

**HILLSBOROUGH COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
SPECIAL MEETING  
WEDNESDAY, AUGUST 22, 2018 – 3:00 P.M.  
DR. GWENDOLYN W. STEPHENSON DISTRICT  
ADMINISTRATION CENTER  
BOARD ROOM  
MINUTES**

**1.0 CALL TO ORDER**

Mrs. Dipa Shah called the meeting to order at 3:00 p.m.

**2.0 INVOCATION**

**3.0 PLEDGE OF ALLEGIANCE**

**4.0 ROLL CALL**

The following Trustees were in attendance:

Mrs. Dipa Shah  
Mr. Steve Cona III  
Mr. Randall Reid  
Mrs. Betty Viamontes  
Brig.Gen. Chip Diehl  
Mrs. Diana Hernandez-Caballero

4.01 Mrs. Shah administered the Oath of Office to reappointed board member, Steve Cona III.

4.02 Mrs. Shah administered the Oath of Office to newly appointed student trustee, Ms. Diana Hernandez-Caballero.

Mrs. Shah passed the gavel to Mr. Cona III, incoming Board Chair.

**5.0 PURPOSE OF THE PUBLIC HEARING**

5.01 Mr. Cona III stated that the purpose of the hearing is for the Board to resolve all disputed issues which are at impasse between the College and the SEIU, representing three separate bargaining units of staff employees, supervisors and professional employees for the collective bargaining agreement that expired on June 30, 2017.

After a lengthy period of negotiations, the union declared impasse on March 12, 2018, notifying the Florida Public Employees Relations Commission and invoking the statutory impasse procedures set forth in chapter 447, Florida Statutes.

Pursuant to Florida Statutes, the parties then proceeded to a hearing before a special magistrate, who held a hearing on May 31, 2018 at which time the parties presented their position on the three articles that were at impasse. The special magistrate issued a recommended decision on June 13, 2018. In accordance with the procedure, the union accepted one and rejected two of the recommendations and the College rejected one of and accepted two of them. Thereafter the president submitted the special magistrate's recommended order, along with his recommendations as to how the Board should resolve the issues at impasse. This hearing is now required pursuant to Florida Statutes to afford each party the opportunity to explain their position to the Board with respect to the three impasse issues.

This proceeding is open to the public, but it is a labor proceeding with specific statutory requirements. Only the two parties will make formal presentations to the Board.

The College and the Union will each be afforded a total of 15 minutes to present their positions. Board members are asked to hold any questions until the end of both presentations. The College will be called upon first and SEIU will be called upon next. Upon the conclusion of both presentations, Board members will have an opportunity to ask questions, deliberate and then vote on resolution of the impasse issues by taking such action as it deems to be in the public interest, including the interest of the public employees involved.

Because there are only three issues, the procedure we will use is that each party will be called to speak on all 3 issues for a maximum of fifteen (15) minutes each; then the Board can ask questions.

The three issues are:

1. Overtime for Exempt Employees;
2. Union Participation in Employee Orientation; and
3. Date of Retroactivity for Salary Increase

## **6.0 PUBLIC HEARING**

6.01 Mr. Mark Levitt, HCC's Labor Counsel, presented the College's position to the Board.

6.02 Mr. Joseph Brenner, Director of Organizing and Bargaining for SEIU-Florida Public Services Union, presented SEIU's position the Board.

6.03 Board Comment:

Mrs. Shah asked how many employees would be impacted by the retroactive pay. Mr. Brenner advised between 200 and 215 employees.

Mr. Cona III asked if the Union had the ability to meet at any given time. Mr. Brenner advised they could not meet during the employee's work hours.

Mrs. Viamontes asked if the Union had examples of any other employees that receive overtime. Mr. Brenner advised that the City of Orlando builds in "management days" which total approximately 40 hours of compensatory time for professional employees. Mr. Cona III asked how many of their employees fall into that category. Mr. Brenner advised they did not have a specific number but estimated approximately 80-120 employees.

Brig.Gen. Diehl asked what the Union thought of the Evergreen Study. Mr. Brenner stated the Evergreen Study showed several different options but the College took the most conservative estimate. Overall, though, he added that it was a fantastic start.

Brig.Gen. Diehl asked if the College could use reserve funds to fund this. Dr. Atwater advised after the GASB adjustment, the College would only have seven percent in reserve funds which includes the five percent requirement. Dr. Atwater advised that he additional two percent is for emergency situations. Mr. Brenner noted that the Special Magistrate did take that into consideration when making his recommendation.

6.04 Public Comment:

Ryan Griffin, Joanne Joseph and Sophia Kowalski addressed the Board regarding staff pay. Testimonials were received from Lori Huggins; Bonnie Nimmo; Sara Johnston; Tamika Thomas; Thomas Walker; and April Taylor regarding staff pay and overtime. Topher Morrison addressed the Board regarding adjunct faculty pay.

6.05 Mr. Cona III made a recommendation to accept or reject the magistrate's recommendation to remove the overtime for exempt employees from the Collective Bargaining Agreement.

Mrs. Viamontes made a motion to accept the magistrate's recommendation, seconded by Mrs. Shah. After due discussion and consideration, approval was given by aye vote of all members present.

6.06 Mr. Cona III made a recommendation to accept or reject the magistrate's recommendation that union participation in employee orientation not be included in the Collective Bargaining Agreement.

Mr. Reid made a motion to accept the magistrate's recommendation, seconded by Brig.Gen. Diehl. After due discussion and consideration, approval was given by aye vote of all members present.

6.07 Mr. Cona III made a recommendation to accept or reject the magistrate's recommendation that the date for the salary increases be July 1, 2017.

Mrs. Shah made a motion to reject the magistrate's recommendation and suggested retroactivity go back to January 2018; and give an additional \$1,000 per member as was done for non-represented employees, seconded by Mr. Reid. After due discussion and consideration, approval was given by aye vote of all members present.

## **7.0 ADJOURNMENT**

7.01 There being no further business, the meeting adjourned at 3:52 P.M.