

Bargaining Q and A

Q: WHAT DOES THE CFA RESOLUTION ON JOB ACTIONS CALL FOR?

The Job Actions resolution calls for a CFA membership vote authorizing the CFA Board of Directors to initiate job actions. The date of the vote will be determined by the CFA Bargaining Team. If a majority of the members vote for job actions, the date(s) of the job action(s) will be determined by the CFA Board.

Q: HOW WAS THE DECISION MADE TO ADOPT THE RESOLUTION ON JOB ACTIONS?

Ninety-seven delegates elected from all 23 CSU campuses attending the 65th CFA Assembly in October 2006 adopted the resolution upon recommendation from CFA's bargaining team, statewide officers and Board of Directors.

Q: WHAT HAPPENS NEXT?

Because an impasse has been reached, the law requires that the parties first enter into mediation and then fact-finding. Mediation, in which a third party neutral joins the talks, ended recently with no progress on the key economic issues. In January, a fact-finder will be assigned to review the various issues in dispute and make recommendations.

If the fact-finder's recommendations are not accepted by the parties, the contract will expire. At that point, the faculty would be free to conduct job actions.

Anytime prior to the completion of fact-finding, the faculty may hold campus and public actions such as informational picketing. And all the while, we can expect the administration to continue circulating misinformation about its offers and our legal right to strike.

Q: WHAT KINDS OF JOB ACTIONS WILL BE TAKEN?

The Resolution on Job Actions mentions various kinds of actions but does not specify particulars. CFA will announce the specific actions that will be taken prior to the CFA membership vote to approve job actions. Examples of possible kinds of job actions include campus-specific one- or two-day walkouts or a system-wide strike.

Q: WHAT IS A "ROLLING WALKOUT"?

A rolling walkout is an action in which particular groups of faculty leave work at various predetermined times for some predetermined, and usually fairly short duration. For example, all the faculty on a particular campus might leave for one or two days. The next day, all the faculty on another campus might leave for one day. And so on with other campuses. Or the action might "roll" among different departments on the same campus.

Q: HOW WOULD THE DECISION BE MADE AS TO WHICH GROUPS OF FACULTY WILL PARTICIPATE IN A CAMPUS-SPECIFIC OR ROLLING WALKOUT?

Which departments and/or campuses participate will be determined in discussions with the faculty on their respective campuses and in their departments. Actions will be taken where they would have the greatest strategic impact. The goal is to reach a quick resolution.

Q: WILL CAMPUS-SPECIFIC OR ROLLING WALKOUTS WORK?

Targeted and rolling walkouts have proven effective in public sector employment. This kind of action minimizes the negative impact on recipients of public services — in this case our students — while still making a strongly demonstrative point. This kind of action also minimizes the financial impact on those walking out.

Q: ARE FACULTY JOB ACTIONS LEGAL?

If the next statutory phase of bargaining, fact-finding, is not successful in reaching an agreement, then job actions become legal activity under the Higher Education Employee Relations Act.

Q: IF THERE ARE JOB ACTIONS, HOW SOON WILL THEY TAKE PLACE?

Fact-finding is likely to begin in January and be completed sometime in February. So, assuming a positive CFA membership vote, faculty work actions would be “protected activity” and legal sometime in early spring.

Q: IF A LEGAL WALKOUT OCCURS, CAN FACULTY MEMBERS, SPECIFICALLY LECTURERS, BE PUNISHED?

No. The union will be vigilant in providing legal protection to any faculty member who feels he or she is being punished or suffering discrimination as a result of participation in a walkout called by CFA. CFA has a team of experienced lawyers on staff and under contract to work with us if such problems occur.

Q: CAN PARTICIPATION IN WORK ACTIONS LEAD TO DISMISSAL OR OTHER DISCIPLINARY ACTIONS?

No. CFA would not call for job actions until the bargaining process is completed and it is legal to participate. Under these circumstances, it would be illegal for the administration to attempt to dismiss or discipline any faculty member for participating in work actions. CFA attorneys on staff and on retainer would assist any individual or groups experiencing any negative outcome as a result of work actions.

Q: CAN MY PAY BE DOCKED IF I PARTICIPATE IN JOB ACTIONS?

Yes, the administration can reduce your pay if you miss days of work participating in a job action. You should be prepared for this to occur.

Q: CAN PARTICIPATION IN LEGAL JOB ACTIONS AFFECT MY FERP, RTP, ONE- OR THREE-YEAR LECTURERS APPOINTMENT, OR BENEFITS?

Your legal right to strike protects you from any loss in FERP, RTP or one- or three-year lecturer appointment or benefits. A traditional lengthy system-wide strike that might impact faculty in a negative manner is not being planned or anticipated.

