



CALIFORNIA PART-TIME FACULTY ASSOCIATION
Advocate, Educate, Legislate

The Honorable Governor Gavin Newsom
1021 O Street, Suite 9000
Sacramento, CA 95814

September 8, 2022

Re: SUPPORT for AB 1856 (Medina) – Community colleges: part-time employees

Dear Governor Newsom,

I am writing in my capacity as Chair of the California Part Time Faculty Association (CPFA) to convey our resounding support for AB 1856 and the move to support California Community College students and thousands of part-time faculty working within the CCC system through cost-effective improvements to the Ed Code.

When it comes to fiscal impact, the \$2 to \$4 hundred million in new health care costs to the state projected by the Chancellor’s Office is a totally moot point. And by that, I mean completely *irrelevant* to the bill before you.

According to IRS guidelines, districts are not required to offer health benefits to employees teaching less than 88.89% of a full-time workload. Fifteen (15) hours per week in the classroom is considered a full-time teaching workload, and a part-timer working up to 85% of a full-time load is only able to accrue 12.75 classroom hours per week. In addition to crediting an hour of service for each hour teaching in the classroom...” IRS guidelines stipulate that districts may “credit an additional 1[and] 1/4 [1.25] hours for activities such as class preparation and grading.” This means that when you add 1.25 hours to each of the 12.75 hours per week a part-time faculty member spends in the classroom, total working hours at an 85% workload only amounts to 28.7 hours per week.¹ The numbers are critical here, because the affordable health care mandate does not take effect until an employee exceeds 30 working hours per week.² Thus, if districts are not required to provide health coverage to faculty working less than 85% of a full-time load, then where are the additional costs to the state for health coverage ***that districts are not mandated to offer?***

Furthermore, AB 1856 does not say anything about “office hours and other workload requirements.”³ Districts already have in place policies and signed teaching agreements with each and every part-time faculty member clearly excluding office hours from counting towards his or her total workload, which is also set out in the CA Ed Code.⁴ This means that any extra duties, beyond classroom contact hours and the 1.25 hours stipulated by the IRS guidelines, are not included in the current 67% or potential 85% workload. The lack of a health care mandate for faculty teaching under 85% of a full-time load, means that any measurable budget impact depends on at least two essential assumptions: 1) That all, or at least a majority of districts across

¹ <https://www.govinfo.gov/content/pkg/FR-2014-02-12/pdf/2014-03082.pdf>

² [IRS guidance on health care law clarifies formula for counting adjunct hours](#)

³ [Bill Analysis](#)

⁴ [California Education Code § 87884 \(2021\)](#)

the state would suddenly *decide* to offer health coverage (an option ***already available to districts***), and 2) that all, or at least a majority of part-time faculty at those districts would suddenly seek to apply for any health benefits being offered. Even if, *and only after negotiations with local bargaining units*, a single district did decide to offer health coverage to its part-time faculty teaching up to 85% of a full-time load (a slim possibility for an even slimmer number of districts), not all part-time faculty teaching at that district would apply for the health benefits being offered. In truth, a good number of part-time faculty either already receive superior benefits from other employment or through spousal health care policies and other coverage options. Thus, the total number of part-time faculty across the state that would both be offered and apply for any health coverage is significantly less than projected estimates from the Chancellor's Office.

Instead, AB 1856 offers obvious advantages to the state and the CCC districts. Most significantly, this bill will save the state money wasted every term on an excess of new-hire orientations and evaluations. Turnover of faculty who teach over 50% of a full-time course load is staggeringly high given the current 67% limit to the number of units or hours that part-time faculty can teach; mainly, because most of these instructors struggle and often fail to supplement their "capped" earnings as a teacher with second jobs or additional teaching positions in neighboring districts. The result is that districts must continuously sink valuable resources into hiring, training and monitoring new faculty. Raising the cap to 80-85% would help to keep well-qualified faculty on campus at a time when districts are in dire need of greater flexibility in offering more high-demand classes.

Without a doubt, AB 1856 will ***do far more good*** than harm. It has the potential to bring about only positive statewide outcomes for districts, students and part-time faculty, as it will go a long way towards creating the continuity and stability desperately needed by a precarious workforce and ultimately translate into greater student success. Thank you for your dedicated service and attention to this important matter.

Sincerely,

JMartin

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Cc. Assembly Member Assemblymember Medina