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What Do You Think About the 67% Limit?

A survey created by the California Part-time Faculty Association (CPFA), sent to adjuncts across the state with 447 respondents.

The survey consisted of three questions:

1. How has the 67% affected your career as a teacher?

2. How would increasing the PT load limit from 67% to 80% or 100% affect your teaching career?

3. I think the part-time teaching load limit should...

Q1. How has the 67% affected your career as a teacher?

Please select all answers which apply to you.

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<tr>
<th>0</th>
<th>50</th>
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<td>Reduces my ability to earn a living</td>
<td>79.48%</td>
<td>49.29%</td>
<td>23.63%</td>
<td>8.73%</td>
<td>6.44%</td>
<td>50.38%</td>
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<td>Allows me to teach just a few classes per year</td>
<td>40.48%</td>
<td>22.59%</td>
<td>11.96%</td>
<td>7.73%</td>
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<td>Requires me to drive to more than one campus</td>
<td>40.48%</td>
<td>22.59%</td>
<td>11.96%</td>
<td>7.73%</td>
<td>7.69%</td>
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<td>Gives me an opportunity to visit other colleges</td>
<td>40.48%</td>
<td>22.59%</td>
<td>11.96%</td>
<td>7.73%</td>
<td>7.69%</td>
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<td>Limits my governance and committee participation</td>
<td>40.48%</td>
<td>22.59%</td>
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<td>Limits my ability to meet and interact with students</td>
<td>40.48%</td>
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<td>7.73%</td>
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<td>Limits my ability to teach a wider variety of classes</td>
<td>40.48%</td>
<td>22.59%</td>
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<td>Limits me to teaching the same courses every semester</td>
<td>40.48%</td>
<td>22.59%</td>
<td>11.96%</td>
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<tr>
<td>Allows me to teach only the class I like to teach</td>
<td>40.48%</td>
<td>22.59%</td>
<td>11.96%</td>
<td>7.73%</td>
<td>7.69%</td>
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Everything You Need to Know About How the 67% Law (AB 591) Came About But Were Afraid to Ask

By John Martin

I, and other members of CPFA, are often asked how the 67% cap came about. The current “official history” says that CPFA was not instrumental in raising the old 60% cap to the current cap of 67%. History demands an honest, short review of how the 67% cap became law so our readers will have a greater appreciation of CPFA's efforts in raising the cap. Many readers were not there when a new law changed the cap from 60% to 67%, so it is important that CPFA set the historical record straight about how this section of the Ed Code was changed with Assembly member Mervyn Dymally’s bill, AB 591.

During the winter and spring of 2007-2008, Peg McCormack (Butte College) worked directly for Assembly member Mervyn Dymally as a paid legislative staff member. She was also an active member of CPFA and worked very closely with our Executive Council and other activists within CPFA. People should know that Peg worked for Assemblymember Dymally to facilitate raising the cap and this was her only duty at the time. Furthermore, Robert Yoshioika (Allan Hancock) was CPFA’s Legislative Analyst at the time and would travel to Sacramento to join Peg’s legislative efforts. These two worked tirelessly during late fall and winter of 2007-08 to raise the unfair 60% cap. No other higher education system in California or anywhere in this country has an arbitrary cap like the one imposed on California’s Community College part-time faculty. Peg, Robert, and other activists like myself began by drafting legislative language to raise the cap to 100%, but then later offered 80% to other community college organizations like the California Federation of Teachers (CFT). This proposed compromise of 80% felt right to us, so Peg organized a meeting with all the stakeholders in Dymally’s office in January. All who were there that day in January 2008 have a clear memory of what transpired—the representatives from CFT offered an unforgettable, angry storm of protest. It is that storm of protest that I wish to address. It was brutal, uncivil, and fueled by lies and half-truths. A high powered CFT lobbyist, Judith Michaels, packed the room with full-time faculty members from Los Rios, among them was Dean Murakami (American River). At this meeting, the CFT contingent tossed out absurd arguments, saying that raising the cap was not instrumental in raising the old cap, and then we are problem solved, simply not offered and then we are not having offices or not being paid for holding “office hours” online, in the student union, or in our cars. We are called upon to staff classes at satellite campuses, and when a full-time faculty member’s classes do not enroll sufficient students, we are relieved of our classes by full-timers exercising their “bumping” rights with little or no compensation or a replacement class offered.

