

## **Response to Dr. Dastmozd's Ban on AHE Communication via Clark College Email!**

**There are numerous inaccuracies in the March 23<sup>rd</sup> letter banning Email Communication and many questions as to the intent:**

1. It has been ascertained that Dr. Roi did not violate ethics laws. That was established in the March 9th meeting between Drs. Roi and Dastmozd.

2. HOWEVER, If she did indeed violate ethics law why was the Assistant AG or HR not copied on this? Shouldn't the Assistant AG have been the entity to send this letter?

3. We have no Higher Education Legislative Chair as stated in accurately in the latter. But Dr. Roi has called the Higher Education Chair, Nat Hong , after forwarding a query from our lobbyist to the AHE senators as to a piece of legislation that Rep. Jim Moeller was sponsoring to give Due Process rights to adjuncts. Higher Education Lobbyist queried as to why "adjuncts" at Clark contacted Rep. Moeller and told him they did not want Due Process rights. In response to these supposedly Clark Adjunct contacts, Rep. Moeller killed the bill. Because our HIED chair did not know how Dr. Roi worded the query to the senators, he advised her to delete it. When we met with Rep. Moeller a couple of weeks later, he confirmed that he was contacted by Clark adjuncts.

4. The Contract states in Article II B 1. a. *"The Association has the right to use the College mail to distribute material related to administration of its responsibilities as the exclusive bargaining representative of the faculty."* Apparently the administration is splitting hairs and inferring that "mail" is not e-mail. OKAY, so if this were the case then:

I. Why does the College maintains the AHE faculty e-mail distribution list for AHE President? AHE does not update it, the College does. Computing services adds new members when Payroll contacts them, thus using state resources for union activities. This also defines e-mail as "mail"

II. Why does the College routinely e-mail members union business, grievances bargaining notes, etc? Again they are defining the use of e-mail as "mail." AHE members are expected to reply to the Administration's queries and conduct union business over the e-mail.

III. Does this not violate the Maintenance of Standards clause (Article I M) in the contract which states, *"This Agreement cannot be modified without mutual agreement. The College will not change any policy of procedure directly relating to any provision of the Agreement or other mandatory subject if bargaining without first consulting with, and, if appropriate, negotiating with, the Association?"* This policy has been changed clearly without warning .

5. Why was the "Ban on AHE communication" Letter mailed to Dr. Roi's home off-contract? All other communication regarding any issue has always been e-mailed to members at the college. This Letter is the only copy of this communication.

6. Washington Education Association (WEA) representative was not copied as is outlined in the contract - actually no one was copied other Dr. Roi. If discipline is being imposed by the Letter, then the College is obligated to notify the WEA representative also.

10. RCW 42.52.160 has been edited in this letter. The accurate text of this statute reads:

*"The Ethics in Public Services Act prohibits the use of state resources for private benefit or gain except in the course of official duties." I am conducting official duties as AHE president. The College grants me 49% release time for these official duties.*

**The opinion regarding this RCW states:**

"The Legislature has therefore determined that using state paid time and resources for collective bargaining are in the public interest."

"Accordingly, the Board generally advises that use of state paid time and resources for the exclusive purposes of negotiation and administration of collective bargaining agreements would not violate the Ethics in Public Service Act."

## **Bottom Line-**

**Our (AHE Members) ability to communicate is under siege - your union needs your help and ideas to reverse this attack on our right to communicate via email about our working/ teaching/ learning conditions, as well as representing our members and organizing. We need your ideas and support quickly by Wednesday, April 14<sup>th</sup> to formulate a unified response to this ban. Post your actionable suggestions on the AHE Forum at:**

**[www.ClarkCollegeAHE.org/forum](http://www.ClarkCollegeAHE.org/forum)**

**Your association will act on your responses.**

***Injury to one is injury to all!***