



Union works to close the “temp loophole”

AB1066 aims to stem widespread and long-standing abuse

Gary Beck is the morning disc jockey at jazz station KSDS, a nonprofit FM station based at San Diego City College. He and afternoon DJ Ron Dhanifu have more than 80 years on-air between them, and when the station holds its regular pledge drives, their loyal listeners contribute the majority of donations.

Sweet harmony? Not quite.

Dhanifu is on-air 25 hours a week, more than any other DJ at the station. But while KSDS considers other DJ positions permanent, the San Diego Community College District used vague wording in the Education Code to misclassify his and Beck’s program slots as temporary.

This way, Dhanifu explained, KSDS management “can pay you whatever they want. There’s nothing equitable about it, and it’s been going on for years.”

In Berkeley, Safety Officer John Doe has worked for the school district for six years. Doe has served on every campus, even at charter schools. He clocks in at 8 a.m. and his shift ends at 4 p.m. — two hours before the full-time officers.

“I get all the duties but none of the benefits of a permanent safety officer,” said Doe, who asked that his real name not be used to avoid possible employer reprisal. “I can be fired at will. I’ve already seen two people get black-balled.”

Doe passed the district’s test



BOB RIHA, JR

Campus jazz DJs Gary Beck and Ron Dhanifu are wrongfully classified as temporary workers.

for full-time officers, but began to feel he wasn’t being considered for openings. He left for a better position at a start-up that soon shut its doors. If he wanted to return to the district, he was told it would have to be as a part-time substitute.

“Berkeley schools need another 10 safety officers,” he said, “but the district told me they only had part-time positions, and that I would have to start all over.”

Defining a job as full- or

Union bill summary

AB1066 revises the definition of “short-term employee” to ensure the position does not continue on a year-after-year basis in a school or community college district.

part-time can have significant economic consequences. Temporary employees are ineligible for a broad range of health benefits enjoyed by permanent staff, as well as holiday and vacation time, retirement benefits, and due process rights.

“I get all the duties but none of the benefits of a permanent officer. I can be fired at will. I’ve already seen two people get black-balled.”

— John Doe (not his real name), Safety Officer, Berkeley Unified Schools

Districts across the state now use the “temp loophole” to one degree or another, according to AFT Guild President Jim Mahler. The Guild represents about 750 district classified employees at local San Diego community colleges.

“Just throw a dart at the

map,” Mahler said, “and wherever it hits you’ll find the problem. How can they call these jobs ‘temporary’ when they go on for years?”

At what point does an increasingly common practice cross the legal line? Recent news reports have exposed misclassifying employees as independent contractors or part-time substitutes as common examples of wage theft.

The AFT Guild took the San Diego district to court for violating the Education Code’s six-month limit on temporary positions. When the lawsuit was tossed out on a technicality, Mahler asked Lorena Gonzalez, D-San Diego, to introduce legislation in the state Assembly to close the loophole.

Gonzalez, who is carrying CFT-sponsored AB1066, led the San Diego and Imperial Counties Labor Council for 15 years before voters sent her to Sacramento in 2013. “It’s time to stop the abuse of temporary status and give workers the benefits they rightly deserve,” she said.

3 tips to avoid digital grief at work

Guardian of campus computer network offers advice

GREG WHALING isn't the tech geek down the hall that everyone calls when the wifi goes south. Instead, the Data Communications Specialist is a guardian of a college computer network, protecting it against attacks by hackers and misuse by those on campus.

His duties at Pierce College in the San Fernando Valley include monitoring calls, emails, internet traffic, and surveillance video from the employer's information systems. If it happens on campus, Whaling likely knows about it.

As a grievance representative for the AFT College Staff Guild-Los Angeles, Whaling has also represented thousands of classified employees during 22 years at all nine Los Angeles Community College District campuses. He is a member of the CFT Educational Technology Committee and offers this advice for avoiding problems with the most common disciplinary issues.

ClassifiedCalendar

Council of Classified Employees meets **September 25** from 4 to 10 pm at the Sheraton Grand Sacramento. All members are welcome. Earlier that day, CFT Committees meet at 10 am. And on Sunday, September 26, State Council, to which all locals may send delegates, meets from 9 am to 1 pm.

Classified Conference, the annual event for paraprofessionals and classified in the CFT will be held **October 9-11** at the San Jose DoubleTree by Hilton Hotel. This three-day conference is packed with professional learning opportunities and social events.
>Learn more on page 4.

