



UPDATE

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www.santarosa.edu/afa

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Know Your Rights — Article 16 Hourly Assignments — Adjunct & Overload

As we begin to schedule for the Fall 2009 semester, it's good to review the important elements of Article 16—Hourly Assignments. This is the area that seems to cause the most difficulty in departments, and it's really not surprising. The offer of hourly employment is extremely important, not just because we're talking about someone's livelihood but because it's also a matter of respect. Particularly, in acknowledging the contractual rights of our Adjunct colleagues, we are also acknowledging that they are an integral part of our college, teaching 47% of all credit courses and virtually all of the non-credit courses.

Here are some important definitions for your consideration:

- ⊙ Hourly Assignments: Assignments that remain available after all Regular, Probationary and Temporary faculty assignments have been made or determined during the academic

year. Hourly assignments also include overload courses for Regular faculty and all summer session classes. (Some departments have different procedures for summer assignments.)

- ⊙ Right of Assignment: The authority for development of class schedules and the right

to assign faculty rests with the District, and no obligation to employ faculty engaged in hourly assignments beyond those in law are expressed or implied in the guidelines described in Article 16. The Supervising Administrators, in consultation with Department Chairs

and/or faculty Program Coordinators/Directors, determine the schedule of classes and allied services to be offered, and the times and locations when and where they are to be offered.

⊙ Departmental Date of Hire: Date of first paid service (as a Unit A faculty member) in a department or the date of return to paid service of an Adjunct faculty member in the department after a loss of assignment priority. (A faculty member who works in more than one department may have a different date of hire in each department.)

⊙ Length of Service and

Length-of-Service List: The period of time calculated from the departmental date of hire or the date of first paid service **in the department**. Typically, this means the first day of the first semester after which a faculty member is hired.

“But, It’s My Class!”

“I always teach ZYX 10. What do you mean the District doesn't want to offer ZYX 10 on TTh 5 – 7 pm in Sonoma? I developed it three years ago! I always teach it there. I can't do it MW 9 – 11 am in Santa Rosa.”

Adjunct faculty establish a “like load” after five semesters in a department, and Regular faculty establish it in the first semester they perform an overload. Load is the percentage of an assignment taught during an academic term. Article 16 protects the right to the offer of a like-load (Fall for Fall and Spring for Spring) up to 40%. A guarantee of an offer of a like-load is NOT the same as a guarantee of specific courses, days, times, or locations.

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Hourly Assignments *(cont. from page 1)*

When a group of Regular faculty is hired, the District and AFA perform a lottery to determine placement on the District Date-of-Hire List. Similarly, when Regular or Adjunct faculty members are hired as a group, AFA recommends that the Department Chair or Program Coordinator perform the lottery to place faculty on the Departmental Date of Hire List.

- ⊙ Current Length-of-Service List (updated after each hiring): This list should be available to all faculty and on file in the department office.

ASSIGNMENT PRIORITY

Adjunct faculty do not earn assignment priority until their sixth semester of employment and completion of their first and second probationary evaluations. (The semesters do not have to be sequential.) The Adjunct probationary period dates from the first date of paid service **in the department**. During an Adjunct faculty member's first five semesters of employment in a department, the department is under no obligation to repeat the load patterns established in a previous like-semester or to offer an hourly assignment.

Starting in semester six of employment in a department, load patterns that are assigned in each semester shall be repeated in subsequent like-semesters; however, there is no guarantee of a previous like-load if it is greater than 40% or if the assignment was identified as temporary in nature at the time it was offered. At any point in this process, faculty **MAY** be denied an hourly assignment if they do not have a satisfactory evaluation. (See Article 16.04.A.1.)

