

March 9, 2022

Senate Meeting Agenda

Name	Div/Term	Name	Div/Term	Name	Div/Term
Kimberly Tarver (President)	Pres., 2020-2022	Luis Martinez (Chief Negotiator)	HP/MSE, 2020-2022	Tara Latto	UAF2, HPMSE, 2020-2022
Stacey Shah	LRIE/ABEC 2021-2023	Kris Campbell (Parliamentarian)	HP/MSE, 2020-2022	Terri Birch (2 nd VP, Membership)	UAF2, LVPA, 2020-2022
Len Fitzpatrick (Gary Norden Sub)	SBCT, 2020-2022	Greg Wheaton	HP/MSE, 2020-2022	Tammy Ray (Webmaster)	UAF2, SBCT, 2021-2023
Patrick Gordon (COPE Chair)	SBCT, 2020-2022	VACANT	HP/MSE	Diane Flahaven	UAF2, HP/MSE, 2020-2022
Clark Hallpike	SBCT, 2020-2022	VACANT	HP/MSE*	Janice Petit- Sollenberger	UAF2, LVPA, 2020-2022
VACANT	SBCT*	Lori Clark (1 st VP)	CABS, 2021-2023	Jeffrey LaRocque	UAF2, LVPA, 2021-2023
Les McTighe	LVPA, 2021-2023	Ruby Sanny	CABS, 2021-2023	Lisa Del Giudice	UAF1, 2021-2023
Susan Robinson	LVPA, 2021-2023	Ryan Kerr (Communications Liaison)	CABS, 2021-2023	Janice Amos	UAF1, LVPA 2021-2023
Steve Wood (Treasurer)	NON-VOTING 2020- 2022	Jessica Carpenter (Social Media Coordinator)	CABS, 2021-2023	Amanda Smothers (3 rd VP)	UAF1, CABS, 2020-2022
Dawn Munson (Secretary)	NON-VOTING 01/2021	Jason Walczak	UAF2 2020-2022		
*indicates vacancy due to new division total		Danielle Straub	UAF2, CABS, 2020-2022		

Attendance

Announcements

- ECCFA Elections: Nominations Close March 15 [Nominations Form](https://docs.google.com/spreadsheets/d/1ZUBjPc53KmmRO-FWnnbLoMSEDX7Go-MavOdf8MrQipY/edit#gid=0) OR <https://docs.google.com/spreadsheets/d/1ZUBjPc53KmmRO-FWnnbLoMSEDX7Go-MavOdf8MrQipY/edit#gid=0>
- Thank you to Kimberly Reed for sharing this article about adjunct faculty and additional stresses imposed by COVID. [From Bad to Worse](https://www.insidehighered.com/news/2022/02/24/survey-adjuncts-finds-pandemic-made-their-situation-worse) or <https://www.insidehighered.com/news/2022/02/24/survey-adjuncts-finds-pandemic-made-their-situation-worse>
- Recommendations for faculty members of ad hoc committees including search committees, tenure committees, etc. Please consider using Outlook calendar to assist with scheduling meetings. Your division Office Coordinator may be able to assist you, if needed. Minimally, please share your availability with the meeting scheduler.

Secretary's Report: Dawn Munson

- Approval of February 23, 2022, Minutes.

Treasurer's Report: Steve "Woody" Wood

President's Report: Kimberly Tarver

- a) Communication & Messaging in response to ECC Reinstatement of Masks Required on campus in collaboration with Luis Martinez, Ryan Kerr, Lori Clark, Lynnette Sculuca (see addendum)
- b) Met with Dr. Sam & Luis Martinez regarding ECC Reinstatement of Masks Required and inaccurate messaging regarding role of ECCFA
- c) Met with college leadership (Toya Webb, Res Vazquez, Peggy Heinrich, Ryan Kerr, Luis Martinez) to discuss the inaccurate messaging regarding the role of ECCFA and the college's decision to reinstate Masks Required; reviewed talking points including harm to ECCFA
- d) Met with reporter from The Observer regarding ECC communication and inaccurate messaging regarding the role of ECCFA; article published 2/27/2022 linked here: [ECC Decides to Return to a Mask Mandate](https://elginobserver.com/17785/news/ecc-decides-to-return-to-a-mask-mandate/) or <https://elginobserver.com/17785/news/ecc-decides-to-return-to-a-mask-mandate/>
- e) Leadership meetings with Peggy Heinrich, Lori Clark: topics include payroll tax error & updated W2 forms; National Employee Appreciation Day; concerns with Search Committee structure; questions regarding qualifications to teach; utilization of Google Drive & security; contract clarification; procedures related to faculty role in receiving donations to the college; tornado drill options; Follow Up: agreed on revised Dual Credit Scope & Sequence Form and Dual Credit Eligibility Online Form
- f) Attended Safety Committee Meeting; topics include tornado drills, vaccine clinic, falls on campus due to ice; committee structure
- g) Attended Grievance Committee Meeting
- h) Attended Assessment Strategy Task Force meeting
- i) Following up with Summer Dues over payment and reimbursement process; ongoing
- j) Attended Truman Dinner
- k) Met with Dr. Sam: topics include emergency closing decision making process due to inclement weather; Vaccination on Campus numbers
- l) Search Committee Issue: Dr. Miller was notified that Kimberly Tarver was approved by Senate to serve on Medical Assisting and Ophthalmic Technician search committees. Dr. Miller requests John Mravik and Barbara Tarin to join Kimberly Tarver to serve on Ophthalmic search committee. Dr. Miller requests Lurana Bain (Massage Therapy Program Director), Fred Vogt and Peggy LeMoyne to serve on Medical Assisting Search Committee ECCFA President contacted Dr. Miller to remind her that Kimberly Tarver was approved to serve on both committees and that one individual appointed is an administrator. Dr. Miller rescinded request for members to serve on Medical Assisting Search Committee due to lack of load to substantiate the position. Dr. Miller requests Fred Vogt and Peggy LeMoyne join the Ophthalmic Search Committee to include Kimberly Tarver, John Mravik and Barbara Tarin; ECCFA President discussed with Dr. Miller and will bring to senate for consultation.
- m) Met with ECC Labor Leaders from IBEW, SSECCA and MAP; questions regarding payroll dates
- n) Attended Committee of the Whole Meeting
- o) Negotiations Meetings
- p) Attended Board of Trustees Meeting (see addendum for remarks)
- q) Education Advisory Committee Meeting: March 10, topics include HB5552

