

## Unit 11 Workshop Questions

### APPOINTMENTS/JOB DESCRIPTIONS

1. Question:

“As soon as practicable” from what date does the job description have to be provided to Unit 11 employees?

Answer:

“As soon as practicable” should be interpreted to mean within a reasonable period of time from the start of the appointment.

2. Question:

Do Spring semester 2006 appointment contracts of Unit 11 employees have to contain the required appointment provisions?

Answer:

Any Unit 11 appointments made on or after December 1, 2005 must contain the required appointment provisions.

3. Question:

Do Unit 11 employees have to be hired for more than a semester at a time?

Answer:

No. Unit 11 employees may be appointed to a single academic term, multiple terms, or, in the case of a Graduate Assistant, may be appointed to a monthly term.

4. Question:

May TAs and GAs be hired to do research if there is no other work for them and they are on the 2<sup>nd</sup> semester of a one-year appointment and the department wants to honor their entire appointment?

Answer:

Yes. TAs are generally appointed to teach courses and provide laboratory instruction, thereby gaining practical teaching experience. However, TAs may also assist faculty with field experience, supervision and/or research projects.

Things are a little trickier with GAs. Although GAs may be assigned to perform research, they must be carefully classified. There are two types of GAs – *Exempt* and *Non-exempt*. *Exempt* GAs perform research related to their course of study and are considered students and are not employees with respect to the Fair Labor Standards Act (FLSA). *Exempt* GAs are, therefore, exempt from the provisions of the FLSA (recordkeeping, etc.). *Non-exempt* GAs may provide assistance to faculty members conducting authorized research outside of the GA's course of study by collecting and arranging data, developing source materials, summarizing reports, searching literature and compiling bibliographies, and developing source materials. *Non-exempt* GAs must comply with FLSA provisions, such as time recordkeeping. Thus, while a GA may also be assigned to conduct research, he or she should be thoughtfully classified as either *exempt* or *non-exempt* based upon whether the research is being performed within the GA's course of study or not.

5. Question:

What does an appointment not being “conditioned on budget or enrollment” mean?

Answer:

All offers of appointment for ISAs may be conditioned on budget and enrollment. In other words, the CSU has the right to rescind (cancel) the appointment based on budget or enrollment conditions (e.g., minimum funding or enrollment is not met for a class).

All offers of appointment of a *single academic term* for Teaching Associates and Graduate Assistants are *not* conditioned on budget enrollment. Therefore, if the position is no longer available due to budget or enrollment conditions, the CSU will ensure that the TA or GA either is placed in an appointment at the same level of pay for the academic term appointed to, OR will compensate the employee for the same level of pay in lieu of the position that the employee would have otherwise received with the appointment.

Only the *first academic term* of a *multiple academic term appointment* for Teaching Associates and Graduate Assistants is *not* conditioned on budget and enrollment. The remaining terms of the multiple term appointment to TAs and GAs will be conditioned on budget and enrollment.

CLASSIFICATION/ASSIGNMENTS/TIMEBASE

6. Question:

What is the difference between an ISA and a GA?

Answer:

An ISA is a student who is admitted or registered as a student at the university who will be performing grading, tutoring or teaching (under a faculty member's direction supervision). Further minimum qualifications and standards for ISAs can be found at:

[http://www.calstate.edu/HRAdm/Classification/R11/Inst\\_Student\\_Assistant.pdf](http://www.calstate.edu/HRAdm/Classification/R11/Inst_Student_Assistant.pdf)

A GA is a student who has completed the requirements of a bachelor's degree and is registered in a master's program. GAs provide professional non-teaching assistance to faculty members, which includes a range of duties from supervising, tutoring, training, evaluating and advising students, to equipment handling, assisting faculty with research (by collecting and arranging data, developing source materials, summarizing reports, etc.), preparing course materials, and maintaining office hours with direct contact with students. Further minimum qualifications and standards for GAs can be found at:

<http://www.calstate.edu/HRAdm/pdf2005/HR2005-29.pdf>

7. Question:

May a student work as a GA or TA if he or she is enrolled in GS 700 through Extension Ed (or through the campus) during either the summer or the academic year?

Answer:

Yes. Although GS 700 is not a for-credit course, because it is taken toward the completion of the CSU graduate degree, a student may be classified as a GA or TA while enrolled in GS 700 either through the campus or through Extended Education.

8. Question:

Must students be classified as an employee within Unit 11 if they are taking a tutorial, for-credit course – such as COMM 496 – and they are providing class assistance?

Answer:

No. Unless the student is *employed* by the university to perform duties provided by ISAs, GAs or TAs, they should not be classified within Unit 11. The qualification and classification standards with respect to ISAs, GAs and TAs should be consulted to determine whether the employee is being properly classified.

9. Question:

What if TAs only qualify for Range A – can they teach upper division courses?

Answer:

Yes. Although, normally, TAs who only qualify for Range A salary, may only teach lower division courses, exceptions may be made allowing Range A TAs to teach upper division courses. The appropriate administrator (Department Chair, College Dean) may make this determination.

