

TA 7/8/19

DISTRICT COUNTERPROPOSAL #2- 7/8/2019
ARTICLE 4 - WORKLOAD & CALENDAR

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4.1 General Information

4.1.1 In compliance with Education Code section 22138.5, the minimum standard for full time in community colleges shall be as specified in section 22138.5(c)(1) and (4), as may be amended. For all instructor employed on a part-time basis, the minimum standard shall be as set forth in section 22138.5(c)(5), 525 instructional hours. ~~(moved from 4.1.13)~~ agreed

For CalSTRS calculations purposes, the work year for full-time instructional faculty members shall be in accordance with the table below 1282 hours. ~~For all instructors employed on a part-time basis, the minimum standard shall be as set forth in section 22138.5(c)(5), 525 instructional hours (moved up above). (moved from 4.1.13). For faculty assigned to the positions of Assistant Professor, Fire Technology/Fire Academy Program Director and Assistant Professor, Director Emergency Medical Education shall be 1,434 base hours for any fiscal year (July 1 — June 30). agreed~~

~~For CalSTRS calculations purposes, the work year for full-time ten-month faculty members shall be 1,290 base hours for any academic year (two [2] semesters).~~

10-month faculty	# of days	# of hours	Total # of Hours
Professional Development	7	6	42
Instructional Days (Fall/Spring)	155	8	1240
Total	162		1282

11-month instructional faculty	# of days	# of hours	Total # of Hours
Professional Development	7	6	42
Instructional Days (July 1- June 30)	174	8	1392
Total	181		1434

11-month counselors	# of days	# of hours	Total # of Hours
Professional Development	7	6	42
Contract Days (July 1- June 30)	181	8	1448
Total	188		1490

- ~~4.1.2 For CalSTRS calculations purposes, the work year for full-time eleven-month counselors shall be 188 days (181 contract days and 7 professional development days) 1,490 base hours for any contract year (August 1— June 30).—agreed~~
- 4.1.2 All Counseling Department counselors, DRC counselors, and EOPS counselors receive their annual salary in twelve (12) equal monthly payments.
- 4.1.3 The District will bring a proposed academic calendar to the PFF no later than September 1 of each year. A two-year planning cycle is expected starting with the 2019-2020 school year. The PFF and District will be able to collaborate and communicate with relevant constituents after the calendar proposal has come to the table for negotiations.
- 4.1.3.1 The Compressed Calendar is comprised of two, 16-week primary terms for Fall and Spring semesters. A separately scheduled “Final Exam Week” is eliminated and classes meet as usual during the 16th week, with each faculty member identifying the day of the final exam/activity during the scheduled class time.
- 4.1.3.2 Professional Development (“PD”) hour obligation for each full-time faculty member is 42 hours (7 days) to be completed during the academic year.
- 4.1.3.3 The week of Thanksgiving will be a Non-instructional week (no classes are scheduled to meet).
- 4.1.3.4 Spring break will be the ninth week of the spring semester.
- 4.1.3.5 ~~The parties have an MOU covering the 2017-2018 and 2018-2019 fiscal year calendars.~~ Commencing with the 2019-2020 fiscal year calendar, the District and PFF will move to an extended two-year plus planning cycle. ~~For each fiscal year commencing July 1, 2019,~~ The District and PFF will create a two-year out calendar twenty-nine (29) months prior to July 1st of

the second fiscal year calendar, and reaffirm or modify the next fiscal year's calendar seventeen (17) months prior to July 1st of the first fiscal year calendar. agreed

- 4.1.4 ~~ECELS teachers are required to perform assigned duties for forty (40) hours per week at the assigned work site. (Identified in Appendix L, Article 2.1)~~ ECELS teachers are required to perform assigned duties for forty (40) hours per week at the assigned work site. See Appendix L.(Agreed)

A tenured or a probationary faculty member working under an individual reduced contract with the District shall have a work week prorated on the basis of full-time equivalency.

