

**Side Letter Between SFCCD and AFT Local 2121  
(Regarding Article 12)**

**Background**

Article 12 of the CBA between the District and the Union provides certain rights and procedures regarding upgrading of part-time instructors to full-time jobs. Those rights and procedures include provisions whereby the Union may grieve and arbitrate over disputes regarding the District's administration of Article 12.

Union review of upgrading decisions by the District necessarily requires review of highly confidential information relating to faculty screening/interviewing committees. In Article 12, the Union pledged to uphold and protect the confidentiality of committee processes and procedures in conjunction with its review of such processes and procedures. The Union's agreement includes the pledge not to disclose information regarding candidates to any other person except as is essential for the Union to evaluate the grievance.

The parties' practice under Article 12 has enabled the Union to review, in the Employee Relations Office, specified confidential data relating to faculty screening/interviewing processes, provided that the Union does not photocopy or remove data from District files or the Employee Relations Office. The Union has abided by its confidentiality agreement.

**Interest of the Parties**

The confidential review process would be facilitated by a modification allowing the Union to photocopy interview questions and paper-screening criteria, because such information is both critical for review yet time-consuming to review, copy by hand and digest in the Employee Relations Office.

**Resolution**

1. The Union may photocopy and remove to its office interview questions and paper-screening criteria only, subject to the same confidentiality restrictions set forth in Article 12.
2. The Union will make its utmost effort to protect confidentiality of all such documents and of the other documents it reviews in the Article 12 review process.
3. This agreement makes no other change in the Article 12 review process.
4. In the event of a perceived violation(s) of confidentiality, the District will consult with the Union and identify means for redress. In the event of a dispute, the Union and the Director of Employee Relations will meet with the Chancellor in an effort to resolve the matter.