10. Question:

How do the concurrent assignments work for TAs?

Answer:

TAs appointed for less than half time may be appointed concurrently in another student position up to a combined total of approximately 20 hours per week. Since TAs are appointed based upon the units they teach, a full-time appointment is considered to be 15 WTUs. A half-time appointment is equivalent to 7.5 WTUs. Therefore, only TAs who are appointed to less than 7.5 units may work in another student position for some fraction of time. Since ISAs and GAs may only work up to 20 hours per week, the other component of the TA concurrent assignment must take this into consideration, so that the combined total does not exceed 20 hours per week. Although TAs are exempt and are not paid hourly, when working in a concurrent student assignment, the combined 20 hour maximum must be factored in. For example, a TA assigned to teach 6 WTUs has a timebase of 6/15 or .4 (times 40 hours), equaling 16 hours per week. This would leave a possible maximum concurrent appointment to another student classification of 4 hours per week. Although TAs without a concurrent appointment may work just under full-time when enrolled in classes, the hour limit drops when they work in concurrent assignments because GAs and ISAs may only work a maximum of 20 hours per week.

#### BENEFITS/HOLIDAYS/VACATION/SICK LEAVE/SALARY

11. Question:

Are TAs/GAs paid for academic holidays, specifically, those which normally occur during the year but which are moved to the end of the year, even if their appointment ends prior to the holiday be observed?

Answer:

No. Although TAs and GAs are eligible for holiday pay, they are not eligible to receive holiday pay for holidays which are rescheduled by the President to other times during the academic year when they are no longer in an appointment. For

example, a TA who works on Lincoln's Birthday in February, and was appointed to work an academic term ending in June, will not be paid for this holiday because this holiday was rescheduled by the President for observance in November. Conversely, a TA who began his semester appointment in August and is working in November, will be paid for Lincoln's Birthday (rescheduled from February).

12. Question:

How are replacements for TA classes paid for those TAs who miss a day of work (e.g., due to illness and are using sick leave)?

Answer:

Substitute teachers are paid to teach in the same manner that substitutes are paid when they are substituting for lecturers, tenure-track and tenured faculty members.

13. Question:

Is a fee waiver the same as a tuition waiver?

Answer:

Yes. Depending upon what is negotiated between the parties, a fee waiver may also waive other negotiated fees such as the application fee, identification card fee, instructional activity fee, health services fee, student union fee, Student Body Association fee, and Health Facilities fee. Although the current Unit 11 CBA does not provide for a mandatory fee waiver, it does state that in the 2006/07 fiscal year, the CSU may at its discretion, subject to the administration's determination that it has sufficient funding, implement the cost of this benefit. If the CSU determines that it does not have sufficient funding for this cost, this provision will be subject to re-opener bargaining for fiscal year 2006/07.

14. Question:

Does the Unit 11 CBA provide for a change in salary for TAs, GAs or ISAs?

Answer:

No. There has been no change in salary for TAs. With respect to GAs, although the salary structure was recently updated to reflect the timebase change for 20 hours from 1.0 FTE to .50 FTE, the actual salary for GAs remains the same. Previously, the 20 hour maximum per week for GAs was considered to be full-time (1.0 FTE) so that when calculating the salary, the minimum monthly salary of \$800 was considered full-time pay. The updated salary range for GAs was

doubled so that in order for a GA to receive \$800 per month, the minimum salary is calculated by multiplying .50 by \$1,600.

Under the Unit 11 Collective Bargaining Agreement (CBA), all Unit 11 employees will be entitled to GSIs each year of the contract, and a one-time \$54 bonus (the first year of the contract). Pursuant to the CBA, the minimum hourly rates for ISAs will increase from \$8.00, to \$9.00 to \$10.00 over the 3-year Unit 11 contract period.

15. Question:

Are Unit 11 employees entitled to take a personal holiday?

Answer:

Only the Teaching Associate classification is entitled to one personal holiday per calendar year. The personal holiday should be scheduled by mutual agreement of the Teaching Associate and the appropriate administrator. There are no restrictions on how Teaching Associates become eligible for a personal holiday (e.g., no minimum appointment period or timebase).

16. Question:

How do Teaching Associates track time when they use a personal holiday, sick and other leave time?

Answer:

Whenever a Teaching Associate has time off for jury duty, a personal holiday, sick leave and other leave(s), he or she must complete a Form 634, Absence and Additional Time Worked Report, indicating use of such time. This completed form should then be turned into the appropriate administrator for payroll processing. Form 634 can be accessed at:

<http://hr.fullerton.edu/Payroll/Documents/CMS-634.ifm>

17. Question:

How would TA classes be covered when TAs are using their personal holiday or other eligible time off?

Answer:

This can be handled informally, that is, a TA or faculty member (both of whom are exempt) may be asked to cover a TA's course in order to meet the operational needs of the department. Longer absences may be handled differently.