The regular work week consists of work performed Monday through Friday. Assignments after 6:00 p.m. shall be equitably distributed among the faculty members in a given discipline. For specialized programs meeting on weekends, the faculty member shall have no fewer than two (2) consecutive duty-free days each week (e.g., Sunday-Monday or Thursday-Friday), and those days shall remain constant for the duration of the weekend assignment. A faculty member may request an exception to this provision. The request shall be made in writing, and a copy shall be delivered to the Federation within two (2) working days following its delivery to the District.

- 4.1.5 Unless otherwise specified in the article, full-time faculty who provide instruction shall have the following Standard Workload that follows for each during a traditional 18-week semester (i.e. Fall and Spring):

<u>15 hours</u>	<u>Catalog Hours (instructional lecture/lab)</u>
<u>15 hours</u>	<u>Professional Unscheduled preparation</u>
<u>5 hours</u>	<u>Office hours</u>
<u>5 hours</u>	<u>Institutional responsibilities</u>
<u>40 hours</u>	<u>Total (agreed)</u>

~~Unless otherwise specified in the Article, full-time instructors are employed for a basic work week of Instructional Hours equivalent to 15 (catalog) hours as taught during a traditional 18-week semester; office hours, unscheduled preparation hours, and other related duties as defined in the job description. Catalog Hours refers to the accurate representation of the instructional time required for any combination of lecture/lab coursework (lecture hours per week = lab hours per week) as expressed in the Course Outline of Record. Please refer to Appendix B for Workload Schedule. Each faculty member shall have five (5) posted Office hours per week to shall be posted and used to meet with students and others in the scope and~~

~~course of employment and five (5) hours per week for various Institutional responsibilities may be comprised of such as participation on established committees and performance of any assigned activities. One (1) hour per month shall be for the purpose of monthly department/discipline/area meetings.~~

The term "Lecture Hours" means instructor-student contact hours in which the instructor gives a lecture or other presentation, which was previously prepared, to an established class of students where the students are required to complete substantial work prior to and/or after such presentation. (agreed)

~~A lecture is defined as a session conducted under the immediate supervision (line of sight) of the instructor of record using lecture, discussion, collaborative or experiential learning, which may also include incidental use of visual aids, various media site visits, etc. at the instructor's discretion. (agreed)~~

The term "Laboratory Hours" means instructor-student contact hours in which the instructor normally supervises student activities in a laboratory environment and also provides individual and/or group instruction. (agreed)

~~A laboratory is defined as a session conducted under immediate supervision (line of sight) of the instructor of record in a laboratory, computer laboratory, studio, shop, or other activity setting with students engaged in various scientific, technical, artistic, athletic, vocational, or other instructional activities. (agreed)~~

A full-time faculty member may have less than a full-time load for the fall or spring semesters as long as the combined total for the two (2) semesters will result in a normal Standard Workload within that academic year (July 1 - June 30). Due to the great variety of disciplines, subjects, and instructional methodologies, some faculty workloads differ from the Standard Workload established by this Section. These non-standard workloads are specified in Appendix B. (agreed)

When a course is taught by two or more faculty members, in no instance will the combined load assigned be more than the units assigned to the course.

Rehearsals, planning, or any similar activities shall not be added to the load. If there is an additional work load associated with a course, this additional work load will be negotiated and may be compensated via a stipend or release time.

