

LECTURER CRISIS GUIDE #2: LECTURERS FACING LOSS OF WORK

Last updated May 14, 2010

This is a guide prepared by the CFA Lecturers Council, which we hope provides information and resources for Lecturers who are told that they have lost classes or have lost all of their work. For questions this guide doesn't adequately address, please see the links provided and the contact information at the end of the guide.

Table of Contents:

I. UNDERSTAND THE ASSIGNMENT FOR WORK AND YOUR CONTRACT INFORMATION; MAYBE THERE'S A CLASS FOR YOU AFTER ALL:

II. UNDERSTAND LAYOFF, REDUCTION IN TIME BASE, AND NON-REAPPOINTMENT:

- A. FULL-TIME LECTURERS WITH 3-YEAR APPOINTMENTS
- B. FULL-TIME LECTURERS WITHOUT 3-YEAR APPOINTMENTS
- C. PART-TIME LECTURERS WITH 3-YEAR APPOINTMENTS
- D. PART-TIME LECTURERS WITHOUT 3-YEAR APPOINTMENTS

III. HEALTH BENEFITS, COBRA, RETIREMENT, PENSIONS, AND HOW TO PROTECT YOUR MEDICAL AND DENTAL BENEFITS FOR LIFE:

- A. FOR NON-MEMBERS OF CALPERS
- B. COBRA AND THE 65% COBRA SUBSIDY
- C. FOR MEMBERS OF CALPERS
- D. LONG-TERM BENEFITS
- E. HOW TO REGISTER FOR CALPERS SEMINARS AND WORKSHOPS
- F. VISIT THE CALPERS WEB SITE [HTTP://WWW.CALPERS.CA.GOV](http://www.calpers.ca.gov) AND DOWNLOAD IMPORTANT INFORMATION

IV. IF YOU HAVE NOT ALREADY DONE SO, APPLY FOR UNEMPLOYMENT INSURANCE (UI) BENEFITS AS SOON AS POSSIBLE:

- A. THE EASIEST WAY TO APPLY IS TO GO TO: [HTTP://WWW.EDD.CA.GOV](http://www.edd.ca.gov)
- B. AFTER YOU CHECK THE ACCURACY OF YOUR ANSWERS
- C. IF YOU NEED TO CONTACT EDD BY PHONE
- D. YOU WILL HAVE TO REGISTER FOR CALJOBS
- E. YOUR FIRST CONTINUING CLAIM FORM SHOULD ARRIVE WITHIN 2 WEEKS
- F. IF YOU ARE NOTIFIED THAT A PHONE INTERVIEW HAS BEEN SCHEDULED FOR YOU, OR YOU HAVE ANY QUESTIONS ABOUT THE UI PROCESS

I. Understand the Assignment for Work and your Contract Information; maybe there's a class for you after all:

First, you need to understand your Lecturer appointment and your contract rights. Are you a Full-time Lecturer or a Part-time Lecturer? Do you have or don't you have a 3-year appointment?

See the Collective Bargaining Agreement (CBA):

<http://www.calfac.org/contract.html>

In particular, familiarize yourself with Article 12: Appointment, and especially with Articles 12.3-12.7, 12.12-12.15, and 12.29. Article 12.29 is the Preference for Available Temporary Work article, and contains the order in which available courses must be assigned. 12.29a refers to the beginning of the academic year (i.e., Fall), while 12.29b governs the assignment of classes during the academic year (i.e., terms other than Fall). The CSU administration must follow the order of appointments in Article 12.29, and decisions must be based on your official Personnel Action File (PAF). You have the right to see your own file, and should do so at least once per year.

In addition, review the information in the 2007-2010 Lecturers' Handbook:

http://www.calfac.org/allpdf/lecturers/lecturershandbook_Sept2008.pdf and see especially pages 10-14.

All Lecturers who have been evaluated have "careful consideration" rights for work. See the Lecturers' Handbook and Article 15 for more information about the periodic evaluation process.

Lecturers with 3-year appointments under Article 12.12 and 12.13 have enhanced preference for work. Departments are required to post no later than June 30th a list of Lecturers who are eligible for 3-year appointments. If your name is not on that list and you believe you are eligible for a 3-year appointment, check with your department. If that does not resolve the issue, contact CFA.

