

Faculty Contract Changes

Briefing By

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Academic Personnel

Memorandum of Understanding (MOU)

- Collective Bargaining Agreement Between
The Board of Trustees of The California State University
AND
The California Faculty Association
- Effective
May 15, 2007 – June 30, 2010

Article 10 – Statutory Grievance Procedure

- Campus administration and the local CFA Chapter will send election procedures to departments
- Elections shall be conducted at the department level
- Departments elect 25% of FTEF to serve on Panel

Article 11 – Personnel Files

- Administrators must sign the log when access is not for the purpose of routine maintenance

Article 12 - Appointment

- 12.5
 - Assignment of additional work during the term of a part-time conditional appointment may be up to full-time, but shall continue to be conditional
 - However, if the faculty member then gets a subsequent full-time appointment the following academic year– that appointment is unconditional

Article 12 - Appointment

- 12.5
 - If class is canceled after third class meeting faculty must either be paid for remaining portion of assignment or provided an alternate work assignment
 - Partial or complete reduction of time base of part-time faculty is not a layoff pursuant to Article 38

Article 12 - Appointment

- 12.12 (3 year appointment of lecturers)
 - No special upfront evaluation
 - In cases of documented unsatisfactory performance or serious conduct – three-year appointment would not be extended
 - If no work exists to support a subsequent three-year appointment, lecturer goes on Article 38.48 departmental reemployment list

Article 12 - Appointment

- 12.12h Recall List
 - Faculty must notify the department in writing no later than July 1 to be placed on list for AY
 - If no notification – then no obligation to re-hire
 - Faculty returned via 38.48 list will receive their previous rate of pay – but benefit eligibility will be determined by time base upon return

Article 12 - Appointment

- 12.12h
 - Faculty returned via 38.48 shall retain three-year appointment rights – and thus will be issued a new three-year appointment (and entitlement) based on the available work at the time of recall
 - Faculty must respond within five days of receipt of offer of reemployment
 - Offers must be made after all current 3-year entitlements are met (see 12.29 hierarchy)

Article 12 - Appointment

- 12.16 - Temporary Range Elevation:
 - Campuses procedures need to include deadlines for beginning and completion of review
 - Increases shall be effective at the beginning of the first appointment in the AY following review
 - Previous limits on size of range elevation pool (4 steps per 50 eligible lecturers) have been removed

Article 12 - Appointment

- 12.29 Assignment Order of Work
 - Tenured and probationary faculty (FERPS)
 - Administrators, or
 - Teaching Associates and other student employees, or
 - Volunteer faculty

BEFORE making work available to lecturers

Article 12 - Appointment

- 12.29 Assignment of Work
 - Teaching Associate must be an enrolled degree-seeking graduate student in the academic department in which employed to perform instruction.
 - Volunteer faculty cannot be receiving direct compensation from CSU for the assigned Unit 3 work

Article 12 - Appointment

- 12.29 Assignment Order for Lecturers at beginning of Academic Year
 - (1) 3 year full-time lecturers
 - (2) Multi-year (not 3 year) full-time lecturers
 - (3) 3 year part-time lecturers
 - (4) Recall list of 3 year lecturers
 - (5) Multi-year part-time lecturers (not 3 year entitlement)
 - (6) Visiting Faculty
 - Careful consideration required for lecturers employed 2006-2007, but appointment not mandated, hired in any order
 - (7) If 12.3 lecturer is hired in Fall, then meet entitlement

Article 12 - Appointment

- 12.30 Assignment Order for Lecturers at beginning of Academic Year continued
 - (8) New and additional work priority
 - (i) Three-year, part-time lecturers up to 1.0 time base
 - (ii) All other part-time appointees pursuant to items 4 & 5 (previous slide)
 - (iii) Last, to any other qualified candidate

Article 12 - Appointment

- 12.29 Preference for Available Temporary Work
 - Faculty must be qualified and have performed satisfactorily to be eligible for new and/or additional work assignments
 - Department makes the determination on qualifications
 - Chair continues to make specific course and assignment decisions

Article 12 - Appointment

- 12.29 - Visiting Faculty
 - After 3 year entitlements multi-year appointments have been satisfied, CSU can hire systemwide up to 125 (FTEF) Visiting Faculty from outside the campus
 - New class code
 - Hiring of Visiting Faculty shall not displace or reduce time base of incumbent lecturers on the assignment list

