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Sick Leave Can Increase Your Service Credit Toward Retirement But It Is Being Unfairly Calculated For Part-time Faculty In Some Districts

By Curtis Williams

As a part-time member enrolled in the California State Teachers Retirement System (CalSTRS), what happens to my sick leave balance when I retire? Most of us have heard it can add to



Curtis Williams

your total service credit at retirement from CalSTRS, but the details can be confusing.

Part-time faculty members earn service credit in CalSTRS. The number of hours of sick leave you earn is governed by your collective bargaining agreement at each college throughout your career. If you don't use all your accrued sick leave, these hours can be converted

to service and added to your retirement. Unused basic sick leave is funded by 0.25% of the members' creditable compensation reported to CalSTRS.

According to the California Ed Code regarding Community Colleges, one year of service credit for a full-time faculty employee is 1050 hours per school year. Most annual school terms are 175 days long, but a year may differ for counselors and librarians. 1050 hours divided by 175 days works out to a 6-hour day.

Full-time faculty's remaining sick leave balance in hours will be converted to days and reported to

CalSTRS at retirement. According to the Ed Code, the calculation is a simple six hours equal to one day for full-time faculty. Unfortunately, this conversion rate from hours to days is inconsistent across the state. Many districts use the six-hour-per-day figure, but some count as little as four hours per day, and others use a rate as high as eight hours per day. When you retire, your district reports these remaining sick leave hours as days and CalSTRS converts those days into Service Credit.

Beginning in 1996, the state changed the definition of full-time

Continued on page 6...



Caleb Castaneda

Fair Retirement Benefits for Adjunct Instructors in California

By Caleb Castaneda

Many CalSTRS Retirees who were career adjunct instructors in California's Community College system continue to report that their pension benefits are insufficient to even pay for rent in their area. It is easy to see why this is. Since CalSTRS

benefits are based primarily on two factors — service credit and final compensation — and since both factors are difficult for adjunct instructors to catch up on, the benefit of CalSTRS to adjunct instructors is very limited, with many career adjunct instructors

Continued on page 2...

IN THIS ISSUE

Sick Leave Can Increase Your Service Credit Toward Retirement But It Is Being Unfairly Calculated For Part-time Faculty In Some Districts > Pg. 1

Fair Retirement Benefits for Adjunct Instructors in California > Pg. 1

2024 Chair's Report > Pg. 3

COCAL XV Examines the Issues Confronting Contingent Faculty > Pg. 4

CPFA Contract Membership > Pg. 8

*Continued from page 1...
“Fair Retirement Benefits ...”*

reporting that they will never be able to fully retire.

To illustrate the difference in retirement benefits, I want to compare the benefit levels provided to two hypothetical college instructors (See FIGURE 1). One, a middle-column adjunct instructor who earns 30 service credits and whose average final compensation is calculated at \$44k, and two, a middle-column full-time instructor who also earns 30 service credits but whose average final compensation is calculated as \$119k. I set the calculator to assume that there is no beneficiary in either case and I ignored any other

compensation that they might be receiving at retirement (sick leave, etc.) I also set the calculator to assume that each instructor is retiring on their 65th birthday. The differences between these two individuals are stark. Whereas the full-time instructor receives \$7140 per month in retirement benefits (\$85,680 per year), the adjunct instructor will receive only \$2640 per month in retirement benefits (\$31,680 per year), despite both instructors devoting the same number of years to their craft.

Of course, there are those who will say that this is entirely fair. After all, the adjunct instructor may have worked as many years of their life as the full-time instructor did, but they did not earn as much money so they contributed much less over their lifetime. But this overlooks the fact that the lower lifetime earnings was entirely the result of working for

an exploitative, two-tier system that never compensated the adjunct instructor fairly. And at any rate, CalSTRS doesn't make any attempt to base the pension off of lifetime contributions anyway. Instead, they base it entirely off of “final compensation”—the highest average annual compensation earnable during any period of 36 consecutive months of paid employment covered by CalSTRS, or, rather, the amount of money that the employee would have