Let’s not discuss the inevitable foot-dragging when it comes to accommodating part-timers with disabilities. When our disabilities are perceived to be a problem, our “consistency” is first eroded, and then we are simply not offered any classes. A problem solved, on to the next part timer waiting in the wings for their crack at the broken dream. The latest wrinkle in our organization has been our push for local involvement in CPFA via Institutional Membership (IM). When presented properly, we have been successful in enrolling individual part-timers locally or under the aegis of their local bargaining units. This is similar to the way PACCC includes part-timers in its organization, but CPFA is different in that we represent and advocate solely for part-time faculty interests, making us the only professional organization in California that maintains such an advocacy goal/profile.

Can social media revitalize us and give us access to new members, organizers? How do we help shape the future of the CCC’s - perhaps more in our own image? How do we combine organizing with effective and sustained successful teaching...no matter the discipline?

As we head into the fall, let us think about the CC’s broken dream. We need to ask ourselves: how will we continue organizing and advocate solely for part-time faculty interests, making us the only professional organization in California that maintains such an advocacy goal/profile.

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Continued on page 4

CPFA at 20

By Robert Yoshioika

Too often, full-timers, union bosses, and administrators see part-time faculty as disposable, replaceable cogs in their educational juggernaut, and we are told repeatedly to “suck it up,” when it comes to agreeing to teach less-than-prime time classes, let alone not having offices or not being paid for holding “office hours” online, in the student union, or in our cars. We are called upon to staff classes at satellite campuses, and when a full-time faculty member’s classes do not enroll sufficient students, we are relieved of our classes by full-timers exercising their “bumping” rights with little or no compensation or a replacement class offered.

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Continued on page 4
REPORT (with some personal commentary)
ON THE CFT 80% RESOLUTION

By John Gosvky

The CFT, at its 2018 convention, passed a resolution stating that the CFT will work to change the California Ed. Code to raise the current workload cap of 67% to 80% so that a full-time faculty member can teach in a single community college district. Since employing fewer faculty to teach more classes means less time would be involved in the hiring, evaluating, and constant orientating that currently occurs; and

WHEREAS a deletion of this current restrictive law would result in dramatic and immediate improvements to the lives of substantial numbers of California Community College teachers who must now Freeway Fly to teach classes in multiple Districts in order to teach a full load; and

WHEREAS a deletion of this current restrictive law would significantly decrease the minis produced by Freeway Fliers that would in turn reduce gas consumption and pollution, offering a significant environmental as well as economic benefit to all, and would additionally put the faculty to become involved and invested in just one District so that they would be able to engage in many of the crucial non-teaching activities such as student advising, serving committee work, and engaging in shared governance responsibilities;

BE IT RESOLVED that the CFT will promote California Legislature to change Education Code 87482.5 provisions that effectively prohibit part-time faculty from teaching more than a 67% load in any one district, commonly known as “The 67% Law,” from 67% to zero restrictions.

Continued from page 1, “...How the 67% Law Came About....

the cap to 80% would destroy tenure (ignoring completely that legislative funding was the REAL reason why there weren’t many faculty who wanted the cap to be raised to 80%). There were two key reasons why CFT’s representatives present argued that raising the cap would hurt part-time faculty because they would be “exploited” (and therefore why the CFT ‘s advocates present argued that one can teach in a single District causing much to contribute to other Districts is not ‘exploitive’). And more to the point, who anticipated full-time to be the adjuts keepers’?.

CFT threatened Assemblymember Dymally with various political actions which, when carried out, were instrumental in depriving Assemblymember Dymally of an endorsement from the Los Angeles County Federation of Labor, and this was the reason for Mr. Dymally’s unsuccessful effort to win a seat in the California Senate. CFT knows how to play political hard ball and is not afraid to do so in Sacramento, but CFT’s mean-spiritedness, mendacity, and viciousness were new to us in CPTA. Their lies and threats worked. Instead of collaboration and trying to reach a consensus, what transpired in the Assembly member office that day was nothing but a “debonaire” for the CFT. CPFA worked tirelessly not to save the new cap at 67% from being raised to 67% was completed, Peg took it to the Legislative Council, and the next day, we had a new bill that Mr. Dymally agreed to.