The determination of assignments is also influenced by other factors, including:

- ⊙ “Basic Programs Needs”: Unless specifically identified by course/service according to procedures outlined in an approved “Special Expertise” policy, minimum qualifications for the discipline will be considered sufficient to meet “Basic Programs Needs” for courses/services offered.
- ⊙ “Additional Program Needs”: The presence of “special expertise and experience” requirements

for teaching specific classes or offering specific services. In order to make assignments on this basis, the department/program must create and approve a written policy which outlines the rationale for designating the course/service as one needing “special expertise or experience.” The policy must outline the expertise or experience required and the verifiable criteria that will be used to determine who possesses that expertise. The policy must also outline the process for determining who will receive such an assignment if more than one faculty member is qualified.

- ⊙ “Institutional Needs” include determinations related to the array of and time schedules for courses and services. Supervising Administrators, in consultation with Department Chairs and/or Program Coordinators, make “Institutional Need” determinations.

TIMELINES

By the end of Week 3 of each term, at the time Proof I is given to Department Chairs and Program Coordinators, a written letter should be sent to ALL faculty. Hourly assignment letters also need to go to Regular faculty to solicit an interest in teaching an overload. All hourly assignments, whether for Adjunct or Regular faculty teaching an overload, are determined using the **same** procedures and length-of-service list in the department. One written communication soliciting interest in an hourly assignment is required for each term — Fall, Spring and Summer. AFA recommends that Chairs and Coordinators follow-up if they have not received any response back from faculty members, especially if departments are only sending one message. Typical response time for written communication from department faculty to the Chair/Coordinator is three weeks. (16.04.E.1)

Typically, by the end of Week 10 of each term, the Schedule of Classes is posted on the SRJC Web site for the following term. (Look for Fall 2009 to be posted April 27). The actual electronic posting of the Schedule by the District Scheduling Office constitutes notification of the offer of an assignment.

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AFA and District Reach Agreement re: 67% Loads and Protecting Like Loads Impacted by Spring 2009 Cancellations

In December 2008, AFA and the District reached agreement on two Memoranda of Understanding (MOU's) that modify Article 16: Hourly Assignments and go into effect this spring. One MOU increases the load limitation for hourly assignments to 67%. The second protects like loads for adjunct faculty who lost classes due to Spring 2009 cancellations. Following are excerpts from the text of these MOU's.

To review the complete versions, log onto the AFA Web site at <http://www.santarosa.edu/afa/>. Click on the "Contract and Negotiations" link on the left-hand side of the home page, and then click on the "MOUs" link in the upper right.

Excerpt from 12/2/08 Memorandum of Understanding between the All Faculty Association and the Sonoma County Junior College District: Modification to Article 16: Hourly Assignments: 67% Loads

AFA and the District agree to allow adjunct faculty to teach up to and including a 67% load as authorized by Ed Code Section 87482(a). In the interest of protecting reassignment rights already outlined in Article 16, AFA and the District agree to a new process for offering increased assignments above a 60% load.

We further agree that allowing instructional and allied loads in excess of 60% would be particularly helpful to disciplines that are impacted, disciplines that have course configurations that add up to odd percentages, and disciplines where teaching one or two courses exceeds a 60% load.

We agree that 67% instructional and allied loads are not possible or necessarily desirable in all departments or programs. Finally, we agree that a review process is necessary to protect adjunct faculty with Hourly Assignment Priority from any negative impact on their "usual load" resulting from a decision to increase the load of another faculty member with an hourly assignment above the 60% level.

Excerpt from 12/5/08 Memorandum of Understanding between the All Faculty Association and the Sonoma County Junior College District: Modification to Article 16: Hourly Assignments: Spring 2009 Cancellations

Recognizing that the schedule reductions will be borne mostly by adjunct faculty and that schedule reductions may continue into 2009-10, AFA and the District agree to the following language:

The baseline for "like-load" for 2009-10 and 2010-11 will be the 2008-09 academic year schedule, including any hourly assignments posted on the Web, but subsequently lost to schedule cancellations and/or the need for regular faculty to "bump" an adjunct faculty load. In the case of allied assignments, which are not posted on the Web-based schedule, the original offer of the hourly assignment will be considered the baseline for "like-load."