For an overview of Lecturer rights, download the Lecturer Nuts & Bolts PowerPoint on the Lecturer page of the CFA website:

http://www.calfac.org/allpdf/lecturers/nutsandbolts_July5_2009.ppt

Finally, see the information updates for Lecturers, and particularly the Lecturer Crisis Guide:

http://www.calfac.org/lecturers_updates.html

What is pertinent here is that Full-time Lecturers with 3-year appointments are higher in the preference for work (#1 in 12.29) than are Part-time Lecturers with 3-year appointments (#3 in 12.29), while Full-time and Part-time Lecturers without 3-year appointments are lower still (#7). The significance of this in times of reduced course offerings is as follows: if your entitlement has not been met and a Lecturer in your department who is than you in terms of 12.29 preference for work is assigned a class or classes that you're qualified to teach, you have the contractual right to bump them from that course in the same way that tenure-stream faculty can bump any Lecturer from his or her course.

The first thing one should do when faced with a loss of work, is to ask the following six questions:

- 1) Have any courses in your department been assigned to TAs? If so, has there been an increase in TAs over the last academic year? If this is the case, see article

12.31-12.33 and contact your chapter Faculty Rights committee or chair, as pressure may be brought to bear that might free up those courses for Lecturers. It is also important to understand that any graduate student serving as a TA must be a currently matriculated student in that department's degree program.

- 2) Have any courses in your department been assigned to administrators or volunteers? The Side Letter to the Furlough Agreement puts restrictions on the use of administrators or volunteers during the 2009-2010 Academic Year. See Section 5(e) of the Side Letter:
<http://www.calfac.org/furloughvoteinfo.html>
- 3) Have any courses in your department been assigned to Lecturers? If so,
- 4) Are you qualified to teach any of those courses? If you have ever taught the course before, you are de-facto qualified. If you haven't taught the class before but the content is well within your academic area of expertise, you are also qualified to teach the course. It is important to understand that we have arbitration decisions establishing that you merely need to be qualified – not best qualified. If so,
- 5) Are any of those Lecturers **new hires** who did **not** teach in your department in the prior academic year? Article 12.29 prohibits the hiring of non-incumbent Lecturers unless Article 12.29 a 8 has been followed. Additionally, at the start of the academic year, it is important to understand that incumbent one-year and term Lecturers are included in 12.29 a8iii's "Last offer work to any other qualified candidate". During the academic year we have even better language, as 12.29 b8ii explicitly includes all remaining incumbent Lecturers who need to be offered classes before the department can hire from outside the department. As always, if a course is available to temporary faculty and no incumbent Lecturer is qualified to teach it, then the department is allowed by the CBA to hire a new Lecturer.
- 6) Are any of the Lecturers assigned those courses lower in Article 12.29 than you are? It is important here to understand that there is no seniority within an appointment class of Lecturer; instead, there are differential preferences for work between appointment classes of Lecturers. So if you are a Full-time Lecturer within a 3-year appointment, you can bump Part-time Lecturers with 3-year appointments as well as all Lecturers without 3-year appointments. If you are a Part-time Lecturer with a 3-year appointment, you can bump any Lecturer without a 3-year appointment. Bumping a fellow Lecturer is not a pleasant eventuality to consider, but it is important to know whether you have that right. It's also important to defend the contract, as well as defend the gains we've accumulated in discouraging the churning of Lecturers and the encouraging of a stable, long-term faculty workforce.

Lecturers who taught in previous academic years have rights (under 12.29 a 7) to at least receive careful consideration before other Lecturers' timebase is increased or there are new hires.

If you lost work because state-supported courses have been moved to extension/self-support, you may have preference for the extension work. See Article 40.21.

II. Understand Layoff, Reduction in Time Base, and Non-Reappointment:

It is important to understand that all Lecturers within an appointment class of 12.29 have equal preference for work, so long as they are qualified to do the work in question; e.g. in 12.29 (a) (1), all 3-year full-time appointees pursuant to Articles 12.12 and 12.13 have equal preference for work. The differences occur in what happens to different Lecturers once it is determined they have lost work.

A. Full-time Lecturers with 3-year appointments:

In times of budget crisis, Full-time Lecturers (i.e., those with a 15 unit time base/a 1.0 appointment) who are within a 3-year appointment have to be officially laid off, as per article 38.11 and 38.21; this is true whether they lose one class – or even one unit – or lose all classes. If you are a Full-time Lecturer beginning year one, two, or three of a 3-year appointment, then the CSU is required to give you formal notification of layoff with at least 45 days notice. In addition to this formal layoff notice, such Lecturers are also placed on an official departmental reemployment list which maintains their appointment rights for up to 3 years, provided that they inform their department chair of their current contact information and continued interest in teaching by July 1 of each year they're on the reemployment list. Please see Articles 12.12h and 38.48 for a complete discussion.

