



**Contra Costa Community
College District
(4CD)**

PART-TIME FACULTY HANDBOOK

**Prepared by
United Faculty of 4CD**

Fourth Edition

2017

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Section 1: Union Membership and Representation

The United Faculty of Contra Costa Community College District (UF) is the sole collective-bargaining agent for part-time and full-time faculty in the Contra Costa Community College District (4CD). This means that the UF represents all faculty at DVC, CCC and LMC, including SRC and the Brentwood Center, in labor negotiations with the District.

The negotiated *contract* that governs working conditions, salaries and benefits in 4CD is available at the UF website: www.uf4cd.org. The website has evaluation forms and guidebooks, back issues of the Union's newsletter, *Table Talk*, and information on a wide range of subjects.

Dues & Membership

4CD is an *agency shop*, which means that membership in the UF is voluntary, but all non-members pay an *agency fee* equal to the cost of union dues (excluding money specifically dedicated for political action). In return, the UF has a legal obligation to represent all faculty (including non-members) in collective bargaining, grievances, and related matters.

- **Member dues** are paid as a percentage of your gross monthly earnings (0.35% for part-time faculty in 2017) plus a flat monthly contribution of \$0.42 designated for the Union's political action fund. Membership allows you to:
 - Vote in UF elections, including the ratification of any negotiated changes to the contract;
 - Elect UF officers; and
 - Vote to ratify any changes to the UF constitution.
- **Non-member** faculty (part-timers who do not register to join the union) pay an agency fee (the same amount as members), but are not charged the \$0.42 for political action. Non-members may not vote in UF elections.

Faculty Association (FACCC) Membership and Dues

The UF is a “contract member” of the Faculty Association of California Community Colleges (FACCC), which means that all UF members are also FACCC members. FACCC is the statewide community college faculty professional organization and a key voice for faculty in Sacramento.

FACCC dues for part-time faculty are \$4.50/month (tax deductible), and are deducted automatically from paychecks of UF members. Non-UF members (also called “agency fee” members) are not automatically enrolled in FACCC.

United Faculty Structure

The basic structure of the UF includes:

- An elected president;
- One vice-president and one part-time representative from each college (two part-time reps from DVC);
- One district-wide part-time faculty advocate;
- A 23-member Executive Board (E-Board), which includes all the above members;
- A negotiating team, which includes the president, vice-presidents and part-time faculty advocate; and
- Several work-groups and rotating leadership positions.

All part-time positions are paid and are open to any UF member who teaches part-time in 4CD. For information about serving on the UF E-Board, contact the UF Office at uf@uf4cd.org.

The UF holds regular workshops for part-time faculty on a variety of topics, including benefits and retirement planning. We also engage in regular political action and advo-

cacy at both the state and local level to support community college funding and improve faculty working conditions.

To stay informed, we recommend that you join the UF's "Part-Time Faculty Listserv" by sending an email to: uf@uf4cd.org. In your email, specify that you wish to join the Part-Time Listserv; note your college; and provide a non-District email address. The UF also has a Facebook page for political updates: www.facebook.com/UnitedFacultyofContraCostaCCD.

There is useful information published in the United Faculty newsletter, *Table Talk*, which comes out on a regular basis via campus mailboxes. Back issues are available on the UF website.

Section 2: Department/Division Membership

Part-time faculty may be employed by more than one college in the District and may also teach in more than one department at any college.

Each department:

- staffs its own classes by proposing a schedule to management;
- is responsible for evaluating faculty;
- has its own staffing preference list (see Section 10, "Reemployment and Staffing Preference");
- has (or should have) its own set of bylaws available for all faculty to review. Bylaws should cover attendance policies for department meetings (never compulsory for PT faculty) and staffing policies;
- is part of a division managed by a division dean.

Academic (Faculty) Senate

All faculty members employed in academic positions that are not designated as supervisory or management are members of their college's Academic Senate. CCC, DVC, and

LMC each have their own, separate faculty senates. The San Ramon Center and Brentwood Center are part of the academic senates of their respective colleges.

State law requires that 4CD reach joint agreement with or rely primarily on the advice and judgment of the district's academic senates concerning "academic and professional matters" (referred to as 10+1 items) through a process of shared governance.

Senate Councils meet regularly at each college to discuss academic and professional matters. The councils are made up of representatives from each division, part-time representatives, and other academic representatives. All Academic Senate Council meetings are open to the public.

Faculty Load, Class Size, and Responsibilities

Class Cancellation for Low Enrollment

Detailed information on faculty load and class sizes can be found in Article 7 of the UF Contract (available on the UF website at www.uf4cd.org). Any class section with fewer than 20 registered students can be canceled for low enrollment before the end of the late-add period.

Calculating Load

Within the first four weeks of instruction, every semester, your division will provide a notice of assignment, which will state your current load. Class loads vary by instruction type (such as lecture, lab or English composition).

- 3-hours-per-week lecture courses are 20% load.
- 3-hours-per-week composition courses are 25% load.
- Most lab courses and assignments are 5% load per contact hour. For example, 3 hours of lab is 15% load.
- Most PE assignments are 4.5% load per contact hour.
- Full-time counseling load is 27.5 student-contact hours per week.
- Full-time librarian load is 35 scheduled hours/week.

Courses may have a calculated load that includes part lecture and part lab.

Calculating load is important for several reasons. Your total teaching load is the basis on which you may participate in the office hour program (see “Office Hours”). Part-time load is also capped by law and contract at 67% (see below). For faculty with “staffing preference” (reviewed in Section 9 of this guide), historical load is used to determine your rights under Article 25. There is a detailed guide to calculating load for staffing preference on the UF website: <http://uf4cd.org/part-time-faculty/guide-to-calculating-load-for-part-time-faculty-with-staffing-preference>.