Tip 1: Don't give anyone your password

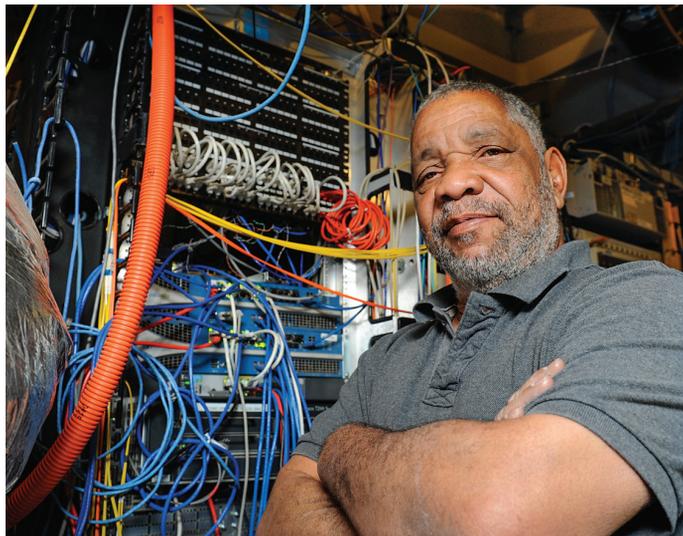
Unauthorized access leads to many of the most common campus computer problems, Whaling says. His best advice for steering clear of trouble is to keep passwords private. "People aren't supposed to give out their

Tip 2: Don't send personal email from your work computer

Be cautious: Don't send personal emails from your work email address or your employer's computer. The employer may wrongfully access them without your knowledge. "Don't put anything in an

Tip 3: About using your employer's computer for personal business

If you are visiting websites for personal use on your employer's computer, make sure you do it during non-work hours and that such use is allowed by collective bargaining agreement or employer's practice. Check first with your union representative. And don't conduct personal business on your employer's computer during work time.



BOB RHHA, JR

Greg Whaling of the CFT Educational Technology Committee offers useful advice.

password, not even to a tech. If anyone asks for your password, 'No' is the correct response."

If an intruder logs in to someone's account, investigators may

email that you don't want the world to know," Whaling says. "Even if you think you deleted it, it doesn't go away."

That rule applies to laptops

"Don't put anything in an email that you don't want the world to know. Even if you think you deleted it, it doesn't go away."

— Greg Whaling, Data Communications Specialist

wrongly assume it is the account holder. "If you give someone your password, the system says it's you entering your files, even on another terminal."

If a superior orders you to provide your password, Whaling added, notify your union steward right away.

and tablets the district assigns to staff, but it doesn't extend to an employee's personal smartphone or other mobile device.

What about wireless networks? Anyone can use the wifi network on Whaling's campus, he said, "because the district made it public access."

Legal tips from our lawyers

- 1 Most employers have computer and email usage policies which declare that you have no right of privacy when using employer-owned electronic equipment. Once you've signed on, it is possible that a court or other entity will find that you've "waived" any right to privacy.
- 2 All highly confidential or private emails, such as an email to your union or about your supervisors, complaints or grievances, should be sent from a non-work email account.
- 3 The only prudent and secure way to preserve your right of privacy is for your union to negotiate contractual language to protect your privacy and use of electronic resources, email and internet access.
- 4 It's wise to protect your personal electronic devices with security measures, starting with a password.

Classified make a splash at CFT Convention

DELEGATES TO the CFT Convention in March gave a standing ovation to classified members' presentation, *We Wear Many Hats*.

"It made it clear what the union does out there in the real world," said Seth Slater, a part-time instructor from San Diego, "and how we can't accomplish our mission without the labor of classified staff."

In contested officer elections, delegates reelected Council of Classified Employees President Paula Phillips, Northern Vice President Janet Eberhardt, Southern Vice President Carl Williams, and Secretary Tina Solórzano Fletcher.



SHARON BEALS

Also, Robert Chacanaca was the first classified staff to receive the Raoul Teilhet Educate, Agitate, Organize Award, presented by the EC/TK-12 Council.

Delegates passed a raft of resolutions, including support for

full reaccreditation of Compton College, increasing the death benefit for classified employee members of CalPERS, and connecting the Black Lives Matter movement to learning about institutional racism.

Private sector: A tale of two Job Corps

ONLY FOUR OF 125 Job Corps centers in the United States are unionized, and CFT members staff two of them. Adams & Associates is the private contractor managing both Job Corps centers — with very different results.

