

FERP AWARD:

ANSWERS TO FREQUENTLY ASKED QUESTIONS

1. Q: Who is covered by the Award?

A: Any participant in the Faculty Early Retirement Program (FERP) who had a disproportionate FERP teaching load between (and including) Spring 2004 and Spring 2007.

2. Q: What is a disproportionate FERP teaching load”?

A: A FERP teaching load that, when the reduced time-base is taken into consideration, is heavier than the regular pre-retirement teaching load.

3. Q: I had a disproportionate teaching load in Fall of 2003 and earlier, but not afterwards. Am I covered by the award?

A: No. The grievance that led to the award was filed on March 11, 2004. Under the Collective Bargaining Agreement, a grievance cannot “look back” more than 42 days from the date it was filed. Therefore, only FERP participants who had a disproportionate FERP teaching load in Spring 2004 or later are covered by the award. See the next question for the end-point of such coverage.

4. Q: I had a disproportionate teaching load in Fall of 2007 and later, but not before. Am I covered by the award?

A: No. The award was issued on April 20, 2007. Under contract law, an award normally cannot address violations that have not yet occurred on the date it was issued. Therefore, only FERP participants who had a disproportionate FERP teaching load in Spring 2007 or earlier are covered by the award. See the previous question for the start-point of such coverage. By and large, violations appear to have ceased after the award was issued.

5. Q: I am a librarian. Am I covered by the award?

A: You may be covered by the award if you had teaching duties both prior to your retirement and as a FERP participant.

6. Q: What is a Weighted Teaching Unit (WTU)?

A: The basic unit by which workload, including teaching load, is measured. For most courses, the number of WTU earned by faculty for teaching the course is the same as the

number of credits earned by students for taking the course. However, there are many exceptions to this rule.

7. Q: How many WTU does a regular class bear on a semester campus?

A: 3 WTU. However, there are many exceptions to this rule.

8. Q: How many WTU does a regular class bear on a quarter campus?

A: 4 WTU. However, there are many exceptions this rule.

9. Q: What is a regular pre-retirement teaching load on a semester campus?

A: 12 WTU (or four 3-WTU courses) per semester, for a total of 24 WTU (or eight 3-WTU courses) per academic year. In addition, tenure-line faculty are expected to perform committee work and other non-teaching services, for which they are credited with an additional 3 WTU per semester, for a total workload of 15 WTU per semester and 30 WTU per academic year. However, many tenure-line faculty receive assigned time, *e.g.*, for conducting research, which results in a reduction of the regular teaching load for these faculty.

10. Q: What is a regular pre-retirement teaching load on a quarter campus?

A: 12 WTU (or three 4-WTU courses) per quarter, for a total of 36 WTU (or nine 4-WTU courses) per academic year. In addition, tenure-line faculty are expected to perform committee work and other non-teaching services, for which they are credited with an additional 3 WTU per semester, for a total workload of 15 WTU per semester and 45 WTU per academic year. However, many tenure-line faculty receive assigned time, *e.g.*, for conducting research, which results in a reduction of the regular teaching load for these faculty.

11. Q: What is a regular FERP teaching load on a semester campus?

A: 12 WTU per academic year for FERP participants with a 50% time-base and 8 WTU per academic year for FERP participants with a 33% time base, unless the regular pre-retirement teaching load was reduced (see above), in which case the regular teaching load should be reduce proportionally.

12. Q: What is a regular FERP teaching load on a quarter campus?

A: 18 WTU per academic year for FERP participants with a 50% time-base and 12 WTU per academic year for FERP participants with a 33% time base, unless the regular pre-retirement teaching load was reduced (see above), in which case the regular teaching load should be reduce proportionally.

13. Q: On my quarter campus, the regular pre-retirement teaching load is 35 WTU per academic year, *i.e.*, two 5-WTU courses in each of two quarters and three 5-WTU courses in the remaining quarter. My FERP teaching load was 18 WTU per academic year, *i.e.*, two 5-WTU courses in one quarter, one 5 WTU course in another quarter, and one 3-WTU course in the remaining quarter. Should I bother to fill out the questionnaire?

A: Yes. Your teaching load was disproportionate by only 1.4%, and such a small discrepancy may not entitle you to a monetary remedy. Nevertheless, as there is no bright line rule as to when a discrepancy is large enough to entitle you to a monetary remedy, you should fill out the questionnaire and see what happens.

14. Q: I served as a chair before I retired. Does the assigned time I received for this service reduce the regular pre-retirement teaching load with which my FERP teaching load will be compared?