67% Law

The California Education Code does not allow part-time faculty to work more than 67% of a full-time load more than twice in any three-year period within a district. Each college handles the 67% rule differently. Generally, one needs management approval and a contract variance from the UF to exceed 67% load in any semester. (UF guidelines for variances are on the UF website: www.uf4cd.org.)

Class Rosters

Opening Day Rosters: Rosters and late-add codes will be emailed to your district email address the morning of your first class. Faculty may also print rosters and late-add codes from InSite/WebAdvisor.

Census Rosters: A census roster will be provided through campus mail at the end of late registration. State law requires faculty to drop students who do not show up for the course by the end of the second week of the semester or who are not enrolled at the end of late registration. You may also drop a student who does not attend the first day of class if you have students on a wait list or who are present and desire to add the class. To drop a student or to confirm that none of your students should be dropped, follow the

procedures notated on the census roster and then submit the original, signed roster to Admissions. Keep a copy for your records.

State funding is based upon the information on the census rosters. *Part-time faculty with Staffing Preference can lose that status for failing to submit census rosters on or before the due date established by Admissions.*

Class Size

Maximum class size varies by course and is a negotiated item. Since class sizes are contractual, they don't change from section to section except in rare cases.

Registration into your course will automatically stop at the contractual maximum during the registration period. You are not required to enroll more students than the contractual maximum, although you may take extra students at your own discretion. You are *required* to add students up to the course maximum until the end of the late registration period, a date that will be printed on your class rosters.

Using InSite/WebAdvisor

To access InSite/WebAdvisor, you need a faculty code and password. Contact the Office of Instruction, Division Office, HR Office, or Admissions and Records to obtain this ID number.

InSite/WebAdvisor is used for:

- Accessing the most up-to-date rosters;
- Accessing add codes for your class;
- Accessing student contact information;
- Dropping students;
- Entering final grades and positive attendance hours;
- Viewing past courses and assigned grades.
- Viewing or updating personal employee information.

Course Curriculum/Course Outlines (COOR)

A detailed outline of every college course, including information about content, requirements, methodologies, texts, course objectives and grading is found in the Course Outline of Record (COOR). The COOR is an official document that has been accepted by the College Curriculum Committee as required by Title V of the California Education Code. You need a copy of this outline before you teach a course, because your individual syllabus and class content need to align with the COOR. You can obtain a copy of the COOR for your course in the Office of Instruction at your college, from your Division Office, or online. At some colleges, the most current document will be found online.

Syllabi

Your course syllabus is your individual contract with the students. It must include:

- Your name and contact information (phone/email/office location);
- Office-hour times and location (if any). For on-line office hours, include information about the method of contact;
- A description of the course, objectives and student learning outcomes based on the COOR (see above);
- A list of required materials;
- Policies for: grading, attendance, participation, dropping, missed tests/homework and the means (if any) for making up assignments, plagiarism and/or cheating.

It is also a good idea to include:

- A calendar of activities (including the Final Exam);
- Your policies related to websites, electronic sources and other materials to be used in class;
- Information about campus student-support services.

Syllabi can be personalized for your course. For examples of syllabi, go to your division office/Office of Instruction. The colleges expect you to keep a current copy of your syllabi on file in your division office. These typically should be sent to your division office at the beginning of each semester.

Student Learning Outcomes and Program Review

Student Learning Outcomes (SLOs) refers to a system-wide assessment project connected to program review and accreditation. Assessing SLOs is primarily a professional duty of full-time faculty, although all faculty may be required to collect and share data, and some departments or colleges may also make funds available for part-time faculty to help conduct program or course reviews. Your department may invite you to participate in parts of the SLO project, but it is not part of a part-timer's normal responsibilities to assess SLOs or revise Course Outlines of Record. Your contributions will be voluntary.

Textbooks

Textbook policies vary throughout the District. Typically, the texts listed on the Course Outline of Record are only suggestions or samples. In some departments, faculty may select their own texts, but other departments have standardized selections. Check with your department chair about policies for selecting and ordering textbooks.

Most publishers will send you a free desk-copy every semester if you assign their textbook. To put a copy on reserve for students, contact your local college librarian.

Federal law requires that textbook information be available to students when they are registering for class. Textbook orders are due as department schedules are being submitted in order to allow time for the bookstore to process the requests. Check with your department chair for the exact deadline each semester.

Class & Teaching Obligations

Instructional Faculty are expected to prepare class lectures, handouts, tests and other materials as necessary; be on time to class; come prepared to teach for the entire class session for every scheduled class meeting; and respond to student questions outside of class via phone, email, or during scheduled office hours. Absences must be reported to management (see Missing Class). Faculty members are expected to return student work within two weeks of receiving it.

A complete list of criteria based upon which faculty are evaluated in the classroom can be found in Appendix X of the Contract (also called the “Evaluation Guidebooks”). The Evaluation Guidebooks are available on the UF Website: www.uf4cd.org, as well on the District’s Human Resources Website: www.4cd.edu/hr.

Final Exams

You are required to hold a “Final” of some sort. A Final does not necessarily mean a test, but it does mean that you meet with students and engage in an academic activity during your scheduled final. Each college publishes its own final examination schedule.

Grades

You are required to input your own grades in InSite/Web-Advisor prior to the deadline set every semester by your college’s Admissions and Records Department. 4CD uses whole grades only; you cannot input plusses or minuses. Grades are validated every night at midnight, so you can change a grade on WebAdvisor the same day you entered it. After that, grade changes must be made through A&R. Forms can only be obtained from Admissions and Records and will require your dean’s signature.

Failure to submit grades on time can result in the loss of part-time staffing preference.