That bill passed, and I will say, our CWA (Communication Workers of America) legislative advocate at the time worked for this bill every step of the way. It was only after it cleared the Assembly that CFT saw the handwriting on the wall and jumped on board along with other fair-weather friends of part-time faculty. (Note: CPFA was late writing a Support (previously published as CPFA News, CPFA Free Press, and as Community College Journal) is published twice yearly by the California Part-time Faculty Association. Circulation: 30,000.

Distributed to legislators, administrators, and boards throughout the California community college system.

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SUBSCRIPTION RATES BY MAIL: $12 per year. Outside U.S. add $6 per year. 25% for airmail. CPFA Journal ISSN 0000-0000 2015 by the California Part-time Faculty Association.

POSTMASTER: Return undelivered copies to:
c/o CPFA
Post Office Box 1536
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WHEREAS current California Ed Code prohibits community college part-time faculty from teaching more than 67% of a full-time load; the current cap on how much a part-timer can be paid at 67% of a full-time load; the CFT Part-Time Faculty Committee did not submit a resolution. Obviously, we were wrong. Seeing an injustice and deciding to do something about it, they carried the day. In organizing for something to take root, we need both the wisdom and experience of the “seasoned” folks, and the fresh perspectives and energy of those who are not burdened by the like of how difficult the challenges can be.

Now that the official position of the CFT is to support the 80% cap, we should be able to 80%, we need to get the CFT to win a seat in the California Senate. That bill passed, and I will say, our CWA (Communication Workers of America) legislative advocate at the time worked for this bill every step of the way. It was only after it cleared the Assembly that CFT saw the handwriting on the wall and jumped on board along with other fair-weather friends of part-time faculty. (Note: CPFA was late writing a Support Resolution – 67% WORKLOAD CAP

Voted on and ratified
January 15, 2018

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The time has come again for us in CPFA to make another move to eliminate the 67% cap inSacramento. CPFA has always been steadfast on this issue. What makes this new push timely, is the fact that CFT recently passed a resolution to raise the cap from 67% to 80% (see John Govsky’s article, page 2) and UPTE local 9119 passed a resolution earlier this year to completely eliminate the cap (see UPTE’s Convention Resolution, page 2). CCCI is also taking a stand to raise the cap to 100% or eliminate it. All monumental achievements by these institutions this year!

The cap that prevents part-time faculty inCalifornia, the only state in this country, to teach more than 67% in any one district is discriminatory and downright wrong. Nowhere in higher education has such restrictions. This archaic law is just that: an old-fashioned way of segregating otherwise qualified instructors by prohibiting them from teaching a similar course load as their full-time colleagues.

Full-time faculty often make the claim that their part-time counterparts would be further exploited if there were no health insurance provided, a point that just doesn’t hold weight with many of us part-timers. We are already being exploited through poor working conditions, low wages, no tenure (the list can go on), all on top of the fact that we already have no health benefits. So if the concern is primarily about the exploitation of part-time faculty, then where is the help from the majority full-time faculty unions on these issues? (Answer: The ones who are of course nowhere to be found when it comes to fighting for issues that make a real day-to-day difference in the lives of part-time faculty.)

Below, I’ve started a list of important talking points for part-time advocates, which we need our allies to consider seriously.

Important Points to Consider

1. Raising/eliminating the capwould not affect tenure. Tenure is based on contractural hiring in which tenure or full-time permanent status is specifically being offered. The person hired under this contract has specific requirements and ultimately needs board approval to be granted tenure. The cap does not alter or affect this in any way.

2. Raising/eliminating the cap does not affect the 75/25 legislation. Seventy-five percent (75%) of courses are to be taught by “tenured, permanent” faculty. Twenty-five percent (25%) may be taught by non-tenure-track or non-permanent faculty. The purpose of 75/25 was to ensure that tenured faculty would teach the majority of courses because they are bound by a continual contract and are required to participate in shared governance. This would not change because the overall percentage of classes taught by part-time faculty would not change.

3. Raising/eliminating the cap does not affect STRS. Mandatory membership in Defined Benefit is not about having a full-time load; it is about whether one’s status is classified as “temporary” or “permanent.” Therefore, the cap lifted or raised does not affect Defined Benefit numbers as long as we designate part-time assignments as temporary, or non-tenure-track. If a part-time faculty member works 100% equivalent load in one district or three districts — that is not an issue to STRS. Keeping a load or teaching more classes. It does not force part-time faculty to take on a bigger load than they want. It just allows the option to take on more classes if they are available. This would also benefit districts that are struggling to staff classes, and it would prevent full-time faculty from having to teach overloads they do not want out of necessity.