- 4.1.6 Three (3) or fewer subject preparations shall be the standard for faculty members. If necessary to reach a full load, a faculty member may be required to have four (4) subject preparations. ~~For probationary faculty who meet the conditions of Article 4.1.7., The~~ Tenure and Evaluation Committee shall give serious consideration to the demands imposed by multiple preparations upon the performance of a probationary faculty member having four (4) preparations. **(Move to Article 17.6) (agreed)**
- 4.1.7 Full-time faculty members who teach both lecture hours and laboratory hours in a given semester shall have those assignments apportioned to equal, if arithmetically possible, the Standard Workload or its equivalent. If such equality is arithmetically impossible, the resulting workload shall be as close to the Standard Workload as is possible.
- 4.1.8 Instructors in work-experience courses shall comply with all provisions of the California Education Code and Title 5 §58051. Workload for work-experience courses shall be proportionate to the number of students enrolled. In this case, the workload equates to .008 load/student or a 20% load for every 25 students. The student/instructor ratio in the work-experience program shall not exceed 125 students per full-time equivalent academic coordinator. Cooperative instructors working on this activity shall be paid at their instructional rate.
- 4.1.9 A part-time faculty member's assignment may include day, evening, and/or weekend work, and work at more than one (1) location. The assignment is determined by the Dean, or first-level educational administrator to whom the faculty member reports, in consultation with the Department Chair and with reasonable input by the faculty member. There shall be no rule or arbitrary practice that prevents any part-time faculty hired pursuant to Ed Code 87482.5 from receiving up to sixty- seven percent (67%) in any one semester per week. In no instance will a part-time faculty member be permitted to exceed a load of 67% in a single semester per week.
- 4.1.9.1 Professional ancillary activities (Education Code 87482.5(c)(1): Ancillary activities can include, but not necessarily limited to, governance, staff development, grant writing, and advising student organizations, and ~~which shall not to be included in calculating whether a part-time academic employee has been employed to teach more than 67% of the hours per week considered a full-time assignment or used for the attainment of permanent status.~~ shall mean any and all paid or unpaid performed for the District outside the required, compensated service related to course instruction or duties of part-time librarians and counselors.

- 4.1.9.1.1 The District does not authorize paid tutoring services to be performed by part-time faculty members. Should voluntary tutoring take place, it shall not be used for purposes of calculating eligibility for ~~contract or regular~~ permanent status.
- 4.1.9.1.2 ~~All professional ancillary activities as defined in article 4.1.9.1 and its subdivisions shall not be used or included in calculating eligibility for contract or regular~~ permanent status.(agreed)
- 4.1.9.1.2 Compensated reassigned time received by part- time academic employees as part of the District and PFF Agreement shall not be included in calculating whether a part-time academic employee has been employed to teach more than 67% of the hours per week considered a full-time assignment.
- 4.1.9.1.3 In coordination with full-time faculty (in the discipline, the Department Chair, or Curriculum Faculty Co-Chair), preparation or revision of curriculum materials by part-time faculty members is compensable at their non-instructional hourly rate, and is a professional ancillary activity as defined by Article 4.1.10.1.

As a professional ancillary activity, time spent in curriculum development or revision shall not be included in calculating whether a part-time academic employee has been employed to teach more than 67% of the hours per week considered the maximum workload assignment for a part-time faculty. In addition, the parties reaffirm that curriculum development is exclusively a faculty matter.

Part-time faculty members participating in curriculum development shall, upon District request, complete a waiver which indicates their understanding that hours spent and compensated doing such curriculum development is excluded from the calculation of 67% per week hours as described above.

Curriculum development or revision by a part-time faculty member will be compensated using the following guidelines:

- Hourly pay will be at their non-instructional hourly rate.

- Dean and Department Chair will agree on the number of hours per course that will be compensated. Total number of hours per week employed by the District may not exceed twenty-eight (28) which is still considered part-time employment.

4.1.9.1.2 ~~The following assignments shall also be considered ancillary and not counted towards contract status, work may be compensated or voluntary:~~

~~Reassigned time stipends received by part-time academic employees as part of the District and PFF Agreement Preparation, development or revision of curriculum materials by part-time faculty in coordination with full-time faculty (in the discipline, the Department Chair, or Curriculum Faculty Co-Chair), preparation or revision of curriculum materials by part-time faculty members is compensable at their non-instructional hourly rate, and is a professional ancillary activity as defined by Article 4.1.10.1.~~

~~Curriculum development or revision by a part-time faculty member will be compensated using the following guidelines: Unclear what has changed/moved/new. Old 4.1.10.1.3 more clear~~

- ~~Hourly pay will be at their non-instructional hourly rate.~~
- ~~Dean and Department Chair will agree on the number of hours per course that will be compensated. Total number of hours per week employed by the District may not exceed twenty-eight (28), which is still considered part-time employment. (reverted this section to original language above in 4.1.9.1.3)~~

4.1.10 Classes taught during intersession, spring break, and summer shall not count against the sixty-seven percent (67%) part-time faculty load. Community Service seminars and workshops and Worksite Education courses (which can be credit, noncredit, or not-for-credit) shall not be used to determine the load status for part-time faculty.