To give an **incomplete grade**, you must fill out a form available from the Admissions and Records Office. An incomplete grade is a contract with a student to be used when unforeseeable circumstances (such as illness) prevent a student from completing your course. The form asks you to list those activities a student must complete (such as a final essay or taking a final exam) and also to list the grade your student will receive as a consequence if he or she fails to complete the assignments (usually but not always an F or D). This form must include your signature and the signature of the student. If the student is unable to sign the form, then a record of your communication with the student must be submitted to Admissions and Records with the incomplete-grade form. If you agree to assign a grade of Incomplete, you must also grade the work when the student submits it. You will not receive extra compensation for this. Students have one year to complete any incomplete.

Photocopying

Each college has different policies and locations for do-it-yourself copying or print-shop reprographics. Ask your department chair for details. You should not have to pay for your own photo-copying (although budgets are limited, and in some cases, you may be advised to compile a reader for students to purchase). Your college print-shop may allow you to email documents, including secure email for tests; check locally for details.

Online Tools

The District on-line course management system (CMS) is Canvas. All on-line courses are required to use same CMS, selected by the District's Distance Education Committee, and all faculty have access to the CMS for their courses (including hybrid and face-to-face). Contact your professional development or IT leadership for training.

Office Hours

Part-time faculty are not required to hold regularly scheduled office hours but may be paid as follows:

*½ hour paid office hour for every 20% load (0.2)
taught up to a maximum of 1.5 hours/week.*

Your load can be found on your notice of assignment (see “Calculating Load” above). For standard lecture classes, this means ½ an office hour for every class taught in a semester.

To have paid office time, you must sign up at the start of the semester with your division office or Office of Instruction. Office hours are paid in four equal payments per semester.

Some office hours may be held on-line, including those associated with online classes and up to one hour of regular office hours. The online office hour must be a regularly scheduled hour, posted along with on-campus office hours, during which the faculty member is available on-line (via Canvas, Skype, email, or other electronic means) to consult with and respond to students. Part-time faculty members must have and use a District email address in order to designate an office hour (or half hour) as online.

Flex Obligation

Depending on the academic calendar each semester, part-time faculty may have an hourly requirement beyond their in-class hours and holidays. This time is called the “Flex Obligation” (meaning “flexible time”). The Flex Obligation changes each semester depending upon the negotiated calendar. Since 4CD pays part-time faculty per course based on a standard number of days, the Flex Obligation is how part-timers “make up” any days for which they are paid that are not part of the official semester. This can sometimes be confusing when semesters have fewer Tuesdays than they do Fridays or similar anomalies. The Flex Obligation is printed on the Academic Calendar and announced by the

Professional Development Coordinators. Your department chair can give you more information too.

The Flex Obligation can be completed through a variety of activities including: attending department meetings, workshops and conferences; non-paid student mentoring and advising; updating classroom materials; textbook review; and more. Your professional development office publishes a book of workshops, and your division may also have a list of approved flex activities. *You must turn in a Flex Form at the end of every semester that itemizes the activities you completed to meet your Flex Obligation.* Failure to meet your Flex Obligation can result in financial consequences, such as docked pay.

Communications

All faculty members are given a mail folder or mailbox at their campus. It is important to retrieve your mail at least once a week. Every faculty member is also assigned district email address. Contact your division office for instructions on how to access your account for the first time. Some district information only comes in email form, so it is important to check your district email regularly. District email is used for reminders about rosters and census deadlines, surveys from the college or UF, electronic versions of newsletters, announcements about emergencies and other pertinent information. *The UF strongly encourages all faculty to use a District email address and to check it regularly.* We also ask members to provide the UF office with a non-District address for Union communications.

All faculty members are expected to respond to student emails and emails from colleagues and administrators in a timely manner (typically within two business days).

Part-Time Faculty Professional Responsibilities

- Regularly pick up college mail and respond to emails.
- Meet your Flex Obligation (as defined per semester).
- Be on time for your assignments.
- Respond in a timely manner (within 2 days) to department chair, dean and student communication.
- Report sick leave to the appropriate manager before class or assignment.
- Fill out appropriate paperwork for leaves (such as field trips, personal necessity, conference).
- [Instructional faculty] Distribute a syllabus that is aligned with the Course Outline of Record (COOR) on the first day of class.
- [Instructional faculty] Teach for the entire class period.
- [Instructional faculty] Turn in census roster(s) by the required due date.
- [Instructional faculty] Meet with class during the final examination period during finals week.
- [Instructional faculty] Turn in grades by the required due date.

Optional/Voluntary Part-Time Faculty Activities:

- Attend an orientation.
- Attend informational workshops by the UF or Senate (such as an Evaluation Workshop).
- Vote to ratify union contracts and in officer elections (for United Faculty members only).
- Attend All College Day or other flex-week activities.
- Hold paid office hours (a voluntary program).
- Attend Department and/or Division meetings (policies regarding part-timers attending meetings vary; please consult your department chair or dean).
- Serve on college committees.
- Attend graduation.

Section 3: Scheduling & Cancellation of Classes

Scheduling

Scheduling rules are found in Article 8 of the UF contract. Faculty are guaranteed participation in assignments and scheduling, as established in Article 8 as well as in department bylaws and division guidelines. You may request a copy of your department's bylaws, including staffing policies, from your department chair or by contacting the UF. It is a good idea to be vocal and proactive in requesting sections and schedules that meet your needs. Your department should give you an opportunity every semester to state your preferences and request assignments. You may check with your department chair to find out how staffing decisions are made in your area. Departments typically propose schedules to management far in advance, so if you are looking to change your schedule or to increase your teaching load, you should communicate with your department chair or scheduling committee as early as possible.

Part-time faculty with "staffing preference" must be offered their historical load, when possible, before sections can be assigned to part-timers without staffing preference. For details, see *Section 10: Reemployment Staffing Preference*. Staffing Preference does not guarantee choice of assignment.

