

EEOAC MEETING
October 21, 2008
Library Conference Room -- LC-52

Present:	Robin Huber	John Gallant
	Lucinda Aborn	Alva Acosta
	Ellen Horvath	Shola Shodiya
		Cynthia Convey

John Gallant moved approval of the minutes for October 7, 2008 and Robin Huber seconded the approval. Minutes were approved unanimously.

The Committee was reminded that the President requested that a timeline for the completion of selection procedures be set out. The Committee discussed the amount of time it would take to get shared governance approval for each constituent group. The Committee determined that with diligent work, the selection procedures for Full-Time Faculty, Management and Classified/Confidential can be ready for shared governance approval for shared governance review in January 2009. Shared governance review by the groups should take no more than a month. Depending on the response from various constituent groups, recommendations from those groups may take a month or more to review. It is hoped that all selection procedures will be completed by May 2009—including those for Part-time Faculty and Executives.

The Committee reviewed Sections 4 and 5 of the Management Selection Procedures and there was one suggestion for change which was noted.

Ms. Convey then introduced proposed Administrative Procedure 3435, Discrimination and Harassment Investigations. Ms. Convey stated that the District has determined that it will adopt the League's model with the District's information included. The Committee reviewed the procedure and made recommendations for corrections and additions.

Robin Huber was concerned that discrimination might be an issue in bargaining. Ms. Convey stated that she and contacted one of the Districts which had Discrimination in its collective bargaining agreement and confirmed that complaints as a result of discrimination due to union membership or related union issues are not handled through the state and federally mandated procedure. The State Chancellor's Office will not approve protection for categories which are not protected by law and this procedure needs the approval of the Chancellor's Office. Additionally, as the

procedure describes, employee complainants need to be advised that they may file complaints with DFEH and/or EEOC and student complainants may be advised that they can file complaints with OCR. None of these agencies recognizes union membership as the basis of a complaint. This procedure is designed for a specific type of discrimination and the procedure is required by state law and title 5 regulations. In the event that the District and CCFF negotiate an article on discrimination, there will be rights to grievance of that article in the contract.

Robin Huber suggested that the procedure refer to the discrimination article in the District-CCFF contract. However, presently that article does not exist. It will be easy to amend the procedure to include this reference when the article is established.

Ms. Convey asked that the Committee review the sections of this procedure on Training and be prepared at the next meeting to provide feedback on this section.

ACTION ITEMS:

- Committee members will review AP3435, particularly the section on Training and be prepared to discuss this section at next meeting.**
- Cynthia Convey will prepare a draft of Sections 4 and 5 for the Full-Time Faculty and the Classified/Confidential Selection Procedures.**