How can this problem be fixed? I would propose that both aspects of the benefit calculation be improved upon for individuals who have part-time status. First, since adjunct instructors often have inconsistent loads semester over semester, it makes no sense to force them to do load averaging over an arbitrary period like a year. They should be permitted to earn more than one service credit per year so they can catch up for lean periods when they

FIGURE 1	SERVICE CREDITS	AVG/ FINAL COMPENSATION	MONTHLY RETIREMENT	YEARLY RETIREMENT
Full-time Instructor	30	\$119,000	\$7,140	\$85,680
Part-time Instructor	30	\$44,000	\$2,640	\$31,680
		DIFFERENCE IN RETIREMENT	\$4,500	\$54,000

earned if they worked full-time hours at their average rate of pay over their highest three consecutive years of their working career. This calculation — the notorious “earnable” — may be more or less equitable for full-time instructors, but it is woefully insufficient for adjunct instructors.

The “earnable” is designed to prevent full-time instructors from having their overtime compensation counted towards their earnings for retirement purposes. This seems fair when you consider how generous the pension plan is for full-time instructors. But, for adjunct instructors, it often makes their attributed earnings significantly less than their actual earnings. An adjunct instructor who works 140% of load, for example, will earn roughly \$62k per year at average earnings in the CCC system. But they would only be credited with about \$44k in earnings for retirement calculations.

have better periods. But this change will have only a modest effect. For example, when I gave our adjunct instructor 20 more years of service credit, the calculator raised the benefit to \$4,400 per month, which is still only roughly 60% of the full-time instructor's benefit, and the full-time instructor has 20 fewer years of service.

The biggest impact that could be made to the retirement calculation for adjunct instructors would be if CalSTRS calculated the earnable as the salary that the employee would have earned if they had taught a full-time load at the salary they would have earned at the step and column that they would qualify for on the district's full-time salary schedule. So, if the employee has 20 service credits and an MA+30, they might be credited as being on step 21 on the middle column of the *Continued on page 7...*

2024 CHAIR'S REPORT



John Martin
CPFA Chair

On September 15, 2024, **Governor Gavin Newsom** vetoed – yet again – a popular bill that easily passed out of both the Assembly and Senate: AB 2277 (Wallis), which would have raised the current workload cap on part-time faculty from 67% to 85% of a full-time workload statewide. This third veto on a workload cap increase from 67% to 85%, was very disheartening, especially since CPFA sponsored it and we specifically added significant new language that we, our allies and even Wallis’ Office, were convinced was veto-proof. The Governor’s hollow excuse for his third veto was, again, that the proposed legislation could somehow harm the state’s budget and put “...cost pressures in the millions to tens of millions of dollars” on districts – based on the false assumption that the federal healthcare mandate, Patient Protection and Affordable Care Act (a.k.a., ACA), would be invoked if part-timers working at 85% of a full-time workload managed to meet or exceed an annual average of 30 hours of work per week – a scenario that is impossible given facts on the ground.

In an effort to dismantle this repeating myth and preempt this expected objection, the following line was added to the language

of AB 2277 in the third go-around: “In all cases, all workload pertaining to part-time, temporary faculty assignments, including, but not limited to, instructional time, office hours, and mandatory meetings, shall average less than 30 hours per week, consistent with the terms and guidelines of the federal Patient Protection and Affordable Care Act (Public Law 111-148).” With such explicit language, Newsom’s repeated justification for vetoing the bill only begs the question: exactly what part of this bill would create “cost pressures” on any district or the state?

If passed, this bill would preclude districts from providing ACA benefits to any part-time faculty who even managed to be approved to work up to the new 85% limit. We explained this in two separate meetings with Newsom’s legislative officer and his Department of Finance. The Chancellor’s Office was neutral on this bill – an improved position that we welcomed since we met with them twice as well. To reiterate, in order for anyone to qualify for ACA-mandated health care, they would have to average more than 30 hours per week per year or 52 weeks. For part-time faculty, that’s actually

impossible to do. As everyone knows, each semester is only about 17 weeks, summer classes are usually about 6 weeks, and winter sessions are about 3 weeks, which adds up to 43 weeks of the year. 85% of a full-time teaching load of 15 classroom hours per week is 12.75 hours. Do the math and you will find that even counting 1.25 hours of prep and grading for each classroom hour, a full 85% load would be 28.69 hours per week, but it’s only for a max of approximately 43 weeks. Average it over 52 weeks and no part-timer could meet the IRS’ minimum average of 30 hours per week in any one year to be eligible for ACA benefits!