A: No, because the reduction to your regular pre-retirement teaching load was due to specific services not performed by other tenure-line faculty in your department. However, if you also served as chair as a FERP participant, you should have received the same amount of assigned time for this service.

15. Q: I conducted research before I retired. Does the assigned time I received for this research reduce the regular pre-retirement teaching load with which my FERP teaching load will be compared?

A: Yes, if the reduction to your pre-retirement teaching load was routinely offered to all tenure-line faculty in your department. However, if you were offered the same amount of assigned time as a FERP participant on condition that you conduct research and you declined, you were not entitled to receive the same amount of time for this service.

16. Q: I was on sabbatical during the last year before I retired. Does this reduce my regular pre-retirement teaching load?

A: No.

17. Q: What does it mean to have “voluntarily requested” or “voluntarily accepted” a disproportionate teaching load?

A: Only if you requested to teach an extra course and at the same time knew that you could not be required to teach it did you “voluntarily request” a disproportionate teaching load. Only if you were asked to teach an extra course and at the same time told you could not be required to teach it did you “voluntarily accept” a disproportionate teaching load.

18. Q: I agreed to teach one additional 3-WTU course per academic year on my semester campus so as not to have to perform any committee work as before my retirement. Did I “voluntarily request” this assignment?

A: Yes. You are not entitled to a monetary remedy under the award.

19. Q: I was not offered any assigned time to conduct research as before my retirement and was instead asked to teach five 3-WTU courses per academic year on my semester campus. Did I “voluntarily accept” this assignment?

A: No. You are entitled to a monetary remedy under the award.

20. Q: What does it mean to have been “involuntarily assigned” a disproportionate teaching load?

A: Unless you requested to teach an extra course and at the same time knew that you could not be required to teach it, or were asked to teach an extra course and at the same time told you could not be required to teach it, you were “involuntarily assigned” a disproportionate teaching load if your FERP teaching load, when the reduced time-base is taken into consideration, was heavier than the regular pre-retirement teaching load.

21. Q: I was asked to teach 22.5 WTU per academic year on my quarter campus. Was I “involuntarily assigned” a disproportionate teaching load?

A: Yes. You are entitled to a monetary remedy under the award.

22. Q: I can't figure out what my regular pre-retirement teaching load or what my FERP teaching load was and the campus administration won't help. What am I to do?

A: Please send an e-mail to the Chancellor's Office at collectivebargaining@calstate.edu and inform them of your plight. This will help protect any possible entitlement to a monetary remedy under the award.

23. Q: An example sent around by CFA mentions that the faculty in question has an annual pre-retirement salary of \$100,000. Is that a minimum or a maximum?

A: Neither. It is just a round number chosen for the example. The amount of your annual pre-retirement salary determines the amount of your monetary remedy if you are entitled to one, but you may be entitled to a monetary remedy regardless of your salary.

24. Q: As a FERP participant, I had a heavy teaching load while others in my department had a much lighter teaching load. Do I qualify for a monetary remedy?

A: It depends. Eligibility for a monetary remedy under the award is not established by a comparison of your FERP teaching load to the teaching load of tenure-line faculty while you were FERPing, or by comparing it to the teaching load of other FERP Participants while you were FERPing. Rather, such eligibility is established by a comparison of your FERP teaching load to your regular pre-retirement teaching load as described above.

25. Q: While I was a FERP participant, the administration doubled the enrollment limit in each of my classes. Did I have a disproportionate teaching load?

A: The situation you describe may very well constitute an unreasonable workload, which is grievable as a separate contract violation. However, it does not constitute a disproportionate teaching load within the meaning of the award, and it therefore does not entitle you to a monetary remedy under the award.

26. Q: While I was a FERP participant, the administration reduced the regular pre-retirement teaching load of tenure-line faculty, but not mine. Did I have a disproportionate teaching load?

A: Same answer as to the previous question.

27. Q: Is there a deadline for returning the questionnaire?

A: Yes. You must return the questionnaire within thirty (30) days of having received it from the Chancellor's Office. If you do not return it before that deadline, you may forfeit any entitlement to a monetary remedy under the award.

28. Q: Is there a certain manner in which I have to return the questionnaire?

A: Yes. You can return the questionnaire by regular mail to:

Labor Relations
CSU Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802

You may also sent it by facsimile to 562-951-4954.

In addition, the questionnaire can be completed online at:

<http://www.surveymonkey.com/s/RRR8VSN>