Q. COULD A LONG STRIKE AFFECT MY HEALTH OR RETIREMENTS BENEFITS?

A traditional lengthy system-wide strike that might impact faculty health or retirement benefits in a negative manner is not being planned or anticipated.

Q: GIVEN THE INTRANSIGENCE OF THE CSU ADMINISTRATION, CAN JOB ACTIONS MOVE THEM? MIGHT JOB ACTIONS MAKE MATTERS WORSE?

A united faculty participating in job actions with a strategic and intelligent plan will increase the faculty's leverage. Leverage is necessary to win a better contract, with a better salary increase and to gain a more respectful attitude on the part of the CSU administration towards the faculty and our students.

We believe that job actions along with other legal and political activities planned by CFA will be critical to achieving an agreement. CFA has a seasoned staff and leaders who have been through work actions before and who feel confident in the union's ability to develop and implement a winning plan.

Q: WILL THE CSU FACULTY SUPPORT JOB ACTIONS?

Many CSU faculty members are completely fed up with the CSU administration's policies and attitude. The faculty is frustrated by such things as increases in class size and low salaries. A professional poll, commissioned by CFA as well as hundreds of documented one-on-one meetings with faculty members is showing that the number who support job actions is growing rapidly.

Keep in mind that job actions will be taken only after a majority vote of the CFA membership.

Q: WILL JOB ACTIONS BE OVER OUR SALARIES AND OUR CONTRACT OR OVER ISSUES LIKE THE MUNITZ HIRING, EXECUTIVE PERKS AND RISING STUDENT FEES?

Job actions are taken over bargaining issues, including faculty salaries. But these issues are interconnected — the administration's refusal to negotiate an equitable faculty salary increase is symptomatic of bigger problems. The Chancellor claims that the university can't afford salary increases larger than 3% this fiscal year. Yet he squanders money on executive transition pay with no discernable university service in return — essentially gifting precious CSU funds.

The Munitz hire is a egregious example of how money can be found for executive cronies — \$168,000 to teach one class given to a person with only two years of teaching experience — but not for the faculty who actually carry out the mission of the CSU.

The unifying feature among all these issues is that they demonstrate disrespect for the faculty and the students and coziness among CSU executives. CFA cannot remain blind to these related issues. We care about the bargaining of our own salaries *and* we care about our students and the university.

We cannot allow the administration to blow CSU money any way they want and simply concern ourselves exclusively with our own compensation. That would be strategically and morally wrong. On the other hand, we cannot allow an inept administration to force upon the faculty a salary structure that drives talented faculty from the CSU.

The bargaining, the strike vote and the job actions, if they are to occur, are a fight over our contract, our salaries and our future.

Q: HOW CAN I LEARN MORE ABOUT WHAT JOB ACTIONS MIGHT OCCUR ON MY CAMPUS OR IN MY DEPARTMENT?

As plans develop there will be extensive communications with all CFA members regarding job actions. At any time you can speak with the CFA leaders on your campus. Learn how to contact your chapter at <http://www.calfac.org/chapters.html>

Q: WHAT CAN I DO TO HELP REACH A CONTRACT SETTLEMENT NOW?

The union is taking a number of actions to build pressure both for agreement on our contract AND to address the administration's wrong policies on student fees, executive pay, and budget priorities. Pressure on all these issues touch on the basic issue — poor management decisions.

Until the time for job actions comes, if necessary, you can help by participating in the informational picketing that will take place on all campuses next term. You can attend rallies and other CFA meetings on your campus as well. You can write letters to the editor especially when articles about the CSU appear in your local media, and help to spread the word about negotiations and related issues to other faculty members.

Q: WILL NON CFA MEMBERS BE ASKED TO PARTICIPATE IN THE STRIKE OR WALKOUT?

Yes, the entire faculty will be asked to participate. Any salary increases negotiated will benefit all the faculty and all the faculty should recognize their responsibility to support the cause.

Q. WHAT HAPPENS TO THOSE WHO DON'T GO OUT ON A JOB ACTION? CAN CFA DISCIPLINE NON-PARTICIPANTS?

While larger participation and faculty unity will produce better results, CFA has no interest in disciplining anyone for not participating. If an individual faculty member cannot judge for him or herself the importance of participating in job actions, he or she will be free to ignore the responsibility and not participate.

Q: WHAT IS THE LATEST SALARY PROPOSAL IN BARGAINING?

For a table with **side-by-side analysis** of the two proposals and more of the fine print, see these documents:

<http://www.csupomona.edu/~cfa/offeranalysis200610.pdf>
<<http://www.csupomona.edu/%7Ecfa/offeranalysis200610.pdf>>