

SPECIAL MAGISTRATE
CONCLUSIONS AND RECOMENDTIONS

TCC & UFF
SM 2017- 023

With the objective of a peaceful, prompt and just settlement of the issues at impasse it is hereby recommended:

Article 4 – Management Rights

College’s Proposal with the following additional language:

5. Nothing in this Article is intended as a waiver of the Union’s rights under Chapter 447 to bargain over mandatory subjects of bargaining or the impact of changes brought about by the exercise of management rights.

Article 6 – Faculty Rights

Adoption of Section 6.06-Seniority.

Article 8 – Grievance and Arbitration Procedure

The College’s proposal with the exception of Section 9.

Article 11 – Appointment, Contracts and Termination

The College’s proposal with the exception of Section 3, Annual Contracts for Librarians and Counselors.

Article 13 – Work Responsibilities

The College’s proposal.

Article 15 – Additional Professional Obligations

The College’s proposal.

Article 16 – Distant Education

The College's proposal.

Article 21 – Faculty Evaluations

The College's proposal

Article 23 – Wages

The College's proposal

With the exception that Librarians are treated as faculty for extra teaching outside of their 40 hour workweek.

And, \$65,000 will be earmarked for implementation of a one time pay adjustment to address the pay inversion /compression issue for faculty members.

Article 24 – Insurance Benefits and Leave

Delete Paragraph 1 - Participation in County-wide Committee

The Union's proposal for Paragraph 2 – Insurance Benefits.

Article 27 – Discipline

1. The College's proposal (standards of conduct).

And:

2. A written oral warning and written reprimand may be appealed in writing to the Vice President for Academic Affairs/Provost or his/her designee whose decision shall be final. The employee may submit a written rebuttal to the College's final decision. Such rebuttal shall be part of the employee's personnel file.

3. A suspension or dismissal may be appealed through the grievance/arbitration process under Article 8.

4. Revise Policy 05-16 Suspension, Dismissal or Non-Renewal of Contracts, to incorporate provisions concerning bargaining unit employees.

Article 28 – Reduction in Force

College's proposal with the following revisions in Paragraph 1:

1. Reduction in Force Criteria. The following criteria will be utilized in the event that it becomes necessary to reduce personnel:

A. The needs of the College community;

B. Employee's faculty rank, years in rank, and years at the College as a full-time faculty with in the bargaining unit, and the highest in-field degree/credential;

C. Employee performance as determined by existing evaluations.*

D. Educational qualifications and/or expertise in assigned position(s); and

E. Relevant work experience.

The College will establish the layoff unit, including but not limited to department, program, campuses, disciplines, and sub-disciplines. The employee with the lowest rank in the specified work unit or program would be laid off, unless the College can demonstrate that the other Reduction in Force Criteria outweigh rank.

*Incorporated with the above criteria for criteria for reduction are the working definitions of the evaluative criteria as stated in the Florida Board of Education Rules.

Article 29 – Academic Calendar

Delete this Article.

Article 31 – Duration

College's proposal.