

## **Article 18**

### **REDUCED WORKLOAD PROGRAM**

#### **Definition**

- 18.1 Each full-time faculty employee who meets the requirements of this article may reduce their contract from full-time to percent of contract while maintaining their retirement benefits pursuant to Education Code Sections 22713 and 87483 or Government Code Section 20900. A “reduced contract” is an annual load that is less than 100 percent but at least 50 percent of a full annual load.

#### **Eligibility Requirements**

- 18.2 To be eligible for a pre-retirement reduction in contract under this article the faculty employee must have:
- 18.2.1 Reached the age of 55 prior to the employee’s first contract day of the first school year for which the employee’s workload is reduced;
  - 18.2.2 Been employed full-time in a faculty position requiring membership in an appropriate California state retirement system for at least ten years;
  - 18.2.3 Have served five years in the District immediately preceding the reduction in full-time employment without a break in service, with the final three years (of the immediately preceding five years of full-time employment) in a faculty position. For purposes of this section, an approved leave of absence shall not constitute a break in service. However, an unpaid leave of absence shall not count towards the five years of full-time service required by this section; further, the five (5) years of full time equivalent service must be met within no more than seven (7) years of employment immediately preceding the year in which the participation in the reduced workload program begins. For example, within the seven years immediately preceding participation in the Reduced Workload Program, three years of employment with no unpaid leave plus four years of employment with partial unpaid leave of fifty percent (50%) each year, shall meet the five (5) years of equivalent full-time employment requirement.
- 18.3 This article shall be applicable only to faculty employees who request reduction in contract and meet the criteria established by Section 18.2. The Reduced Workload Program shall become effective at the beginning of the college year; in accordance with the Education Code, a faculty employee cannot combine a full-time contract and an Article 18 contract within the same college year.

#### **Duration of Participation and Withdrawal from the Program**

- 18.4 The maximum period during which a faculty employee’s contract may be reduced under this article shall not exceed 10 years for a faculty employee enrolled in STRS or 5 years for a faculty employee enrolled in PERS. At the conclusion of the period during which a faculty employee’s contract is reduced under this article, the faculty employee shall submit a letter of resignation for the purpose of retirement and then

shall retire at the conclusion of the final year of participation unless, during the first year of the reduction in contract under this article, the faculty employee submits a written request to return to full-time employment at the beginning of the next academic year. Notwithstanding Section 18.9, such a request to return to full-time employment shall be granted if it is received by the college President or designee on or before April 1 of the first college year of Article 18 participation.

### **Faculty Rights and Duties**

- 18.5 A faculty employee whose contract has been reduced under this article shall retain 1) all paid benefits, such as the district contribution towards health insurance, as if they were a full-time faculty employee and shall receive the pro rata share of the salary they would have earned had they continued full-time; 2) full compensation for earned Professional Achievement Awards, if any, and the right to apply for additional awards, if any, in accordance with Article 38; 3) continued eligibility for assignments under Article 7, Article 25, and Article 26; and, 4) on a pro rata basis, all other rights and benefits of regular faculty employees, such as pro rata sick and personal necessity leave, except the right to receive a professional development leave. Faculty on Article 18 are not eligible to apply for, or be granted, a professional development leave under Article 17.
- 18.6 A faculty employee whose contract has been reduced under this article shall fulfill the appropriate pro rata share of the faculty duties that would have been required had the employee continued as a full-time employee.

### **Retirement System Contributions**

- 18.7 In compliance with Education Code Section 22713 and Government Code Section 20900, as appropriate, a faculty employee whose contract has been reduced under this article shall contribute to the appropriate retirement system by payroll deduction the amount they would have contributed had they continued full-time. The Board shall contribute to the appropriate retirement system the amount required by law.

### **Initiation of Article 18 Request**

- 18.8 To initiate the provisions of this article, a faculty employee shall follow the procedures described below in the college year preceding the reduction in contract:
- 18.8.1 Meet with the appropriate administrator by January 15 to determine through mutual agreement the load configuration by which the reduced contract shall be fulfilled, as specified below:
- 18.8.1.1 A full academic year schedule with a reduced load in one or more of the three quarters;
- 18.8.1.2 A two-quarter schedule that does not exceed the percentage of annual load normally served in the department in any one quarter nor the combined percentage of annual load normally served in any two quarters.

- 18.8.1.3 For a faculty employee covered under Article 10.11, the schedule may also reflect reduced load in the eleventh and/or twelfth month of the employee's annual contract.
- 18.8.2 File a written request with the President or designee by March 1. The written request shall be made on the form contained in Appendix W – Request for Reduced Workload Program and specify:
  - 18.8.2.1 The reduced contract the employee desires under this article, provided it is not less than one-half of a full load;
  - 18.8.2.2 The load configuration, as defined in Section 18.8.1, by which the reduced contract shall be fulfilled; and,
  - 18.8.2.3 The number of years during which the faculty employee wishes their contract to be reduced under this article, provided the number of years does not exceed 10 for faculty employees enrolled in STRS or 5 for faculty employees enrolled in PERS.

If the employee's request is granted it shall take effect at the beginning of the next college year, remain in effect for the duration specified in Section 18.8.2.3, and be revoked only with the mutual consent of the faculty employee and the Board. After implementing Article 18, the faculty employee shall consult, on an annual basis, with the appropriate administrator by January 15 to determine the schedule, as defined in Section 18.8.1, by which the reduced contract will be fulfilled.

### **Change in Percentage of Reduced Contract**

- 18.9 A faculty employee whose workload has been reduced under this article may request to change the percentage of reduction in contract by following the provisions of Section 18.8 and submitting Appendix W to the President or designee specifying the revised reduction. The college shall then forward the request for change to the District Office of Human Resources. If the employee's request is granted it shall take effect at the beginning of the next college year.

### **Additional Provisions**

- 18.10 Notwithstanding Section 18.8 the Board may, after consulting with FA, assign the faculty their reduced load in such a manner as to meet the program or staffing needs of the District.
- 18.11 In accordance with Ed Code 22713(g), a member who retires or otherwise separates from service prior to the end of the school year shall be in violation of the provisions of the reduced workload program, and the member's service credit for that period of the contract shall be credited in the proportion that the member's creditable compensation for that service bears to the member's compensation earnable.
- 18.12 Nothing in this article shall prohibit a faculty employee from requesting a reduction in contract outside of the provisions of this article or prohibit the Board from granting such a request.