Know Your Contract

Re-Employment Preference: What It Is, How It Works
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Re-employment preference (REP), rarely given outside of the Foothill-De Anza District, is in a very real sense an agreement between part-time faculty and management that benefits both parties. Part-time faculty with REP agree to accept an assignment when offered (with certain exceptions outlined in Article 7.8) so gain a reliable employment; managers agree to offer assignments to faculty with REP before giving them to others with lower/no REP so gain a reliable pool of faculty.

Additionally, in assigning classes to part-time faculty with REP, managers factor in Article 7.2.4, which states that part-time faculty must be qualified for the assignment. “Qualified” is defined as (1) meeting the state minimum qualification for the particular discipline, (2) having adequate preparation for the specific course or assignment through appropriate education or experience, and (3) possessing effective skills relevant to the specific course or assignment.

Part-time faculty earn REP within one division at one college after five quarters of employment (consecutive or not) if within the first three quarters both a satisfactory administrative evaluation (J1) and a student evaluation (J2) are completed, the latter according to Article 7.2.3 “to the extent practicable based on the faculty employee’s assignment.” If either evaluation indicates improvements are needed or raises concerns, follow-up evaluations can be done before the end of the fifth quarter. Thereafter, part-time faculty are evaluated once every nine quarters of employment.

REP can be terminated in four ways: (1) a break in service occurs, which is defined as not having an assignment for six or more consecutive quarters for any reason; (2) an assignment is refused for a reason other than the exceptions in Article 7.8; (3) unsatisfactory performance is documented as outlined in Article 7.9; and (4) failure to perform the normal and reasonable duties or misconduct as defined by Education Code Section 87732 is documented as outlined in Article 7.10.

Part-time faculty with REP can be bumped before the beginning of the quarter, but only if the assignment is needed to fill the load of a full-time faculty employee. After Notification of Assignment letters have been issued, the seniority of part-time faculty members is considered as a relevant but not controlling factor in deciding which particular assignments are needed to fill full-time loads.

The REP list is used as follows: the senior most part-time faculty member, determined by date of first quarter of employment, is first offered “an assignment” (see Article 7.6.2); then assignments are offered to others by their seniority order on the list. When the end of the list is reached, if classes remain, the senior most faculty is offered a second assignment and so on. Only after all part-time faculty with REP are fully loaded can the scheduler offer assignments to part-time faculty without REP.

To ensure the REP “agreement” is being honored, part-time faculty need to be aware of their REP status; to this end, Article 7.3 mandates that “each division shall post its reemployment preference list in the division office, and the list shall be updated quarterly.” So that part-time faculty can more easily check their status, the REP list should be posted by department/program, not by division as it is initially formatted.

To ensure the REP agreement is being honored, faculty also need to know who is being assigned classes under Article 7. But that information seems no longer available due to “improved” technology. The old green-bar paper schedule, available for all to see, showed each assignment’s course type, for example, “1” signaled a full-timer’s load class or “2” signaled an overload class. Faculty could easily check whether anyone below them in REP received an assignment. But electronic or Excel draft schedules in use today, according to faculty, do not show the course type. Faculty can assume that the REP list is being used correctly, but if they want assurance, they would need to ask the scheduler for such information or call the FA Conciliator (who does have access to course type).

Faculty with questions about re-employment preference are encouraged to contact their campus Conciliator or the FA Office 650.949.7544.