State of California
Memorandum

To: Academic Department Heads/Chairs, Deans, Associate Deans, College Analysts, Dean Wendt, Rich Savage

Date: January 11, 2017

File No.:

From: Albert A. Liddicoat, Associate Vice Provost, Academic Personnel

Copies: Kathleen Enz Finken, Mary Pedersen, Brian Tietje, Jennifer Hiatt, Department Coordinators Academic Personnel Staff

Subject: 2016-2018 Unit 11 (Academic Student Employees) Contract Changes

Dear Colleagues:

You may be aware of the recent (December 2016) ratification of the Unit 11 collective bargaining agreement, which is effective July 1, 2016 through September 30, 2018. A brief overview of the Unit 11 contract changes is available on the Academic Personnel website. For your benefit, I would like to highlight in more detail several significant changes that are effective immediately.

Please feel free to distribute this communication to any others in your college or department who need this information. A separate communication will be sent to all faculty unit employees with the specific information that faculty supervisors of academic student employees will also need to be aware of.

Teaching Associates
Effective January 1, 2017, Teaching Associates are considered to be salaried non-exempt employees, and as such will now be subject to the overtime provisions of the Fair Labor and Standards Act (FLSA).

The new contract provides that:

1) TAs must be notified of the hours per week associated with their assignment. Academic Personnel will notify all TAs employed Winter 2017 of their non-exempt status and expected number of work hours. Beginning Spring 2017, their appointment letters will contain this information in addition to other information and references required by the new contract. The ASE101 form required for every academic student appointment also states the expected hours (sample notification letter follows).
2) TAs should not exceed the number of hours associated with their assignment without advance written authorization of their department chair. Although TAs will be notified of this requirement, their supervisor is ultimately responsible for monitoring their work hours each week to ensure they are not exceeding the number of hours in their appointment letter.

3) Consistent with their non-exempt status, any assigned teaching schedule consisting of 4 or more consecutive hours must allow for a paid 15-minute break period (to be scheduled by the supervisor).

4) Any required work scheduled by the employee’s supervisor that exceeds 40 hours in one week (defined as a period consisting of 7 consecutive 24-hour days, Sunday through Saturday) is subject to FLSA overtime provisions at a rate of one and one-half times the hourly pay rate. However, such an excessive work schedule would require advance written authorization of the department chair, and should not be approved except in very rare and justifiable circumstances. Although the Teaching Associate classification permits work up to 40 hours per week, CSU and campus policy limits all student employment to no more than 20 hours per week during academic terms.

5) Any work assigned on a holiday must be compensated at the regular hourly rate or be offered an alternate day off with pay in lieu of additional compensation. Such circumstances requiring a TA to work on an academic holiday would require advance written authorization of the department chair, and should not be approved except in very rare and justifiable circumstances.

6) Any assigned work that is missed due to illness or other reasons must be documented through normal procedures for academic employees (using Absence Management Self Service). TAs will be required to enter the number of hours they are absent if they are absent for either a partial or an entire day. Similar to AY faculty, TAs will not be required to enter “no leave taken” if they have not missed any of their scheduled work for the month.

If an exceptional situation necessitates departmental authorization of additional work hours, the additional hours will be paid at the TA’s current salary rate in a new hourly classification of Substitute Teaching Associate.

**New Classification – Substitute Teaching Associate**
A new classification will be implemented for hiring of Substitute Teaching Associates. This hourly classification will be available after January 18, 2017, and can be used to appoint qualified and available Unit 11 employees at their existing hourly rate to work as substitute TAs in courses they are qualified to teach. Each department which will potentially utilize substitute TAs should create a pool of qualified Unit 11 employees for this purpose each quarter.

**Salary Increases**
TAs and GAs will receive a retroactive 3% general salary increase effective 7/1/2016. The minimum and maximum salaries on the salary schedule have also been increased by 3% in all TA and GA classifications effective 7/1/2016.

All ISAs employed since 7/1/2016 will receive an increase of $0.25/hour effective 7/1/2016. The ISA minimum and maximum hourly rates on the CSU salary schedule have been increased by $0.50/hour; the new minimum hourly rate is $12.50/hour. After the $0.25/hour increase has been applied, any hourly rates that remain under the new minimum hourly rate will be increased to the new minimum rate of $12.50/hour.
The State Controller’s Office will post salary increases on January 17, 2017 for all affected TAs, GAs, and ISAs on pay status from July 1, 2016 to the present, including employees whose appointments have ended or expired. Current Unit 11 employees will be notified by Academic Personnel of their salary increase and will be able to view their new salary in their portal on the “personal info” tab by January 20. If applicable, any retroactive pay will issue by January 25. Since the pay increases will be processed by the State Controller’s Office for all affected employees, no other action will be required.

**Training Pay Exceptions**

ASEs are paid for required training, with some new exceptions, including:

1) mandatory coursework required for accreditation requirements;
2) approved curricular requirements, or
3) required training per University Executive Orders.

