



QUESTIONS AND ANSWERS For Faculty at CSU-East-Bay and CSU-Dominguez-Hills

THE ONE-DAY STRIKE ON NOVEMBER 17, 2011

As we announced on November 7, the CFA Board of Directors has called a one-day strike at CSU-Dominguez Hills and CSU-East Bay on November 17.

Below are answers to a number of important questions. Please read them so that you are fully prepared and know what to expect that day.

Q: WHAT IS CFA ASKING FACULTY ON OUR CAMPUS TO DO ON NOVEMBER 17, 2011?

CFA asks that you refrain from teaching and from any other work you would normally do on that day.

We also ask that **all** faculty join the picket lines and rallies that will be underway on campus throughout the day. The presence of large numbers of faculty is the best way to maximize the power of this collective action.

Q: COULD MY PARTICIPATION IN THE STRIKE LEAD TO DISMISSAL OR OTHER DISCIPLINARY ACTIONS?

No. It would be unlawful for the administration to attempt to dismiss or discipline any faculty member for participating. CFA attorneys on staff, on retainer, and from our national affiliates would assist any individual or groups experiencing any negative outcome as a result of work actions.

Q: CAN I CANCEL SOME OF MY CLASSES BUT PERFORM OTHER JOB DUTIES ON NOVEMBER 17?

To be protected from possible disciplinary action, you must cancel **all** your classes and refrain from performing any of your scheduled job duties on November 17 in order to be protected from discipline.

You may not choose which job duties to perform and engage in a “partial strike.” For

example, your strike activity would not be protected from possible discipline if you canceled a class in the morning but taught another class, held office hours, or attended a committee meeting in the afternoon.

Q: CAN MY PAY BE DOCKED IF I PARTICIPATE IN THE STRIKE?

Yes, the administration could reduce your pay if you miss work participating in a concerted action that involves not performing your duties.

Q: CAN I TAKE MY PERSONAL HOLIDAY SO THAT I CAN CANCEL MY CLASSES ON NOVEMBER 17?

According to our contract, a faculty member may request to take any day as a personal holiday, but the appropriate administrator (or designee) has to approve the request. Under strike conditions, it is unlikely that administrators will approve such requests. CFA is urging faculty members at CSU-East Bay and CSU-Dominguez Hills to save their personal holidays for use in supporting faculty on other campuses should further strike action be warranted.

Q: CAN I TAKE SICK LEAVE IN ORDER TO JOIN INFORMATIONAL PICKETING OR TO PARTICIPATE IN THE STRIKE ON NOVEMBER 17?

No. Sick leave may only be used for sickness. Any other use constitutes fraud.

Q: IS THIS STRIKE LEGAL?

Yes.

Q: HOW CAN THIS STRIKE BE LEGAL IF WE ARE STILL IN BARGAINING WITH THE CHANCELLOR FOR A NEW CONTRACT?

This strike is definitely legal—even though we are still in bargaining for a new contract.

In most contract bargaining situations, employees cannot strike while the terms and conditions of a contract are in place. Article 9 of our contract has such a provision.

But another provision in Article 31 (31.11 and 31.26 to be exact) of our contract makes it legal for us go on strike at this point over the 2008-2009 and 2009-2010 raises that were never implemented.

The Chancellor's Office may try to muddy the waters as a scare tactic (as often happens), but we have had extensive consultations with legal counsel and are confident that we are on solid legal ground to strike about these issues at this time.

Q: ARE WE ALSO GOING ON STRIKE NOW ABOUT ISSUES IN OUR CURRENT BARGAINING FOR A NEW CONTRACT?

No, not at this point. In fact, a strike now over successor bargaining would not be legal.

However, if no agreement is reached at the bargaining table for a new contract, strike activity on those issues would become legal at the end of the statutory bargaining process (after impasse, mediation, and fact-finding).

There is no way to predict exactly if or when this might occur, but the Chancellor remains intransigent at this point, refusing to move off take-back positions or to respond to key faculty concerns.

CFA reports on all bargaining developments in the weekly Headlines and posts bargaining reports online (at <http://www.calfac.org/bargaining-updates-info-0>) .

Q: WHAT SHOULD I TELL MY STUDENTS?

It is important to let students know that you will not be teaching on November 17 and to explain why you are going on strike. Many faculty members also want to invite students to join them on the picket line. If this is your choice, you should emphasize to students that joining is completely voluntary.

Each faculty member will, of course, make a personal decision about his or her discussions with students, but some points you may want to make can be found at <http://www.calfac.org/strike411>.

Q: WON'T A STRIKE HURT STUDENTS?

Students are already hurting. Every day, the Chancellor's misplaced priorities mean they face higher fees and student loan debt, fewer classes, and longer times to graduation.

The truth is that students, faculty and staff are in the same boat. Year after year, the Chancellor spends money on executive pay, perks and pet projects while students, staff and faculty struggle. The real issue is how the Chancellor and top managers in the CSU choose to spend the money they do have—and Reed has as much money now as he had in 2007.

This strike will not prevent any students from graduating—but slashing courses, increasing class sizes, refusing to pay faculty adequately, hiking fees, and laying off teachers does.

Q: WHAT SHOULD WE BE PREPARED FOR THE ADMINISTRATION TO DO?

We must be prepared for the Chancellor and possibly other administrators to try and weaken the faculty's resolve by instilling fear, creating anxiety, and encouraging faculty to cross the picket line.

Management may also try to demoralize faculty before November 17 by suggesting that a strike will be ineffective in achieving our goals. Some may say striking will diminish the stature of the faculty, harm students, or tarnish the image of the university.

The fact is that we are striking to protect faculty and students who continue to suffer under this administration.

Management will say that the strike is not about students or education, but just about money. We need to remember that our ability to provide quality education to our students depends on our success at recruiting and retaining our faculty.

We must remember that faculty working conditions **ARE** student learning conditions.

Q: WHAT IF ADMINISTRATORS ARE TAKING PICTURES OR RECORDING THE NAMES OF FACULTY ON THE PICKET LINE?

Legal observers will be on duty to make sure that there are no violations of our rights. CFA will vigorously defend anyone who is targeted for retribution because they participated in the legally protected activity.

Q: SHOULD I BE CONCERNED ABOUT MY SAFETY ON THE PICKET LINE?

Each picket line will have a picket captain who is responsible for maintaining order. CFA has crafted a strike plan to provide a safe environment for all participants.

Q: I DIDN'T GO INTO THIS PROFESSION TO STRIKE. WHY DON'T WE JUST WORK HARDER AT THE BARGAINING TABLE TO GET A SETTLEMENT?

No faculty member who voted to support a strike did so lightly.

But as we have seen repeatedly, collective bargaining with this Chancellor is not a rational process, and we cannot win fair deals simply because we have the most

compelling facts or the strongest arguments. (The Chancellor has, after all, totally disregarded the reports of two neutral fact-finders in the last three rounds of fact-finding. His reluctant agreement with the third came only under the threat of a strike in 2007.)

We believe faculty voted overwhelmingly to support the strike out of a firm belief that we must now send the Chancellor a plain and simple message about his skewed priorities.

Q: ISN'T THERE SOMEONE OUTSIDE THE CSU WHO CAN CONVINCING THE CHANCELLOR TO REACH A SETTLEMENT?

Outside influence on the Chancellor is certainly important, but faculty taking action is key.

Nobody else will (or should even be expected to) come to our aid, support our cause, or even want to hear our story unless there is clear evidence that we are prepared to act on our own behalf.

If you still have questions, send them to action@calfac.org. You will receive a personal response.

November 9, 2011