

AAUP Works

Chapter Bulletin-Article Reprint

Volume 15, Issue 4

April 25, 2008



UCAAUP Executive Council

President

Steve Howe

Vice President

Daniel Langmeyer

Secretary

James Westheider

Treasurer

Jane Thompson

At-Large Members

Larry Gilligan

Rosemary Franklin

Rick Paul

Associates Council Chair

Joel Helms

Associates Council Vice-Chair

Wally Wood

Organizing Committee Chair

John McNay

Contract Compliance & Education Committee Chair

Lynn Davis

Budget & Compensation Advisory Committee Chair

Steve Pelikan

Political, Social & Academic Freedom Issues Action Committee Chair

William Jennings (interim)

Immediate Past President

Sally Dunn

UCAAUP Staff

Deborah M. Herman,
Executive Director

Dave Rubin,
Staff Consultant

Anne Feldman,
Administrative Assistant

FACULTY AND THE WORK YEAR

“When Must I Be Available to Work?”

It is that time of year. We are now well into the spring quarter, and summer is not far behind. Common questions we hear from Faculty Members are: When do I have to return from summer vacation or other activities? Am I required to attend departmental or college functions before the start of classes in late September? The answers have basis in both written word and common sense.

Faculty Members on 12-month appointments, such as librarians and College of Medicine faculty, do not have a specified summer vacation. Instead, they work year-round, but earn 22 days of vacation leave which they can use at any time with approval of their unit head. Faculty Members on 9-month appointments, however, do not earn vacation leave. Instead, they are “off” during the summer and during the break periods between fall and winter and between winter and spring quarters. This means they do not have any assigned duties—not that they are “unemployed.”

There is no specific calendar definition of the “9-month appointment”, however, for the purposes of clarifying exactly what dates encompass a Faculty Member’s responsibilities with regard to the three academic quarters. For payroll purposes, Rule of the Board of Trustees 20-43-11, “Payroll: Definition of academic year”, defines the academic year as “three academic quarters

containing a total of thirty-two weeks devoted to registration, instruction and examinations, etc.” (The College of Law is an exception where its two semesters contain a total of 34 weeks.) The Rule goes on to say that “the basic compensation of faculty members employed for a three quarter academic year is considered earned during the thirty-two weeks mentioned above, even though it is paid in ten or twelve monthly installments.” The Rule also talks about “those periods in which the faculty member has full-time obligations to the university, i.e., during the thirty-two weeks of the basic academic year.” The Rules of the Board of Trustees are incorporated into the UC/AAUP Collective Bargaining Agreement by reference in Article 34.

Board Rule 20-43-11 therefore would seem- to imply that Faculty Members are obligated to work only during fall, winter, and spring quarters. But things are not always as clear as they may at first seem. As noted above, the Board Rule was designed primarily for financial purposes, such as for determining when faculty could earn extra compensation and for calculating sick leave payout at retirement.

Faculty members are professionals, and temporal obligations are not clearly delineated with regard to many aspects

of professional life. As Article 3.8 of the UC/AAUP Contract notes: “As principals of an academic community, Faculty Members and Librarians accept that active participation in the governance in their academic units, colleges, and the University cannot always be coterminous with their teaching responsibilities. Active participation in governance and academic planning is expected and necessitates a commitment to joint efforts with colleagues (e.g., Faculty meetings, planning retreats, Faculty workshops, Faculty Senate, AAUP, and University governance activity) that extend throughout the academic year.”

While Article 3.8 deals with the academic year (fall, winter, spring), clearly there will be times, especially just before and just after the academic year, when units or colleges must be engaged in planning, orientation, or summary activities. The work of the University can not stop, which means that all parties must exercise polite consideration and good judgment.

Common sense should prevail. While a Faculty Member can not be *compelled* to attend such activities, Faculty Members should participate in reasonable and genuinely necessary activities unless they are away or otherwise unavailable. While a Faculty Member can not be compelled to participate in such activities, a Faculty Member who does not participate in key meetings that take place, for instance, in the week or two before the start of the Fall quarter should not complain if decisions are made without their input. By the same token, when unit heads and college deans must schedule significant and/or key decision-making meetings outside the academic year, they should try to do so as close to the academic year’s beginning or end to make it more likely that Faculty Members will be able to attend and to comport with the spirit and letter of the contract and the Rules of the University’s Board of Trustees.

— David Rubin, PhD
Staff Consultant
