

Kamehameha Schools Faculty Association

P.O. Box 894163, Mililani HI 96789

General Membership Meeting April 20 Konia 108-109 4 p.m.

It's not just another meeting. Dean will be there to ask for input on salary negotiations. Your colleagues are giving up a lot of their personal lives to improve your life. Say thanks. Come to the meeting.

Parent meeting anxiety? You have a right to have your rep present

If you think a parent conference could lead to discipline, you have a legal right to have a KSFA representative present even if the parents, student, or administrators object. It's your call. Keep in mind, something as innocent as placing a memo in your personnel jacket can be discipline. Your rep can even be on call in case you want to try it solo while still keeping the option of KSFA support in case the discussions becomes adversarial and you want a witness. In addition to having a second set of ears and eyes, your rep is a colleague who you can talk things over with before and after these often emotional experiences. We're there to help, if you want us. (See also "Your Weingarten Rights" on Page 4)

— *Bill Follmer (reviewed by Dean Choy)*

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Items on these pages do not represent official positions taken by KSFA

Lower KSFA dues

Let's take a look at the math (relating to KSFA dues). We currently represent about 240 teachers with about 80% of KSFA members as regular contributors. If each one contributes the \$20 monthly dues, KSFA annually takes in about \$46,000. Multiply that by the seven years of our existence, the total comes to almost \$322,000. So where is all this money?

The short answer is, most of it is still here. Look at the most recent treasurer's report. KSFA reports a balance of \$214,000! We have spent only \$108,000 over a seven-year period. I'd wager there is no union in the nation that can report such frugality.

KSFA's biggest outlay has been lawyer fees. We have had three grievances that have gone beyond the early steps in the grievance process. We were told when we formed our union that a grievance can cost between \$10,000 and \$15,000 to process. We now have our attorney, Dean Choy,

on a monthly retainer. Our legal bills are controlled and regular. Dean has dedicated many hours to KSFA. It is a real service to our members to be able to refer to Dean for immediate information and advice.

So what does a union with a large bank account do with its money? Some create scholarships for family members, some create Unity House type programs, others, in preparation for a strike, build a strike fund, and others just save or invest it. At the current interest rate, KSFA will have over half a million dollars in five years. That total would allow KSFA to pay the legal fees for a strike while providing each member with \$100 a day strike pay for at least two weeks. We are not allowed to strike during the current contract and it does not appear we are looking to strike thereafter. So what should KSFA do with all this money?

Should we hire an executive director to take
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Keep them as is (and don't forget - they're deductible)

Your faculty union asks you to pay dues of \$20 per month, or \$240 per year. Over the past five years occasional suggestions have been made that this amount be lowered, perhaps to \$10 or \$5 per month, and the issue has been discussed at several Representative Assembly meetings. Recently, a member wrote to raise the issue once more (see the article above), and it was again discussed at length in a meeting. The consensus, just as before, is that lowering dues limits the ability of KSFA to fulfill its obligations to its members. Here's why.

The HSTA collects \$46 each month from members and UHPA collects much more: my own wife contributes almost \$60 each month, for a grant year-end total of \$708. Twenty-five years ago, before I began teaching at KS, my previous union deducted \$40 each month from my meager paycheck. These unions have paid positions for their officers and pay their lawyers a great deal more per hour than we pay ours. In addition, they

dedicate a small portion of their dues to providing benefits to members that their contract does not cover. However, KSFA does not do any of these things, so why not lower dues?

The answer is that we may soon need to follow their lead. We may need to fund a part-time position after Larry McElheny steps down as president and after Bill Follmer retires — hopefully not too soon. Ideally, a younger generation of leaders will step forward to replace these folks who have given such huge parts of their lives, but in reality that is not happening — at least not enough to fill the void they will leave. And we are not talking of just those two people. Many of the current and past officers have given vast amounts of their personal time in negotiation sessions and grievance meetings. We may need to underwrite half of someone's salary, so that a new president can drop to half time. Or we may need to do what some other unions do and

Viewpoints

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keep dues the same, continued from page 2

hire a professional manager, to make life easier for elected officers. It is easy to say that this shouldn't happen, but a little harder to raise one's hand and volunteer to donate major chunks of free time to the welfare of one's colleagues. At the moment, not many hands are up in the air.

KSFA pays Dean Choy a retainer of \$1,000 each month for his legal advice. For example, he gave us the ballpark figures for HSTA and UHPA dues for this article. He helps us come up with contract proposals, attends negotiation meetings and guides us through the legal processes of filing grievances. Sometimes he reviews newsletter articles. However, he is subsidizing us because he believes in what we have created: a small, independent, democratic union. If Dean should ever retire, move or change the focus of his practice, KSFA will need to pay another lawyer a great deal more than he charges us.

We must be prepared to face the inevitable challenges coming to KSFA. Lowering dues would drastically limit our options. We would not be able to think of underwriting a part-time position, or of paying any lawyer other than Dean Choy.

