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CPFA Chair

WARNING! Districts Skirt Lawsuits With New Collective Bargaining Agreements

As many of you may know, several lawsuits have been ongoing since October 2022. At that time, a total of 20 community college districts were put on notice by individual part-time (precarious) faculty who filed lawsuits against their employers. These faculty members are challenging the fact that they are not compensated for grading, class preparation, and student communication—work that occurs outside of classroom hours. ([Read more at CPFA.org](https://cpfa.org))

The core allegation is that part-time faculty are illegally required to perform unpaid labor outside the classroom. The lawsuits also name the Board of Governors and the Chancellor's Office as defendants. A judge has already ruled in one of these cases.

One district, Long Beach City College, won its case and is currently negotiating

a settlement as of this writing ([Read more at CPFA.org](https://cpfa.org)).

However, the defense attorneys—working for the districts and in two instances, the unions—have been both creative and, frankly, devious in their attempts to circumvent these lawsuits.

For example, in one district, the union nearly succeeded in invalidating the lawsuit by introducing a new contract that would have rendered the claims moot. Fortunately, a part-time faculty member became aware of this, immediately filed a PERB charge against the union, and within days, the vote was halted. Several members of the negotiating team and union officers resigned. This was a significant victory for the plaintiffs and the broader precarious faculty community.

In another district, the union in conjunction with the district was successful in pushing through a new Collective Bargaining Agreement with

dangerous language that undermines faculty rights and the lawsuit itself. It was so bad, the lawsuit was withdrawn.

Every reader should be aware of the following types of contract clauses that unions and districts may try to add, and should actively work to oppose them:

› Claims that there have been a “historical understanding” that hourly pay includes preparation, grading, and student communication (e.g., writing support letters). This is *false* and sets a dangerous precedent. This will make any existing and future lawsuits moot. One case has already been withdrawn due to the ratification of a new CBA including such language, which has reduced the number of active lawsuits to 19 districts.

› Any language that redefines unpaid tasks as suddenly being included in hourly pay. *This is a legal trap meant to invalidate future claims of wage theft.*

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The Move to a One-Tier System Needs Safeguards for Legacy Adjuncts



By Scott Douglas, CPFA
Southern Regional
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The movement for a one-tier faculty system in the California Community Colleges (CCC) is gaining momentum—and rightly so. Its goal is to eliminate the structural inequities between part-time and full-time faculty

by creating a unified employment model. All faculty, regardless of hiring classification, would receive proportional compensation, equitable access to benefits, and professional respect commensurate with their qualifications and contributions. Crucially, the one-tier model envisions a pathway to tenure for all faculty, no longer based on arbitrary

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By Rick Baum,
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Adjunct, A Feature-Length Film

Adjunct, a feature-length film written, directed by, and starring Ron Najor, realistically covers much of what happens in the life of a higher education teacher

without tenure who could be labeled an adjunct, a part-timer, a contingent faculty member, a lecturer, or a visiting professor. The film was shown by the Higher Education Labor United (HELU) Contingency Task Force on Saturday, October 25, in a “coast-to-coast and wall-to-wall” online watch party.

A trend in higher education, especially since the 1970s, is for more teaching jobs being held, approximately 70%, by these well-educated gig workers who, unlike full-time tenured faculty, endure low pay often with no benefits, and little to no job security. In fact, due to their low pay, many adjuncts are on public assistance. Those who work as adjuncts do so for different reasons. Some have outside full-time jobs and careers. They are not dependent on the teaching job, but take it on as a side gig, often for fun, or they work full-time at one college and take on part-time work at a second college to supplement their income.

Many adjuncts exclusively or predominantly depend on the income gained from their teaching work, sometimes at more than one college, to make ends meet. These adjuncts are a dominated workforce. They know that if they cause “trouble,” they may lose their job and harm their chances of obtaining a job at another college/university, and likely permanently undermine their chances of ever gaining one of the few tenure-track positions that are available.

The lead character in *Adjunct*, Amer, who won an award for a short story, teaches four classes a year at what comes across as a public California State University. He is a caring, supportive, and engaging teacher who loves his job. He is more than willing to help his students. Due to his low pay of \$19,000/year, he supplements his income in another gig “profession,” driving for Uber. He also works as a clerk in a liquor store. Nevertheless, he is currently homeless and broke. He has lost his apartment and is sleeping on the couch in his brother’s home until he can save up enough money to be able to pay first and last month’s rent for a place of his own.

