

**WVMCCD AND WEST VALLEY-MISSION FEDERATION OF TEACHERS (WVMFT, AFT 6554)
TENTATIVE AGREEMENT, ADOPTION CONTINGENT ON SUCCESSFUL CONCLUSION
OF SUCCESSOR NEGOTIATIONS RESOLVING ALL
OPEN CONTRACT SECTIONS AND SUBJECTS**

June 30, 2021

ARTICLE 18

Assignment

18.1 Intent

The intent of this article is to provide flexibility in scheduling work assignments and to ensure that regular/contract faculty maintain a full load each semester. Faculty assignments shall normally be made within the Academic Year; however, assignments outside the Academic Year may be made to satisfy the member's load obligation to the District. No such assignments outside the Academic Year shall be made without approval of the member.

18.2 Academic Year

"Academic Year" shall be as defined in Article 18.2 comprised of primary semesters as defined in Article 16.2. A faculty member shall not be required to work outside of the primary semesters, **(fall and spring semesters)**, but may elect to do so.

18.3 Work Week

"Work week" means no more than five (5) consecutive days during a seven (7) day week. A faculty member may be assigned to no more than five (5) consecutive days during a seven (7) day week. A member shall not be required to work on weekends, but may elect to do so. (See also Ed. Code§87715).

18.4 Work Day

The District work day starts at 7:00 a.m. and extends to 10:30 p.m. Duties may be scheduled at any time during these hours to fulfill the load obligation of the member and meet the needs of the department/division, college and/or District. Other assignments may be made with the agreement of the member. A faculty member shall not be required to work more than 10 scheduled hours in a day.

18.5 Scheduling

18.5.1 Definitions

- a. A full-time load as defined in Article 17.3 of the contract is equivalent to 1.0 FTEF per semester (or a load ranging from 0.995-1.005 FTEF) and shall be calculated by adding reassigned time plus regular schedule of classes or activities.
- b. A ~~flexible unbalanced~~ **flexi**load is a load ~~that is less than or equal to 0.9 FTEF in any primary semester or of no greater than or equal to 1.1 FTEF in any primary semester~~ **the larger of one course (a course may have a lecture and lab component) or 0.20 FTEF that is made up during the same academic year and/or winter session and/or summer session.**
- c. An Overload assignment as defined in Article 17.56 of the contract may be scheduled at any time but shall not ~~normally~~ exceed a maximum of 0.40 over a 1.0 load (see exceptions noted in Article 18.7) **during any part of a primary semester.**

18.5.2 Regular Assignment

A contract or regular member's schedule for the academic year shall be established by seeking mutual consent between the member and the Department Chair and Division Dean. Such assignments shall, to the extent appropriate, be rotated among members on an annual basis.

When necessary to meet the needs of the District, the President or designee retains the right to assign a schedule to the member.

~~All assignments shall be made in the member's department first.~~

Under normal circumstances the following sequence of priority shall be used to assign (for all departments) a regular member's 1.0 load/semester:

- a. All regular/contract faculty in the department shall be scheduled for a ~~full~~ **1.0** load.
- b. Next, all regular/contract members in the department with an underload from a previous semester(s), shall be scheduled sufficient additional load to make up the underload, if enough remaining unscheduled classes or other activities (such as those undertaken by counselors, librarians, and other non-instructional faculty) are available.

If more than one regular/contract member has an underload from a previous semester, and there are insufficient classes or other activities (such as those

undertaken by counselors, librarians, and other non- instructional faculty) available for all such individuals to make up such under loads, the individual who has been involuntarily under-loaded for the longest period of time **from that department** shall have the first choice of any available classes or other activities (such as those undertaken by counselors, librarians, and other non-instructional faculty).

- c. **Next, all regular/contract members outside the department, with an FSA in that department.**

18.6 Flexiload

18.6.1 ~~A tenured faculty member may choose to have a flexible load to fulfill the in satisfactory status can elect to schedule their 2.0 FTEF regular load at times other than either between the two primary semesters ~~or on weekends~~ **or the faculty member can elect to schedule their 2.0 FTEF between the two primary semesters and/or summer and/or winter sessions at full compensation.** However, a flexible ~~unbalanced~~ load cannot negatively impact the needs of the department or students.~~

18.6.2 ~~Within an academic year a tenured faculty member in satisfactory status may obtain an assignment for a reduced flexible load in a primary semester and have it carried over into a summer session and/or winter session at full compensation. This allowance is made with the following provisions:~~ **Flexiload is made with the following conditions:**

