

**HILLSBOROUGH COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
SPECIAL MEETING  
SUNDAY, NOVEMBER 11, 2018 – 8:00 A.M.  
DR. GWENDOLYN W. STEPHENSON DISTRICT  
ADMINISTRATION CENTER  
BOARD ROOM  
MINUTES**

**1.0 CALL TO ORDER**

Mr. Steve Cona III called the meeting to order at 8:00 A.M.

**2.0 INVOCATION**

**3.0 PLEDGE OF ALLEGIANCE**

**4.0 ROLL CALL**

The following Trustees were in attendance:

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

**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 Service Employees International Union (SEIU), representing adjunct employees for a new collective bargaining agreement.

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. The Florida Public Employees Relations Commission appointed a Special Magistrate on May 15, 2018.

Pursuant to Florida Statutes, the parties then proceeded to a hearing on June 29, 2018 and July 9, 2018, at which time the parties presented their position on the articles that were at impasse. The Special Magistrate issued findings and recommendations on October 10, 2018. In accordance with the procedure, the union and College accepted and rejected some of the Special Magistrate's recommendations.

Both the College and Union submitted a list to PERC identifying those issues they accepted of the Magistrate's language or the Magistrate's recommendation in addition to those articles they reject. Both parties were in agreement and accepted the Magistrate's recommendation for Article 7.7 and 9.1, so these items do not need to be resolved by the Board.

As a result, the College and Union are not in agreement on the following articles and the Board will need to make a decision:

- Article 5.1 – Membership Dues
- Article 6.2 – Academic Freedom
- Article 6.5 – Involuntary Change in Status and Part-time Instruction Faculty (PTIF) Rights
- Article 6.6 – Right to Privacy
- Article 6.15 – Enhancement of Professional Skills
- Article 7.3 – Access to Hybrid/Online Courses
- Article 7.1-7.5, 7.8 – Part Time Instructional Faculty Pool
- Article 7.3 – Access to Hybrid/Online Courses
- Article 7.6 – Compensation on Cancellation
- Article 8.2 – Specific Rights
- Article 9.1(2)(A) – Compensation for Attending Meetings
- Article 9.1(2)(C) – Course Syllabus
- Article 9.6 – Lounge Facilities
- Article 9.12 – Travel Expenses
- Article 9.17 – Grading System
- Article 9.23 – Union Representation
- Article 9.24 – Electronic Mail
- Article 13.1-13.5 – Leave of Absence and Other Leaves
- Article 13.6 – Military Leave
- Article 13.8 – Employee Assistance Plan
- Article 14.0 – Wages
- Article 14.3 – Substitute Teaching

In addition, for those items where the Special Magistrate made no recommendation on a specific issue, the Special Magistrate recommended the language tentatively agreed to by the parties. For the following items where the parties have not tentatively agreed to and the Special Magistrate made no recommendation, the Special Magistrate recommends status quo or current practice. These items include the following:

- Article 6.7 – Personnel Files
- Article 6.10 – Office Space Security
- Article 10.1.A – Administrative Evaluation of Teaching

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. The Union also submitted their recommendations to the Board.

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 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 60 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.

## **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:

Brig.Gen. Diehl stated that he appreciated both presentations. He asked what the process was going forward. Mr. Levitt stated that once the issues are resolved, it is submitted to the union bargaining unit for ratification and ultimately comes back to the Board. This is a one-year contract and would be back in bargaining again within the next six months and we will continue to work on it. Dr. Atwater added that hopefully after the initial contract, we will move to a three-year contract like the other two unions.

Mrs. Viamontes thanked Mr. Levitt and Mr. Brenner and acknowledged the work done by both parties to date.

Mr. Cona III stated that the Board thoroughly reviewed recommendations from the Special Magistrate, Union and College, and recognized the amount of work by all parties to get to this point.

Mrs. Shah thanked everyone for coming out on a holiday to participate in this process.