If faculty members who have hourly assignments are not scheduled up to their "like-load" in 2009-2010 due to schedule reductions, cancellations, and/or bumping, these loads will be restored to their baseline level of "like-load" in 2010-2011 when and if the 7% reduction is restored. Restoration of these loads will follow the process outlined in Article 16.04. There will be no loss of "assignment priority" based on the cancellation or reductions below like-load in Spring 2009, Fall 2009, or Spring 2010.

In recognition that some adjunct faculty may be negatively impacted with regard to eligibility for the Adjunct Medical Benefits Program because of Spring 2009 cancellations that occurred after assignments were posted on the Web, the District agrees to use the original assignments posted on the Web for the load calculation of adjunct faculty for Spring 2009 for the purpose of calculating eligibility for the Adjunct Faculty Medical Benefits Program for 2009-10. This will be true only for eligibility determined in Spring 2009 for 2009-10. Load reductions during 2009-10 could affect medical eligibility in the future.

Hourly Assignments *(cont. from page 2)*

After electronic posting, there may be new or increased assignments. These assignments occur when a program expands, or the number of full-time faculty decreases in a department or program. This results in available hourly assignments after offering the previous like-load to all those with assignment priority (16.04.C.5). At this time, Department Chairs and Program Coordinators have the right to make assignments to whomever they choose, as long as all faculty members who have earned assignment priority have been offered a like-load.

CREATING A TRANSPARENT PROCESS

In order to avoid confusion and consternation among and between faculty members, it is important that the process of assigning courses and load be as transparent as possible. To that end, here are some suggestions for implementing Article 16:

- ⊙ Approved Hourly Assignment Procedures should be on file with Academic Affairs and AFA. The approved Special Expertise Policy should also be on file with Academic Affairs and AFA. Both documents should be provided to faculty members in the department when they are hired or when the policy is updated.
- ⊙ AFA recommends that, after Regular faculty have received their loads, departments post the classes that will be available in the subsequent semester for the hourly assignment faculty (Adjunct and Regular faculty teaching overloads) to see and review.
- ⊙ At the same time, Department Chairs and Program Coordinators should make available the Length-of-Service List with accurate hire dates. This gives faculty members a chance

to ascertain where they are on the list and to verify their date of hire in the department.

- ⊙ In some departments, a "Wish List" form is used to solicit interest in classes. Faculty members in those departments need to understand the importance of being specific on that form to help guide the scheduling of desired days, times and locations. (Remember, however, that assignment priority guarantees a percentage of load, not specific classes.) If Department Chairs, Program Coordinators or scheduling committees receive a form that is vague, AFA recommends that they follow up with the faculty member to be sure that they have listed ALL of his/her options.

⊙ As soon as the assignments are made, AFA recommends that departments inform faculty members of their assignments in writing. Even though the electronic posting of the schedule is considered the legal and formal offer of employment, it's best to communicate individually with faculty. At this point, faculty members can check the accuracy of the schedule and insure receipt of their like-loads.

The development of the Schedule of Classes is a complicated process. Chairs,

Coordinators, and Administrative Assistants put in hours of work to make sure that students are served. Supervising Administrators review and approve the Schedule, and the Scheduling Office then performs the enormous task of putting it all together. It's important to remember that people make mistakes, but if we all follow the processes outlined in Article 16 of the Contract, then we can avoid unnecessary problems or eventual grievances. If there are difficulties or confusion about the process, contact the AFA office at 527-4731 or afa@santarosa.edu.

Departmental Hourly Assignment Procedures Posted On-line

The most recent versions of every department's Hourly Assignment Procedures (that have been approved by Academic Affairs) are posted on the AFA Web site at: http://www.santarosa.edu/afa/hourly_assign_proc.shtml. AFA recommends that you take the time to carefully review and understand your department's procedures.