Staffing Appeals

Any faculty member may request the formation of a United Faculty appeals committee when it is alleged a department's recommendation for scheduling was not made in accordance to the department's rules and procedures.

Class Cancellations Due to Low Enrollment

By contract, any section with fewer than 20 students enrolled at the first class meeting may be canceled. Sections can be canceled due to low enrollments before the first meeting as well, at management's discretion. In some cases, sections

with fewer than 20 students may be allowed to meet once or twice during the late registration period in order to gain more students. If a section is canceled after the first meeting, part-time faculty are paid for the hours spent in class.

Bumping

In rare instances, a full-time faculty member whose course has been canceled due to low enrollment may elect to “bump” a part-time faculty member and take his or her section. If this happens after you have met with your class, you will be compensated for the hours you have spent in class. Reemployment Staffing Preference rights, per Article 25 of the UF Contract, do not include the right to bump other part-time faculty (see Section 10).

Section 4: Salary, Load Reports, Load Adjustments and Parity Pay

For part-time instructional faculty, we have a pay-per-course system. That means your weekly class obligation is multiplied times 18 weeks in the semester and then paid in 5 equal payments per semester. This allows part-time faculty to be paid for holidays. Non-instructional faculty members and short-term instructional faculty submit time cards and are paid by the hour.

Questions about your paycheck may be addressed directly to the payroll department on your campus (or to District Payroll or to the UF). If you ever notice a mistake in your paycheck, you should report it immediately. Payroll accuracy, by contract, is a joint responsibility, which means that you have an obligation to review your own paychecks for accuracy. If the District makes a mistake in your favor, you can (and likely will) be asked to return overpayments. If the District makes a mistake by paying you too little or at the wrong pay scale, your right to seek redress may be affected by time lines. The UF recommends that you regularly

review your paychecks, and let us know if you have any questions or concerns.

Load Adjustments

For most part-time faculty, pay is affected by a load adjustment. This is a multiplier applied to your hours paid that increases your total compensation. The multiplier varies by assignment type (which is why 4CD uses load adjustments; it allows the District to pay different rates for different assignment types without having multiple salary schedules). A lab assignment, for example, may have a multiplier of 2%, so if a faculty member's course involves 100 hours of student contact, the District will pay based on 102 hours. A lecture assignment may have a 10% multiplier, so 100 hours pays as if it were 110 hours. Note that the actual workload for faculty does not change. Load adjustments allow raises and parity pay (see below) to be added to part-time pay without changing the salary rate itself.

Load adjustment factors are negotiated and can be found at the bottom of the part-time salary schedule. Salary schedules are on the UF Website, www.uf4cd.org, and on the District website on Human Resources home page: <http://www.4cd.edu/hr>. If you have questions about load adjustments, please contact the UF Office.

Load Reports

Every semester, you will be required to review and sign a load report reflecting your teaching assignment for that term. Management will notify you of the details of this process in your area.

Parity Pay

Parity Pay is an additional salary payment for those instructional faculty members who are currently compensated below the negotiated definition of parity. Our district defines pay parity (by negotiated agreement) as being paid 75% of

a full-time faculty member's salary for the same workload and in the same work classification (equivalent education and experience as reflected on our salary schedule). Parity pay was established by the State Legislature through a categorical program called the Part-time Faculty Equity Fund.

In our district, the main assignments that receive an additional parity payment funded by the Part-time Faculty Equity Fund are English Composition and Lecture courses. Office hours, most lab assignments, PE, counseling and librarian assignments do not currently qualify for parity pay.

Parity pay, by negotiated agreement, is factored into part-time load adjustments (see above). The District no longer pays a separate parity payment at the end of the semester. Parity pay, because it is factored into regular pay as a load adjustment, is paid monthly as part of regular part-time paychecks.

Section 5: Moving up on the Salary Schedule (Step and Column Increases)

When you are hired, the District places you in a specific column on the salary schedule based on your degree and the number of units you have earned beyond your degree. You are also placed on a specific step based on work experience. If you have questions about your initial salary placement, you should speak to the Human Resources department on your campus or consult the UF.

You receive step advancement on the pay schedule for every FTE (full-time equivalent) year you complete. For work in the District, you are automatically advanced on the pay schedule. For out-of-district experience, you must submit an application form that will confirm the work so it can be added to your work history for step advancement. Some academic activities, such as publishing or earning units by

taking classes, can also be used for column advancement on the pay schedule. For a detailed list of activities and procedures consult Article 20 of the UF Contract.

Section 6: Leaves of Absence

All faculty members earn and may use sick leave and a variety of other leaves of absence, listed in the UF Contract in Article 12. Instructional faculty earn hourly sick leave at a rate of one hour for every nine hours of teaching. The hours roll over every semester. Non-instructional faculty earn sick leave at a rate equal to a percentage of their weekly time commitment.

You must contact your Division Office or Office of Instruction or Dean in advance if you need to miss a class because you are ill or for any other reason.

Specific procedures for arranging substitutes vary by division. It is important that you work through your Department or Division Office (or Office of Instruction) on any absence, including field trips. *Do not make changes to your class schedule or arrange for a substitute independently.*

All leave requests must be submitted to your Dean for approval and acceptance. Contact your Division Office or Office of Instruction for the necessary forms.

Sick Leave

Sick leave is to be used when you are too ill to attend class or fulfill your assignment. Sick leave for part-time faculty is used on a per-hour basis from accrued sick leave. There is also a sick-leave donation program for faculty who have exhausted their sick leave. Part-time faculty may only donate sick leave to other part-time faculty. Full-timers may donate to part-timers.

Personal Necessity Leave

Personal Necessity Leave (PNL) is for compelling personal business that requires you to be away from the college. PNL is limited to seven days (56 hours) per year and is deducted from your earned sick-leave bank. A faculty member cannot be required by management to supply a specific reason when using personal necessity leave. Personal necessity leave is not intended for vacation.

