

**Glendale Community College Faculty Senate**  
**2008-2009**  
**Meeting of January 22, 2009, 2:30 p.m., SU-104ABC**  
**Approved Minutes**

(Please note: General interest issues or meeting and notifications are listed below in **bold** to allow them to be located more easily.)

I. General

A. Call to Order

1. A quorum being present, President Jim Reed called the meeting to order at 2:30 p.m. in the SU-104ABC Conference Room. Senators present included Vice President Gay Garesché, Executive Councilor at Large Johnnie C. May, Doug Brenner, Ruth Callahan, Susan Campbell, Phil Fernandez, Fernando Garcia, Erik Gergus, Mary Harris, Susan P. High, Steve Kadel, Julie B. Morrison, Michelle Parker, and Laura Schuett.

B. Guests in Attendance

1. Special Guest: Barry Vaughn, FEC President.
2. Additional guests included but not limited to: Bob Albury, Carol Barner, Joseph Bednorz, Holly Mckinzie Beene, Brian Bird, Bill Bonnell, Felicia Brenoe, Janet Brooks, Mary Bryniarski, Gary Calderone, Bob Christian, Brandon Cleworth, David Cost, Jay Covey, Kimberly Curlee, Deanette Devereaux, Dianne Dwyer, Steven Emrick, Ernesto Escobedo, Kevin Fitzgerald, Mark Floor, Gar Gaekel, David Gerkin, John Gibson, Derrel Higgins, Michael Holtfrierich, Betty Hufford, Dave Jenkins, Frederica Johnson, Eileen Johnston, Pam Joraanstad, Walter Kehowski, Jeff Kruse, Hannes Kvaran, William Lamkin, Lisa Lewis, Ken Macleish, Gary Marrer, Robert Martin III, Marjane Maton, Susan Mayer, Rosie Mays, Don McIver, Ed McKennon, Heather Merrill, Angela Mick, Linda Minyard, Christine Moore, Shohreh Moshrefzadeh, Sue Murry, Pam Nelson, Mary Jane Onnen, Nancy Oreshack, Miriam Pack, Randall Peterson, Judy Poggi, Bel Quiros-Winemiller, Sasha Radisich, Phillip Roderick, David Rodriguez, Paul Romo, Andrew Russell, John Russell, Jeanne Saint-Amour, James Sanders, Trinidad Sandoval, Duke Schafer, Laurie Schulz, David Seitz, Jason Serin, Kirt Shineman, Sarah South, Joe Springer, Mark Stalzer, Bill Stewart, James Tuohy, Lyle Walcott, Wanda Walding, Dean Wheeler, Joe Wright.

II. General

A. Approval of Agenda

1. The proposed meeting agenda was amended to include two items only:
  - a. Green Efforts Committee request for funds.
  - b. Discussion of Chancellor Gasper's Financial Exigency Policy and the FEC's proposed response.

B. Green Efforts Committee

1. Senator Gergus moved that the Senate allocate \$1000 to provide food for students at the February 4-5, 2009, National Teach-In on Global Warming solutions sponsored by the Green Efforts Committee. Senator May seconded the motion. The motion passed unanimously.

### **C. Financial Exigency Policy**

1. FEC President Vaughn and GCC Senate President Reed informed the Senate and faculty guests that Chancellor Glasper had requested a first-reading of his Financial Exigency Policy at the Governing Board Meeting scheduled for January 27<sup>th</sup>, 2009. This policy, if enacted, would allow him to override all employee groups' contracts so that he could proceed with layoffs and reduction-in-force (RIF) in a time and manner of his choosing. See attached for full policy.
2. Vaughn presented the FEC's proposal to publicly state the faculty's willingness to teach an additional class per semester without compensation, which would save MCCCCD \$12 million and eliminate the need for enactment of the Financial Exigency Policy.
3. Discussion ensued.
4. VP Garesché moved that the Senate should solicit faculty feedback on the proposal by e-mail, with the Senate reconvening Friday, January 23<sup>rd</sup>, 2009, at 5:00p.m. to vote on the policy. Senator Kadel seconded the motion. The motion failed to pass.
5. Discussion ensued.
6. Senator High moved that the Senate support the FEC proposal. Senator May seconded the motion. The motion passed by a vote of 7 to 5.

**III. The Senate adjourned at 5:30 p.m. The next meeting will be on February 26, 2009, at 2:30 p.m., location SU-104BC.**

# INFORMATION ITEM FIRST READING

**Governing Board Agenda**

**Meeting Date:** January 27, 2009

<u>Item Number</u>	<u>Item Title</u>	<u>Responsible Agents</u>
	Financial Exigency Policy	Dr. Rufus Glasper Ms. Debra Thompson Mr. Al Crusoe

**Recommendation**

It is recommended that the Governing Board review this proposed financial exigency policy at its January 27, 2009 meeting and that the Governing Board adopt this policy at its February 23, 2009 meeting.

**Justification**

Economists agree that the economy has been in a severe recession since December 2007. A recovery is not expected for some time.