4. Raising/eliminating the cap does not mandate that part-timers increase their loads or teach more classes. It would not force part-time faculty to take on a bigger load than they want. It just allows the option to take on more classes if they are available. This would also benefit districts that are struggling to staff classes, and it would prevent full-time faculty from having to teach overloads they do not want out of necessity.

5. Raising/eliminating the cap does not mandate that part-timers increase their loads or teach more classes. It would not force part-time faculty to take on a bigger load than they want. It just allows the option to take on more classes if they are available. This would also benefit districts that are struggling to staff classes, and it would prevent full-time faculty from having to teach overloads they do not want out of necessity.

6. Raising/eliminating the cap does not cost the district or full-time faculty any money. It does not matter if 100 people teach 100 sections or 10 people teach 100 sections. The cost is the same to the district, the state and STRS. It does however allow students greater access to instructors because more part-time instructors will be able to stay on one campus instead of “freeway flying.” This has the invaluable potential of boosting student success.

CPFA and SDFA leadership attended the COCAL XIII conference on contingent faculty issues in the U.S., Canada and Mexico.

Hosted by the San Jose State University CFA team coordinated by Jonathan Karpf. Speakers included labor advocates and union leaders from Mexico City, Quebec, Canada and the U.S. The next COCAL conference will be held in Querétaro, Mexico in August 2020. For more information go to: COCALInternational.org.

DO YOU KNOW A PART-TIME ACTIVIST WHO SHOULD BE RECOGNIZED IN THE NEXT EDITION OF THE CPFA JOURNAL?

Contact John Martin
916.572.2732
jmartin@cpfa.org

CHAIR’S REPORT

By John Martin, CPFA Chair

Real representation for part-time faculty

UPTE-CWA – over 15,000 members strong - represents part-time faculty at these community colleges:

Butte College
Part-Time Faculty Association (PFA-UPTE)
Contact: Stacey Burks, burksst@butte.edu

College of the Sequoias
Contact: Jodi Baker, jodib@cos.edu

Mt. San Jacinto
Contact: Thom Milazzo, tmilazzo1@yahoo.com

UPTE supports the elimination of the 67% Cap Law!

University Professional & Technical Employees
Communications Workers of America, Local 9119
510-704-UPTE  www.upte.org/local/cc

Fall Edition 2018 CPFA JOURNAL 3
Continued from page 1, “What do you think of the 67% Law?”

Comments:

• The reality is that a great deal of part-time teachers are already working at 100% or more but have to do it by teaching for more than one college. Why not allow them to do so at one? I guess though, that would force the colleges to admit that these are really full-time teachers.

• I often feel taken advantage of, as I work very hard, frequently traveling 100 miles a day, for two schools but only at one time. But both entities do not provide affordable insurance for part-timers and specifically limit my work hours for that reason. It seems unfair. I have no health insurance for myself or my spouse for this reason. It is risky and scary.

• … I want to be treated fairly! Is that too much to ask for? Create a fair and just system where adjuncts can remain adjuncts by being able to take on a third school or contract positions after proving themselves. Having no ‘avenue or very slight chances of moving forward into a full time position is discouraging.

• As a math instructor this increase will help as many colleges are adopting new course sequences due to the passing of AB 705. A math course will now be 5 to 8 units, thus with a 67% restriction in our teaching load math instructors will be forced to teach only one course per college. At 80% or more we will be given the opportunity to teach our usual two courses.

Continued from page 1, “CPFA at 20” or “part time,” or “adjuncts,” or “contingent faculty”, or “tics.”

Finally, the recent Supreme Court JANUS decision has been seen as a setback for Unions and union organizing in general. However, looking at the world through our smudged dark glasses, the JANUS decision might be just the thing to get the Precariat geared up for another deliberate and organized move to get ourselves more fully engaged and imbedded onto the fabric of unions, because we represent an ongoing and economically significant source of revenue that has to be actively courted and hopefully paid attention to if the EDUs want to set our future course. Janus will be a setback for Unions and union organizing opportunity, then we will contribute to the downfall and extinction of Edu-Unions—and parenthetically, unions in general.

We need to finally recognize that as an underrepresented but potentially important part of union membership, we can and should press our interest to improve our own working/professional conditions while also striving to make higher education more responsive and useful to our students.

