

FACULTY AFFAIRS MESSAGE - APRIL 29, 2009

Re: Faculty Eligible for 3-Year Appointments

WHAT'S HAPPENING:

Per Article 12.12 of the CBA (see attached document), Faculty Affairs is compiling a list for each college of temporary faculty we have determined are eligible for three-year appointments beginning AY 2009/2010. This list will include those temp faculty who are newly eligible, as well as those who are eligible for subsequent three-year appointments as their current three-year appointments are scheduled to end on or about May 31, 2009. (Article 12.13).

To be eligible for a three-year appointment, faculty members must have been employed during the prior academic year with six or more years (at least one semester in each AY) of prior consecutive service on a single campus in a single department.

WHAT'S THE NEXT STEP:

The list for your college will be sent from Faculty Affairs to your AA/S for verification this month.

WHAT'S COMING:

In the near future, each department will receive from your college AA/S a finalized list of temporary faculty eligible for 3-year appointments. Please contact our office if you have any questions.

WHAT YOU NEED TO DO:

Per Article 12.15 of the CBA and 7.2.a of the FPPP (also in the attached document), **departments** must post a list of faculty who they believe are eligible for a three-year appointment by **June 30**. Any faculty who are omitted from the list, but who believe they are eligible for a three-year appointment shall come forward and identify themselves to their department chair **within thirty (30) days** of the posting, and should provide any documentation which will assist in verifying their eligibility.

Read the attachment for details.

*Leslie Nix-Baker
Mary Hansen
Clarice Reutlinger
Office of Faculty Affairs
Kendall Hall Room 106
Campus Zip: 024
(530) 898-5029*

Three-Year Appointment References

Excerpts from the current Unit 3 CBA

Three-Year Appointments

12.12

Temporary faculty unit employees (excluding coaches) employed during the prior academic year and possessing six or more years of prior consecutive service on that campus, shall be offered a three-year temporary appointment. In addition to other provisions of this Agreement, the following special conditions shall apply:

- a. For purposes of this section, one year of service shall be considered employment of one (1) semester or two (2) quarters in the bargaining unit on a single CSU campus during a single academic year. In calculating the six-year eligibility period service need not be continuous, but the entire six (6) year period must have been worked on a single campus in a single department. Units taught during extension for credit programs shall not be included as part of the temporary faculty members' entitlement base. Application of units towards an entitlement under this provision for units taught during Summer Session programs is established pursuant to the chart in Appendix F.
- b. Three-year appointments will be issued for employment on each campus and in each department where the temporary faculty member has established eligibility.
- c. The time base of appointments provided here shall be as established under terms of the "similar assignment" language and precedents of Article 12.3 of this Agreement. Subsequent three-year entitlements are determined by the time base held during the third year of the prior three-year appointment. Units taught during extension for credit programs shall not be included as part of the temporary faculty members' entitlement base. Application of units towards an entitlement under this provision for units taught during Summer Session programs is established pursuant to the chart in Appendix F.
- d. The President shall decide the type and extent of course offerings for the department, consistent with current policies and procedures on each campus.
- e. Although there shall be no special or separate evaluation before a three-year appointment is made, pursuant to Article 15, it is expected that temporary faculty will be regularly evaluated during the six (6) year period preceding eligibility for a three-year appointment.
- f. In the event there is no work available to satisfy the time base entitlement during any academic term of a three-year appointment, the temporary faculty employee shall continue to maintain this contractual entitlement for the duration of the three-year appointment.
- g. If the above requirements have been met, an initial three-year appointment shall be issued except in cases of documented unsatisfactory performance or serious conduct problems.
- h. If at the end of a three-year appointment, no work exists in the department to support the subsequent appointment of the lecturer or if the time base of the lecturer was zero during the third year of her/his appointment, s/he shall be placed on a departmental list pursuant to Article 38.48. When such lecturer is officially notified that no work exists to support the subsequent appointment, the official notification shall also inform the lecturer of the right to be placed on a

list for a period of three (3) years. No later than July 1 of each year during the period the lecturer is on the list, the lecturer must inform her/his department chair of the lecturer's interest in and availability for employment. Included in this written notice shall be current, accurate contact information. Failure to notify the chair shall result in removal from the department Article 38.48 list.