However, even if we did neither of these, dues still need to remain at their present level. The bottom line is our grievance / strike piggy bank. Dean originally gave us a ballpark figure of \$10,000 per grievance. However, as we have discovered, grievance expenses fall within a broad range and can exceed \$20,000, depending on how many appeals we file.

Think back to the reasons for the formation of our union. We wanted some protection against arbitrary firing. We wanted some reasonable procedure for grievances. And most of all, we wanted

an independent faculty voice that would allow us to speak up for the interests of the students and of Pauahi's vision for them. That voice, as we have learned in negotiations, contract after contract, is easily ignored by an upper-level administration eager to marginalize KSFA. A substantial reserve fund not only provides options, but according to those who have negotiated for us, gives us leverage at the bargaining table. And, yes, some of that leverage has to do with the possibility (however remote) that in future contract negotiations, KSFA could bargain over the no-strike clause it has in the past given to KS without asking for any concessions in return.

We depend, as always, on Dean for guidance. When asked about the amount of a "reasonable" reserve, he comments

"Small, independent unions, like KSFA, are typically formed in response to bad management. The union then serves as a hedge against management's excesses. In times of crisis, the union fights back by filing grievances and unfair labor practice charges with the NLRB. Unfortunately,

KSFA is dealing with an employer with enormous resources. KS has shown its willingness to expend those resources in arbitrations and at the NLRB. Hence, we have already experienced a grievance arbitration that has cost KSFA \$20,000. Given this experience, it would be difficult to conclude that the present KSFA reserve is sufficient for KSFA to fulfill its mission."

In my own mind, Dean's advice settles the issue. The argument that dues and the KSFA reserve fund are too high contradicts the advice of our own attorney and falsely assumes a KS leadership which welcomes our existence; it is in reality an argument that KSFA should become ineffectual. Or, taken to its logical conclusion, it is an argument that KSFA should cease to exist.

—Rep. Assembly member

... it would be difficult to conclude that the present KSFA reserve is sufficient for KSFA to fulfill its mission.

— Dean Choy

KSFA

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AUTHORIZATION FORM FOR DEDUCTION OF UNION DUES/SERVICE FEE OUT OF WAGES

I, _____, an employee of Kamehameha Schools ("KS") voluntarily agree to have KS take out of my wages regular monthly dues as established by the Kamehameha Schools Faculty Association ("KSFA") in accordance with its Constitution and Bylaws, or a regular monthly Service Fee not to exceed KSFA's regular monthly dues for its members as certified to you in writing by KSFA, and to turn over to KSFA any and all such monies on the following conditions:

- 1. This authorization shall become effective upon the date set forth below and cannot be cancelled for a period of one year from this date or until the termination of the existing collective bargaining agreement between KS and KSFA, whichever occurs sooner, unless cancelled sooner as provided in Section 2 below.
2. I agree and direct that this authorization shall be irrevocable for successive periods of one year each, or for the period of each succeeding applicable collective bargaining agreement between KS and KSFA, whichever shall be shorter unless:
(a) I cancel this authorization by written notice to KS at any time or within ten days after the expiration of any such one year period; or
(b) In the case of the expiration of any applicable collective bargaining agreement between KS and KSFA during any such one year period, I cancel this authorization by written notice to KS at any time during the period following the expiration of the applicable collective bargaining agreement and ten days after the effective date of any new agreement.

3. This authorization is subject to sufficient wages being available to comply with all other required deductions and existing federal and state laws. This authorization shall be suspended during any period in which there is no collective bargaining agreement in effect between KS and KSFA. This authorization shall end if my employment with KS ends. This

Employee Signature

Receipt of the foregoing authorization is acknowledged:

Date

Employer

Mailing Address:

SS#

Your KSFA Representative Assembly

UNIT KES

Moana Leong, Bette Savini, Lynn Tagami, Diane Tanner-Cazinha

UNIT 7/8

Mike Ching, Don Kroessig, Grace Omura, Renee Teraoka

UNIT 9/10

'Alohi Ae'a, Bill Follmer, Tom Gardapee, Larry McElheny, Warren Takata, Becky Tesch

UNIT 11/12

Jan Becket, Theone Chock, Jeremy Dulatre, Claire Ho, 'Umi Perkins, Diana Sanchez

EXECUTIVE BOARD MEMBERS - OUR NEGOTIATING TEAM-

- President: Larry McElheny 941-3638
Vice President: Bill Follmer 488-0767
Treasurer: Don Kroessig
Secretary: Moana Leong

Your Weingarten Rights

I believe this discussion could lead to my being disciplined. I therefore request that a union representative be present to assist me at this meeting. I further request reasonable time to consult with my union representative regarding the subject and purpose of the meeting. Please consider this a continuing request. Without proper representation, any discussion you require me to participate in from this point on and any statements you may derive therefrom I shall regard as coerced in willful disregard of my rights as set forth by the Supreme Court of the United States. Nor do I consent to any searches or tests affecting my person, property, or effects without first consulting with my union representative.