If we cannot or will not do this simple thing, then we are doomed to participate in our own oppression and the eventual demise of public higher education because all the other players seem more interested in looking after their own self-interests rather than the well-being of the system as a whole.

Since we are presently ‘without portfolio’ and have been gradually pushed to the margins of our institutions, I would suggest that we are the ONLY group that has nothing to lose by advocating for systemic change that will benefit students first, and coincidentally, everyone else who participates in the so-called Edu-Business.

As a math educator for decades, a forty-plus years watching helplessly as our efforts to attain better working conditions for full time faculty and administrators have been stymied, I think this may be the last time that we will have a chance to work within the system to build healthy coalitions and renew members’ commitment to a focused union presence.

Let’s use JANUS as a springboard to action, rather than seeing it as a setback for the labor movement. We are not quitters, and we should embrace the moment not only to take our rightful place as faculty in the community colleges we work in, but to organize our way into being taken seriously by the union hierarchy since we have come to understand that our dues constitute a significant portion of each local’s operating revenue…for which we should now claim our right to fair representation and full participation in governance, contract negotiations, and grievance procedures.

My sincerest hope is that more of us will take up the cause and actively participate in our local’s activities…for which we should now claim our right to fair representation and full participation in governance, contract negotiations, and grievance procedures.

Let’s use JANUS as a springboard to action, rather than seeing it as a setback for the labor movement…we should now claim our right to fair representation and full participation in governance, contract negotiations, and grievance procedures.

Q2. How would increasing the PT load limit from 67% to 80% or 100% affect your teaching career?

Please select all that apply to you.

How has the 67% limit affected your teaching career?

How would you improve the situation?

Please go to cpfa.org/67survey and take the survey.

Your participation is appreciated!

Q3. I think the part-time teaching load limit should be...

Comments:

Of course, it would behoove full time union members to keep the possibilities of more active engagement by Precariats to a minimum, merely suggesting that we Part timers paying our dues is ‘the fair thing to do,’ because of the benefits of union membership would help to maintain our current level of benefits, rather than encouraging Precariats to join and help shape the zone and direction of the colleges as a whole.

My guess is that this new possibility will succeed only in part because there is just too much inertia and lack of interest on the part of Precariats to act in ways that could bring major changes to our work environment. If we cannot get organized and see the JANUS decision as a golden organizing opportunity, then we will contribute to the downfall and extinction of Edu-Unions—and parenthetically, unions in general.

We need to finally recognize that as an unrepresented but potentially important part of union membership, we can and should press our interest to improve our own working/professional conditions while also striving to make higher education more responsive and useful to our students.

If we cannot or will not do this simple thing, then we are doomed to participate in our own oppression and the eventual demise of public higher education because all the other players seem more interested in looking after their own self-interests rather than the well-being of the system as a whole.

Since we are presently ‘without portfolio’ and have been gradually pushed to the margins of our institutions, I would suggest that we are the ONLY group that has nothing to lose by advocating for systemic change that will benefit students first, and coincidentally, everyone else who participates in the so-called Edu-Business.

As a math educator for decades, a forty-plus years watching helplessly as our efforts to attain better working conditions for full time faculty and administrators have been stymied, I think this may be the last time that we will have a chance to work within the system to build healthy coalitions and renew members’ commitment to a focused union presence.

Let’s use JANUS as a springboard to action, rather than seeing it as a setback for the labor movement. We are not quitters, and we should embrace the moment not only to take our rightful place as faculty in the community colleges we work in, but to organize our way into being taken seriously by the union hierarchy since we have come to understand that our dues constitute a significant portion of each local’s operating revenue…for which we should now claim our right to fair representation and full participation in governance, contract negotiations, and grievance procedures.

My sincerest hope is that more of us will take up the cause and actively participate in our local’s activities…for which we should now claim our right to fair representation and full participation in governance, contract negotiations, and grievance procedures.

Let’s use JANUS as a springboard to action, rather than seeing it as a setback for the labor movement…we should now claim our right to fair representation and full participation in governance, contract negotiations, and grievance procedures.

Q3. I think the part-time teaching load limit should be...

Comments:

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How has the 67% limit affected your teaching career?

How would you improve the situation?

Please go to cpfa.org/67survey and take the survey.

Your participation is appreciated!

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