

# Part-Time Faculty Association of Allan Hancock College

PARITY & FAIRNESS THROUGH ADVOCACY



## President's Letter

November 2015

By Mark James Miller, PFA President

### Unemployment Benefits During Winter Break

I know it's hard to believe it is November already. The semester is already well past the half-way mark and the holidays are looming fast. This year we have an especially long intersession (finals end the week of December 7 and classes don't resume for the spring semester until January 25). So don't forget that you are eligible for unemployment benefits during this long hiatus. The day after you give your last final go on line to [www.edd.ca.gov](http://www.edd.ca.gov) and start the application process.

### What If I Am Working Somewhere Else?

You may still be eligible to receive unemployment benefits because your hours of work have been reduced. It doesn't hurt to apply and find out what you may be eligible for.

### But I Am Scheduled to Start Working Again When Spring Semester Starts—Doesn't That Make Me Ineligible?

A common misconception is that you won't be able to collect unemployment because you have been scheduled to start teaching or otherwise working in the part-time bargaining unit when school resumes in January. This is where one of the (very) few advantages of being a part-time academic worker comes into play. Because our employment is so tenuous, because as many of us know from past experience we can be bumped by a full timer at the last minute, or not enough students register for our classes, or because funds are cut, we can be bright-eyed and bushy tailed to take on our next assignment and then be told literally as we walk into the door of the classroom that it's no go, better luck next time.

Because of the precarious nature of our employment, an administrative law judge ruled in 1989 in the "Cervisi Decision" that part-time academic employees do not have what is known as "reasonable assurance of employment" as does a full-time, tenured instructor, and we are therefore eligible for

Part-Time Faculty Association  
of Allan Hancock College  
Local 6185  
California Federation of Teachers  
American Federation of Teachers  
AFL-CIO

The PFA's goal is to achieve parity with the full-time faculty by improving pay, benefits, and working conditions of its bargaining unit members.

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unemployment when our assignments come to an end. Sometimes the people working in EDD are unaware of this, so if you are turned down, file an appeal right away and cite the Cervisi Decision. If you need help, contact the PFA office.

### **What Happens If You Are Overpaid? Know Your Rights**

Many of us have had that unpleasant moment of receiving our paycheck and discovering that it is less—sometimes considerably less—than we anticipated. A form may have gone to the wrong person for signature and didn't get to payroll in time, someone forgot to dot an "I" or cross a "T" and you didn't receive all of the pay you were entitled to. For those members of our bargaining unit who live "paycheck to paycheck," this can be a hardship. As a union, we have stepped in many times when this has happened and helped people receive what is due them when they have been underpaid.

But what happens when the opposite takes place, and you are overpaid? While rare, it has happened that members of our bargaining unit, through no fault of their own, have been paid more than they were supposed to receive. This has led to the equally unpleasant experience of them opening their paycheck only to discover that the payroll department has held back part or even all of their paycheck to correct an overpayment they were not even aware of.

This practice of taking money from someone's paycheck to correct an overpayment is illegal, a violation of California Labor Code Sections 221, 222, 223, and 224. The district needs to notify you in writing of the overpayment and then you can work out a repayment plan with them. Contact the PFA if you are facing this situation or need more information.

### **Accidental Death and Dismemberment Insurance**

Don't forget that as an AFT member you are eligible to receive \$5,000 Accidental Death and Dismemberment Insurance. These are not pleasant topics to contemplate, but we wanted to remind everyone that in case of something unthinkable like that taking place, you or your designee can receive \$5,000 through the AFT's Accidental Death and Dismemberment Insurance. You must have a signed eligibility card on file in the PFA office in order to take advantage of this benefit. Call the PFA office if you would like to find out if we have your eligibility card. If not, we can arrange for you to come by the office and fill one out.

### **Don't Forget: Only Pool 1 Bargaining Unit Members Are Being Evaluated**

Lately several members of our bargaining unit have reported to us that they are being scheduled for an evaluation despite having been employed at Hancock for many years. This is a mistake. Under the terms of an MOU (Memorandum of Understanding) signed by myself and Dr. Walthers in 2014 and renewed with signatures by myself and Human Resources Director Kelly Underwood on June 10 of this year, only those PFA bargaining unit members in Pool 1 are to be evaluated. This is the result of a dispute between the Full-Time Faculty and the Administration, and until it is resolved, Pool 2 members of our bargaining unit are not to be evaluated. Contact the PFA office for more information.

### **PFA Office Closed November 25—November 29 For Fumigation**

We have recently been informed that our building at 103 E. Barcellus Avenue in Santa Maria is going to be "fumigated" over Thanksgiving. As a result, our office will have to be closed on Wednesday, November 25 through Sunday November 29. We will re-open on Monday, November 30.

### **PFA Office Still Closed On Fridays**

For now the PFA office will continue to be closed on Fridays. We will continue to check the emails and voicemails when we aren't here, and if you have an emergency you can call/text my cellphone, 805-235-7483. We will continue to be here Monday—Thursday 12–5, although our hours of operation will almost certainly be reduced over the Winter Break.

### **Have Any News Or Announcements?**

Do you have any special news, life events, or announcements you would like to share with your fellow part-time academic employees? If so, please send it to [mark@pfaofahc.com](mailto:mark@pfaofahc.com), and we will consider including it in a future issue of the President's Letter.