

CBA Tip: *Make Load Overload Exception*

A new provision in the contract brings fairness to classroom faculty who by virtue of program class units may find themselves in a “forced overload” situation because to make their load of 15 LHE requires an overload of one or two units. For example, most of the composition classes in the Letters Department are 4 LHE. If a faculty member is only assigned comp courses, they must teach four courses for a full load of 16 LHE, one over the minimum 15. Previously, that extra 1 LHE could have been banked or would have been paid out, capped at their class at Step 10, even if the rest of their load finds them at a higher Step on the salary schedule. The FA argued that in essence, in this situation, the faculty member is being “forced” into an overload to make their load and should not be penalized or short-changed for that extra unit and should be made whole. After much back and forth, the District understood our position, and we landed on a solution to add the following language to the **CBA D.2.2 Non-contractual Compensation per LHE (Classroom Assignments)**:

Overload Exception

This section shall only apply to a classroom faculty member whose base contractual load (15 LHE) results in an overload assignment of up to 2 LHE. For example, the faculty member has an assignment of four, 4-LHE courses that result in an assignment of 16-LHE. In these situations, the assigned overload LHE (1 LHE) will be paid as a stipend at the faculty member's regular classroom rate at the end of the semester. The stipend shall be calculated as the difference between the faculty member's non-contractual rate and the regular classroom rate for up to 2 LHE. This section shall not apply to contractual loads that include any reassigned time or a leave of absence.

So if this applies to you, you will receive the difference between any Step 10 cap placed on overload and your current Step paid via stipend at the end of the semester. Please note that if the faculty member has any reassigned time, this provision does not apply. Additionally, this only applies if the forced overload is one or two units. We do understand that some programs may create a three-unit overload assignment. In that case, the faculty member may bank the three LHE to be used for load balancing or other future use. Please see below for other examples, and be sure to confirm your final semester paycheck for the pay differential as applicable.

- **Example One:** the faculty member has an assignment of four, 4-LHE courses that result in an assignment of 16-LHE. In these situations, the assigned overload LHE (1 LHE) will be paid as a stipend at the faculty member's regular classroom rate at the end of the semester. (No Step 10 CAP)

- **Example Two:** the faculty member teaches two, 9 LHE courses to make load. The faculty can either bank the 3 extra LHE, use the 3 LHE to load balance, get paid 2 LHE at regular classroom rate and bank one OR 1 LHE would be at Capped rate.
- **Example Three:** the faculty member teaches three 3.625 LHE classes plus one 4.25 LHE to make load of 15.125. Faculty will get the .125 at the non-capped rate
- **Example Four:** Faculty teaches three 4.25 LHE classes plus one 3.625 to make load of 16.375. The faculty will get the 1.375 paid at regular, non-capped rate

Note: *Faculty with Reassigned Time are not eligible for the differential, but remember they can now put RT as overload and paid at regular (non-capped) rate.*