1st Vice President's Report: Lori Clark

2nd Vice President's Report: Terri Birch

- Attended CETL, Textbook meetings, election committee
- Responded to email
- Attended Collar Meeting: Senate Bill SB3009 regarding unemployment will enter on April 8th and SURS Bill SB3046 being presented, looking for sponsors
- COD filed a cease and desist and is suing the college for allowing “navigators” to fulfill counselors duties.

3rd Vice President's Report: Amanda Smothers

Committee Reports

- Negotiations: Luis Martinez
- Grievance: Co-Chairs: David Reich & Peter Han
- Membership: Terri Birch
- COPE: Chair, Patrick Gordon
 - Legislative Breakfast: Patrick Gordon, Kimberly Tarver, Lori Clark and Jessica Carpenter

Elections & Committee Requests:

1. Dr. Miller requests consultation with the senate, Ophthalmic Search Committee to include John Mravik Peggy LeMoyne, Fred Vogt, Barbara Tarin and previously approved, Kimberly Tarver
2. **FAST Fund Committee: Emergency Financial Aid for Students!** (3-5 members)
3. **Distance Learning Advisory Committee**
 - a. HP/MSE Division (1)
 - b. UA1 (1)

OLD BUSINESS

NEW BUSINESS

- ACHIEVING THE DREAM COACHES VISIT, THURSDAY, APRIL 7, 3:00-4:00 PM
- LITTLE PANTRY: THE SPARTAN PANTRY INVITES ECCFA TO SPONSOR A LITTLE PANTRY TO BE FILLED WITH GRAB & GO FOOD ITEMS AND TOILETRIES; SPONSORS ARE RESPONSIBLE FOR FILLING & MAINTAINING; LOCATIONS VARY

DIVISION ISSUES

ADJOURNMENT

ECCFA Senate Meeting Schedule: 3:15-4:45 p.m.

Spring 2022
March 9, 2022
March 30, 2022
April 6, 2022
April 20, 2022
May 4, 2022
May 18, 2022

Faculty are encouraged to attend ECC Board of Trustee Meetings:

ECC Board of Trustee Meetings, 6:30 PM

ECC BOT: Committee of the Whole Meetings, 3:30

April 12

May 10

June 14

April 11

May 9

June 13

ADDENDUM

Communication sent to membership on Wednesday, February 23, 2022 in response to ECC Announcement to reinstate required masking on campus:

To: Elgin Community College Faculty Association Full Membership

From: Kimberly Tarver, President, ECCFA-IFT Local 3791

Date: February 23, 2022

Greetings,

This email is in response to the **inaccurate information** regarding the role of the union and the college's decision to unmask/mask. The communication sent to the college community on February 22, 2022 does not reflect the facts. The communication **falsely** states:

- "... the Elgin Community College Faculty Association (ECCFA) requested that the college continue to enforce the mask mandate for the safety of its members." ***ECCFA did not make this request.***
- "Upon completion of our negotiations, we reached an agreement to continue enforcing the mask mandate indoors on the ECC campus through the end of the spring semester. ***There were no negotiations; there is no agreement.***

As you know, ECCFA has negotiated 8 Memorandums of Understanding (MOU) since the advent of COVID-19. The current Spring 2022 MOU was negotiated last fall and fully executed on 9/13/2021. That MOU governs our current semester.

On February 10, 2022, the college announced a shift to optional masking with an effective date of February 28, 2022. This announcement was made without consultation with ECCFA and is in violation of the terms of the Spring 2022 MOU. Specifically related to labor law, any contract violation requires ECCFA to enforce the terms or to renegotiate the terms, as appropriate. ECCFA responded to the announcement with a demand to bargain the impact of a change in working conditions and also began to prepare a grievance. Notably, ECCFA's response is exactly the action necessary and required for ANY contract violation. ECCFA does not selectively choose which violations to address.