Article 12 - Appointment

- 12.30 Recruitment of tenure-track faculty continues to take precedence over any appointment right and/or entitlement for temporary faculty
- Any work used to satisfy lecturer entitlements may be used for the recruitment and appointment of new tenure track faculty

Article 12 - Appointment

- 12.32 – Other Student Employment
 - GA and ISA classifications shall not be used to circumvent the limitations on TA employment in 12.32
- 12.33 – Systemwide Committee
 - Committee shall be established to monitor implementation of Teaching Associates, Graduate Assistants and ISA
 - Binding mediation of disputes after two years

Article 13 – Probation and Tenure

13.7 Extensions of Probationary Period

- Upon request by faculty member, the President shall “stop the clock” for one year for:
 - Pregnancy/birth or adoption leaves of at least one year
 - Personal Leave of Absence for one or more full years
 - When faculty are on approved 2-year professional leave of absence

Article 13 – Probation and Tenure

13.8 Other Extensions of Probationary Clock

- Clock may be extended for one year for leaves of less than a year resulting from:
 - Pregnancy/birth or adoption
 - Personal or professional leave without pay
 - Worker’s Compensation, Industrial- or Non-Industrial Disability Leave, or paid sick leave

Article 14 – Promotion

- 14.8 Presidential Decision
 - Available funds criteria deleted from consideration of faculty promotion decision
 - Ranking will be used to assist dean and Provost determine salary increase for promotion above minimum 7.5%, when applicable.

Article 15 - Evaluation

- 15.3 Evaluation Criteria
- Standards shall be made available no later than 14 days after the first day of instruction in the academic term (October 1st)
- Criteria and procedures shall be made available to evaluation committee prior to the start of process

Article 15 - Evaluation

- 15.5 Rebuttal
 - Faculty now have 10 days (instead of 7) to request meeting and/or submission of rebuttal to evaluation
- 15.14 Classroom Visits
 - Faculty shall be given 5 day notice
 - Consultation must occur between faculty member and faculty evaluator

Article 15 - Evaluation

- 15.19 – Systemwide Student Evaluation Committee
 - Will study most effective practices
 - Review instruments
 - Will consider how bias factors affect evaluation
 - Partner with Statewide Academic Senate on recommendations

Article 15 - Evaluation

- 15.26– Temporary Faculty
 - 3 year appointees shall be evaluated at least once during term of appointment
 - Can be reviewed more frequently

Article 16 – Non Discrimination

- 16.1 Non-Discrimination Policy
 - Ancestry and Vietnam Era Veterans status added to list of prohibited basis

Article 17 – Temporary Suspension

- 17.6 Summary Report At Time Of Suspension
 - Summarizes the strong and compelling evidence that forms the basis of decision to place faculty on suspension with pay (from 17.1)
 - To the extent possible report shall include date, location, and description of the incident
 - CSU not required to release information that would endanger/compromise investigation
 - Faculty may submit rebuttal to summary report

Article 18 - Reprimands

- 18.8 – Written Reprimands
 - May be subject to review if reprimand is cited in subsequent notice of discipline
 - May be subject of arbitral review if cited in notice of decision not to reappoint, promote or tenure

Article 21 - Summer Term Employment

- Cal Poly SLO summer agreement remains in effect (MOU 21.5)

Article 21 – Summer Term Employment

21.23 Terms Applicable to All Campuses

- Leaves of absence, sick leave
- Units taught in Summer Quarter count towards Service Salary Increases (SSI)

Article 22 – Leaves of Absence Without Pay

- 22.1 – clarified to reflect that leaves of absence with pay are not automatic
- Leaves may be shorter than a term

Article 23 – Leaves of Absence With Pay

- Bereavement increased to 5 days
 - No geographical requirements
- Maternity/Paternity Leave
 - Can take 30 consecutive days within 135 day period
 - Period runs 60 days before birth to 75 days after birth

Article 24 – Sick Leave

- 24.23c Faculty can now donate up to forty (40) hours of leave credits to catastrophic leave program
- Leave credits can now total up to six calendar months
- After three months, President may request verification of continuing illness or injury
- Upon exhaustion of home campus credits
 - faculty may be eligible for donations from other CSU campuses to complete approved leave period
 - Only if receiving campus President agrees

Article 26 – Fee Waiver

- 26.1 Three-year appointees, regardless of time base are now eligible for fee waiver
- Clarifies that only Category I fees are waived for employees:
 - Category III fees must continue to be paid if services used
- Dependents do not get all Category I fees waived
 - Just those listed in 26.12