If you are beginning a subsequent 3-year appointment, see Article 12.13. If there aren't available courses to meet your full-time entitlement, you can be given a new 3-year appointment that is less than full-time. If you are given no courses, then the terms of the Collective Bargaining Agreement dictate that such Lecturers are also placed on the official reemployment list and will have all rights pursuant to Articles 12.7, 12.8 and 38.48. See Section 6. j. of the Furlough Side Letter:

<http://www.calfac.org/furloughvoteinfo.html> and Articles 12.12h and 38.48 for a complete discussion and see the paragraph above.

B. Full-time Lecturers without 3-year appointments:

If you are a Full-time Lecturer on a 1-year appointment, the partial or complete reduction of your time base after the end of a 1-year appointment is allowed due to budget and enrollment, and does not fall under the layoff article 38. Please see the next section on health benefits, COBRA, and retirement options.

C. Part-time Lecturers with 3-year appointments:

In times of budget crisis, Part-time Lecturers who have 3-year appointments with formal entitlement have preference for courses over all Lecturers without 3-year appointments, but if insufficient courses are available, they can be given courses below their entitlement. If they are within a 3-year appointment, their entitlement remains the same for the entire three years, despite that entitlement not being met. If their entitlement isn't met during year 3 of a 3-year appointment, this will result in their subsequent 3-year appointment having a lower entitlement.

“If at the end of a three-year appointment, no work exists in the department to support the subsequent appointment of the lecturer or if the time base of the lecturer was zero during the third year of her/his appointment, s/he shall be placed on a departmental list pursuant to Article 38.48. When such lecturer is officially notified that no work exists to support the subsequent appointment, the official notification shall also inform the lecturer of the right to be placed on a list for a period of three (3) years”. Please see Articles 12.12h and 38.48 for additional information. If you are a Lecturer who has been placed on a department reemployment list, be sure to carefully review all provisions of Article 38.48 and to keep your chair informed about your availability for work.

D. Part-time Lecturers without 3-year appointments:

If you are a Part-time Lecturer on a 1-year or term appointment, the partial or complete reduction of your time base after the end of your appointment is allowed due to budget and enrollment, and there is no contractual obligation to reappoint you. Please see the next section on health benefits, COBRA, and retirement options.

III. Health Benefits, COBRA, Retirement, Pensions, and how to protect your medical and dental benefits for life:

A. For non-members of CalPERS:

If you have taught at least half-time (7.5 WTUs or a .50 time base) for 3 consecutive semesters or 4 consecutive quarters, then you are placed in the CalPERS retirement system. If you aren't in CalPERS, then you're in a defined contribution account called PST (Part-time, Seasonal, Temporary) managed by Nationwide Retirement Systems. You should call PST at 866-566-4777 to inquire about your account. Once we're in CalPERS, 5% of our gross is deducted each month, Social Security is also deducted, and there's an even larger employer contribution to our retirement. Until we're in CalPERS we're in PST, in which 7.5% of our gross pay is deducted, there's no employer contribution at all, and we're also not paying into Social Security. Once a part-time Lecturer teaches at least half-time for 3 consecutive semesters or 4 consecutive quarters, they're in CalPERS and they don't need to teach at or above that time base to remain in CalPERS; once you're in you're in.

Lecturers need an appointment for at least one semester or two consecutive quarters and at least six units (a .40 time base) to be eligible for health benefits. You can accrue units from more than one department and more than one CSU campus to maintain eligibility for benefits. Lecturers with an academic year appointment and at least six units per semester or quarter have year-round benefits.

B. COBRA and the 65% COBRA subsidy:

If you lose your health benefits due to dropping below this six-unit threshold or due to losing all of your work, talk to your campus benefits or human resources office and find out exactly when your benefits will run out. Ask about going on COBRA (the Consolidated Omnibus Budget Reconciliation Act of 1985) which allows you to continue benefits by paying both the employee and employer costs. See page 19 in the Lecturers' Handbook.

If you lose all of your work, the Federal Recovery Act provides a subsidy of 65% of COBRA costs to employees who lose their benefits. The duration of this subsidy was extended by Congress, such that now the 65% subsidy lasts for up to 15 months. You are eligible for COBRA subsidy for up to 15 months if the involuntary termination of employment occurs no later than May 31, 2010, even if COBRA coverage does not start until after this date.

