



# EMPLOYEE FEDERATION

of

North Harris Montgomery

Community College District

2700 W. W. Thorne • Suite A-217 • Houston, Texas 77073



## THE ADVOCATE

September, 1995

### Workloads

The union raised a complicated topic in our February/March, 1995 issue. The feature article focused on the college's abuse of employees. Under the Freedom of Information act, we found and reported some disturbing data having to do with workloads. We indicated our intention to pursue the data further and report the findings this Fall. The union's goal was and is to highlight the need for more full-time faculty and staff and to see that the college not abuse employees by operating within the law.

First, we reported that part-time staff were working beyond 19 1/2 hours per week for more than four months and were not being offered salary and benefits as required by law. Under Freedom of Information, the union requested additional data from Human Resources(HR) regarding Spring 1995. The report reveals that the part-time staff problem has improved but still needs attention. For instance, a random sample by HR of twenty part-time positions revealed a Montgomery College part-time staff person who worked over 450 hours in a five month period.

The earlier Advocate article also reported that we had learned that several adjunct faculty were teaching more than half-time, again without the legally required salary and benefits. Our request for additional information revealed alarming data. HR reported out of 699 adjunct faculty members, 89 exceeded the one half time teaching load, some at one location, some at several locations within the district. Dr. Pickelman informed me that an internal audit revealed 146 who exceeded the limit. The majority of these faculty were teaching three classes and qualified for additional salary and benefits. We found seven adjunct teachers who were teaching four classes, and four were teaching five classes, a full-time load at part-time wages and no benefits!

Finally, the issue reported that full-time staff were working overtime for which they were not properly compensated. Some had been compensated at straight time, and some had not been able to be compensated at all. The Fair Labor Standards Act requires that all hours worked over forty in a standard workweek must be compensated in cash at 1 1/2 times the employee's hourly rate or, at the employer's option, in time at 1 1/2 hours for each hour worked over forty. Compensation time may only accrue to 240 hours. Any time over 240 hours must be paid in cash. Employees who terminate must be paid for all overtime. Our request for additional information revealed more disturbing data. As of last January, the college owed compensation to 55 staff members for overtime. Some of the staffers had between 6 to 100 hours overtime. Ten had worked between 100 and 200 hours. Eleven had worked in excess of 240 hours, six in the 240 to 700 hour range. Four

*"Education for Democracy — Democracy for Education"*

had 1,000 hours comp time coming to them, and two had 1,200 hours! These were hours that staffers had accumulated for which they had not been compensated. HR reported that NHC has made appropriate remittance to those employees who terminated and paid those employees with greater than 240 in cash. HR is still working with the other colleges to remedy the problem, and there is no indication in the report whether staff with fewer than 240 hours have compensated at 1 1/2 times the normal rate in cash or time.

As a result of the union's highlighting these problems, the college has made efforts to come within compliance on these matters. Part-time staff hours are being held to 19 1/2 hours per week, or the staffers will be compensated appropriately. Adjunct faculty cannot teach more than half-time without appropriate compensation. The college has already had its first test regarding adjunct faculty this semester. A few situations occurred where supply and demand forced assignment of three classes to adjuncts. I am pleased to report that they are being appropriately compensated.. Full-time staff are being appropriately compensated for overtime. This is as it should be, as it should have always been---the laws governing these matters are not a secret.

The union's primary goal was to stop the abuse. A fallout from this goal has been that some adjunct faculty have lost income as a result of being held to two classes, and some part-time staff have lost money because they can only work 19 1/2 hours per week. The union recognizes and sympathizes with their hardship. It was not our goal to create this hardship. On the contrary, we stated as an additional goal that the college not only recognize and end the abuse but hire many of these employees full-time, that the college stop stringing them along for years inadequately compensating them and operating outside the law.

The college district and the district's taxpayers should be grateful to the union. A class action suit on any one of these issues could have cost the college, not only in dollars but in reputation as well.

**Alan Hall, President**

### **Meeting With the Chancellor**

I have met with Dr. Pickelman twice since the last edition of The Advocate. Topics included the workload issues of the article above. I found the Chancellor to be in complete agreement with the union and as concerned as we are that the district operate ethically and within the law. In fact, it was after our meeting on August 15, where I shared with him some of the alarming data, that he sent word out that no adjunct would teach more than half-time without the legally required compensation. The edict stirred a lot of controversy, and the Chancellor is to be commended for holding firmly to his decision.

We also discussed the Faculty Information Sheet which includes a tally of class, office, and campus hours, which in the past have been expected to total 35 hours per week. At an in-service Dr. Pickelman stated that he expected faculty to be professional and accessible to students, but he recognized that work can be done elsewhere. He stated that 35 campus

hours were not a requirement. In light of his position, some faculty have felt that the Information Sheet should be amended. I asked Dr. Pickelman to change the form, eliminating the campus hours slot. He did not commit to such a change but indicated that he would consider it. The goal here should be to make the form consistent with his stated philosophy.

Dr. Pickelman also noted that he is ready to address the faculty workload issue. There appear to be inequities among the disciplines which he recognizes and wants to rectify. His plan is for a committee of faculty to study and help resolve this problem. This one should be interesting.

