

SENATE RULES COMMITTEE

AB 591

Office of Senate Floor Analyses

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CONSENT

Bill No: AB 591

Author: Dymally (D)

Amended: 6/18/08 in Senate

Vote: 21

SENATE EDUCATION COMMITTEE: 9-0, 6/11/08

AYES: Scott, Wyland, Alquist, Denham, Maldonado, Padilla, Romero,
Simitian, Torlakson

ASSEMBLY FLOOR: 73-0, 1/29/08 - See last page for vote

SUBJECT: Community colleges: temporary employees

SOURCE: Author

DIGEST: This bill increases, from 60 percent to 67 percent, the proportion of hours per week of a full-time faculty assignment which an individual employed to teach adult or community college courses may teach and still be classified as a temporary employee.

ANALYSIS: Existing law requires that an individual employed to teach adult or community college courses for 60 percent or less of the hours per week is considered a full-time assignment, excluding substitute service, be classified as a temporary employee and not become a contract employee.

This bill:

1. Increases from 60 percent to 67 percent the proportion of hours per week of a full-time instructional assignment that an individual may teach and still be considered a temporary employee.

CONTINUED

2. Declares that if the prohibitions in this section are in direct conflict with the terms of a collective bargaining agreement in effect on or before January 1, 2009, the provisions of this section shall become operative on the employees governed by that agreement upon the expiration of the agreement.

Comments

Existing law provides that an individual classified as a temporary employee within a community college district must teach 60 percent or less of a full-time instructional assignment. A full-time instructional assignment is generally defined as the number of in-class hours that a contract/full-time faculty member must fulfill in order to earn a full salary, benefits and tenure. The classification of an individual as a temporary employee generally allows a community college district to meet short-term, limited, or specialized instructional needs without initiating a process that would compel the eventual recognition of the individual as a regular or permanent employee (in most cases, an individual with a full-time instructional assignment).

Generally, a full-time instructional assignment is 15 units. Under current law, an adjunct instructor who teaches four- and five-unit classes in disciplines such as math, foreign language, or laboratory sciences may be unable to be assigned even a full 60 percent of the authorized instructional hours, resulting in a faculty member teaching in multiple districts at the same time to piece together even a part-time work schedule. According to the author's office, increasing the threshold for classification as a temporary employee to 67 percent gives part-time faculty the ability to teach an additional class within a particular community college district, remain part-time, teach a more reasonable class schedule and become a more integral part of campus life.

The bill ensures there is no confusion over the continuing applicability of existing collective bargaining agreements in accordance with constitutional prohibitions against the imposition of a law that would impair an existing contract. The bill clarifies that the provisions of the bill are the underlying law that applies to any collective bargaining agreement entered into after the bill's effective date.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/17/08)

California Federation of Teachers
California Teachers Association
Faculty Association of California Community Colleges

ASSEMBLY FLOOR:

AYES: Aghazarian, Anderson, Arambula, Bass, Beall, Benoit, Berg,
Berryhill, Blakeslee, Brownley, Caballero, Charles Calderon, Cook,
Coto, Davis, De La Torre, DeSaulnier, DeVore, Duvall, Dymally,
Emmerson, Eng, Evans, Feuer, Fuentes, Gaines, Galgiani, Garcia,
Garrick, Hancock, Hayashi, Hernandez, Horton, Houston, Huff,
Huffman, Jeffries, Jones, Karnette, Keene, Krekorian, La Malfa, Laird,
Leno, Levine, Lieber, Lieu, Ma, Maze, Mendoza, Mullin, Nakanishi,
Nava, Niello, Parra, Plescia, Portantino, Price, Ruskin, Salas, Saldana,
Silva, Smyth, Solorio, Spitzer, Strickland, Swanson, Torrico, Tran,
Villines, Walters, Wolk, Nunez
NO VOTE RECORDED: Adams, Carter, De Leon, Fuller, Sharon Runner,
Soto, Vacancy

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SUPPORT/OPPOSITION: SEE ABOVE

**** **END** ****