’s financial reports and accounting procedures conform to the requirements of the US Department of Labor Reporting and Disclosure Act (LMRDA) of 1959.

LABOR HUMOR

MEMO:

FROM: District Administrator
TO: All Faculty and Staff
SUBJECT: New Management Software System

THIS IS TO ANNOUNCE THE INTRODUCTION of a new campus-wide Management Information Access Software System (MIASS).

In the near future we will be holding a general meeting at which time I will be showing MIASS to all faculty and staff, with additional meetings scheduled throughout the semester with the opportunity for staff to get a better look at MIASS.

Although full implementation of the system will not occur for some months, those who are already using it report initial satisfaction. Yesterday, I walked into a Dean’s office and found that he had his nose buried deep in MIASS. And one secretary reported that she liked it so much better than our current Banner system that she was ready to kiss MIASS.

This new software system has already demonstrated its usefulness during recent WASC and State Chancellor audits. After requesting certain numerical data, the State Chancellor’s Office was amazed at the speed with which we were able to provide the information. When asked how the numbers could be retrieved so quickly, I replied, Simple, I just pulled them out of MIASS.

: www.bullyomline.org/successunlimited/humour/jokes.htm
THERE IS STRENGTH IN NUMBERS

BY JOINING UPM YOU WILL BE SUPPORTING OUR EFFORTS AT THE BARGAINING TABLE TO IMPROVE OUR WAGES AND WORKING CONDITIONS. AND YOU WILL HAVE ACCESS TO PERKS THAT ARE ONLY AVAILABLE TO UNION MEMBERS.

UPM MEMBERSHIP APPLICATION

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

Name: ___________________________ SS#: ___________________________
Address: ___________________________ City: ____________ Zip: _________
Date: ___________________________ Email: ___________________________
Home Phone: ___________________________ Campus Ext: _________

Check the appropriate category:
___ I am a permanent credit or non-credit employee or leave replacement
___ I am a temporary credit or non-credit employee on the semester system
___ I am a Community Education instructor

Return to the UPM mailbox or to the UPM Office. And please make sure you have completed the UPM payroll deduction option, in Human Resources.

Please Note: Unless you have filled out the above UPM Membership Application, you are only paying a representation fee and you are not entitled to UPM’s full membership benefits.