You can qualify for this 65% COBRA subsidy in two ways: 1) you were “involuntarily terminated” which in the CSU includes Lecturers who are not reappointed to any work, and this involuntary termination must occur on or after September 1, 2008 through May 31, 2010, or 2) you experience a loss of health coverage due to reduction of units between September 1, 2008 and May 31, 2010, and are subsequently involuntarily terminated on or after March 2, 2010 through May 31, 2010. If this applies to you, then talk to your campus benefits or human resources office about how to apply for COBRA and how to apply for this subsidy as soon as possible. Ask when you will be formally separated from the CSU, and if it’s after the May 31, 2010 deadline for the COBRA subsidy, then ask specifically if you need to separate earlier in order to protect your eligibility, and also ask about the process for requesting earlier separation.

To find out more about the COBRA subsidy, carefully review the CSU technical letter, HR/Benefits 2010-03 Supplement #1 “Expansion of Consolidated Omnibus Budget Reconciliation Act (COBRA) Premium Reduction Subsidy Provisions under HR 4691”: <http://www.calstate.edu/HRAdm/pdf2010/TL-BEN2010-03SUP2.pdf>
Additional information about the COBRA subsidy can be found at the Dept. of Labor web site at: <http://www.dol.gov/ebsa/cobra.html>.

C. For members of CalPERS:

If you lose your CSU employment and are a member of CalPERS, you may have the option of retiring from CalPERS to protect your medical and dental benefits, for yourself, a legal spouse or domestic partner with whom you were legally related to at least one year prior to your retirement date, your dependent children, and/or your dependent parents.

This is not a decision to be made lightly. It is important first to understand what your CalPERS pension will be based on. Once you retire, the amount of your monthly pension check will be determined by multiplying together three factors:

- 1) The highest base salary you've had. This refers to where you are in your salary range, rather than your actual gross or take-home monthly salary. It refers to your monthly gross wages if you were teaching a full-time load of 15 units.
- 2) Your number of years of CalPERS service credit. Teaching full-time earns one year of service credit per academic year, more or less; actually, one earns a year of service credit for 10 months of full-time teaching if worked during the fiscal year from July 1 to June 30. Consequently, if your appointment or time base is between .85 (teaching 25.5 units per academic year) up to full-time (teaching 30 units per academic year) you earn one year of service credit per academic year, more or less. For any year where your appointment level is below .85, you earn service credit on a pro-rata basis. For example, on a semester campus teaching three 3-

unit classes (9 units) per semester or six such classes per year, equals 18 units out of a full-time time base of 30 units/year. $18/30 = .60$ appointment level. On a quarter campus, teaching 9 units per quarter or 27 units per year out of a full-time time base of 45 units equals $27/45$ or a .60 appointment level. In both cases, a part-time Lecturer would earn 60% of a year of CalPERS service credit for this academic year.

- 3) The benefit factor, which corresponds to your age at retirement. We're in the 2% at age 55 CalPERS retirement group, which means our benefit factor starts at 1.1% if we retire at the earliest possible time (age 50), reaches 2% at age 55, and maxes out at 2.5% if we retire from CalPERS at age 63 or older. For example, retiring at age 63 or older, every year of service credit you retire with corresponds to an additional 2.5% of your highest base salary in your pension check every month after retirement, whereas retiring at age 50 each year of service credit corresponds to an additional 1.1% of your highest base salary.

As you can see, retiring earlier in order to protect health benefits will also lock you into a lower CalPERS pension, as you are retiring at a younger age (hence lower benefit factor), with fewer years of service credit and most likely with a lower base salary than if you retired later. On the other hand, with the cost of health care rising faster than inflation, and the challenges of enrolling in medical insurance out on the individual market, it may make perfect sense for many Lecturers facing loss of work to retire in order to keep their health benefits.

D. Long-term benefits:

To begin with, in order to be eligible for life-long health benefits, you must have been eligible for health benefits in your last appointment prior to retirement; this means you were teaching a minimum of six units or a .40 time base. Retiring after a term when you are not eligible for health benefits – because of teaching less than 6 units – precludes you from this life-long health benefit option.