Adjunct is more than a film about being an educator. It also shows the impact and psychological stress precarious work has on one’s day-to-day life. When his girlfriend breaks up with Amer, it can

partially be attributed to his economic circumstances. The breakup occurs when he is late for a planned evening together because he had to take Uber customers on a longer ride beyond what was first requested.

What makes *Adjunct* compelling is how it depicts the indignities that one must endure as an educator or a gig driver, many of which I have experienced as a part-time teacher in community colleges for over forty years. The movie is likely to resonate with all part-time faculty, especially if they teach the same classes as their full-time “colleagues” for which they are paid significantly less even if they are more qualified and experienced.

The Film Shows Many Examples of the Indignities Faced by Adjuncts

Many adjuncts try to obtain the “brass ring”, that coveted tenure-track position. To have a better chance at getting such a job, one will do free work to benefit the college and may also have to engage in a lot of ass kissing by being compliant and showing complete respect for those above one and the existing hierarchical structure.

Amer is a candidate for a full-time job, the first available in his department in five years. Not having heard whether he has been hired, he asks his Tesla-owning department chair about the position. Amer is told that the decision will soon be made with the department chair going on to state that Amer “brings tremendous value to the department” while he’s “putting in more time and effort than some of the full timers.” He then asks Amer to volunteer to be a judge for a short story contest, to which Amer agrees.

Shortly thereafter, Amer learns he has not gotten the job. His department chair empathizes with Amer’s disappointment, but that the person hired had credentials that were too impressive to pass up, including being a published novelist (of a book that we later learn has received unimpressive ratings). He goes on to say that he knew Amer would understand because the committee needed to do what is best for the department.

Soon thereafter, Amer learns that one of his classes is being given to the newly hired full-time faculty member. However, he will be assigned a different class so he will not have *Continued on page 3...*

SBCC Faculty Association



The collective bargaining agent for
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CCCI

California Community College Independents

We fight for Part-Time faculty!

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CCCI represents faculty from
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MiraCosta, Ohlone, Pasadena,
Redwoods, Santa Barbara,
Santa Monica, Santa Rosa,
Yosemite, Yuba

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to endure a reduced schedule. Then Amer receives a letter from the college's personnel office informing him that he will be losing his employee medical benefits because the new class is classified as an emergency hire and does not count towards the load requirement that enables one to be eligible to receive medical benefits.

Not to take away from the high quality of the story, what is disappointingly absent from it is any coverage of what adjuncts, as a group, can do about their situation or the role of the union that likely "represents" Amer at this California college. There is a good possibility that had Amer reached out to his union over losing his medical benefits, he would have received an expression of sympathy and been told that under the existing rules, nothing could be done. That is why adjuncts cannot solve the problems they face on their own. They need to be organized to fight for equal treatment.

My positive reaction to the film is strong because it effectively depicts many of my own life experiences and what I assume are the experiences of the thousands of other part-time gig faculty members working in our institutions of higher education.

The film resonated with the HELU audience, who were primarily contingent college faculty from around the country. Some of the commentary expressed during the talk-back included:

- › *Disrespect is one of the hardest parts of being an adjunct.*
- › *We're a disposable commodity.*
- › *"Institutional betrayal" is indeed what we face.*
- › *Adjuncts make many sacrifices in their lives without necessarily realizing it.*
- › *Many FT colleagues see us as "less than."*

› *Many unions talk a good talk, but in the end...the contract always seems to be better for tenured faculty, who primarily run the unions.*

› *Most unions are just fine with the two-tier system. They don't even blink when they see that PT faculty get a fraction of their salaries for the EXACT SAME WORK.*

› *We get ignored/blamed sometimes and gaslit for being "anti-union" because we are asking for equality!*

› *Unions and districts rely on our passion for the job and the students to give 100% in exchange for 40% pay. They count on it!*

› *The higher ed system depends on underpaid part-time faculty, creating an unsustainable two-tier structure that must be dismantled.*

› *The film is not only triggering, but an impetus to take action!*

Some great ideas for taking action came from the group: the move to end contingency must embrace current adjunct faculty with job security and equality in benefits and salary, not just hiring more tenure-track lines, many of which will simply replace long-term adjuncts; and strengthening leadership, involving students, and expanding representation beyond a few voices are key steps toward a fairer, more unified movement.