ECCFA's Chief Negotiator and ECC's Legal Counsel met informally and the college agreed that the announcement was in violation of the terms stated in the Spring 2022 MOU. The ECCFA did not file a grievance and there were no negotiations of the terms. In anticipation of future changes specific to the CDC/KCPHD/OSHA and/or the Governor of Illinois lifting mask mandates, ECCFA sent a survey to the membership inquiring about levels of agreement/disagreement with current masking requirements. The survey provides the membership with an opportunity to make their positions and concerns known regarding mask

requirements. The survey results will be share at the February 23, 2022 Senate meeting and with ECCFA membership following that meeting.

The ECCFA **simply enforced the MOU** and according to labor law, if or when working conditions change, changes in policy must be negotiated. ECCFA has NOT said that the college cannot go mask optional or lift the mask mandate. ECCFA did say, in accordance with the MOU, if the mask mandate is lifted, the change in working conditions must be bargained.

There is an MOU in effect. The MOU is a contract. Allowing the college to unilaterally change the terms of the MOU impacts the efficacy, provisions of the agreement, and potentially the collective bargaining agreement/ECCFA Contract. ECCFA cannot allow this precedent to be set; we cannot allow the college to unilaterally change our working conditions or any other terms of our agreements. To allow this change could be considered invalidation of the entire MOU. This too, is what ECCFA is considering as we communicate with the college moving forward.

- The impact of the college's **false communication** has caused harm. ECCFA will also consider seeking a determination of an unfair labor practice (ULP) for intentionally trying to undermine the union by spreading disinformation.
- The ECCFA is obligated to simply enforce the MOU; if working conditions change, changes in policy must be negotiated. If the mask mandate is lifted, the conditions must be bargained.
- ECCFA has not said that the college cannot go mask optional.

It appears that the college's communication is blaming ECCFA for the reversal of the colleges previous announcement to remove the mask requirement on campus. ECCFA has met with Dr. Sam and will be meeting with ECC leadership on Thursday, February 23, 2022. ECCFA has requested that the college correct the record, take responsibility for their actions, and the impact of those actions. ECCFA is waiting for the college to respond.

The ECCFA Senate supports this letter and recommends that it is shared with ECCFA membership. We thank you for your attention and welcome your questions and concerns.

Regards,

Kimberly Tarver
President, ECCFA IFT Local 3791

ADDENDUM

ECCFA President's Remarks to BOT, March 9, 2022

Greetings,

My name is Kimberly Tarver and I am the President of the Elgin Community College Faculty Association. On behalf of the ECCFA, we extend our appreciation to the college and the board for adhering to our collectively bargained agreements and memoranda of understanding regarding COVID mitigations, including masking, and other changes in working conditions these past 2 years. I am aware that ECC's administration is currently in

discussions with representatives from all of the labor organizations on this campus, to bargain the impact of recent changes made by the Governor, the Illinois Health Department and the CDC. Notably, the ECCFA is the sole agent to bargain on behalf of the faculty; the ECCFA has not directed the college to lift the mask mandate nor to prohibit optional masking on our campus, but rather, the ECCFA has taken steps to ensure compliance with the existing MOU, as it was legally and mutually agreed upon. If or when ANY working conditions change, according to labor law, the impact of those changes must be negotiated and may not be arbitrarily changed without mutual agreement and consent. As a result of recent changes, the board's team and the ECCFA are currently negotiating their impact on our working conditions, specific to the work of faculty. Because of our shared values, I am confident, that yet again, we will come to terms that the faculty and the administration can agree upon. Thank you for coming to the table.

I would like to offer congratulations to my colleagues who the faculty recommend for tenure and request the board's full consideration to grant tenured status. Congratulations to Dr. Kellen Bolt, Sara Burkhart, Aja Ferguson, Chasity Gunn, Margaret LeMoyné, and Eva Rudzinski. The tenure process at ECC is not to be taken lightly. It is a commitment to, and an investment in the future of this college. I thank the administrators and the faculty members who served on their tenure committees. Tenure committees require a significant amount of time and effort. By the way, there are now, 31 tenure committees in process, if my math is right, comprising of one administrator and 3 faculty members per committee. That's a lot of person-hours! Congratulations, also, to Frank Cassara, on his transition from temporary full time to tenure track full time faculty status. The ECCFA wholeheartedly supports this transition and extends our support and best wishes as he continues on.

Next, I'd like to say, "welcome back" to our newest trustee to this board, Mr. Sergio Rodriguez. As a distinguished ECC Alum and a former foundation board member, your reputation precedes you. We appreciate your service as a U.S. Marine and acknowledge your history of service to the community. The ECCFA welcomes you.

Finally, I acknowledge the women who've come before me and paved the way to make it possible for me to stand before you tonight. Please join me in celebrating "International Women's Day." Thank you for your time and attention.

Kimberly Tarver

President, ECCFA IFT Local 3791