So, what’s next? What should be CPFA’s next legislative move, given that the Governor will likely remain in office for the next two years. I believe any modified version of this bill that we put forth will be shut down upon reaching his desk. As I stated in my recent interview with EdSource, Newsom is either getting wrong information from his handlers or he simply does not care. Were there any nefarious talks or negotiations that went on behind-the-scenes? I don’t know, but **Continued on page 5...**

Protecting, advocating, and fighting for the rights of part-time faculty since 2015

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Daniel R. Thompson, danthompson2004@gmail.com

College of Sequoias Adjunct Faculty Association (COSAFA)

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COCAL XV Examines the Issues Confronting Contingent Faculty

By David Milroy

The Coalition of Contingent Academic Labor (COCAL) is a network of North American union activists who have worked for over 30 years to defend higher education rights and improve work conditions for contingent academic labor by bringing together activists from



Joe Berry

numerous unions across the United States, Mexico, English Canada, and Quebec that works to promote the sharing of information and strategies to strengthen our capacity for action. COCAL XV conference was held in Gatineau, Quebec on August 8th and 9th, 2024, with a focus on the many issues specific to contingent academic labor and the means faculty can use to mobilize directly against threats to our work conditions and our representation in universities, colleges, and community colleges. The obstacles experienced by all contingent faculty are rooted in a higher education system eroded by profit-making managerial values that reinforce contingency or precariousness rather than combating it. This value system also has repercussions on collegiality and

academic freedom, two essential rights being undermined in many universities and colleges worldwide. To reverse this trend, collective action remains our most formidable tool for bringing about the changes needed to support free, egalitarian, and pluralistic education. Through various themes, COCAL attendees were invited to exchange and debate ideas and positions that would form the core of a manifesto to be drafted by the delegates and contribute to the organization of a North American Day of Struggle and Mobilization.

The first theme presented was “Collegiality, Academic Freedom, and The Political Voice of Contingent Teaching Staff”. Speakers looked at the main obstacles to the political participation of contingent faculty



Chris Cox, Associate Vice President, Racial And Social Justice, North, California Faculty Association (CFA [center] speaking on: “Precarity and Power in Tumultuous Times: Higher Education Labor Organizing in the US.”

and asked how governance mechanisms supported or hindered contingent faculty engagement and



David Milroy

During lunch, Joe Berry and Helena Worthen, co-authors of “Power Despite Precarity: Strategies For The Contingent Faculty Movement In Higher Education” presented “Why the Contingent Faculty Movement Needs a Broader Higher Ed Labour Movement: Historic Challenges to Academic Freedom”. The next presentation was up-to-date news on democracy and abuse of power in universities featuring presenters from each region.

The second theme was “Enriching Rather than Fragmenting the Work of Contingent Academic Labour: Analysis and Solutions.” Based on this broad theme, five workshops

how we can better protect freedom of expression and academic freedom in the institution for contingent workers.

considered various solutions for how to obtain better working conditions to support the integration

of contingents within the higher education community. Workshops covered topics such as the stigma and lack of recognition of contingent faculty, the impact of precariousness on employees' health, and academic freedom and professional autonomy. In one workshop, David Milroy, M.A., Chair of the San Diego Adjunct Faculty Association, member of CPFA and FACCC, and 25-year member of the COCAL International Advisory Committee, made a presentation on behalf of Frank Cosco of Vancouver Community College and Jack Longmate of the Washington Part-Time Faculty Association on the very timely solution for precarity known as the "The One-Tier Model - A solution to

the problems of precarious teachers". The theme continued the next day in a Plenary session where the discussion focused on solutions for better working conditions and greater recognition of the work of contingent faculty. Spokespersons for each workshop put forward ideas at various levels to enrich the work of precarious university teaching staff and took stands in favor of valuing the real work of precarious teaching staff by adopting a manifesto and a set of principles reaffirming the essential role of contingent faculty.

