

March 2015

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The AFA

What is the AFA? The AFA is *your* union, protecting and fighting for the rights of all adjuncts covered under the bargaining agreement between the college and the AFA (anyone teaching at least six LHE's in any three previous terms.

Please Attend the Board of Trustees Meeting Tuesday

March 17 at 7:30

Our continued presence at Board meetings is still needed to show that we care about what happens at Oakton. Your presence there is one of the best ways to register your concern. Come early and give your name to Barb Dayton so that she can introduce you.

Spring AFA Membership Meeting March 29 at 5:00

This semester's AFA membership meeting will be at 5:00, Sunday, March 29, at a new location - North Branch Pizza at 4520 W. Lake in Glenview at the corner of Lake and Milwaukee. Camille Grant from IEA will be our speaker and will be there to answer your questions regarding the current situation with the annuitants at Oakton. Get questions answered, commiserate with colleagues, have salad and pizza and buy yourself a drink at a cash bar – we have the room until 8. Dinner is free for AFA members; guests can be brought for \$20. Not a member yet, but just paying your fair share? Then join the AFA and come for dinner.

The Arbitration

You will remember that Chet Kulis was the first affected annuitant to not be rehired in Fall of 2014. After his Level 2 Grievance was denied, AFA decided to file on his behalf for arbitration.

This day-long arbitration was held Feb. 23 with lawyers, their assistants and witnesses on

both sides. A decision should be made within 60 business days of the arbitration.

The Grievances

Seventeen annuitants filed Level 2 grievances, challenging the administration's decision to not rehire any annuitant regardless of the lack of any wrong-doing on their part. Each grievance was denied and each annuitant was given a form letter stating this. At issue is section 3.6 in the AFA contract and its interpretation. This section refers to the college's right of "sole discretion" to not rehire someone, but continues to list possible reasons "including, but not limited to such reasons as repeated unexcused failure to attend course or intentional failure to follow College policies or directives, or which it deems, in its sole discretion, to be irremediable, including, but not limited to sexual harassment, carrying a weapon on College premises or conduct that is injurious to the health, safety and welfare of the students or other college employees. This "sole discretion" has never been invoked simply because one belongs to a certain class of people, i.e. annuitants. For the administration to lump blameless annuitants into the

same category as someone who commits sexual harassment or carries a gun is unconscionable. In response, the union has filed a Demand to Bargain letter (regarding the annuitant situation) with the administration; this was accepted.

Can Annuitants Act as Individuals?

If an annuitant has not been rehired and feels that this is due to age discrimination, that adjunct may file *individually* – apart from the union - with the Illinois Department of Human Rights. This is a four step process which can be begun on line. At least two annuitant has followed through with this; their petitions have been investigated and accepted.

And the Answer Is....

Some time ago the head of HR was asked how exactly adjunct hours are reported to SURS. You may recall that how service is reported may affect whether one is credited with, for example, a quarter year or half year of service, thus affecting one's eventual pension amount. This is the scoop: "When certifying employees at the beginning of the semester, Oakton reports the start date of the class, percent of time and number of months. If an individual is teaching a sixteen week course, the pay duration is reported as four months. When reporting terminations,

the SURS form requires the start and end date of the contract period for each semester. The SURS reporting form requires Oakton to report dates. Oakton reports the class start date and the end date. If an employee is teaching more than one class, Oakton reports the earliest class start date and the latest class end date. Oakton is also required to report the number of hours worked per day. Oakton uses a formula to calculate an average number of hours per day for the month based on the employee's percent of time."

Got that? More on this later.



Got a Grievance?

Does something not seem right to you? Did you get fewer classes than you think you are entitled to? Then speak up. If you don't, no one will know that there is a problem.

"Grievance Corner"

Seventeen annuitant "grievants" have had their grievances rejected. Just who can file a grievance? Any adjunct faculty who is a fair share and/or local member, employed for 6 hours of work in at least one of the last three

semesters (not including summers or interims) may file a grievance. If you feel that the contract has been violated, contact the Grievance Chair appointed by the AFA Board, Cheryl Thayer. She can be reached at 846-635-2193 or info@oaktonafa.org. The grievance chair will help file the paperwork, ensure that the process is completed properly, aid in communicating with the administration, and provide direct support for resolution of the situation.

What should you as a potential grievant do?

- Keep copies of your course preference forms and the dates you submitted them
- Keep checking Banner to see if your courses are going to "make it"
- Contact the grievance chair at the first hint of any infraction of the contract
- Collect any documentation related to your concern and create a timeline

Voting for IEA Delegates (again)

As mentioned in the last newsletter, there were some objections to the protocol used for voting for two of the three AFA representatives to attend IEA's annual convention in April in Roselle. As a result, members will receive a ballot in the mail at their home. Please vote for the two delegates of your choice.