- ~~a. An individual's flexible load reduction shall be no greater than the larger of one course or 0.25 FTEF per semester.~~
- b. During the semester in which the reduced load is taken, the member is not eligible for an overload assignment or extra stipend payment for service.
- c. The member must ~~develop and~~ submit a reduced **flexiload** plan **in writing prior to the start of the academic year** ~~and course of action prior to the scheduling deadline for the semester in which she or he has requested the reduced load.~~ The plan must be approved by the Department Chair, **and their supervising designated administrator and appropriate Vice President** **Division Dean or Director.**
- d. No more than one third of the members in a department may be on a flexible ~~reduced~~ **flexi**load during the same semester.
- ~~e. Departments with less than 3 full time faculty must obtain prior approval from~~

~~supervising administrator and appropriate Vice President.~~

18.7 Overload Assignments

Regular members in satisfactory status may elect to ~~schedule~~ accept overload assignments. Contract members who have received a satisfactory performance appraisal and have been employed full time in the District for at least one full year may elect, with the approval of the Department Chair and the Division Dean ~~or appropriate Vice President~~, to ~~schedule~~ accept overload assignments. First-year faculty members are eligible for overload assignments up to ~~0.40~~ 0.20 with the approval of the Department Chair, Division Dean and the appropriate Vice President, and they must also have the approval of the WVMFT, AFT 6554 President or the WVMFT designee, ~~AFT 6554 Vice President~~. It is highly recommended that the number of class preparations for first-year teaching faculty members be limited and therefore wherever and whenever possible, overload assignments for first-year instructors should be additional sections of courses they are already teaching, recently taught, or work not requiring additional preparation.

Elected overload assignments may be scheduled at any time but shall normally not exceed a maximum of 0.40 over a 1.0 load. (~~However, see~~ Exceptions to the 0.40 time limit are specified below.)

Such overload assignments are restricted to the following:

- a. Classes or other activities (such as those undertaken by counselors, librarians, and other non-instructional faculty) for which the member is qualified and that are not required by other regular/contract qualified members in the District in order to achieve their regular load for the current semester or make up a prior involuntary underload. Reassigned time activities are not eligible for overload assignment.
- b. Work Experience
- c. Directed Studies. The member shall not obtain additional load for directed study students who are attending any of the member's regularly scheduled classes.
- d. Any under loaded faculty members shall not be assigned any overload with compensation or banked load until the underload is eliminated.

An exception to the maximum of 0.40 overload limit may be approved by the appropriate Vice President on a semester by semester basis for regular or contract members who have received a satisfactory performance appraisal and have been employed by the district for at least one full year.

The exceptions are as follows:

- a. A faculty member who is eligible to work an overload may work an overload that falls between 0.40 and 0.50 per semester if the faculty member's Department Chair **and Dean** receives written approval from the appropriate Vice President before the assignment is made.
- b. A faculty member who is eligible to work an overload may work an overload that exceeds 0.50 per semester if the following conditions are met:
 1. ~~There are no other~~ **During emergency conditions when there are no other** qualified faculty available to fulfill the assignment.
 2. Efforts have been established by the department to generate a viable associate faculty pool.
 3. The faculty member's department chair receives written approval from the appropriate Vice President before the assignment is made.
 4. 2nd, 3rd and 4th year non-tenured faculty members must also have the approval of the WVMFT, AFT 6554 President to exceed 0.5 FTEF overload

18.7.1 Under normal circumstances the following sequence of priority shall be used to assign overloads for all departments:

- a. Full-time regular or contract members of the department.
- b. ~~Associate members in the department holding re-employment preference and full time regular members outside of the department holding re-employment preference. Full time regular members outside of the department who have taught 3 out of the 4 last consecutive primary semesters in the department as of June 30, 2006 and who are in satisfactory status shall have re-employment preference once these requirements are confirmed by the Department Chair.~~ **Full- time regular or contract members outside of**

the department that have an FSA in that department.

~~e. All other full time regular or contract members and associate members. These members may qualify for re-employment preference per the requirements of Article 100.9.~~

18.7.2 If the member has an overload assignment, and a portion of their regular load is canceled for any reason, the member shall agree to include the overload assignment as part of his/her regular load. Exceptions may be authorized by appropriate Division Dean with review by the appropriate Vice President. When a full-time member's overload class has been canceled, it shall not be replaced with an overload or associate member's course already assigned to someone else.