Upon request, CFA shall be provided with a copy of all letters informing a three-year lecturer that no work exists in the department to support the subsequent appointment.

An employee returning from the Article 38.48 list will be employed at the same rate of pay which they previously received but benefits eligibility shall be determined by the faculty member's time base at the time of return to work. The period in which the employee was on the department Article 38.48 list shall not constitute a break-in-service regarding rights previously accrued under Article 12.

12.13

Temporary faculty (excluding coaches) holding three-year appointments shall have the expectation of appointment to subsequent three-year appointments except in instances of documented unsatisfactory performance or serious conduct problems. These temporary faculty will be re-appointed after a three-year appointment unless there is insufficient work for which the faculty member is qualified. In the event there is insufficient work to support the re-appointment at the previous time base, the time base of his/her successor three-year appointment may be reduced to reflect available work for which the temporary faculty member is qualified.

38.48

Reemployment Rights for Three-Year Appointed Temporary Faculty

- a. If at the end of a three-year appointment, no work exists in the department to support the subsequent appointment of the lecturer or if the time base of the lecturer is zero during the third year of her/his appointment, s/he shall be placed on a departmental list maintained for the purpose. When such lecturer is officially notified that no work exists to support the subsequent appointment, the official notification shall also inform the lecturer of the right to be placed on this list for a period not to exceed three (3) years. Upon request, CFA shall be provided with a copy of all letters informing a three-year lecturer that no work exists in the department to support the subsequent appointment.
- b. No later than July 1 of each year during the period the lecturer is on this list, the lecturer must inform her/his department chair of the lecturer's interest in and availability for employment. Included in this written notice shall be current, accurate contact information. Failure to notify the chair shall result in removal from this list.
- c. An individual on a reemployment list may request in writing to his/her department chair that they be assigned "inactive status" on such reemployment list for a period not to exceed one (1) year. The effect of such written notification shall be that the lecturer will not be required to be considered for assignment of work pursuant to provision 12.30 during the period that they are assigned "inactive status."
- d. The determination of whether work is available to offer those faculty on the list shall be pursuant to provision 12.30. Should work be available pursuant to 12.30 the order of assignment, the faculty member shall be given a new three-year appointment at the time base of the work available. An employee returning from this list will be employed at the same rate of pay which s/he previously received at the time of non-renewal. In addition, lecturers so reemployed will

have the same status, service credit (subject to PERS regulations), SSI and range elevation eligibility and sick leave held at the time of non-renewal, but benefits eligibility shall be determined by the faculty member's time base at the time of return to work. The period in which the employee was on this department list shall not constitute a break-in-service regarding rights previously accrued under Article 12.

- e. Any offer made pursuant to 38.48 (d) above shall be made in writing by registered mail, return receipt requested, to the last address notified to the department chair under the provisions of 38.48 (b). Such offer must be accepted in writing within five (5) days of receipt. Employment may commence at the beginning of the next academic term (quarter, semester).
- f. Where an application of 38.48 (d) results in two (2) or more faculty unit employees being found to be eligible for reemployment under the provisions of this Article, then the eligible faculty unit employees shall be recalled in the order that they were denied reappointment. This means that an individual who has been on the re-employment list for the longer period of time will have preference for reemployment over any other eligible faculty unit employee.
- g. If an individual on the reemployment list declines two (2) offers of employment in the same or comparable position from which s/he was non-renewed, s/he will be considered to have waived any further employment rights under the terms of these provisions. Similarly, if a three-year appointed temporary faculty member accepts reemployment at the same or a lesser time base held in their most recent three year appointment, then the acceptance of such work will terminate any further employment rights under the terms of these provisions.

^^^^^^^^^^

Excerpt from the current FPPP

7.2.a By June 30th of each year, Departments must post a list of temporary faculty who are eligible for a 3-year appointment. Eligible employees include those faculty employed during the prior academic year with six or more years of prior consecutive service on a single campus in a single department. Employment for at least one semester during an academic year shall be counted as one year of service credit for these purposes.