Outside of these exceptions, ASEs will not be required to pay additional tuition or fees resulting from enrollment in or repeat of courses specifically related to training for their position.

**Updated ASE Description of Duties Form (ASE 101)**

The Academic Student Employee Description of Duties Form has been updated by the CSU. The [ASE 101-Description of Duties](http://academicpersonnelwebsite.com) form has been updated to be compliant with the new CBA changes and is available on the Academic Personnel website. Please download the current ASE 101 for immediate use beginning with Winter 2017 appointments.

As a reminder, the Unit 11 contract requires that a new Description of Duties form (ASE101) be completed for **every Unit 11 employee for every term of their employment**. Periodic audits should be conducted within each department to ensure that these forms are being completed for all academic student employees.

A notification regarding the specific changes affecting ISAs is being sent to all ISA timekeepers (see sample email below).

The Graduate Assistant appointment letter template will also be updated to be compliant with the new CBA changes, and will be sent to college personnel analysts for use beginning with Winter 2017 appointments.

The CSU will host a live webcast on “Highlights of the New UAW Agreement for Department Chairs” on Wednesday, January 18, from 2:00 to 3:00 which is intended for department chairs and others involved in appointing and supervising academic student employees. [Webcast information](http://academicpersonnelwebsite.com) is available on Academic Personnel’s website.

Any questions regarding the Unit 11 contract provisions should be directed to me. Questions regarding Unit 11 appointment procedures can be directed to Carol Sammons (TA and GA) and Nicole Hadley (ISA) in the Academic Personnel office.

Al Liddicoat
AVP Academic Personnel
Sample Email Notice to Teaching Associates

January 11, 2017

Dear [Teaching Associate Name],

With the recent ratification by the CSU Board of Trustees of the Unit 11 collective bargaining agreement, Teaching Associates are now classified as non-exempt employees. Our campus is required to comply with the collective bargaining agreement as it pertains to your position as a Teaching Associate.

Please accept this as notification of your time-base and the number of hours that will be spent in conjunction with your assignment as a Teaching Associate. For the Winter Quarter 2017, your [FTE] assignment in the [Department] Department will consist of [hours] hours per week. As a non-exempt employee, should the need arise for you to report any partial or full days that you have missed due to illness or other unavoidable circumstances, you will enter your absences through the absence management self-service portal in MyCalPoly (under the personal information tab).

If you anticipate any potential problem with performing your assigned duties within the number of hours you have been assigned during any week of your assignment, you must initiate discussions with your department head/chair. **You should not exceed the number of hours indicated above in one week without prior written authorization of your department head/chair.**

If your teaching schedule involves periods of work consisting of four (4) consecutive hours (or more), you will be provided a fifteen (15) minute paid break for each four (4) hour period worked. Your department chair will determine break schedules.

Previously, as an exempt employee, you were not eligible for overtime pay. Under the new agreement, any hours worked over forty (40) hours per week (Sunday through Saturday) must be compensated at the rate of one and a half times your equivalent hourly pay rate. Since CSU and campus policies limit all student employment to no more than 20 hours per week during academic terms, very few (if any) Teaching Associates will ever be assigned to work a forty hour workweek.

Finally, you will receive pay for any campus or academic holidays that you are required to work. Although work on a campus or academic holiday is not usually required of any academic employees, including Teaching Associates, should you ever be requested in writing by your supervisor or department head/chair to work on a designated campus or academic holiday, you will receive additional compensation at your straight pay rate on an hourly basis for all hours worked on the holiday, OR, you may be given an equivalent time off to be taken within the current academic term, at the discretion of the department head/chair.

Please do not hesitate to contact your department head/chair with any questions regarding your appointment.

Sincerely,
Al Liddicoat
Associate Vice Provost, Academic Personnel

cc: Department Chair, Dean/Personnel File
Sample Email Notice to ISA Timekeepers

January 11, 2017

Dear ISA Timekeepers,

The recent ratification of the Unit 11 Collective Bargaining Agreement between the California State University and the United Auto Workers (UAW) has included salary increases for fiscal year 2016/17 retroactive to July 1, 2016.

All ISAs employed since 7/1/2016 will receive an increase of $0.25/hour effective 7/1/2016. The ISA minimum and maximum hourly rates on the CSU salary schedule have been increased by $0.50/hour; the new minimum hourly rate is $12.50/hour. After the $0.25/hour increase has been applied, any hourly rates that remain under the new minimum hourly rate will be increased to the new minimum rate of $12.50/hour. The new pay range for Instructional Student Assistants is: $12.50 - $18.92.

The increases are scheduled to be processed on January 17, 2017 by the State Controller’s Office. The retroactive portion of the increase will be issued as a separate paycheck on January 25, 2017 and will be available for pick-up in Student Accounts, Building 1, Room 211. The ISAs will also receive an e-mail notification from Academic Personnel with this information.

Please be sure to note the new pay range when hiring for the new academic year (2016/17). If you have any questions or concerns, please contact Nicole Hadley in Academic Personnel.