

## PFF Negotiations Update 9/14/2007

### **Talks Resume, Sort of**

Dear Colleagues,

On September 6<sup>th</sup>, faculty negotiations resumed between the PFF and the District. At that meeting, the District presented its version of a compensation counter proposal. Once again, for what I believe is the 6<sup>th</sup> time during this negotiation process, the District has completely ignored one of our proposals, has violated the ground rules of negotiations, and made up new rules of its own to present its counter proposal. According to well established conventional rules of negotiations, when either side drafts contract language it is the responsibility of the other side to respond specifically to that contract language. On April 23, 2007 the PFF gave a presentation to the District that outlined our compensation proposal. It outlined our definition of “objective”, “fair”, “equitable”, and “affordable”. We generated contract language and multiple faculty matrices augmentations that represented the PFF’s perspective of an objective, fair, equitable, and affordable compensation package. It has now been close to **5 months** since our language was presented to the District.

During that September 6 meeting we allowed the District to present its compensation proposal orally. It became apparent almost instantly that the District was not prepared to do so. The Chief Negotiator for the District, John Tortarolo was unable to explain some of the rationale for the District’s counter proposal and even had a difficult time explaining the very language that he drafted. When we asked for references that would support the rationale that was given he could not provide them. In addition, the Vice President of Finance and Administrative Services, Bonnie Dowd, could not detail any of the costs associated with the District’s counter proposal and, as a matter of fact, couldn’t even confirm the total of the District’s budget for this year.

We met again yesterday, September 13, and allowed the District to continue presenting its compensation proposal, this time including the release times and stipends of Appendix F. The District’s proposal denies the vast majority of release time requested by the PFF. When we asked John Tortarolo for the rationale for this denial he refused to respond. When I pressed him about whether the denial was due to excessive costs, or disruption of the 50% rule, or the simple fact that the District does not see an individual request as being reasonable, the response we received was: “This is collective bargaining and that is our offer.” For the record, 20% release time costs about \$16,000/yr against the 50% rule, but since the District “backfills” with part-time faculty (a term the District frequently uses but the PFF finds quite insulting), the typical cost to the budget is about \$6,000/yr. So the reason the District is not offering release time for these well deserved faculty who develop and maintain multiple student serving programs is apparently because they just don’t want to.

At the same September 13 meeting, during the continued discussion about compensation, we asked Bonnie Dowd what I think is just about the simplest budgetary question we could ask: “What was Palomar’s total budget for 2006-2007?” The VP of Finance and Administrative Services responding by saying she would have to go back to her office to get that number. When I told her that I just wanted to calculate a simple percentage she said she wasn’t prepared to give

a statistical analysis. For the record, simple percentages are taught in most 4<sup>th</sup> grades. When one of our PFF team members provided the 2006-2007 budget for the VP she first said she couldn't calculate it from that document and then recanted and pointed out the number. If the VP of Finance and Administrative Services and the VP of Human Resources are unwilling or unable to provide the basic information needed for the collective bargaining process then perhaps the District should think about replacing them. If the former is true, then that is a violation of the EERA, the state labor law, and if the latter is true then we have much bigger problems at Palomar than contentious labor talks. Either way, the District needs to act to correct this inappropriate behavior.

All other remaining articles are close to completion and should be resolved without contention.

Please know that we will not waver in fighting for a truly fair and equitable compensation package for all faculty members at Palomar College. If you have any questions about the contract or negotiations, please don't hesitate to contact me directly at [rmorrisette@palomar.edu](mailto:rmorrisette@palomar.edu).

Thank you for your patient support,

Respectfully submitted,

Roger N. Morrisette  
PFF Chief Negotiator