Article 26 Fee Waiver

- Fee Categories are defined in Executive Order 740:
 - Category I – fees that must be paid to apply to, enroll in, or attend the University
 - Category II – fees to pay the full cost of instruction required by statute
 - Category III – Fees, other than Category I fees, paid to receive materials, services or use of facilities provided by the University

Article 27 Sabbatical Leaves

- All one-half of full salary leaves shall be approved if they are recommended after satisfying the requirements of 27.5-27.8:
 - The quality of the proposed sabbatical project
 - Effect on curriculum and operation of department should the leave be granted,
 - And other program needs and campus budget

Article 27 Sabbatical Leaves

- For other Sabbatical leaves:
 - Campus shall grant no fewer leaves than twelve percent of total number of campus faculty eligible to apply for a sabbatical leave
 - Sabbaticals for entire year do not count toward 12 percent target
 - Target only applies if there are enough faculty eligible for a sabbatical and actually apply
 - Faculty get service credit toward SSIs

Article 31 - Salary

- GSI – 20.7% Total (not including compounding)
 - 3.0% effective July 1, 2006
 - 1.0% effective June 30, 2007
 - 3.7% effective July 1, 2007
 - 2.0% effective June 30, 2008
 - 3.0% effective July 1, 2008
 - 2.0% effective June 30, 2009
 - 4.0% effective July 1, 2009
 - 2.0% effective June 30, 2010

Article 31 - Salary

- Budget Augmentation

- CSU will be requesting an additional 1.0% augmentation to salary pool for FY 2007/08, 2008/09, and 2009/10.

- In the event CSU receives augmentation, the GSI shall be increased by 1.0%

Article 31 - Salary

- Post Promotion Increases
 - For each of Fiscal Years 2008/09 and 2009/10 there will be a \$7,000,000 systemwide pool
 - No requirement to expend pool, but dollars roll over
 - Pool includes \$700,000 for appeals
 - At end of PPI program, unspent funds will be added to June 30, 2010 GSI

Article 31 - Salary

- Post Promotion Increase Program
 - Only Full Professors, Lecturer Ds, Head Coaches and equivalent Librarian, Counselor Faculty eligible
 - Criteria: teaching, scholarship-professional development and service
 - No special evaluation required
 - One half of eligible recipients awarded PPI in any one year of program

Article 31 - Salary

- Post Promotion Increase Program
 - Meets = 2.5% Increase
 - Exceeds = Between 2.75% to 3.5% Increase
 - Appeal Process:
 - Five member Full Professor campus committee
 - or
 - Contractual process

Article 31 – Equity Increases

- Equity Increases
 - For each of Fiscal Years 2007/08 and 2008/09 there will be a \$7,000,000 systemwide pool
 - No requirement to expend pool, but dollars roll over
 - First year focus of program is Assistant Professors and equivalent librarian, coaching and counselor ranks
 - Second year focus is Associate and Full or equivalent librarian, coaching and counselor

Article 31 - Salary

- Equity Program
 - Oversight Committee shall be established
 - Appeal mechanism similar to PPI
 - Unspent funds shall be rolled into GSI

Article 31 - Salary

- Service Salary Increases
 - For all SSIs awarded under this agreement: to determine eligibility, FMIs must be deducted regardless of rank or classification they were received
 - 2.65% SSI will be awarded retro for FY year 2006/07 – and prospective in FY years 2007/08, 2008/09 and 2009/10
 - Effective on employee's anniversary date

Article 32 - Benefits

- AB 211 Benefits eligibility (lecturers and coaches employed 40% for two consecutive quarters) now incorporated into contract
- 32.22 - Parking rates may be increased on July 1 by the same percentages as the negotiated GSI

Article 33 - Holidays

- Veterans' Day
 - now observed on November 11th
 - cannot be moved

Article 38 - Layoff

- 38.47 Reduction in Part-time Lecturer Time base
 - Clarified to reflect that a partial or complete reduction in time base of a part-time faculty unit may be accomplished pursuant to 12.5 and does not require the layoff of the employee
- 38.48 Pursuant to Article 12 discussion:
 - Three-year appointees that have either a zero time base in year three or no work available to establish a subsequent three-year appointment are eligible to be on the reemployment list

Article 40 – Extension For-Credit Employment

- CSU faculty who develop courses offered through Extended Education via class code 2322 (Special Programs for credit) shall have the right of “first preference” to teach the course
- Faculty who request to teach in class code 2323 (Extension For Credit), and who are qualified, shall be considered by the President before the course assignment is finalized