

Fair Share Letter June 17, 2013

Chabot-Las Positas Faculty Association

**Chabot College**  
**25555 Hesperian Blvd.**  
**Hayward, CA 94545**  
**Phone: 510-723-6873**

**Las Positas College**  
**3033 Collier Canyon Rd.**  
**Livermore, CA 94550**  
**Phone: 510-723-6873**

June 17, 2013

TO: All Faculty Who Are Not Members of the Faculty Association  
FROM: Charlotte Lofft, Faculty Association President  
RE: Fair Share Fee

Dear Faculty:

The Chabot-Las Positas Faculty Association (CLPFA or FA), is the exclusive bargaining agent and representative for all faculty of the Chabot-Las Positas Community College District (CLPCCD). In representing you, the FA incurs significant costs. In recognition of the principle that non-union members should pay their fair share of obtaining and maintaining benefits of union representational activities, the California State Legislature has approved the deduction of "fair share fees" from the salaries of public employees who are not union members. Collection of fair share fees has been approved by the Supreme Court and the courts of California.

For this reason, the Executive Board of the FA has decided to execute its right under the organizational security provision of the law to collect fair share fees. If you do not elect to join the FA, a fair share fee in the amount equivalent to 100% (Minus a Political Action Committee contribution of \$2.00/month for people on 10 pays/year and \$1.67/month for people on 12 pays/year) of the FA membership will be deducted from your monthly salary warrant by the District beginning the first paycheck you receive. The current FA Membership Fees are as follows:

Membership Dues:

Contract, Regular, Temporary Faculty: \$49.00/month for each of 10 months (\$490. annually.)  
OR: \$40.83/month for each of 12 months (\$490. annually.)

Fair Share Fee Payers:

\$47.00/month for each of 10 months (\$470. annually.)  
OR: \$39.17/month for each of 12 months (\$470. annually.)

Part Time Faculty : \$12./month for each pay period.

The above fees for Contract, Regular, and Temporary Faculty include all faculty who are not Part Time. These categories include all Full Time Faculty and all faculty who are on Pre-Retirement Reduction in Load or a reduced load. Faculty who serve as Acting or Interim Managers will not be assessed a Fair Share Fee during their period of management service.

The Chabot-Las Positas District Payroll system is set up for a system of partial arrears if Part Time Faculty's monthly dues of \$12./ month exceeds their earnings. This system allows for the dues deduction to be taken up to the available earnings in the month and the balance arrearred to be deducted the next month. It is unlikely that this system will affect very many Part Time faculty since the FA monthly dues is so low.

As your collective bargaining representative, we strongly encourage you to join the FA. The fact that this fair share fee will be deducted from your salary from the date of your employment in the Chabot-Las Positas Community College District **does not automatically make you a member of the FA. The advantages of FA membership are primarily the right to vote for union contract provisions, election of union officers, the amount of union dues, and the union Bylaws and Constitution. I urge you to join the union (FA), and since your fair share fee is 100% of the union membership, it is to your economic advantage to do so. An FA Membership Form is enclosed should you choose to join.** Also, it is important to note that the votes of part time faculty are counted on an equal basis with votes of full time faculty when there are contract ratification or other ballot measures. There is no "penalty" attached to being a part time faculty member of the FA. All faculty are treated the same in the voting process

If you decide to join the FA, simply fill out the enclosed Membership Form and send it to our **Membership Chair, Shari Jacobsen, at Chabot College.** After Shari Jacobsen notes your membership she will forward the form to our Treasurer, Kevin Ankoviak, at Las Positas College. Please send this form to **Shari Jacobsen, Chabot College, via the Campus Mail promptly.**

Your fair share fees, together with union members' dues and other contributions, are necessary for the FA to protect and advance the professional and economic interests of all of the employees it represents. One of the most valuable of these union services is the negotiation of contracts that govern your earnings and other economic benefits and the conditions under which you work. Fair share fees and union dues pay the costs of these negotiations, including the staff work, legal, economic, and educational research necessary to develop the union's program on our behalf. Collective bargaining and the protection of employees' rights under the contract require year-round activity by union officers and staff as well as volunteer union members. Further, since many of your working conditions and benefits, as well as the resources available to fund community college operations, are governed by legislation and the CLPFA, they are used to monitor the legislative process and lobby to protect your interests. All of these FA expenses under the heading of "Chargeable Expenses".

