



ACE Board Meeting Minutes

**Meeting Date:** August 16, 2018

**Location:** Closed Session, Zoom Meeting.

Public Session, Jamison Brown House, Santa Clara

**Recorder:** Shawna Santiago

NAME	TITLE	ORGANIZATION	IN ATTENDANCE?
BALDWIN, WILLIAM	VICE PRESIDENT, CS	ACE	YES
BOOTH, ANTHONY	LEGAL	LAW OFFICE OF B. BOOTH	NO
BOOTH, BRADLEY	LEGAL	LAW OFFICE OF B. BOOTH	YES
FLORES, ERIKA	CHIEF STEWARD, DA	ACE	NO
GERARDO, PRECIOUS	VICE PRESIDENT, DA	ACE	YES
KIRKPATRICK, KERI	BOARD MEMBER, DA	ACE	YES
MANGIAMELI, CHRISTINE	BOARD MEMBER, FH	ACE	YES
MONSELL, CATHLEEN	CHAIR NEGOTIATIONS	ACE	YES
OLSEN, SCOTT	BOARD MEMBER, CS	ACE	YES
PELLETIER, JOSH	CHIEF STEWARD, FH	ACE	YES
PEREZ, ANNETTE	TREASURER	ACE	YES
PEREZ, DENISE	VICE PRESIDENT, FH	ACE	YES
RODARTE, IRMA	CHIEF STEWARD, CS	ACE	YES
SANTIAGO, SHAWNA	RECORDER, FH	ACE	YES
SMITH, CYNTHIA	BOARD MEMBER, DA	ACE	NO
WHITE, CHRIS	PRESIDENT	ACE	YES



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**Guests in attendance:**

- ❖ Dana Kennedy ACE Negotiator
- ❖ Andre Meggerson ACE Steward
- ❖ Andrea Santacruz ACE Negotiator
- ❖ Phuong Tran ACE Negotiator

**Meeting Start:** 1:05 PM

**A. Closed Session:**

**Report out from closed session:** Nothing to report

**B. Motion:** Approval of 07-11-18 minutes

**Moved:** Monsell

**Second:** Baldwin

**Approved Unanimously**

**C. Financial Report:** Presenter: A. Perez

**Cetera through East West Bank as of July 2018**

**Cetera (East West) CD Total:** \$261,170.31

**Wells Fargo Accounts as of 08/11/2018**

Checking Account Balance: \$18,742.01

Business High Yield Account: \$435,910.90

**Grand Total:** \$715,823.22

**D. ACE Audit:** Presenter: White

- As required, the 2017-2018 fair-share fee audit findings will be sent to former service fee payers next week.
- As a result of the U.S. Supreme Court Janus decision, we are no longer required to do a fair-share fee audit. Moving forward we will continue to conduct an independent audit to help ensure fiscal accountability to our members.
- ACE president has requested an estimate from our auditors on the cost. But it will most likely be close to what we pay now.

**E. Membership Drive:** Presenter: White

- 72% of ACE members have returned the signed reaffirmation forms.
  - Foothill and Central Services is almost done with the drive. De Anza needs additional help to reach the remaining individuals.
  - Andre Meggerson volunteered to assist the reaffirmation drive at De Anza.
  - 50% of service fee payers have joined ACE as members.
  - Current service fee payers received notification last week regarding the discontinuance of service fees, the benefits of becoming a member and what representation would cost if they choose to be a nonmember.
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- **Opting in and out of membership:**
  - We have a defined timeframe for a member to opt out. It may be prudent to also define a timeframe for a nonmember to opt in. This concept was brought forward by a member.
  - As employees represent themselves on issues that are important to us we lose the opportunity to weigh in on how issues are resolved.
  - We can't assume that all that want to opt in are doing so because they need representation. Some have a change of heart and decide that ACE is something they want to join and support.
  - We have to be fiscally responsible in how we manage ACE.
  - We just renewed our contract, and the period to withdrawal from membership is Oct. 1 – Oct. 31, 2018. With approximately 25% of members yet to respond to the reaffirmation drive, the board should make this decision after all responses are in and withdrawal period closes.
- **Recommendation from the board is to table this discussion until all responses are in. Can re-open discussion at our November meeting.**