Educational Conference Leave

All faculty may apply for Educational Conference Leave, which requires management approval and does not deduct from your sick-leave bank.

Family Leave

Family Leave may be used to care for an immediate family member, as defined by the Federal Family Leave Act, and is limited to six days per year (plus you may use your seven days of Personal Necessity Leave to care for family member who is ill). Additional Family Leave is available based on available funding, so contact the UF if you need more time to care for a family member. Family leave uses hours from your accrued sick leave.

Bereavement Leave

Bereavement Leave is paid leave up to a maximum of 5 days per academic year and covers a death in one's immediate family. Faculty may apply for an extension of bereavement leave not to exceed six days.

Jury Duty/Judicial Leave

Judicial leave includes time to be on a jury or a witness in a court case.

Military Leave

Military leave is used for required military duty.

Parental Leave (Maternity, Paternity, Adoption)

There are parental leave charts on the UF website that detail faculty options (www.uf4cd.org ... search for “maternity” and they come right up). Parental leave is deducted from your accumulated sick-leave bank, but there are options for extensions depending on your circumstances. If you have questions, contact District Human Resources or call the UF Office.

Religious Observance Leave

Religious Observance Leave is granted for special religious observances that fall on a regular workday.

Industrial Accident and Illness Leave

For job-incurred accidents or illnesses, 60 days leave may be available. Part-Time faculty also have State Disability Insurance. For any job-incurred accident or illness, we recommend contacting Human Resources and the UF Office.

Extended and/or Unpaid Leave

There are often options available, including combining leaves and taking unpaid leave, in case of urgent need. If you are faced with a crisis that requires you to be absent from class for an extended period, we recommend that you contact both the Human Resources Department at your college and the UF to discuss your options.

In calculating leave limits, any part of a day missed counts as a full day, regardless of the number of hours you work that day.

Section 7: Working Conditions & Grievances

You have a legal and contractual right to a working environment that is safe and harassment-free. Any act by a student, faculty member, or administrator that you feel threatens your safety or that creates a hostile work environment

should be immediately reported to your dean and to the UF.

If you feel that your contractual rights have been violated, you should consult with your UF Vice President or Part-Time Faculty Advocate. You can also contact the UF part-time faculty representative for your college. There is a staff directory on the UF website: www.uf4cd.org. Contacting the UF Office is always a good first step: 925-680-1771 or uf@uf4cd.org.

Filing Grievances

Every faculty member has the right to file a grievance if that member believes that his or her rights have been violated. *The grievance procedures can be found in Article 19 of the UF contract.* You may download a grievance form from the UF website: www.uf4cd.org. Because grievances must point to specific articles of the contract and can be dismissed on formal grounds, we recommend consulting with the UF before you file a grievance. But this is not a requirement.

You also should always respond to any perceived contract violation (including payroll mistakes) as soon as possible, since there is a time limit for formal grievances. The first step in the process is an informal conversation with your college president (or whomever the president designates). Your UF representative can help you arrange this, or you may contact the President's office directly.

Grievances are not always necessary to solve problems. Misunderstandings, disagreements and even contract violations can often be resolved informally by UF leadership. You have a right to confidentiality in your dealings with the Union. So you should never hesitate to ask for clarification on a concern.

Section 8: Evaluations

All faculty members are required under State law and by contract to have periodic evaluations. The District evaluation procedures for part-time faculty are based on peer and student evaluations. Part-time faculty are evaluated in their first, fourth, and seventh semesters, and then every sixth semester thereafter. Information on evaluation criteria, processes and forms can be found in evaluation guidebooks that make up Appendix X of the UF Contract. These are available for review at every division office (and the Office of Instruction at LMC) and from the United Faculty on the UF website: www.uf4cd.org.

We strongly recommend that you download the appropriate guidebook from the UF website and read through it before every evaluation. We also recommend that you attend an evaluation workshop (offered periodically on each college campus) to acquaint yourself with the forms and procedures.

Evaluations are important not only as learning and mentoring opportunities but also because they serve as the basis for Reemployment Staffing Preference in 4CD. Knowing your rights and responsibilities can make a big difference. For example, every evaluation will begin with your department assigning an evaluator (except in your seventh semester, when the department must assign two evaluators). You also have the right to request an additional evaluator of your own choosing (any tenured full-time faculty member, even from outside your own department, may serve). The Department could then assign a third evaluator, and management also has the right to add another, but usually, your choice is between one or two evaluators. *If you do elect to add an additional evaluator, you must do so at the start of the process.*

The evaluation process includes a classroom/workplace observation with both a pre-evaluation and post-evaluation meeting with one's evaluator(s), a self-evaluation, and stu-

dent evaluations. Be diligent about filling out your Classroom Observation Plan (to describe the lecture/activity that will be observed and how it fits into the total course) and giving the appropriate documents to your evaluators, such as syllabus, sample tests and assignments. Be on time; teach for the full amount of the class period. Use a variety of methodologies (don't spend the whole hour lecturing with power-point; be creative and varied: write on the board, engage in dialog with the students; use the internet if appropriate); be upbeat, prepared, and enthusiastic about your subject. Think of your evaluation as a teaching demonstration of the sort that you might conduct during a job interview. Be yourself, but know also what questions your evaluator is asked on the classroom/workplace observation form, and try to provide evidence that will help your evaluator give you high scores.

Section 9: Reemployment Staffing Preference

Staffing Preference (sometimes called "Rehire Rights") is described in Article 25 of the UF Contract. The purpose of Staffing Preference is to give established part-time faculty some job security and stability. Faculty may apply for Staffing Preference any time after the seventh semester evaluations have taken place. To qualify, one needs to have received a summary score of "Consistently High Ratings" on one's most recent evaluation or to have received a score of "Satisfactory" with a majority of 4s and 5s on both the classroom observation and student evaluation forms. For more details about applying or qualifying, please consult the UF Office.