18.8 Summer and Winter Session Assignments

All regular members and contract members in satisfactory status, with the approval of the Department **Chair** and Division Dean may elect to teach summer or winter session classes. Full-time members **within the department** shall be given preference in the assignment of summer or winter session classes in their Department and shall be given preference per Article 17.5 to fulfill a previous underload.

Summer school teaching assignments and winter session teaching assignments are made by the Department **Chair**, in consultation with the Dean, appropriate Vice President and with the consent of the member. The maximum summer session load shall be a total of 0.67 in any combination of courses or sessions. The maximum winter session load shall be a total of 0.400 in any combination of courses or sessions. Any request for exception to these load limitations must be submitted and approved by the appropriate Vice President.

Members electing to teach a summer or winter session class may choose to receive compensation per Article 13 or may choose to bank the load per Article 36 (unless the member is fulfilling a previous underload or if the class is part of a flexiload plan per Article 18.6); however, the following members are not eligible to bank load for summer and/or winter session classes:

1. First-year contract members (note, a faculty member shall be deemed to have completed his or her first contract year if he or she provides service for 75 percent or more of the first academic year as defined in Article 16.1 – Ed Code §87605(c)).
2. Members on any reduced load (does not refer to **faculty who are using reassigned time to make their 1.0 load**).

- 3. Members currently participating in any of the early retirement programs specified in Article 15.1.

18.9 Ten, Eleven, and Twelve Month Contract Assignments for Non- Instructional Faculty Members

Note: Applicable to Counselors: All counselors hired prior to July 1, 1986 have the option of choosing an 11-month contract or a 10-month contract. If a 10- month contract is selected, additional time worked shall be considered an overload assignment. All counselors hired subsequent to this date are under an 11-month contract unless other provisions are made. Counselors hired under either of the contract options shall be full-time counselors.

18.9.1 When deemed most feasible by a department, by the first Friday in May of each year, each ~~non-instructional~~ faculty member shall propose to the appropriate ~~Vice President or designee~~ **Department Chair and Dean** his/her work schedule for the following academic year. Alternatively, work schedule proposals shall be submitted no later than a month prior to the end of a semester for the succeeding semester or term. In addition, non-instructional faculty assigned to ~~an 11-month~~ or 12-month contracts shall propose to the appropriate ~~Vice President or designee~~ **Department Chair and Dean** his/her work schedule for the required additional assignments per Article 17.2. These additional assignments (1) shall be scheduled outside of the academic year, (2) may be consecutive or non-consecutive, and (3) may be variable in length, **and shall include 105 hours of work in their primary assignment and 10 hours of office hours or preparation hours for each additional month of the contract.** The appropriate ~~Vice President or designee~~ **Department Chair and Dean** shall review the request and approve or return it to the faculty member for discussion:

- a. Though the appropriate ~~Vice President or designee~~ **Department Chair and Dean** ~~has~~ **have** the final decision concerning the assignment of work days, reasonable effort shall be made to accommodate the needs and preferences of the ~~non-instructional~~ faculty member.
- b. In cases where departmental staffing needs are unmet, the first recourse will be to present the need parameters to the departmental staff for ~~resolution~~ **discussion**. If resolution does not occur through this process, the appropriate ~~Vice President or designee~~ **Department Chair and Dean** shall have final decision.
- c. In all cases, student needs shall be the determining factor in scheduling all non-instructional faculty members.
- d. Exceptions to scheduling as per the above procedures require the approval of the non-instructional faculty member and the appropriate Vice President or designee.

18.9.2 All holidays for the 10-month, 11-month, and 12-month contract non- instructional faculty members are the same as those defined in Article 16.4.

18.9.3 Retirement benefits and corresponding deductions are based on either 10, 11, or 12 contract months.

LOAD SHEETS

Each division office shall maintain ~~for each division member a load sheet which reflects all components that make up the members total load and overload.~~ **electronic records of the load (assignment) that each member of the division worked for every semester. Each record shall reflect all components that make up the member's total load and overload.**

FOR THE WVMFT:

DocuSigned by:
Kate Disney
6FD84CAB9FF9493...
Dated: 7/15/2021

FOR THE DISTRICT:

DocuSigned by:
Dr. Eric Ramones
B435A8551D1A4D8...
Dated: 7/15/2021