Other panels dealt with "Commodification in the Context of Artificial Intelligence (AI) and Online

Continued on page 7...

*Continued from page 3...
"2024 Chair's Report"*

what I do know is that if Newsom's veto could be challenged in a court of law, he would not be able to provide proof to support his claims and there's simply no reason to believe his word without evidence.

I would be remiss if I did not personally thank the honorable **Assemblymember Greg Wallis** (R, District 47), who took up our cause when he authored this bill. Not only did he understand the simple math, Assemblymember Wallis also understood how this bill would have meaningfully improved the lives of potentially tens of thousands of part-time faculty across the state. Special thanks also to Wallis' legislative staffer, **Ms. Kristen Root**, and political director, **Ms. Cynthia Bryant**, who both worked tirelessly with CPFA to craft a sound piece of legislation and showed their confidence in us to do the heavy lifting. I wish to thank **Assemblymember Tasha Boerner** (D, District 77) who also showed leadership by later coming on board as co-author on this bill. And, finally, a big thanks to all the legislators, both Democrats and Republicans, who recognized the value of this bill and supported its passage into law, many of whom supported this proposed legislation on multiple attempts.

CPFA is continuing to explore legislative solutions to pursue at the Capitol, so please send us your wish-list of priorities. Note that if your proposal requires additional state funding, we may decide it's not worth our limited time and resources to pursue since the state's budget is the foremost concern of legislators. We welcome ideas that are either very low cost or no-cost solutions. Submit your suggestions at CPFA.org or email info@cpfa.org.



David Milroy with COCAL attendees from Mexico.

CCA SUPPORTS THE PART-TIME FACULTY HEALTH INSURANCE PROGRAM, AB 190!



The 2023—2024 state budget included \$200 million for part-time faculty health benefits. Learn more about the ins and outs of the PT Health program and support your chapter's efforts to negotiate PT Health in your district.

Visit the CCA Part-time Faculty Issues page for more information about this and other issues facing part-time faculty in the California Community Colleges.



We are stronger together!

Visit cca4us.org for more information and ways you can join the fight.

Tag us on social media: [#cca4us](https://twitter.com/cca4us) [#wearecta](https://twitter.com/wearecta) [#nea](https://twitter.com/nea)



Continued from page 1... "Sick Leave Can Increase Your Service Credit..."

equivalents (FTE), which is the basis for determining Compensation Earnable for part-time community college instructors (what the part-timer would have made if they had worked full time at their highest average hourly rate). Currently, the FTE for part-time instructors is a minimum of 525 hours. If you want to know what your district uses for

now ask former districts to transfer your sick leave hourly balance to your current employer. This 2020 Legislation eliminated the transfer time limit previously in effect. Some districts have transfer forms, while others do not.

Sick leave is an excellent benefit; if you need it, use it. Taking time off for medical appointments is permitted during class time but can be disruptive to the flow of a class. Many faculty don't use their sick leave, and

hours to days using their standard formula and then they report these days to CalSTRS. CalSTRS accepts these reports of days and calculates the service credit using the 175-day year. Because of this, part-time faculty receive a lower value for their remaining sick leave balance.

For example, if you had 120 hours of sick leave remaining at retirement, here is how different districts would convert hours to days and service credit (See FIGURE 1).

	DISTRICT VARIATION	CONVERSION RATE	BASE HOURS/YEAR	DAYS CONVERTED	SERVICE CREDIT
FIGURE 1	District #1	8 hours/day	1400	15 days	0.086 year
	District #2	6 hours/day	1050	20 days	0.114 year
	District #3	4 hours/day	700	30 days	0.171 year
	Part-time (calculated based on 525 minimum hours)	3 hours/day	525	40 days	0.228 year

base hours, look in your collective bargaining agreement. If you are paid for office hours, the minimum standard of hours is increased by these hours.