Staffing Preference is not awarded automatically. You need to fill out an application and qualify. Applications are due by the end of the second week in any semester to qualify for Preference Status beginning in the following semester. Note too that you can be denied Preference (or lose it) for

a number of disqualifying actions, such as not turning in rosters and grades in a timely manner or failing to follow the rules for leaves of absence, such as sick leave. Once you have Staffing Preference, you must re-qualify with each new evaluation, but you do not need to apply again. Faculty members with Staffing Preference are automatically reconsidered every six semesters (after each new evaluation).

Having Staffing Preference means that your department must offer you courses every semester based upon your historical load, before they can offer those courses to other part-time faculty who do not have Staffing Preference. Preference does not give you the right to specific courses or sections, however, but only to be offered load at your historical level, if possible.

Your **historical load** is determined by a formula outlined in Article 25. The UF has a detailed guide on our website to help faculty understand and calculate historical load (**modal load** or **median load**) and to answer common questions, such as what happens when one misses a semester or when one's load changes. For details, go to <http://uf4cd.org/part-time-faculty/guide-to-calculating-load-for-part-time-faculty-with-staffing-preference>.

Section 10: Personnel Files

All faculty have a personnel file. These can be found in the Human Resources department of your college. You have a right to review the materials in your personnel file upon request. Typically, the information in your file includes your evaluations, transcripts, and the basis of step/column placement including additional units taken after initial placement. No other material, such as student complaints or administrative letters of reprimand, may be placed in your personnel file without your first having been shown the material and been given the chance to write a letter in

response for your file. Personnel files are confidential and are not used in hiring.

Section 11: Disruptive Students and Complaints

Disruptive Students

If you need help with a disruptive student, contact the Dean of Student Life/Services/Development (the title changes by college). You should report and document any unusual circumstance involving a student and get advice from the Dean. If you ask a disruptive student to leave your class, the student will need to meet with the appropriate dean before returning. If it is a case of a student stalking or harassing a professor, then the student can be suspended or expelled.

Any time your interaction with a student falls outside the normal range of interactions in class, we recommend that you consult the Dean. You should also write and keep notes for yourself describing any incident.

Student Complaints

If a student has a complaint about an employee, the student should follow the Student Grievance Procedure outlined in the Student Code of Conduct (printed in the college catalogs). Before filing a formal grievance, the student should contact the department chair to seek an informal resolution. A range of informal and formal procedures may follow.

If a student complains about you, you may be invited to an informal meeting with your department chair or dean or both. Depending on the nature of the complaint, you may also be asked to meet with a senior dean or a district investigator (sometimes a lawyer or paralegal). *In any of these cases, and whenever there is a possibility that a meeting may result in disciplinary action, you have the right to have a Union representative with you at the meeting.* You also have the right to delay the meeting (with no negative consequences to you for

the delay) until a UF representative is available to join you. These are called your “**Weingarten Rights**” (named after the legal case where these rights were established).

The UF strongly recommends that you ALWAYS invoke your Weingarten Rights and insist that a Union representative join you if you are asked to meet to discuss an allegation of misconduct. Even when you are sure that you have done nothing wrong, you should have a UF representative at any meeting that is part of an investigation (both to protect your rights and to be a witness to what is asked and answered). You also have the right to interrupt a meeting after it has started, to ask that the discussion stop until a Union representative can join you.

Section 12: Health Benefits

4CD offers a variety of health benefits to eligible part-time faculty. To be eligible for district benefits, one must have worked in the District for one year and have averaged at least 30% load for the previous academic year (fall and spring).

Available health options for individuals and families include Kaiser, Anthem Blue Cross HMO, and Anthem Blue Cross EPO. Details are on the District website at www.uf-4cd.edu/hr/benefits. The District contributes towards premium costs according to the percentage of load that you worked in the previous year, and the faculty member pays the balance. There are three contribution tiers, as follows:

- 30% load and greater – District contributes 40%
- 40% load and greater – District contributes 50%
- 60% load and greater – District contributes 75%

The District also offers part-time faculty Delta Dental and VSP Vision Care at an employee full buy-in. For details about enrolling, contact Human Resources at your college

or the UF. Faculty who buy health care through the District and whose load drops below 30% one year should call Reed Rawlinson at District HR (1-925-229-6853) to discuss options.

Affordable Care Act (Covered California)

Part-time faculty who need health insurance should compare District options to plans available through Covered California by visiting their website at www.coveredca.com.

Section 13: Retirement Options

Part-time faculty are required by law to select a retirement plan at the time of initial employment. This is done through the HR department. Your options include: State Teachers Retirement System (STRS) Defined Benefit Plan (DB); STRS Cash Balance Plan (CB); or Social Security (FICA). If you are in a variety of plans, we recommend that you pick one and consolidate your plans.

Below, you will find a brief summary of each plan. The UF also has a more detailed comparison published on our website at <http://uf4cd.org/part-time-faculty/retirement-plan-options-for-part-time-faculty>.

CalSTRS Defined Benefit (DB)

CalSTRS Defined Benefit (DB) takes 8% of your monthly gross income plus an 8.25% contribution by the District. It requires 5 full-time-equivalent (FTE) years to vest in the plan to receive a pension after the age of 55. This option is the only one available in all community college districts in the state. It also is the only option that allows you to roll unused sick leave into the formula at time of retirement. Important here is that you need the load and time to vest in the program. Your pension, if you do enroll in STRS DB, will be based on your FTE years of service, your age at retirement,

and your three highest, consecutive years of FTE earnable salary (a defined formula), and not on how much money you personally have contributed to the plan.