- 4.1.11 A full-time faculty member may teach overload Instructional Hours equivalent to six (catalog) hours as taught during a compressed 16-week semester. Exceptions to this limit shall require the prior written approval of the Superintendent/President or designee. All assigned overload must be approved by the Dean, or first-level educational administrator to whom the faculty member reports. Assignments during any intersession or summer session shall not count against the maximum allowable overload. Probationary or tenured faculty members working under an individual contract requiring less than full-time service shall not be given hourly assignments in addition to their contract assignments. Exceptions for special circumstances must be approved by the appropriate Assistant Superintendent/Vice President in consultation with the Federation PFF and appropriate Dean.
- 4.1.12 ~~In compliance with Education Code section 22138.5, the minimum standard for full time in community colleges shall be as specified in section 22138.5(c)(1) and (4), as may be amended. For all instructors employed on a part-time basis, the minimum standard shall be as set forth in section 22138.5(c)(5), 525 instructional hours. (moved to 4.1.1)~~
- 4.1.13 Faculty members who, in response to a District request to perform services during the summer or other non-contracted time, such as participation in hiring committees, shall be compensated at their pro-rata non-instructional rate.
- 4.1.14 All full-time faculty members are expected to participate in commencement exercises at the conclusion of each academic year.
- 4.1.15 All faculty who teach during any intersession and summer session will be limited to 28 instructional hours per week. Exceptions to this limit shall require the prior written approval of the Dean and Assistant Superintendent/Vice President for Instruction.

4.2 Counselors

- 4.2.1 Full-time faculty members who provide counseling services shall have the following workload:

25 hours	Scheduled direct student contact activities
5 hours	Office hours
5 hours	Institutional responsibilities
<u>5 hours</u>	<u>Professional</u> <u>Unscheduled preparation</u>
40 hours	Total (agreed)

~~Twenty-five (25) hours scheduled direct student contact activities and~~

~~five (5) office hours to meet with students and others in the scope and course of employment, for a total of a 30 hour load. Each counselor shall also have five (5) professional preparation hours per week and five (5) hours per week for various institutional responsibilities such as participation on established committees and performance of any assigned activities. (agreed)~~

The 25 hours of Direct student contact activities shall be comprised of student education planning, academic, career, or personal counseling, follow-up services, online counseling, special projects, activities, and/or workshops related to students, as coordinated with the Department Chair and Dean. Institutional responsibilities may be comprised of participation on established committees and performance of any assigned activities. (agreed)

4.2.2 A full-time counselor may teach one instructional course in accordance with Article 20.11, with the approval of the Department Chair and Division Dean, and Vice President of Student Services a counselor may teach, equivalent to three (catalog) hours. ~~as taught during a traditional 18-week semester.~~ Counselors who teach one course shall have their 30-hour load (defined as 25 direct student contact hours and five (5) professional preparation hours) reduced by 20% for a total of six (6) hours reduced, whereby 20% of direct student contact hours is five (5) hours and 20% of professional preparation is one (1) hour.

4.2.3 With the approval of the Department Chair, and Division Dean, and Vice President of Student Services a counselor may teach two instructional courses equivalent to six (catalog) hours. ~~as taught during a traditional 18-week semester.~~ Counselors who teach two courses shall have their 30-hour load (defined as 25 direct student contact hours and five (5) professional preparation hours) reduced by 40% for a total of twelve (12) hours reduced, whereby 40% of direct student contact hours is ten (10) hours, and 40% of professional preparation is two (2) hours.

4.2.4 Provided the overall scheduling needs of the Department Chair and Dean are maintained, a full-time counselor may elect to be at the assigned work site(s) either four (4) or five (5) days each week as determined by the department scheduling process.

