

19.4 Regular Load, Overloads and Underloads:

19.4.1 Regular Load: No instructor shall be required to have a classroom workload equal to more than a 100% workload in any semester unless he/she agrees. If he/she agrees to work beyond 100% during a semester, an average of 100% shall be maintained within a four (4) semester period. Exceptions apply in the case of faculty working to eliminate underload status.

- A. Online course assignments are contingent upon departmental needs and the Distance Education (DE) approval processes governed by the Curriculum Committee and DE Committee.
- B. In no case shall a regular faculty member's workload and overload per semester include an assignment of more than 30 activity points (.67 FTE) of online courses. In the case of a regular faculty member with a reduced workload, online assignments shall be limited to no more than 67% of the reduced workload.
- C. In the case of hybrid courses, the proportion if the course taught online shall count toward the calculation of total online load (example: a 9.0 activity point class taught as a 50/50 hybrid course would count as 4.5 activity points of online instruction).

19.4.2 Overload: No regular faculty member shall exceed his/her regular load in any given semester by more than 67% (or 30 activity points).

If the activity points in a specific lecture/ laboratory/activity class creates an overload beyond the 45 required activity points, the workload activity points of that class may be "split" between contract activity points and overload activity points. A regular faculty member who is teaching such a class will be paid for the activity points beyond the 45 required workload, to be determined as follows: If the class has a combination of categories (1, 2 or 3) all category 1 activity points will be used first to fulfill the required 45 workload activity points. Activity points in categories 2 and 3 will count toward overload compensation. The faculty member will be compensated for category 2 and 3 activity points on an hourly basis.

19.4.3 Underload: Assignment priority is for use only in the development of the initial schedule for each semester.

- A. When a regular faculty member with an overload assignment loses part of his/her regular load, the overload will become a part of his/her regular load

due to class cancellation(s) or reductions in reassigned time assignment(s), the overload will become a part of his/her regular load for that semester. A full-time faculty member with an overload class that has been canceled cannot displace any faculty member from a class to retain that overload assignment.

- B. When a regular faculty member loses part of his/her regular load due to class cancellation(s) or reductions in reassigned time assignment(s), the faculty member shall work with the dean to develop a load recovery plan using the "Underload Acknowledgement and Scheduling Agreement"
- C. Any underload shall be made up within four (4) semesters from the time it is first incurred. Same-semester displacement of hourly instructors to restore underloads incurred by regular faculty shall be avoided when possible, but may be allowed at the request or consent of an under-loaded faculty member in the following circumstances:
 - Cumulative underload in excess of 20% may trigger the immediate displacement of an instructor with an hourly assignment (overload or adjunct) to limit the underload carried forward to 20% or less. The faculty member shall work with the dean to develop a load recovery plan using the "Underload Acknowledgement and Scheduling Agreement" form (See Appendix VII-B).
 - An instructor enrolled in the reduced workload program who incurs a cancellation may immediately be assigned to displace an instructor with an hourly assignment in order to maintain the minimum requirement of a 50% workload.
 - Any full-time instructor who incurs a class cancellation or a reduction to a reassigned-time position may choose to displace the instructor of an hourly assignment for that semester, and/or may carry up to 20% of the resulting underload forward to be made up within the following four semesters. Deans shall work with faculty as early as possible, preferably at least four weeks prior to the start of the semester, to identify sections in jeopardy of cancellation and to begin to plan contingency assignments. Faculty members in danger of being displaced will also be given advance warning of that possibility at this time.
- D. When a same-semester displacement is necessary in any of the cases defined above, potential assignments to displace will be considered in the context of all existing regular workload protections, including: Provisions pertaining to the maximum number of class preparations (19.2.6), online

classes restrictions (19.4.3), 5-day workweek (19.8.1E), dual assignments (19.2.8), and 12-hour overnight respite (17.6). However, some cases may require the suspension of one or more of these articles in order to provide an opportunity for the under-loaded member to restore his/her load. Other options are presented in the "Underload Acknowledgement and Scheduling Agreement" form. When possible without compromising the aforementioned articles, displacements shall be made in the following order:

- Full-time faculty member with overload
- Adjunct faculty member without assignment priority
- Adjunct faculty member with assignment priority

- E. Deans shall work to ensure fairness in the event of assignment displacements, both to the member requiring additional load and to the displaced member. Final assignment decision rests with the dean. A written explanation will be provided to the displaced faculty member upon his/her request.
- F. If the regular faculty member is unable to restore to a full load within four (4) semesters, the faculty member shall have the option to make up the underload in a summer term.
- G. If a faculty member who is scheduled for courses to restore an underload incurs a cancellation which impedes the load restoration within the four-semester period, that instructor may displace the instructor of an hourly assignment (overload or adjunct). Displacements will follow the order outlined above.
- H. If the regular faculty member is unable to restore to a full load within four (4) semesters, the faculty member shall have the option to make up the underload in a summer term.
- I. In the event that none of the adjustments outlined in 19.4.8 through 19.4.13 can be made to rectify an underload within four semesters or by the time of the employee's resignation and/or retirement from the District, whichever comes first, the faculty member will be reduced in pay for the underload on a pro-rated basis in accordance with his/her placement on the salary schedule at the time the underload(s) occurred. Arrangements to pay back the overpayment will be made through the Fiscal Services Department following the procedures outlined in Articles 20.8.2-20.8.3. Reimbursement of the overpayment will also result in a corresponding reduction in service credit reported to the retirement system (STRS or PERS / Social Security). Income taxes will not be refunded, and must be adjusted when the faculty

member files personal income taxes.