This film deserves to be widely viewed. Even if you are not an adjunct, the film is educational, engaging, and worth watching. Adjunct is available on Amazon, Apple, and Google. A previous and longer version of this article was published by Counterpunch at: www.counterpunch.org/2025/09/05/the-movie-adjunct-effectively-depicts-gig-faculty-work

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› Any language that limits your right to sue for wage theft or effectively strips you of your right to collective legal action.

› For example: "All claims and disputes related to wages and hours...shall be resolved through the grievance procedure and shall be the exclusive remedy for such disputes..."

› Worse yet: "Claims shall only be brought by the individual employee, not the Association, and shall not be pursued as a class, collective, or representative action."

› Any provision that gives the arbitrator "full authority" as the only avenue for resolving wage or minimum wage disputes. If any retroactive compensation is awarded, it may be limited to just 60 days—an insultingly short period, given the years of unpaid labor involved.

There are serious lessons here. Faculty must stay actively engaged with their local union chapters and negotiation teams, especially part-time faculty. Don't rely on verbal or email updates, no matter how reassuring they may seem. Ask for everything in writing. Insist on open membership meetings to review all proposed contract language before any vote takes place.

Together, we must keep our ears and eyes on all negotiations. Do not let your officers or your negotiation team (mis)lead you. Usually, full-time faculty don't have your best interests in mind, and it's up to us to request that they communicate ALL new language that's being considered. We must be ready to resist any efforts to undermine our rights, regardless of whether they are truly disingenuous or merely neglectful, it is up to each of us to continue the fight for fair compensation and treatment.

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College of Sequoias Adjunct Faculty Association (COSAFA)

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employment categories. This is a long-overdue correction to a system that has relied on contingent labor while denying it stability and recognition.

But as we move toward this vision, we must confront a critical danger: the transition itself could reproduce the very injustices we seek to dismantle.

Many current proposals focus on structural reform—redefining job categories, aligning pay scales, and creating new full-time or proportional roles. Yet few offer concrete protections for the faculty who have sustained our colleges under inequitable conditions: long-serving part-time educators. Without deliberate safeguards, the transition could prioritize new hires under the one-tier model while sidelining legacy adjuncts. It could fail to convert existing part-time faculty into protected permanent positions. It could leave senior part-timers without tenure-track pathways that take their already attained years of service into account. In short, it could erase decades of service, institutional knowledge, and student relationships in the name of reform.

This is not just a policy oversight—it's a moral hazard. A movement rooted in justice must not reproduce or worsen exclusion in its implementation.

To ensure that the shift to a one-tier system honors those who have endured the inequity, we must insist on a just transition. That means:

- › **Seniority-based conversion:** Long-serving part-time faculty must be prioritized for new protected proportional, or when available, full-time roles.
- › **Automatic pathways to parity:** Conversion mechanisms should be contractual, not competitive.
- › **Tenure eligibility for legacy adjuncts:** Past sustained service must translate into automatic access to tenure-track status.
- › **Funding protections:** Districts must not reduce instructional hours or replace existing faculty with new hires or those upgraded from part-time to full-time.
- › **Transparent implementation plans:** Every district should recognize a roadmap that includes timelines, conversion criteria, and faculty protections.

The one-tier movement is a historic opportunity to correct decades of



The Community College Association, with CTA and NEA as our partners, advocates and organizes with California's public community college faculty, staff, and students; empowers locals; builds strong and effective coalitions; promotes equity, inclusion, anti-racism, social justice, and part-time faculty equality, and strives to preserve universal access to quality public education.

#CCA4US



structural injustice and abuse in California's community colleges. But equity must be more than a policy—it must be a process that includes those who have borne the weight of inequity. Without intentional protections, the transition risks becoming a new form of exclusion.

Justice delayed must not become justice denied and the treatment must not be worse than the disease.

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