

MEMORANDUM

May 5, 2023

TO: DAA Leaders

FROM: William DeGraffenreid, AVP for Faculty Affairs, Success, and Equity (interim)

RE: Additional Employment Guidance

This memo is to clarify how much additional employment is available to faculty teaching in CSU employment. [Article 36](#) of the Collective Bargaining Agreement (CBA) establishes the framework for Additional Employment of Unit 3 employees and has been supplemented by various arbitration findings. I have consulted with the Chancellor's Office to verify my own interpretation of how the limits should be calculated and their interpretation matches mine.

Provision 36.5 says that a faculty unit employee shall be limited in CSU employment to one full-time position. An overage of 25% is allowable only under several conditions:

- a) The work is of a "substantially different nature from their primary" duties,
- b) Is funded from non-general fund sources,
- c) Is the accrual of part-time work from more than one campus, or
- d) Necessary to meet the entitlement of a lecturer, under some circumstances.

The work impacted by this article often falls into summer where both state-side and self-support intersessions are out of the primary duties of Academic Year faculty, winter and self-support programs. Additional sources of additional employment include but are not necessarily limited to: work from grants and contracts, work funded from philanthropic sources, and special projects outside of primary duties. Collectively, all of these contribute to the allowable overage of work.

The maximum 25% overage is to be tracked at the semester level. As a 15 WTU load is considered full-time employment, the limit of 3.75 WTU (25% of 15 WTU) must be established for assignments during the fall and winter semesters going forward. EU assignments that would be more than 3.75 WTU could be offered to qualified lecturers whose workload is not full-time (so long as total workload does not exceed 18.75 WTU). Alternatively, the assignment may be made with a combination of release time and additional employment (structured so that the additional employment remains below 3.75 WTU). For assignments that are "hours-based" rather than WTU-based, the following equivalency should be used: 3 WTU = 136 hours. Thus, if all work assigned is hourly, the maximum number of assignable time for additional employment in a semester would be 170 hours.

Work that spans outside of the semester should be considered on a prorated basis. For example, a 4 WTU assignment that equally spans the Academic Year and intersession times would count for 2 WTU for each the semester and the intersession term. A 4 WTU assignment that falls 75% of the time during the Academic Year and 25% out would be considered 3 WTU for the semester and 1 WTU for the intersession.

As noted above, the additional employment is across all sources of additional CSU work (e.g. grant-funded additional employment, assignments at other campuses, etc.) and individual faculty members may have other work that further limits their ability to accept an EU assignment. Faculty members are notified of the Additional Employment requirements of Article 36 and are expected to follow it. While it is their responsibility to adhere, the University should not knowingly offer work that would put them in jeopardy of violating the CBA.

These limits do also apply to our part-time faculty members in that their combined work across the sources may not exceed 125%. Per Provision 36.5, stateside instructional work may not exceed a 1.0 timebase on a single campus, but work of a substantially different nature including self-support and sponsored work can exceed the 1.0 timebase. It should be noted that faculty participating in the FERP program may not participate in any additional employment per CalPERS regulations. Failure to adhere to this requirement could result in involuntary return to full service and penalties to the university and the faculty member.

I acknowledge that this is a change from past guidance that the campus has received (which allowed Academic Year averaging). While I cannot provide any insight into how such guidance came to be, I can assure you that what I have described above is how the CBA is interpreted not only by me but also by the Chancellor's Office. As of the date of this memorandum, it must be done in this fashion. Due to the timing of this memo, I recognize that it may be difficult to adjust assignments for Summer and Fall 2023 semesters to bring them into compliance. In such a case, the program can request in writing an exception to this to the Dean of Extended Education.

Attached to this memo is a guidance document that summarizes the limits for the semesters, summer, winter, and spring break. Faculty Affairs stands ready to help with verifying compliance with the 25% limit for the more complex cases such as those with multiple sources of employment, those with full or partial 12-month appointments, or other complex cases.

Allowable Additional Employment - Unit 3 Faculty

Allowable 25% Overage CSU Employment Fall and Spring			
Unit of Measurement	Method of Calculation	25% Overage	Maximum
Units per Semester:	25% of 15 units	3.75 WTU	18.75 WTU
Hours per Week ¹ :	25% of 40 hours	10 hours	
Hours per Month:	10 hrs/week x 4-5 weeks	40-50 hours	
Hours per Semester:	10 hrs/week x 17 weeks	170 hours	

1. Exceeding 10 additional hours per week is reasonable over a short time frame (less than one month) so long as total for term remains below max.

Allowable CSU Employment Summer				
Unit of Measurement	Method of Calculation	Regular	25% Overage	Maximum
Hours/Week Summer	40 hours per week	40	10 hours/week	50 hrs
Hours per Summer	12 x 40 hrs	480	120 hrs	600 hrs
WTU / Summer	480 hrs x (3 WTU/136 hrs)	10.6 WTU	2.65 WTU	13.25 WTU

Summer has typically 12 weeks.

AY Faculty can take on the maximum allowed as they do not have summer duties. 12M faculty are limited to Overage.

Allowable CSU Employment Winter				
Unit of Measurement	Method of Calculation	Regular	25% Overage	Maximum
Hours/Week Winter	40 hours per week	40	10 hours/week	50 hrs
Hours per Winter	4 x 40 hrs	160	40	200 hrs
WTU / Winter	160 hrs x (3 WTU/136 hrs)	3.53 WTU	0.88 WTU	4.41 WTU

Winter has typically 4 weeks.

AY Faculty can take on the maximum allowed as they do not have winter duties. 12M faculty are limited to Overage.

Allowable CSU Employment Spring Break				
Unit of Measurement	Method of Calculation	Regular	25% Overage	Maximum
Hours:	40 hours per week	40	10 hours/week	50 hrs
WTU / Winter	40 hrs x (3 WTU/136 hrs)	0.88 WTU	0.22 WTU	1.1 WTU

AY Faculty can take on the maximum allowed as they do not have Spring Break duties. 12M faculty are limited to Overage.

When multiple sources exist, we must review in terms of combined additional effort. We need to convert sources to a common unit to test against maximum. It can be in either hours or WTU, so long as the appropriate conversion is used (3 WTU = 136 hours). For activities that span time periods (e.g. spring and summer), appropriate weighting fractional assignment of the duties should be used (e.g. equally split across spring and summer will have half assignment in each).

5/5/2023