In order to capture your health benefits for life, you need to have a retirement date from CalPERS that is no more than 120 days after your official separation date from the CSU. It is important to understand that you *separate* from the university (the employer) but you *retire* from CalPERS. You are officially separated when you have gone through the campus separation procedure and are no longer on the CSU payroll. If you are still receiving CSU paychecks then you are not yet separated and the 120 day “clock” has not started.

If you were eligible for health benefits in your last appointment, are in CalPERS, have accumulated a minimum of 5 years of CalPERS service credit, and are at least age 50 – or will turn 50 within the next few months – then you have the option of retiring from CalPERS and preserving your medical and dental benefits for life, as well as receiving a defined benefit pension. This is an important point: in order to be fully vested in CalPERS – meaning that you're eligible, upon retirement of receiving a defined benefit pension and life-long medical and dental coverage – you must be at least age 50 and possess at least 5 years of earned service credit. If you have not earned 5 years of service credit since becoming a member of CalPERS, a following section will describe a way to buy back “service prior to membership” that may allow you to reach the magic

number of 5 years of earned service credit. If you are younger than age 50 – meaning that you won't be turning 50 within 120 days of your official separation date from the CSU, then you are not eligible to retire and hence not eligible to trap the life-long health benefits.

This is one of the most tragic inequities that Lecturers face: you could have 20 years or more of service credit accumulated, but if you lose your job in the CSU younger than 49.75 years of age, you may have lost your chance for the life-long health benefits. You can still retire from CalPERS as soon as you hit age 50 and begin collecting a pension, but because your retirement date will be more than 120 days from your separation date, you will not be eligible for the continuation of medical and dental benefits. If this applies to you, it is important to understand that should you once again become employed in the CSU you will continue to earn service credit that will be added to the service credit you previously earned, no matter how long the break in service. You can then retire in such a way as to capture the life-long health benefits. (Even if you're never rehired at a CalPERS employer, by retiring at an older age you will increase your pension checks by trapping a higher benefit factor.) If the break in service is longer than 10 months, however, you do lose all your accumulated sick leave up to that point. One reason this is unfortunate is because at retirement all unused sick leave is translated into CalPERS service credit, thereby increasing our pension checks. 250 days of sick leave (8 hours per sick leave day therefore 250 days = 2000 hours) equals one year of service credit added. But you never lose your CalPERS service credit, regardless of the length of the break in service.

Anyone who is planning to retire should go in to their campus Benefits/Human Resources office at least 30 days prior to retirement in order to transition from the Delta Dental-Enhanced coverage we have while employed (which pays 80% of the costs) to the Delta Dental-Basic coverage we have while retired (which pays 50% of the costs). We lose our subsidized optical benefits when we retire, as these are provided by the employer rather than by CalPERS. We are, however, now allowed to pay for them at our cost - \$12/month - after retirement.

If your retirement date is no more than 30 days after your separation date, then the continuation of your medical benefits is automatic, and no forms are required.

If your retirement date is more than 30 days after your separation date – but not more than 120 after - then you will need to go in to your campus Benefits/Human Resources office and fill out a few forms in order to continue your medical coverage after you retire.

But you must choose a retirement date and be fully retired from CalPERS no later than 120 days after your separation date, or you have foregone the possibility of life-long medical and dental benefits.

So if you are age 50 or older and fully vested in CalPERS when you are not reappointed or laid off, the difficult crapshoot is whether to decide to retire immediately at a younger age - which will definitely allow you to keep your health benefits but which locks you into a pension that is lower than it could be because of younger age (and hence lower benefit factor), fewer years of service credit than if you continued teaching

before retiring, and a base salary that might be higher in the future. The alternative is to not retire and hope that the economy turns around, the CSU is once again adequately funded, and you're eventually rehired. This would allow you to keep adding service credit, increase your base salary (assuming we are able to once again get the GSIs and SSIs we bargain), and then retire at an older age (and at a higher benefit factor) which will translate into a higher pension check. The Hobson's choice is that it's often difficult to predict with any accuracy the probability of being rehired, and so for many Lecturers in this position the best choice might be to retire and lock in the life-long medical and dental benefits. Remember too, even if one is rehired, if it's only for one class one isn't eligible for benefits below 6 units, so retiring after any term below .40 will not allow one to keep medical and dental benefits into retirement.