CalSTRS Cash Balance (CB)

CalSTRS Cash Balance (CB) is a defined-benefit hybrid, offered as an alternative to DB for part-time faculty by STRS. It takes 4% monthly from the employee plus a 4% contribution by the employer. The pension is considerably less than STRS DB, but it does not require vesting. Unlike STRS DB, your pension in this plan is not defined by a salary formula, but by your specific contributions. This is a good plan for faculty who work full-time in another job or who work limited load in the community college system. This plan may be taken lump sum or in a time-specific or life-time monthly pension.

Both STRS DB and CB plans can be affected by the Social Security Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) laws that reduce your Social Security benefit if you participate in a public pension plan. Be sure to check with Social Security or the UF to see if this might affect you. Also, STRS DB and CB enforce a 180-day (6-month) break in service or \$0 earnings off-set in your STRS benefit after you retire in the K-14 system. (This does not affect CSU or UC system work). If you have at least 30 years of substantial earnings in Social Security there is no WEP/GPO for a STRS pension benefit.

Social Security

Social Security is the Federal Government's social pension system. Since many part-time faculty also work in the private sector in which they pay into Social Security, some want to stay in Social Security with 4CD as well as to avoid losing money to the WEP and GPO (discussed above).

For more information contact the UF. There are also informational documents on the UF website, and we hold work-

shops on this yearly.

PERS (Public Employees Retirement System)

Some 4CD faculty members also contribute to PERS (but this is not one of the options one may pick at the time of initial employment in 4CD). STRS and PERS have a reciprocity agreement to accept each other's work history record. So if you are in both systems, you need vest in only one to receive a pension benefit from both.

Section 14: Unemployment

Part-time community-college faculty members are eligible for unemployment benefits between semesters (if you have no other source of income). You may also be eligible for "under-employment benefits" if your load drops from one semester to the next. Unemployment for all part-time community college faculty is based upon the Cervisi Decision and the fact that part-time faculty have "no reasonable assurance" of employment because their status is legally considered "temporary" and contingent upon funding, enrollment, and program needs.

You may apply for unemployment benefits after the semester ends. This can be done online at www.edd.ca.gov or via phone (see phone numbers on the EDD website). There is more information about EDD, benefits, applications and procedures on the UF website and the FACCC website (under part-time information and issues).

Part-time faculty may legally apply for unemployment while receiving other pension benefits, such as Social Security or STRS DB.

EDD Unemployment Key Points and FAQs

1. Application question: "Are you a member of a union?"

NO. Although you may be a member of the United Faculty, as far as EDD is concerned you are not a member of a union. The United Faculty Association is a bargaining agent only for contract and working conditions. When EDD asks about a union, they are referring to trade unions such as the carpenters, pipe fitters, etc., who have their members register to help them find work.

2. Information about your "very last employer."

If you work in multiple districts, they mean the very last employer for which you did creditable work or whose semester/quarter ended last. If they both end on the same academic calendar date, just pick the one you work at the most. Be sure to list all employment in the last 18 months.

3. What is the full name of the person who was your immediate supervisor?

For this answer, you may use your department chair or dean.

4. Last date worked

This would be the last date of the semester because technically you are still working for the District as you finish your final examinations and student grades. Also, the District is not paying you by the hour; if you are an instructor, they are paying you by the course for the full 18-week semester (unless you are teaching a short-term or positive attendance class). If you are an hourly employee, then it is that last date you put in hours.

5. "What are your gross wages for your last week of work?"

For instructional faculty, it would be the normal number of hours you work per week doing instruction multiplied by your hourly rate of pay plus office hours (multiplied by that rate of pay). So if you typically teach two

three-hour classes plus office time, it would be six hours multiplied by your instructional rate plus 1 hour at your office rate = gross for last week of work. For non-instructional faculty it is the number of hours multiplied by your rate.

6. Reason no longer working

Answer: "Laid Off/Lack of Work."

7. Please provide a brief explanation.

Answer: "I am a part-time, temporary, contingent Community College Instructor, laid off with no expectation or reasonable assurance of reemployment. I have no contract and am covered by the Cervisi Decision." (See #19 for more information on Cervisi).

8. Do you expect to return to work for a former employer?

NO. Since you do not have a contract, you have no legal expectation to return to work. Any written or verbal "offer" of a class for the next semester is NOT reasonable assurance to return to work. It is not a contract, and it is non-binding. So if they ask: were you given a verbal commitment to return to work? -- again the answer is NO.

9. Do you have a date to start work?

NO – again because your "possible" work is contingent upon enrollments and funding, and you have at best a non-binding offer – you do not technically have a date to start work until the actual day you start.

10. Question 32 about expectation to receive "other" pay from an employer.

Answer: NO to all questions (unless you have other employment besides your part-time community-college teaching).

11. Are you an employee of a school, educational institution, or training facility?

NO – by Ed Code, you are a temporary employee and are released from employment service at the end of

each semester/quarter/inter-session. So you are not an employee of the district once the semester ends because you have no contract.

12. *Providing employment history for last 18 months.*

This is all-inclusive of all jobs you may have worked in the last 18 months. That includes educational and non-educational work. If you receive parity money, you should include that as well as your regular wages.

13. *Employer worked the longest.*

In this case you want to consider total work history (not last 18 months) and state approximately for how long you worked for your employer. Note that you technically work for the 4CD (not your individual college) and should use the District address as employer (500 Court Street, Martinez, 94553).

14. *“Are you available for immediate full-time work in your usual occupation?”*

YES. EDD expects you to affirm that you are looking for and wanting full-time work in THIS field. That would also be the same on the bi-monthly EDD benefit form. All answers are NO (unless your circumstances differ from someone whose only source of work and income is part-time teaching in our district), except the one that asks, “Did you look for FT work?” – that one is YES. Even if no colleges/districts were advertising jobs or seeking applications in your area, even if you did not submit an application, that does not matter. Looking for work includes such activities as reading the *Chronicle of Higher Education* for job openings, looking for jobs on the internet, calling job hot lines, etc.

