

125% Rule

The **Unit-3 Faculty Collective Bargaining Agreement (Article 36)** and the **CSU System-Wide Additional Employment Policy (HR 2002-05)** limit total employment in the California State University system to a total of 125%.

The 25% overage allowed (an average of 10 hours per week or 3.75 units per semester) is calculated as a percentage of a full-time workload (40 hours per week or 15 units) or, when appropriate, time base (.25).

The limitations apply to work performed for any CSU campus and for any CSU auxiliary organization such as the University Corporation, the Foundation/University Advancement, Extended Learning, and grants and contracts administered by CSU auxiliary organizations. Work performed as a Special Consultant is also counted as part of an individual's total workload.

Unit 3 Faculty (Lecturers, Coaches, Librarians, Tenure-Track Faculty, Counseling Faculty, and others represented by the Unit-3 Faculty Collective Bargaining Agreement) are allowed an overage of 25% of a full-time position only if the overage employment meets one or more of the following criteria:

1. Consists of employment of a **substantially different nature** from the primary or normal employment; **OR**
2. Is funded from **non-general fund** sources; **OR**
3. Is the result of the accrual of **part-time employment on more than one CSU campus**.

NOTE: Part-time faculty may be employed up to 18.75 units as a Lecturer **only if the work is split between two or more CSU campuses**. Otherwise, they are restricted to a total of 15 units of teaching, even if the units are in two different departments on the same campus. However, they may work the additional 25% overage in a position that is **substantially different** from their Lecturer position.

The applicable time period for **Academic-Year employees** is the **Academic Year**. Additional employment and overload limits are calculated and applied independently during vacation, holiday periods, or other academic breaks (i.e., Intersession and Summer Session). We have interpreted this to mean that an academic year faculty member is allowed to work 125% of a full-time workload during the summer months (50 hours per week). However, as indicated above, this additional work (10 hours per week) must be of a substantially different nature from his/her regular faculty work or must be funded from a non-general fund source. The number of allowable units depends upon the duration of the summer session course.

Faculty are only to begin working on an Additional Pay project after the Pre-Authorization for the project has been approved.

FERP Participants -Article 29 Restrictions

Faculty participating in the Faculty Early Retirement Program (FERP) are restricted in employment to:

1. **90 Days per fiscal year** (a semester is typically 85 – 87 days) **OR**
2. **50%** of the faculty member's time base in the year preceding service retirement,

Whichever is less.

Rehired Annuitants - 960 Hour PERS Limitation

Any faculty member who has retired from The Public Employees' Retirement System (CalPERS) is limited to **total post-retirement employment at any PERS agency of 960 Hours per Fiscal Year or 50% of the hours the member was employed during the last fiscal year of service prior to retirement, whichever is less.**

State Supported Summer Employment

While Summer work is viewed separately from AY work, it is limited in total to 125%. Units taught during a state supported Summer Session may apply to a temporary faculty members AY entitlements; Summer may be used to provide temporary faculty with their entitlement only if the summer session is state supported.

Academic-Year Faculty

The Chancellor's Office has advised us that the time and effort for Summer Session and Intersession courses is equivalent to the time and effort for courses taught during the regular semester.

For example, a 3-unit Summer Session course represents a workload of 136 hours [85 days (the number of days in a normal semester) x 8 hours/day x 3/15 (time base of a 3-unit course) = 136 hours]. Since Summer Session courses are taught over a condensed time period rather than the normal 17-work week semester, the number of units a faculty member may teach is limited and may not result in exceeding the 25% allowable overage.

Example:

3-Unit Summer Session Course Taught Over 6 Weeks:

136 hours/6 weeks = 22.7 hours per week average

Two 3-Unit Summer Session Courses Taught Over 6 Weeks:

272 hours/6 weeks = 45.33 hours per week average

45.33 < 50 hours/week, so this is **allowed**

12-month Department Chairs & 12-Month Faculty

Former Provost Hellenbrand approved a proposal stating that beginning with Summer 2013, vacation days are to be used by Department Chairs who choose to teach in the summer term. The calculation of vacation days is based on the 12-week summer term, rather than on a weekly basis. If the additional work is being done through Extended Learning or self- support funding, please note that Article 36 limitations still apply.

Example:

3-Unit Summer Session Course Taught Over 12Weeks:

45.33 hrs/unit x 3 units = 136 hours

136 hrs > 120 hrs (10 hrs x 12 weeks)

136 hours - 120 hours – 2 vacation days taken will cover the remaining 16 hrs.

Intersession Employment

Academic-Year Faculty

Academic year faculty may teach during intersession. Caution must be taken so that the number of units assigned over the length of the intersession course does not exceed the allowable overage.

Example:

3 Unit Intersession Course Taught Over 3 Weeks

136 hours/3 weeks = 45.3 hours per week average

45.3 < 50 hours/week so this is **allowed**