F. **ACE Budget w/Dues Reduction:** Presenter: White

- Last year with 3 dues forgiveness months and all other expenses we still had a small carry-over balance (\$4K).
- With all foreseeable expenses and plenty of money in our legal defense fund, for 2018-19 we predict a carry-over of around \$52K
- Presently ACE dues are charged at a rate of 0.95% of the member's base pay.
- Looking at reducing dues:
  - A flat rate would be unfair due to the disparity in pay among our membership where the salary difference can be as much as \$8K per month. To cover expenses with a flat rate, 50% of our members would see their dues contribution go up 5% or more. For a quarter of those, they would see a 25% increase.
  - Some members with a higher base pay are feeling unfairly treated as their dues are higher than most. A dues cap may solve this issue.
- In 2019/20, the 5% temporary salary increase goes away. At the same time district wide budget cuts will have been implemented. This institution has to cut \$20mil which looks like a potential 25% cut to our membership.
- Any dues increase or reduction must be voted on by the membership.
- **Recommendation from the board is to survey the membership on this issue.**
  - **Special Committee to Construct Survey:** Andrea Santacruz, Christine Mangiameli, Annette Perez, Irma Rodarte, Scott Olsen and Cathleen Monsell. Committee will construct the survey and present it to the board for approval.



**Motion:** Approval of 2018/19 Budget: White

**Moved:** Kirkpatrick

**Second:** Mangiameli

**Approved Unanimously**

**Motion:** Forgive dues same month of retro pay for temp 5% salary increase: Olsen

**Moved:** Olsen

**Second:** Gerardo

**Approved Unanimously**

G. **ACE Constitution Changes:** Presenter: White

- Added language in regards to timeframe to withdraw membership.
- Add ACE Recorder as an elected voting member of the board.
- Eliminate August site meetings due to lack of membership presence.
- Clarify process used for elections/paper ballots.
- Remove language on service fee payers.
- Increase Executive Board members from 13 to 14.
- Removed Election, Safety and technology committees.
  - Changes in business practices negate the need for these committees. Under article 6.4 of the ACE constitution, the executive board has the authority to develop a special committee to work on a specific issue or task as needed.
- Board and president clarified changes and identified necessary corrections.
- Duties of ACE Vice Presidents include running site meetings. Would like this to begin this year.
- Board will ratify these changes after deciding on the proposed changes to the dues structure in November. Proposed changes will then go to the membership for a vote.

▪ **Classification Study update:** Presenter: White

- Still waiting for the report drafts.
- Looks like we will receive the report drafts around the end of August.
- There will be an additional charge for Koff to come back and answer general questions from the membership.
- ACE has offered to split this additional cost with the district.

▪ **Officer Elections:** Presenter: White

- Up for reelection:
    - Treasurer
    - Vice President Foothill
    - Stewards De Anza and Central Services
    - Board member De Anza, Seat 2 and Central Services
    - Entire negotiating team; 2 for Foothill, 2 for De Anza, 1 for Central Services
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- Will have a general membership meeting in October to present the budget and gather nominations for re-elections
- Vice President for De Anza will be on parental leave in October. Board will need to appoint a Vice President for De Anza in her absence. Board members should bring forward anyone who would like to serve.
  
- **President Updates:** Presenter: White
  - There is a lot less in travel and conference funds for 18/19 as we've depleted all the carryforward funds in this account during the 17-18 year.
    - We receive \$40k annually; \$20K for De Anza, \$12K for Foothill and \$8K for Central Services. With a maximum benefit of \$1600 per ACE member, it will go fast.
    - We might want to take a look at this for negotiations. Faculty receive a lot more money for this purpose (a little over \$100K annually), under the guise that it serves full- and part-time faculty but data shows 90% of it is used by full-time, whose numbers are just a little higher than classified staff under ACE.
  - As part of a lay off process there is a transition team assigned to offer support and answer questions. The team is comprised of:
    - HR person for Central Service.
    - Mary Kay Englen for De Anza.
    - A representative for Foothill.
    - We need someone to serve in this capacity for Foothill. This person must be empathetic, been here a while, understands how the college works, and have been through a lay off. Board members should forward any candidates with these qualifications to ACE president.
  - ACE is working with HR to provide the following for employees affected by layoffs
    - Skills development & retirement workshops.
    - Survivors guilt; care for those who are left behind.
    - On campus job fair with other community colleges who may be hiring.
  - September is the time we have lunch or breakfast with the Foothill - De Anza Board of Trustees. This is an opportunity to ask questions and express concerns. ACE President will be reaching out in the next week or so to have a couple of members of our board attend these meetings with her.

**Meeting Adjourned: 3:30 PM**

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