A small percentage of the budget of the FA may be used in relation to issues and legislation only incidentally related to the terms and conditions of employment, or applied toward the cost of benefits available only to union members. These FA expenses come under the heading "Non-Chargeable Expenses." You are entitled to request a reduction in your fair share fee that corresponds to the percentage of the union's total budget that is for "Non-Chargeable" purposes.

Last year's expenditures have been broken down into "Chargeable" and "Non-Chargeable" expenditures. They are available on request to myself. Last year's breakdown of expenditures has been audited by Ms. Rita Villa, CPA. In accordance with this breakdown, 7.25% of the money we receive by way of members' dues, assessments and non-members' fair share fees was spent by the FA for non-chargeable purposes in 2012. We expect that about the same percentage of the money received in 2013-14 will likewise be spent for non-chargeable purposes.

In order to pay a reduced fee, which in your case would be 92.75% of the total membership dues, you must inform the FA, in writing, of your request within 30 days of the receipt of this letter (or, if later, within 30 days of the date you begin service to the Chabot-Las Positas Community College District).

The request should include your name, address, employee status, Social Security or W Number, and signature, and should be sent on the attached "Reduced Agency Fee Request" form to our Treasurer, Kevin Ankoviak, at Las Positas College.

Upon receipt of such a request, the FA will refund the difference you paid between 100% of the Fair Share Fee and a reduced Fair Share Fee and will arrange with the District to reduce your future fair share fee by 7.25% of the full amount. In any event, you **MUST** pay a minimum of 92.75% of the full fair share fee. No fair share fee payer will receive a refund; your salary deduction will merely be reduced by 7.25%. If you elect to reduce your Fair Share Fee according to the current formula for Chargeable and Non-Chargeable Expenses, your Fair Share Fee would be as follows:

Contract, Temporary, Regular Faculty: \$43.59 per month for each of 10 months (\$435.90/yr.)  
OR: \$36.32 per month for each of 12 months (\$435.90/yr.)  
All Part Time Faculty: \$11.13 per month for each pay period.

Should you challenge the FA determination of the percentage of its expenditures that are non-chargeable, you do so by informing the FA of your challenge within 30 days of the receipt of this letter. Again, you should address your challenge to our Treasurer, Kevin Ankoviak, at Las Positas College. Your challenge must be in writing, and must state the basis upon which you challenge the determination of chargeable and non-chargeable expenses. Upon receipt of the objection, the matter will be submitted to arbitration and your fair share fee will be withheld from your paycheck and held in escrow until a neutral arbitrator has reached a decision. You must be prepared to justify the basis for your challenge in front of the arbitrator and to pay for any legal expenses you chose to hire. A copy of the FA's reduced fair share fee procedures and reduced fair share fee request form are attached to this notice. If you have any questions about them or about the foregoing, please contact either me or Kevin Ankoviak at Las Positas College in a timely manner.

After reviewing these materials, we hope you will choose to join the FA. If so, please complete the attached Membership Form and return it to **Shari Jacobsen, Chabot College, at your earliest convenience.**

It is our pleasure to serve you, and thank you for your time.

Yours truly,

Charlotte Lofft, CLPFA President

[clofft@chabotcollege.edu](mailto:clofft@chabotcollege.edu)

Attachments: Membership Form

Reduced Agency Fee Form (Only applies if requesting reduced Agency Fee.)

CC: CLPFA Executive Board, L. Benetti, W. Fong, L. Penaflor, J. Walters