It normally takes at least 5-6 weeks for CalPERS to process retirement, so you should plan to speak with your campus benefits/human resources office and with the folks at CalPERS sooner rather than later. The following section provides the contact information for CalPERS:

<http://www.calpers.ca.gov>

Toll-free: 888-225-7377 (hours are Monday thru Friday, 8 am to 5 pm, which are also the hours of the eight regional CalPERS offices.)
TTY for speech and hearing impaired: (916) 795-3240

E. How to register for CalPERS seminars and workshops:

The easiest way to register is by going to CalPERS On-Line at the URL above. In the Member Information section of the web site, look for the "Seminars, Workshops & Events" link on the left side navigation bar. You can also register by calling the Customer Contact Center at the toll free number provided above.

You are strongly encouraged to visit your closest CalPERS office if you are considering retiring. All of the regional centers have drop-in appointments, and if you arrive between 8am and 10 am you will have the shortest wait. You can also register for a reserved 30-minute appointment by going to the CalPERS web site above. Also at the web site, you can find the driving directions to all eight of the regional offices listed below:

- 1) **Fresno Regional Office**
10 River Park Place East, Suite 230
Fresno, CA 93720
- 2) **Glendale Regional Office**
Glendale Plaza
655 North Central Avenue, Suite 1400
Glendale, CA 91203
- 3) **Orange Regional Office**
500 North State College Boulevard, Suite 750
Orange, CA 92868
- 4) **Sacramento Regional Office**
400 Q Street, Room 1820
Lincoln Plaza East
Sacramento, CA 95814

- 5) **San Bernardino Regional Office**
650 East Hospitality Lane, Suite 330
San Bernardino, CA 92408
- 6) **San Diego Regional Office**
7676 Hazard Center Drive, Suite 350
San Diego, CA 92108
- 7) **San Jose Regional Office**
181 Metro Drive, Suite 520
San Jose, CA 95110
- 8) **Walnut Creek Regional Office**
1340 Treat Blvd., Suite 200
Walnut Creek, CA 94597

F. Visit the CalPERS web site <http://www.calpers.ca.gov> and download important information:

Once there, after establishing a user ID and a password, there's a wealth of information. On the home page you'll find a button entitled "Forms and Publications Center". Click on this and it will allow you to either order or download a number of free retirement pamphlets; in particular you should look at the following four:

- 1) **Pub. 6: Your Benefits Your Future: State Miscellaneous and Industrial Benefits.**
The tables that pertain to us are on pages 30 and 31.

- 2) **Pub. 12: A Guide to Your CalPERS Service Credit Purchase Options.**
If you taught for any length of time before becoming a member of CalPERS then you should consider purchasing the absolutely least expensive type of service credit, called Service Prior to Membership. Remember: you didn't become a CalPERS member until the third consecutive semester or fourth consecutive quarter you taught at least 7.5 WTUs (units) - which for most of us means three 3-unit classes (or a .60 appointment level) on a semester campus, or two 4-unit classes (or a .533 appointment level) on a quarter campus.

If it took you a while to enter CalPERS, please read pages 47-49 in Pub. 12 and then fill out the form that follows. On it, indicate all the semesters/quarters you taught at a CSU campus, as well as your appointment levels during those terms. Send it in to CalPERS, they'll have your employment history verified at the CSU campuses you indicate, and then they'll send you a cost statement informing you of how much service credit you can buy back, the cost to do so, and the effect it would have on your monthly pension check if you retired at the age you make the purchase.

You can roll over your PST money to make this or any service credit purchase, meaning you won't pay any taxes on it; check with CalPERS for the appropriate form you'll need to do this. As with all service credit purchase options you can pay for it in a lump sum or over time, up to a payment schedule as long as 15 years. It can be deducted from your paycheck (or your pension check) either pre-tax or post-tax; pre-tax means it's deducted before your pay is taxed, reducing your tax burden, but it also locks you into whatever payment schedule you choose. Post-tax means it's deducted after taxes are deducted, but it allows you to pay off any balance owed for the service credit purchase at any time you choose. One thing about Service Prior to Membership is that it's earned - you actually taught during those terms, it just wasn't credited. This is why it's less expensive than purchasing other forms of service credit because you're

only paying the employer contributions and they use your base salary at the time you became a CalPERS member - not your current base salary. The fact that it's earned also means you can use it to become vested; you can purchase this type of service credit as soon as you're a member of CalPERS.

