

overpaid

Part-Time Faculty Association of Allan Hancock College

PARITY & FAIRNESS THROUGH ADVOCACY



Date: September 29, 2010

To: Richard Carmody

CC: Betty Miller, Mike Terman, Gary Aston, Jeff Boxer, files

Subject: Paycheck reductions following overpayment to bargaining unit members—Labor Code Sections 221, 222, 223, 224

Dear Richard:

As you know, several times in recent years members of the Part-Time Faculty Association's bargaining unit have been overpaid. Following these overpayments, the entire amount that was overpaid has been taken from the bargaining unit member's paycheck the following month without that person's knowledge or consent. This frequently leaves them with little or nothing on their paycheck for that month. This is a violation of Labor Code Sections 221, 222, 223, and 224. While we recognize the importance of this money being repaid, it causes a hardship, sometimes severe, to the person in question when the money is recouped this way. The PFA has indicated in the past its willingness to work with Business Services to see that the money is repaid by setting up a payment plan. We have also pointed out that reclaiming all of the money overpaid on one paycheck is a violation of the above-referenced labor code. Yet the practice continues. If such a violation occurs again we will have no choice but to take formal legal action.

Sincerely,

Mark James Miller

Mark James Miller, President, Part-Time Faculty Association of Allan Hancock College, CFT Local 6185