Viewpoints

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lower dues, continued from page 2

over the daily operation of KSFA? Should we negotiate a reduced teaching load for our president and pay the difference to our leader? Should we hire professional negotiators to work on our next contract? Do we affiliate with a national union and let that group take over our funds? NO. The more money we collect, the more tempted we will be to pay someone to do the work we need to do ourselves. We need to do the work ourselves to insure the values and direction this union has followed since its inception.

KSFA should not continue to accumulate funds at the present rate. KSFA has relied on the voluntary support of its members and those people should be rewarded for their loyalty. It takes significantly less than \$20,000 to run this union each year. Remember, current dues collection reaches about \$46,000 per year.

One proposal is that upon retirement, each teacher receives \$100 for each year of complete dues payment. This program will not adversely affect the KSFA treasury. It will continue to grow, but at a slower rate. This reward proposal benefits those who have been most the most supportive of KSFA and allows our union to slow the growth of the funds we now have.

Of course, an even simpler option is to reward our members by cutting the dues from \$20 per

month to \$10. Two years ago the Representative Assembly came very close to doing just that. An impassioned plea to keep the dues unchanged was based on the fact the dues are voluntary so people could stop paying if they thought it was too much.

So the dues remained at \$20 and people continued to volunteer their dues.

But are the dues voluntary? If you go to a car wash and the donation is \$5, do you give \$3? If you go to a play and the voluntary contribution is \$10, do you give \$4? KSFA has asked for \$20 and the majority of its members will pay that amount because that is what is expected. Lowering the dues to \$10 will not adversely affect KSFA and perhaps lead to more teachers paying the complete dues.

These options of honoring our retirees or lowering the dues to \$10 should be added to the next

KSFA Representative Assembly meeting so our members can discuss how best to make use of our KSFA dues. Too much money can be just as big a problem as too little money. KSFA is now in a position where there is enough money and enough history to do something about this ever expanding treasury. Our union was formed to secure a voice for its members. Let's maintain that goal. Let's not allow money to accumulate when there is no long-term legitimate plan to use it.

Please contact your KSFA representative and let them know how you feel about this issue. We have worked hard to communicate often with our members. Your voices will be heard so please let your wishes be known.

— *union member*

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editor's note — Neither author of the two articles minded having his or her name included, but it was felt that this issue is important enough to present it without involving personalities.

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Gratuitous Feline Sex and Violence

Teaching values troubles me a bit. Personally, I value a meandering Dave Brubeck song, a nice glass of pinot on a chilly night, and the BBC productions of *Rumpole of the Bailey*. Which do I teach first? I don't, however, mind learning a few values from time to time, and this year I learned a pretty good one.

One of the cool things about kids is that they supply you with a conscience when you leave yours at home. This past fall, a couple of seniors, Mark and Thalia, approached Kim and me and asked if anyone was doing anything about the starving feral cats on campus. I guess they figured our

recycling club was into saving trees, and since it's a relatively short genetic hop up the old DNA strand from tree to cat, we were likely candidates.

We did a little research and discovered that the school's policy in the past has been to trap the cats and drop them off at the Humane Society. *Dropping them off at the Humane Society* is a euphemism for *euthanizing them*. *Euthanizing them* is a euphemism for *killing them*. Mark and Thalia thought that was a pretty lousy value to be taught. Our friend Elizabeth Truesdell forwarded a project completed by one of her students, La'i Sukanuma, that explored various means of dealing with feral cats. The most effective program encourages trapping, neutering, and releasing (TNR) the cats back into their original habitats. The premise is that, with an occasional snip and a well-tied tube, the carefully controlled cat population can establish healthy, stable colonies that find a suitable niche in the ecosystem. It sounded like a good alternative. I like plans that encourage safe sex and don't require euphemisms.

We sold a few tie-dyed shirts in October and bought a couple of traps. We became designated Feral Cat Mothers (I've been called worse things),

lined up a dozen or so kids, and started trapping. The program gained a sense of urgency when Dr. Chun reinstated the old school policy (remember the whole euphemism thing?) last month, but after we explained our kids' initiative, he graciously stepped back and allowed us to proceed. Recognizing the opportunity to create

a genuine learning situation, Mike referred the issue to the individual campuses, high school, middle school, and elementary. Kim and I found ourselves, along with Char Handa and three of our students, on a Feral Cat Task Force (It could be worse; it could have been

another Inclusive Decision-Making Committee) ably led by Brian Chang, a Feral Cat Mother himself. Don't forget to give Brian grief about that next time you see him.

Under Brian's watchful and compassionate eye, we've identified five feral cat colonies on the high school campus and have, to date, trapped, neutered, and released seventeen somewhat indignant cats. It will take a while for the TNR program to work, time we can use to remind the 'ohana about our roles, all of us, as the caretakers of this particular garden and perhaps expand the program throughout the entire Kapalama Campus.

We thank Mike, Julian, Brian, and all of the concerned students and staff for their support. If anyone living on the Diamond Head side of the island would like to help us transport cats to the Humane Society for neutering on the way home from school, please drop us a line. You won't make any friends with the cats, but we'd sure appreciate it.

Peace,
Jim Slagel, Unit 11/12

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