4.3 Disability Resource Center (DRC)

4.3.1 Disability Resource Center Instructors

4.3.1.1 ~~Except as modified below,~~ a DRC instructor/specialist whose primary assignment is instruction shall have the same workload as instructional full-time faculty members for both lecture and lab assignments as referenced in article 4.1.465. in the

~~academic departments and therefore are employed for a basic work week of Instructional Hours equivalent to 15 (catalog) hours as taught during a traditional 18-week semester; office hours, unscheduled preparation hours, and other related duties as defined in the job description. Each faculty member shall have five (5) posted office hours per week to meet with students and others in the scope and course of employment and five (5) hours per week for various institutional responsibilities such as participation on established committees and performance of any assigned activities.~~

With Labs

DRC instructors/specialists who also work in open labs are employed for a basic work week of (a) Scheduled Lecture Class Time equivalent to cat (catalog) hours as taught during a traditional 18-week semester; and up to 6 hours of open lab time; office hours, unscheduled preparation hours, and other related duties as defined in the job description. Each DRC member shall have five (5) posted office hours per week to meet with students and others in the scope and course of employment and five (5) hours per week for various institutional responsibilities such as participation on established committees and performance of any assigned activities.

4.3.2 Disability Resource Center Consultation and Assessment

- 4.3.2.1 A DRC instructor/specialist who provides disability-specific consultation and assessment shall have the same workload as general counselors.

<u>30</u> hours	Scheduled consultation/assessment and related duties
15 hours	Direct student contact hours
5 hours	Institutional responsibilities
5 hours	Professional preparation
<hr/>	
40 hours	Total

~~Scheduled consultation/assessment and related duties shall be comprised of include disability-specific consultation and assessment. Direct student contact activities shall comprise student education planning, academic, career, or personal counseling, follow-up services, online counseling, special projects, activities, and/or workshops related to students, as~~

~~coordinated with the Department Chair and Dean.
Institutional responsibilities may be comprised of participation
on established committees and performance of any assigned
activities, or evaluations or....~~

4.3.2.2 If a DRC instructor/specialist provides both class instruction and disability-specific assessment, Instructional Hours equivalent to 3 (catalog) hours shall be equivalent to 6 hours of assessment.

4.3.3 Provided the overall scheduling needs of the Department Chair and Dean are maintained, a DRC instructor/specialist may elect to be at the assigned work site(s) either four (4) or five (5) days each week, as determined by the department scheduling process.

4.4 Librarians

4.4.1 Full-time faculty members who provide library services shall have the following workload:

15 hours	Direct student contact activities
1530 hours	Assigned library-related duties
5 hours	Institutional responsibilities
5 hours	Unscheduled professional preparation
<hr/>	<hr/>
40 hours	Total (revert to existing language here)

~~Direct student contact activities shall be comprised of services provided to students, including reference services and information literacy instruction. Library related duties shall be by comprised of electronic resources management, information literacy coordination, public services, collection development, library exhibits and displays, systems, cataloging, emerging technologies development or branch librarianship. Institutional responsibilities may be comprised of participation on established committees and performance of any assigned activities.~~

To the extent that classes are available, and with the approval of the Department Chair and Division Dean, and Vice President of Student Services, a full-time librarian may teach one instructional course equivalent to three (catalog) hours, in accordance with Article 20.11. Librarians who teach one such course shall have their 30-hour assigned library-related duties load reduced by 20% for a total of 6 hours reduced.

4.4.2 With approval of the department faculty or first-level educational administrator to whom the faculty member reports, a librarian may teach more than one (1) course per semester as part of his/her regular

load.

4.4.3 Provided the overall scheduling needs of the Department Chair and Dean are maintained, a full-time librarian may elect to be at the assigned work site(s) either four (4) or five (5) days each week, as determined by the department scheduling.

4.5 For the purpose of Public Service Loan Forgiveness employment verifications and Affordable Care Act eligibility calculations, part-time faculty members with instructional assignments shall calculate "hours worked" using the IRS "Safe Harbor" rules, ~~where each LHE in class counts each paid hour worked as 2.25 hours of service, per the IRS "Safe Harbor" guidelines, and time spent performing office hours shall be counted hour for hour with no adjustment factor.~~ Part-time faculty members with paid office hours or non-instructional assignments (including reassigned time and hourly task assignments) shall calculate "hours worked" using the IRS reasonable standard, counting each paid hour as 1.00 hours of service.