6.04 Public Comment:

Adjunct faculty members Sally Bartlett, Christopher Johnson, Joyce Stickney Smith, Cheryl DeFlavis, Eric Fiske and Mike Andreassi as well as citizens Eron Higgins, Jarrod Fennell, and Angela Edwards-Luckett addressed the Board regarding adjunct faculty pay and benefits.

6.05 Mrs. Shah made a motion **to accept the magistrate's recommendation for the following articles:**

- *Article 5.1 – Membership Dues;*
- *Article 6.6 – Right to Privacy;*
- *Article 7 – PTIF Pool;*
- *Article 7.3 – Access to Hybrid/Online Courses;*
- *Article 8.2 – Specific Rights;*
- *Article 9.17 – Grading System;*
- *Article 9.23 – Union Representation;*
- *Article 9.24 – Electronic Mail;*
- *Article 13.1-13.5 – Leaves of Absence and Other Leaves;*
- *Article 13.6 – Military Leave;*
- *Article 13.10 – Tuition Fee Waiver;*
- *Article 14 – Wages; and*
- *Article 14.3 – Substitute Teaching.*

Mrs. Viamontes seconded the motion. After due discussion and consideration, approval was given by aye vote of all members present.

6.06 Mrs. Viamontes made a **motion to reject the magistrate's recommendation and approve the College's recommended language** for the following articles:

- *Article 6.2 – Academic Freedom;*
- *Article 6.4 – Involuntary Change in Status and Article 6.5 PTIF Rights;*
- *Article 6.15 – Enhancement of Professional Skills;*
- *Article 7.6 – Compensation for Cancellation of Courses Due to Full-Time Bumping;*
- *Article 9.1(2)(A) – Compensation for Attending Meetings;*
- *Article 9.1(2)(C) – Course Syllabus;*
- *Article 9.6 – Lounge Facilities;*
- *Article 9.12 – Travel Expenses;*
- *Article 13.8 – Employee Assistance Plans; and*
- *Article 13.11 – Personal Retirement or Investment Programs.*

Mr. Reid seconded the motion. After due discussion and consideration, approval was given by aye vote of all members present.

6.07 Mr. Reid made a **motion to accept, where the Special Magistrate did not make a recommendation and approve the language the College and Union tentatively agreed to; and where there is no tentative agreement on an issue and the Special Magistrate has not made a recommendation, to maintain the status quo or current practice** as outlined in the College proposal for the following items:

- *Article 6.1 – Office Space Security;*
- *Article 6.7 – Personnel Files; and*
- *Article 10.1.A – Administrative Evaluation of Teaching.*

Brig.Gen. Diehl seconded the motion. After due discussion and consideration, approval was given by aye vote of all members present.

Brig.Gen. Diehl extended his appreciation of the job the adjuncts do and acknowledged that there is a lot of reliance on adjunct faculty. He stated that the College does have a 'road map' for pay. He suggested that adjuncts attend the regular board meetings so they can see the College's competing priorities. He suggested that we take these issues to Tallahassee in the next legislative session so the College can ask for additional funding for pay.

Mr. Reid expressed his hope that the adjunct faculty appreciates the job done by Mr. Brenner, getting them from not organized to an organized labor group and winning on numerous fronts. The College has been here 50 years and until a year ago, the adjuncts were not organized as a union. He added that the adjuncts are in a better place now thanks to Mr. Brenner.

Mrs. Viamontes added that the College may not be able to do everything they requested, but this is a change in the right direction considering our financial constraints.

Mrs. Shah reiterated the value and work the adjuncts do and reminded them that there are different sources that funding comes from and even though it appears there are funds for expansion and buildings, staff/faculty pay funds are limited.

Mr. Cona III stated that this shouldn't have come to a point where the Board has to decide on contract articles through impasse; the Board should just be approving a contract. Both the College and the Union need to work together during the bargaining process so we do not go to impasse every six months. He thanked everyone again for what they do for the students and for the College.

## **7.0 ADJOURNMENT**

7.01 There being no further business, the meeting adjourned at 9:17 A.M.