To see how many hours your district calculates for a full-time equivalent rate, log into your mycalstrs.com account, look at the Retirement Progress Report, and click the Employer Details section. The Base Hours column will have what your district reports to CalSTRS. CalSTRS states, "The base hours listed are the minimum full-time equivalent reported by your employer."

Previously, if you taught at multiple districts, you had a limited time to move unused sick leave to your new employer. Fortunately, because of a change in the law in 2020, you can

many retire with every hour they ever earned. Some faculty only use sick leave when they are out for an extended period and can arrange for a long-term substitute. The benefit is that using sick leave allows you to continue being paid and earn the service credit for working. Each hour of sick leave covers your absence hour for hour.

Here is where this becomes a problem. Districts use the same sick leave hours per day for their full-time and part-time faculty. Full-time faculty are compensated for all their service (1050 hours), part-time faculty are compensated only for in-class time (not less than 525 hours for CalSTRS Compensation Earnable), plus office hours. Districts convert these remaining sick leave

The solution is to have districts report "hours" rather than "days" to CalSTRS. CalSTRS already knows the Base Hours for part-timers in each district so that the remaining sick leave hours can be converted to accurate service credit for the retiring part-time faculty. Legislation will be required to correct this issue.

Curtis Williams has been employed by five different community colleges, three CSUs, and two private universities since 1996. He has taught students at all levels in subjects including geology, geophysics, geography, history, and business information systems. Curtis is a part-time faculty member at Long Beach City and in the Coast Community Colleges. He has been a union advocate throughout his career.

Continued from page 5...
 "COCAL XV Examines the Issues..."

Teaching" and "The Key Elements for an Historic Union Mobilization".

The final Plenary session, "Continuing to Mobilize," highlighted the history of COCAL and an update on the proposal adopted during COCAL XIV 2022 in Mexico to create an action committee for international mobilization. The next COCAL conference is scheduled to be held in the United States in 2026. The location and hosting institution have yet to be selected. For more information on COCAL, see the website at cocalinternational.org or contact David Milroy at dmilroy53@gmail.com.

David Milroy taught French in four San Diego County community colleges from 1988 to 2019. He was an active member of CFT/AFT and CCA/NEA, Chair and Dir. of Admin. for CPFA. He currently serves on the COCAL International Advisory Committee, the FACCC Retirement Committee, and as Chair of the San Diego Adjunct Faculty Association (SDAFA). Now retired, David is the President of the San Diego Division 4 of CalRTA in San Diego.

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The FA is a member of the California Community College Independents (CCCI)

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CPFA NEEDS YOUR CREATIVE BRAIN!

CPFA is on the lookout for original content related to part-time faculty issues. Whether it amounts to a seminal literary journal for the precariat, or adds an eye-catching section to our regular e-newsletter and journal publications, that's up to your creative brain! Think art, poems, prose, charts, diagrams, interviews, short stories, bookreviews, photography, graphics, jokes, cartoons, memes, videos – whatever best communicates your message.