15. *You must keep an up-to-date resume on CalJobs website, and that is easy to set up and to update each term/year.*

16. When can you apply?

Instructional faculty should wait to apply until the semester is actually over, meaning the Monday after final examinations have concluded. You are being paid for the full semester all the way through finals through our pay-per-course system. Only true hourly employees, like counselors and librarians or faculty doing short term or positive attendance rosters, are paid by the hour.

17. Breaks in Service

You are eligible for unemployment during breaks between semesters, NOT during breaks during a semester. So winter break and summer break after the spring semester ends are actually breaks in service because your obligation to the college (classes and assignments) have ended, and you no longer have reasonable assurance to return to work. But Thanksgiving or spring breaks are not actual breaks in service because you do have reasonable assurance to return to work to finish your classes and assignments to the college. Also, our district pays by the course (18 weeks x hours/week), which means they do pay us for holidays.

18. Under-employment

You are “under-employed” when the load you are working is less than previous semesters and the amount you will earn is less than the EDD unemployment benefit. In other words, you may qualify as “under-employed” if your teaching assignment is reduced below your historical assignment over the last 18 months, and if you earn less than \$450/week. Remember, EDD takes into consideration ALL employment, not just teaching. If you have a regular non-teaching job, whether PT or FT, you would not qualify for under-employment unless the load has significantly diminished.

19. Cervisi Decision

The court case defining unemployment for part-time community college faculty is CERVISI v UNEMPLOY-

MENT INSURANCE APPEALS BOARD, Feb. 1, 1989, which states in part, “an assignment that is contingent on enrollment, funding, or program changes is not a ‘reasonable assurance’ of employment.” (Sec. 1253.3, subd. (g))

Part-time, temporary faculty of California community colleges are entitled to unemployment compensation for periods between semesters, including summer breaks. This principle was established in Unemployment Insurance Code 1253.3 and *CERVISI v. CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD* (1989) 208 Cal. App. 3d 654.

CERVISI covers all part-time faculty members – instructors, nurses, librarians, counselors, and other academic employees. Faculty members obtain the benefits of CERVISI even if they receive an assignment for the upcoming school year and are assured of teaching at least one class session. Generally, that one class session is still subject to cancellation prior to the commencement of the class based upon enrollment, funding, or district needs.

After filing, if personnel of the EDD contact you, you should quote the CERVISI case to them. Following CERVISI, EDD issued Field Directive 89-55UI, now part of its manual for EDD offices, describing CERVISI. Tell whoever from EDD is questioning you to look at Field Directive 89-55UI, because it explains to all EDD personnel the definition of “reasonable assurance” and how CERVISI is to be applied.

As a warning, EDD representatives sometimes misunderstand CERVISI and don’t understand how part-time assignments in community colleges work. If you are denied benefits, you have a right to appeal, and the UF’s Part-Time Faculty Advocate can help you with this. An appeal doesn’t cost money.

20. Filing a Claim

Many unemployment offices around the State are closing and most claims are now handled by telephone. Within California, the EDD office can be reached at (800) 300-5616 between the hours of 8:00 AM and 5:00 PM. When calling in a claim you must have the following information available: Social Security number, the name of your very last employer, employer's mailing address and zip code. When you call to file a claim, have the above information ready and follow the selections of the recorded messages. It is that simple.

To claim unemployment benefits, a claimant must be unemployed and not receiving funds from another job or other sources. Unemployment benefits are not automatic; to receive these benefits, one must file a claim. A claimant cannot be forced to accept a job out of his/her field of employment.

21. What if I am denied unemployment benefits? (Appeals)

If you are denied benefits, you have a right to appeal, and the UF can help you with this. An appeal does not cost money. Occasionally, EDD staff are not familiar with the regulations pertaining to part-time faculty, and unemployment claims are denied. After filing, if you are contacted by personnel from EDD, be sure to mention the Cervesi case to them and the field directive issued to EDD offices. Following Cervesi, EDD issued Field Directive 89-55UI to explain the definition of "reasonable assurance" and how Cervesi is to be applied for part-time faculty.

Section 15: State Disability Insurance and Paid Family Leave

All part-time faculty of 4CD are charged a premium to participate in State Disability Insurance (SDI) and Paid Family Leave (PFL), approximately 1.1% of gross salary deducted from your paycheck.

SDI covers members for unforeseen disabilities, such as extended illness or injury (including pregnancy) during the academic year and during periods of unemployment. PFL covers members who need to take care of an immediate family member who becomes ill and for baby and child-adoption bonding.

One needs to have paid premiums for six months before one can make a claim. The amount of the benefit depends on your highest quarter of earnings in the last 6-18 months, and typically pays 55% of earnings (similar to unemployment benefits).

Section 16: Contacting the United Faculty

If you have any questions or concerns related to your employment at 4CD, do not hesitate to contact one of your United Faculty Representatives or the United Faculty office. The UF is your collective bargaining agent, whether or not you have chosen to join the Union. We respect your confidentiality and will make every effort to help inform you and to represent your interests.

The United Faculty Office can be found on the Diablo Valley College campus, room FO-151. Our office is open Monday-Friday from 8:30am to 5pm. Our office administrator is Terri Adame. You may reach Terri at 925-680-1771 or through the District phone system at extension x22494.

All UF officers and Executive Board Members are elected. You may find a list with contact numbers and email addresses on the UF website: www.uf4cd.org. The website also houses back-issues of our newsletter, *Table Talk*, and many postings of interest to part-time faculty. You may email the UF at uf@uf4cd.org.

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