Historically, the financial concerns of the State of Arizona were not as acute as we are experiencing today. The current year deficit stands at \$1.2 billion or more and next year is \$3 billion. The severity reflects the depth of the recession but also the limits that the State has in addressing revenue shortfalls. First, growth in voter protected spending means that nearly half of the State's \$10 billion budget can not be cut as it is was put in place through the approval of a voter referendum. Additionally, a two-thirds vote of the legislature is required to raise taxes.

Historically, as we planned for expected state aid reductions, we were able to do so within the time frames and manner prescribed by the policy manuals. However, as of today we have yet to receive a specific reduction amount from the State of Arizona for current fiscal year or next year; we may not receive a preliminary amount for FY 2010 until mid semester. Therefore, it has become clear that a financial exigency policy is needed in order to allow for adjustments to compensation (salary, wages and benefits), reductions in force and/or layoffs that otherwise would be subject to the terms of existing employee group manuals. There are a number of provisions in employee policy manuals that prescribe pay rates and benefits and the timing and manner of reductions in force and reorganizations; as they stand, these policy manual terms may impede the District from making necessary spending reductions in a timely manner in order to keep spending within the limits of available resources. This policy is proposed and recommended for adoption in order to ensure that the District has the necessary ability to maintain fiscal stability and integrity by the June 20 statutory budget adoption date.

<b>Funding</b>	<b>Approvals/Certifications</b>
<p><u>Source:</u></p> <p><u>Account Identification:</u></p>	<p>Chancellor _____</p> <p>Academic &amp; Student Affairs _____</p> <p>Business Services _____</p> <p>Human Resources _____ ITS _____</p> <p>Res Dev &amp; Cmty Relations _____</p> <p>College President _____</p>

## Draft Governing Board Policy on Organizational Response to Financial Exigency

The state of Arizona is in the midst of a severe economic recession. While severe economic conditions exist throughout the country, they pose especially unique challenges to public agencies throughout this state, and in Maricopa County in particular. Those institutions depend on public revenues in order to provide services. Most reliable economic indicators conclude that these conditions may continue for the next several years. The overall uncertainty that results from the troubled economy has forced public institutions of higher education to prepare to make substantial changes in their organizational structures in order to continue to serve students and the community.

Accordingly, the Governing Board hereby authorizes the Chancellor to cause to be implemented a process that would allow for employee layoffs or reductions in force. A reduction in force shall be used when there is no expectation that affected employees will be recalled to work within six (6) months of the date of separation from employment. A layoff may be used in the Chancellor's discretion instead of a reduction in force when there is an expectation that impacted employees may be recalled to work if conditions improve within six (6) months of the layoff date.

This process shall supercede any other process for layoff, reduction in force or other involuntary separation of employment, and other compensation and benefit provisions that might currently exist in any policy manual, policy, or administrative regulation of the Maricopa County Community College District (MCCCD). The process shall, at a minimum, provide for the following:

1. Prior to recommending any layoff or reduction in force, the Chancellor shall consider the feasibility of implementing other actions. Such actions shall include but are not limited to: elimination of programs that would not require any separation of employment; salary and other wage, stipend or benefit reductions, potentially inclusive of but not limited to professional growth; a voluntary separation program which may include payment of a monetary incentive; re-assignment of employees to vacant positions; reduced work schedules; multi-campus assignments; reassignment to other duties beneficial to MCCCD; and temporary shutdowns. Layoffs or reductions in force may be made in conjunction with other changes to salary, wages and/or benefits or in lieu of the same.
2. Every involuntary separation of employment under this policy of any employee whose original employment was previously approved by the Governing Board shall be recommended to the Governing Board for approval.
3. The Chancellor shall prescribe in the process appropriate criteria for selecting employees for layoff or reduction in force. Those criteria may include, but are not limited to, any one or a combination of the following considerations:
  - a. Organizational restructuring: Some employees will be impacted as a result of the business-related elimination of their particular positions and/or functions, or consolidation of functions.

- b. Competency: Employees with abilities, skills, aptitudes and talents that best match the current and anticipated future institutional needs should generally be retained, while those who do not have the desired skill sets may be identified for involuntary separation of employment.
  - c. Performance: Employees may be evaluated based on performance, disciplinary actions, other documentation relating to performance or behavior and/or performance or behavior comparative to other employees. Performance may be evaluated based on prior performance generally or on prior performance in any selected areas relating to current and anticipated future business needs.
  - d. Seniority: Employees with the least seniority within an affected classification, shift, department or other appropriate business unit may be selected for involuntary separation of employment.
4. The Vice Chancellor for Human Resources will, upon request of any employee whose separation of employment is recommended, review such recommendation pursuant to an expedited procedure to ensure that the proposed separation is based wholly on financial exigency, the feasibility of implementing other actions has been fully considered, and that the criteria specified in this policy have been considered. The Chancellor shall cause to be developed an expedited procedure for this review.
5. This policy does not constitute an employment contract or implied promise of any kind. The Chancellor may make recommendations to change the terms of this policy. The Governing Board may modify or eliminate this policy within its sole discretion.