**Alan Hall, President**

## **Justice**

The union recently went to bat for one of our support staff members regarding a salary adjustment. An employee had been hired at another campus under the same job title and description for in excess of \$4,000 more in salary. The union contacted the appropriate administrators and, after a lengthy review, we are pleased to report that our member received a salary increase to bring her in line with the new hire. The member's union dues are \$169.70 annually. Not only does she have legal protection and other benefits from being a union member, she also has local representation to help her resolve conflicts. The increase we helped her receive for just one year will pay her dues for almost twenty five years. Membership in the union is a bargain.

**Velma Trammell, NHC Staff Vice-President**

This is the first of a series of articles written by Chris Tritico, the union's local attorney. Chris has offered to write occasional articles on issues of consumer interest and educational law. If you have a topic that you would like to see addressed, send it to the union for consideration.

## **Uninsured Motorist coverage: Necessary or Not?**

There has been some debate as to whether or not uninsured motorist coverage is necessary since Texas has adopted a law that required all drivers to purchase liability policies. This article will explore the nature of uninsured motorist coverage and whether or not is advisable to have this as a part of your policy.

Uninsured motorist coverage is an optional provision in Texas automobile liability policies. It is optional to the extent that the purchaser of the policy is allowed to accept or reject this coverage.

This coverage protects the insured driver from having to accept the losses caused by another driver who does not have liability insurance. In other words, if you have a collision

with a driver who has not purchased liability insurance, or whose insurance, for whatever reason, is not applicable or available to cover the accident, then you can make a claim under your own policy to cover your damages for personal injury. Uninsured motorist coverage also protects the insured driver and passengers in the insured vehicle from damages caused by a hit and run driver. Under Texas policy, a hit and run driver is considered an "uninsured motorist." In addition, uninsured motorist coverage acts to cover injuries that you sustain if the dollar amount of damages exceeds the policy limits of the opposing driver. Take, for example, an accident where damages exceeds the policy limits of the opposing driver. Take, for example, an accident where you have \$100,000 worth of damages and the opposing driver that caused the accident has a policy limit of \$25,000\*. In this event, you are damaged far in excess of the policy limits of the opposing driver. Under our example, you would make a claim for \$75,000 against your uninsured motorist coverage, assuming that you have purchased that high of a dollar limit.

Estimates are that up to 30% of the drivers on the roads in our state are still uninsured, despite the legislature's mandate that this coverage be purchased. Based on this fact and the fact that uninsured motorist coverage protects you in an underinsured situation, this coverage is still necessary and advisable to have. I think you will find the premium for the is additional coverage to be minor and well worth the money!

\*\$25,000 is the current minimal limits for a policy. Though you may purchase a greater dollar amount, \$25,000 is all that is required.

### **Change in Dues**

Membership dues for the union will increase \$.55 per month October 1, 1995. On September 14, 1995, the union executive committee voted to change our sliding scale of dues to move adjunct faculty from the half dues rate to the quarter dues rate. The sliding scale is adjusted to reflect relative salaries of members.

Membership is open to full and part-time faculty and staff who are not in administrative positions. If you are interested in joining, but are unsure of eligibility, contact Alan Hall for a review of your position.

Dues are listed below.

Full: \$21.30/mo.---Full-time faculty  
Half: \$14.15/mo.---Full-time staff  
Quarter: \$11.05/mo.---Part-time faculty and part-time staff

**Dr. Allen Vogt, Treasurer**

## JOIN THE AFT!

The Employee Federation welcomes the new employees of NHMCCD. For nearly fifteen years, this local of the American Federation of Teachers has led the fight to make this a better place to work and teach. No other organization or publication at NHMCCD takes our kind of independent, critical approach to district affairs. If you agree with our perspective, show your solidarity by becoming a member. Discuss membership with **Alan Hall**, District President (443-5544, 353-8634) or any other member (Tony Foster, Bob Locander, Mel McFadden, Velma Smith, Allen Vogt) of the Federation Executive Committee. Also, please consider writing for this publication.

### **Benefits of Membership**

Beginning with this issue, the union will highlight a benefit of membership in each edition of The Advocate. The following is a brief description of insurance benefits.



# *New & Improved Group Insurance Plans*

**Increased  
Benefits!**

### ***Catastrophe Major Medical Plan***

Nursing Home benefits have been increased by 20% — This plan picks up where your basic health insurance, or even Medicare, leaves off. The plan pays up to 100% of all eligible health care expenses, providing you with a total of up to \$2,000,000 in benefits for up to five full years.

**Rates  
Reduced!**

### ***Group Term Life Insurance***

Rates have been reduced by up to 30% — Financial experts agree that term life insurance is the best life insurance value. This Group Term Life Plan makes it even better, with new increased benefits of up to \$250,000. And, the plan provides benefits for terminally ill insureds.

**Rates  
Reduced!**

### ***Disability Income Plan***

This plan helps guarantee your family a steady income — from \$200 to \$5,000 per month — up to age 65, if you become disabled.

### ***Accidental Death & Dismemberment***

Almost 100,000 Americans die in accidents every year, and hundreds of thousands are permanently disabled. Make sure your family has extra protection with this Accident Plan.

**Increased  
Benefits!**

### ***Hospital Income Plan***

Since 1994 benefits have increased by 30% — The cost of hospital care is soaring at an incredible rate. The Hospital Income Plan can help bring those costs back down to earth, with new, increased benefits of up to \$150 for every day you spend in the hospital.

### ***Care Plus Plan***

If you're 65 or older, you know that Medicare's benefits are shrinking, and that you are responsible for more out-of-pocket costs. Get quality affordable group limited benefits medical expense coverage, designed to pick up where Medicare's benefits end.