In San Francisco, AFT Local 6319 represents 150 staff in the Treasure Island Job Corps Workers Union. Local President Emily Rapaport said the Department of Labor ranks centers on student job placement and a range of other metrics. "Since Adams came in about five years ago, we have been either number one or two in the country."

Rapaport is returning to contract talks suspended last year because of federal Job Corps

blunders. "Every other center paid a price for what the national office did, but our center was astute and shifted resources so we didn't have one layoff."

In Sacramento, by contrast, the National Labor Relations Board filed a petition with the U.S. District Court after an Adams whistleblower testified that management wanted to get rid of the union when it terminated half of the 25 staff members.

The court ordered management to reinstate Genesther Taylor, the leader of AFT Local 4986, to prevent "irreparable harm to the collective bargaining process." The union hopes Taylor's return suggests a favorable decision on the other firings.

Eberhardt wins national honor

JANET EBERHARDT, a community relations specialist at Monroe Elementary and member of United Educators of San Francisco, was named the 2015 Education Support Professional of the Year by the National Education Association — an honor that came with \$10,000. In her 29 years with San Francisco Unified, Eberhardt has developed programs that engage and mentor students and families. She, like all UESF members, belongs to both the NEA and the AFT.

COURTESY NEA



Janet Eberhardt

Big Pay Raises

» **Gilroy Federation of Paraeducators** negotiated a 5.5 percent pay increase retroactive to December 1, a one-time 2 percent raise back to July 2014, adjustments of 3 percent for most job classes, increased stipends and out-of-class pay.

» **Weaver Federation of Educational Employees** will see a 5 percent raise retroactive to July 1, 2014, and 1.1 percent off-schedule for the entire year; another 5 percent raise and one-time 1.1 percent lump sum on July 1, and a third 5 percent pay increase in July 2016.

» **Mendocino County Federation of School Employees** negotiated a 5 percent pay increase retroactive to July 1, 2014, and another 3.5 percent effective July 1. New contract language will allow classified with more seniority to "bump-up" into annual assignments with additional months.

» **Horicon Elementary Federation of Teachers** reached a three-year agreement for classified and certificated that includes a 4 percent pay increase effective July 1, and 2 percent more in July 2016. Two classified positions moved to higher columns on the schedule.

» **Lycée Francais de San Francisco** won a strong first contract after fighting back concessions to win a 5 percent salary increase, paid bereavement leave, catastrophic sick leave bank, union consultation before policy and curriculum changes, and improved vacation accrual for many support staff.



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YES WE'RE "CLASSIFIED AND PROUD" and our annual conference under that theme will be held October 9-11. We want to see you there!

Workshops will cover topics such as workplace bullying, collective bargaining, OSHA 101, working with special needs children, and labor history. At Saturday night's social event, the Red and White Party, showcase your special talent (singing, acting, lip syncing) in the CCE's Got Talent Show.

Scholarships will be available to members attending from small locals and from locals attending the conference for the first time.

ONLINE REGISTRATION NOW OPEN!
Classified Conference 2015 • October 9-11 • San Jose Double Tree
 >Learn more about the conference and register at cft.org/your-work/classified/conference.

INSIDE!

- Tips to avoid digital grief at work
- Union fights to close temp loophole

Classified Insider

UNION NEWS FOR THE CLASSIFIED SERVICE

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CFT bill calling for posting of HVAC reports moves to next house, safety door locks stalled

SANTA CRUZ'S Robert Chacanaca recently testified for CFT-sponsored **AB1126** before the Assembly Education Committee. The legislation, carried by Anthony Rendon (D-Lakewood), would require public schools to post reports of annual heating, ventilation, and air conditioning inspections on the school's website. **AB1126** drew strong bipartisan support, as shown by unanimous approval. The bill passed the Assembly and moved to the Senate, where it awaits referral to committee.



Chacanaca also spoke to the committee about a long-time CFT demand: installing hardware in school doors that can be locked from the inside. Even though union-sponsored

UNION BILLS

AB1126 requires annual HVAC inspection reports to be posted on the school website.

AB677 requires door hardware that locks from inside.

AB677 (Dodd, D-Napa) was amended to allow schools to use money from future bond measures for door lock installation, the bill was held in the Appropriations Committee.

California Federation of Teachers
 of Teachers
 AFT, AFL-CIO
 A Union of Professionals

Classified Insider is published by the California Federation of Teachers, an affiliate of the American Federation of Teachers, AFL-CIO. The CFT represents faculty and classified workers in public and private schools and colleges, from early childhood through higher education. The CFT is committed to raising the standards of the profession and to securing the conditions essential to provide the best service to California's students.

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