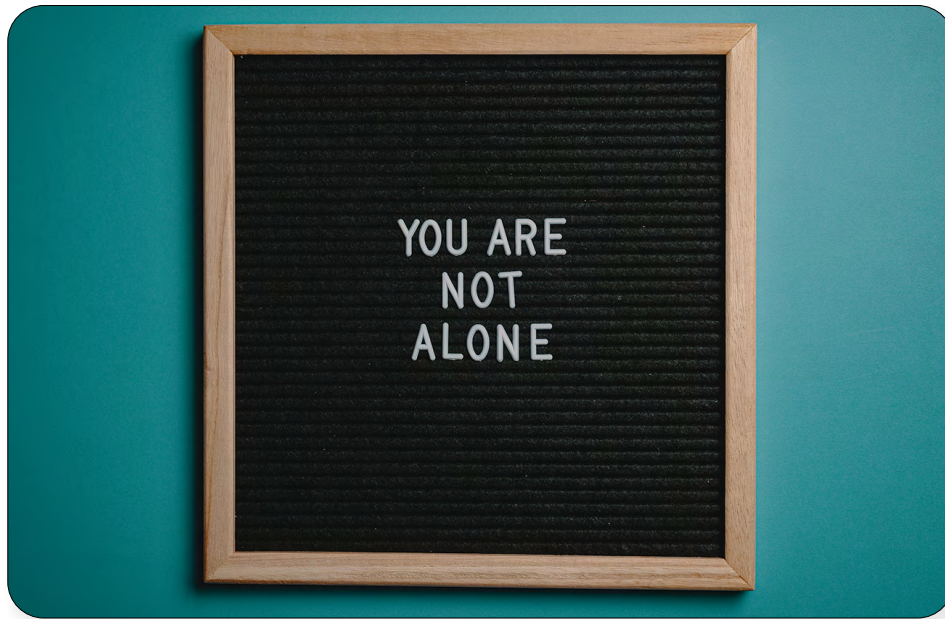
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Continued from page 2...
 "Fair Retirement Benefits ..."

full-time faculty salary schedule for retirement calculation purposes. This represents true parity, and it would equalize the retirement benefits of adjunct instructors vis a vis their full-time colleagues. To meet objections that this would give a large retirement benefit to some people who only worked as an adjunct instructor in a supplementary way, the state could offer this calculation only to individuals who have more than 20 service credits so that it would primarily benefit career adjunct instructors, who could reasonably be expected to have no other major retirement savings.

It is important that we also remember our existing retirees. To be of any help to our existing retirees, CalSTRS would need to recalculate their retirement benefits. If our adjunct retiree had their retirement benefit recalculated at \$7140 per month instead of \$2640, that would mean an improvement of \$4500 per month going forward, as well as a large amount of money to be given as back pay. If they are already ten years into their retirement, then that would mean they are owed \$540k plus interest. Then, the retiree could be given the option of either taking their accumulated pro-rated difference as a lump sum or else amortizing it over a certain number of years to reduce tax liability. It is important, when we correct injustice, that we remedy it for all who were affected by it. And that surely includes our existing retirees who were working for decades under an exploitative system.

Caleb Castaneda is an Instructor of Philosophy at Crafton Hills College, Chaffey College, and Victor Valley College. He is a member of CCFA and SBCCDTA (CTA), and AFT 6286 (CFT).



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CORRESPONDENCE AND ARTICLES may be edited or condensed due to space limitations. Letters may be published.

Op-ed pieces, news briefs on union organizing or contract negotiations are particularly welcome. Human interest articles and opportunities to reprint items about the contingent faculty condition are encouraged. Signed articles express their authors' opinions and do not necessarily reflect the views of CPFA.

JOIN CPFA TODAY

CPFA Contract Membership

Working part-time in the California Community College (CCC) system too often means part-time (PT) instructors are subject to both local and structural inequities.

Structural inequities, like the lack of healthcare, workload caps, and unequal pay are best addressed with strategic legislative solutions at the state level. In fact, many local injustices, such as the lack of due process or just-cause, and the deterioration of seniority rights can be ameliorated by seeking similar "top-down" resolutions.

CPFA was founded in 1998 as an independent, statewide, professional organization with a threefold mission: to advocate, educate and help legislate on behalf of the nearly 37,000 PT faculty working in the CCC system.

CPFA has been working to build a strong rapport with state legislators and their office staffers in Sacramento to effectively address both local and structural PT faculty issues through statewide legislation.

CPFA is seeking to expand and strengthen its partnerships with allied organizations and local PT faculty unions in order to amplify the voice of PT faculty at the Capitol.

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- For more details, please visit cpfa.org/contract-membership

What's the cost?

Contract Membership in CPFA is sustained with just \$1 per paycheck from each part-time faculty member in your local part-time faculty bargaining unit (A.K.A. "payroll deduction"). That's less than a cup of coffee!

Join Butte College and the statewide effort to improve working conditions for all CCC PT faculty by becoming a Contract Member of CPFA today!