



Office of Faculty Affairs

One Washington Square • San José, California 95192-0021
Telephone (408) 924-2450 Fax: (480) 924-2425
<http://www.fa.sjsu.edu/>

DATE: May 17, 2005

TO: All Tenured & Probationary Faculty
CAMPUS

FROM: Joan M. Merdinger
Interim AVP/Faculty Affairs

RE: Summer 2001, 2002 & 2003 Indirect Instructional Activities for Tenured & Probationary Faculty

Records in the Office of Faculty Affairs indicate that you held a teaching assignment during Summer 2001, Summer 2002, and/or Summer 2003. Recent Arbitration rulings and CFA-CSU Memorandums of Understanding (MOU) regarding Year-Round Operations (YRO) state that *some* SJSU Tenured and Probationary faculty who taught during those terms *may* be eligible for additional compensation related to duties performed in addition to direct instruction. The purposes of this memo are:

- To inform you of your potential rights under the Arbitration ruling, Order Clarifying awards and MOUs;
- To provide the Arbitrator's criteria for, and definitions of, "Indirect Instructional Activities;"
- To provide instructions regarding how to apply for additional compensation should you conclude that you qualify under the criteria provided; and
- To inform you of the procedures the University will use to invite applications for this potential additional compensation, and how those applications will be reviewed.

YOUR POTENTIAL RIGHTS

As stipulated in a Memorandum of Understanding (MOU) between the CFA and the CSU, dated April 25-26, 2005, faculty who did not receive a specific indirect instructional assignment with compensation in the Summer of 2001, 2002 and/or 2003 terms **may** receive an indirect instructional one-time lump sum payment (less applicable taxes and withholding) in the amount of \$100 per each unit (WTU) of direct instructional work performed, if they meet the qualifications. Please note the following, stated in the MOU, "*The indirect instructional activities would not have occurred without the direct instructional assignment in the summer term.*" This potential payment is subject to the criteria and definitions below.

INDIRECT INSTRUCTIONAL ACTIVITIES

Definitions:

According to Arbitrator Knapp, the arbitrator for the YRO Grievance (3-00-076), *indirect* instructional activities are: non-teaching duties **assigned by management, not self-determined by individual faculty**; different from normal, on-going academic year activities; not normally associated with teaching (teaching duties include preparing a syllabus, writing lectures and exams, holding office hours, grading papers, etc.).

Criteria:

The Arbitrator also stipulated that in Summer 2001, 2002 or 2003 indirect instructional activities could be distinguished from AY duties because they occurred as a result, or arose out of, participation in Summer term teaching. Thus the Arbitrator specifically identified such activities as on-going research and scholarship as compensated for within the academic year. However, assigned academic advising of students enrolled in summer courses (for example) would qualify as indirect instructional activity. Similarly, committee activities conducted throughout the AY would be excluded, while summer-specific committees (e.g., committees convened to hear appeals of Summer grades) would qualify.

HOW TO APPLY

If you believe you were assigned, and consequently performed “indirect instructional activities” during Summers 2001, 2002 and/or 2003, and those duties were not part of your compensated WTU, you may apply for additional compensation by doing the following:

- 1) Complete the Indirect Instructional Activities Request Form attached with the following information:
 - a) the names of the courses you taught, and the credit units assigned to these courses;
 - b) a brief description of your “indirect instructional activities,”
 - c) demonstrate that your indirect activities were assigned, not self-determined (attach documentation of indirect assignment by your Department Chair or Dean); and
 - d) demonstrate that your indirect activities were specifically linked to your Summer teaching assignment.
- 2) Forward your application to your Department Chair for signature, verification and endorsement no later than **June 20, 2005**. The Department Chair’s verification and endorsement indicates the following:
 - a) All of the information provided is accurate;
 - b) Indirect activities during Summers 2001, 2002 and/or 2003 were *assigned* (either by the department chair, a previous Department Chair, or Dean);
- 3) The deadline for delivery of the application with Department Chair’s endorsement to the Dean’s Office is **June 27, 2005**; Dean recommends approve/not approve;
- 4) The deadline for delivery of the application with Department Chair and Dean’s endorsement to the Office of Faculty Affairs is **July 5, 2005**.

APPLICATION REVIEW & AWARD

The Office of Faculty Affairs will review all applications received by the deadline for accuracy. The Interim Associate Vice President for Faculty Affairs will verify that the indirect instructional activities meet the definitions and criteria provided by the Arbitrator. Consistent with the April 25-26, 2005 MOU, applications qualifying for additional compensation will be identified and written notification of this award will be provided prior to September 30, 2005. Subsequently, the Payroll Office will process these awards as expeditiously as possible, and checks (less taxes and withholdings) will be issued by the State Controller’s Office thereafter.

Faculty requestors will be notified by the Interim AVP/FA no later than September 30, 2005 of applications disqualified under the descriptions provided by this Arbitration. Disputes over such applications will be resolved pursuant to procedures stipulated in the April 25-26, 2005 MOU.

cc: President Kassing
Provost Sigler
Vice Provosts Nance & Whitcomb
Interim VP/SA Phillips
Deans
Department Chairs/School Directors
Counseling Services Director Sivertsen
Athletics Director Bowen
CFA President Hill



San José State
UNIVERSITY

OFFICE OF FACULTY AFFAIRS INDIRECT INSTRUCTIONAL ACTIVITY PAYMENT REQUEST FORM

Complete form and send to the AVP, Faculty Affairs, 0021 via your Chair and Dean **NO LATER THAN 7/5/05**

Definitions:

According to Arbitrator Knapp's ruling in the YRO Grievance (3-00-076) *indirect* instructional activities are: non-teaching duties **assigned by management, not self-determined by individual faculty**; different from normal, on-going academic year activities; not normally associated with teaching (teaching duties include: preparing a syllabus, writing lectures and exams, holding office hours, grading papers, etc.).

Criteria:

The Arbitrator also stipulated that Summer term indirect instructional activities could be distinguished from AY duties because they **occurred as a result, or arose out of, participation in Summer term teaching**. Thus the Arbitrator specifically identified such activities as on-going research and scholarship as compensated for within the academic year. However, assigned academic advising of students enrolled in summer courses (for example) would qualify as indirect instructional activity. Similarly, committee activities conducted throughout the AY would be excluded, while summer-specific committees (e.g., committees convened to hear appeals of Summer grades) would qualify.

NAME: _____
Last First MI Employee Identification Number

RANK: _____ **DEPARTMENT:** _____ **COLLEGE:** _____
 Probationary _____ Year Tenured

	Summer 2001	Summer 2002	Summer 2003
List Coures Taught			

REQUIRED:

Attach documentation and brief description of activities.

Faculty Member Signature Date

Chair/Director Recommendation:

Approval Not Recommended

Approval Recommended

Chair/Director Signature Date

Department Chair endorsement indicates that the information provided is accurate; and the indirect activity during Summers 2001, 2002 and/or 2003 were *assigned* (either by the department chair, a previous department chair, or Dean).

College Dean Recommendation:

Approval Not Recommended

Approval Recommended

Dean Signature Date

Reason(s) or Condition(s):

Dean endorsement indicates that the information provided is accurate; and the indirect activity during Summers 2001, 2002 and/or 2003 were *assigned* (either by the Department Chair, a previous department chair, or Dean).

University Action: Approved Not Approved

Reason(s) or Condition(s):

AVP/FA Signature Date

After University action, copies will be distributed to:

Applicant Chair/Director/Division Head Dean HRSG - Personnel/Payroll Personnel Action File _____