All faculty can also purchase 1-5 years of **unearned** service credit (aka "Additional Retirement Service Credit" or ARSC aka "air time"). You can read about this on pages 9-10 in Publication 12, but you'll have to go to the CalPERS web site to apply for it. There are also useful calculators on the web site for this option, as well as to compute your pension amount. You can only purchase this unearned service credit after earning 5 years of service credit, and it therefore can't be used to become vested. Since you're paying both the employee and employer costs and because they factor in your current base salary, "air time" is more expensive than the Service Prior to Membership, but it still may make sense to consider. You can use the calculator at the CalPERS web site and/or speak to one of the staff at the regional office to decide whether it makes sense for you.

3) Pub. 43: A Guide to Completing Your CalPERS Service Retirement Election Application.

In this publication is the actual application for retirement. On it, you'll have to make three important decisions: 1) you'll have to choose one of the seven retirement options described therein, 2) you'll designate a survivor who can receive monthly checks of varying proportions of your pension after your death (although two retirement options, the unmodified option and option 1, don't have monthly checks to the survivor, so they also don't convey medical and dental benefits to your spouse, partner, dependent children and/or parents after your death), and 3) your actual retirement date. This is the date that needs to be within 120 days of your separation date in order to be able to retain your medical and dental benefits into retirement.

4) Pub. 33: Employment After Retirement:

It is possible to teach in the CSU after you retire. Keep in mind, however, that if you are retiring to save health benefits, it is not a sure thing that you will be rehired by your department after you retire. This is true even in the best of times; in a time of financial crisis such as we're currently experiencing, it's even less of a sure thing. Partly, this is because once you retire you lose all careful consideration rights and preference for work you once had, meaning that you start over as a first term appointee. Once you're evaluated you do earn the right of careful consideration, and you are able to work up to a 3-year appointment with formal entitlement plus all of the article 12.29 provisions that protected you before retirement. But remember that all incumbent Lecturers in your old department will now be higher than you in Article 12.29, and when you consider 12.29a8 and 12.29b8 – which mandate that after the entitlement of all incumbent lecturers are met, any additional course must be offered to incumbent part-time Lecturers with 3-year appointments up to and including a full-time, 1.0 appointment – the likelihood of being re-hired as a retired annuitant is very low. This is especially the case during times of cutbacks and reductions of course offerings.

In order to be re-hired as a retired annuitant:

- There is no verbal or written agreement to return to work as a retired annuitant between you and the employer before you retired.
- You are limited to working 50% of your appointment level in the last fiscal year you were employed at the CSU or 960 hours/year, whichever is less.
- You do not accrue service credit or otherwise acquire retirement rights for employment as a retiree.

If you are younger than 55, then there has to be a bona fide break in service of at least 60 days between your retirement date and the date your temporary employment as a retired annuitant will begin. If you are 55 or older, you are eligible to accept a temporary appointment as a retired annuitant the day after your retirement date.

IV. If you have not already done so, apply for Unemployment Insurance (UI) Benefits as soon as possible:

All part-time Lecturers on contingent appointments are eligible for UI benefits during all semester/quarter breaks. Please see the information on the Lecturer pages of the CFA web site, including:

<http://www.calfac.org/unemployment.html>

as well as the:

Unemployment Quick Notes and the **Quick Guide: What Every Lecturer Needs to Know about Job Security, Benefits, and Unemployment** found at:

http://www.calfac.org/lecturers_updates.html

Obviously, even if you are a full-time Lecturer on a non-contingent appointment, if you are told there is no work available you should also apply for UI benefits as soon as possible.

A. The easiest way to apply is to go to:

<http://www.edd.ca.gov>

- Click on: File a claim for: unemployment
- Click on the top link under “Quick Links on the right: Apply Online (eApply4UI)
- Read the page that comes up and click: **Continue**
- Read the informational page that comes up, check the box at the bottom indicating you read the page, and click: **Continue**
- Answer questions 1-3 honestly (#3 is always “NO”) and click: **Continue**
- Answer questions 4-7 honestly and click: **Continue**
- You will now be at the online application for UI benefits:
- Questions 1-20 ask for personal information. Be sure to provide an address where you actually receive mail, and for question 13 it may be to your advantage to provide your cell phone number rather than a land line, and indicate that in the pull-down menu for 13a accordingly.
- Question 21: Answer honestly. If you are not a citizen or a national, but are legally allowed to work in California, then you are legally eligible for UI benefits
- Question 22: If you are a CFA member answer YES; this will open up additional questions:
- 22a: California Faculty Association

- 22b: 1983
- 22c: 916-441-4848
- 22d – g: NO
- 23 –24: Answer honestly
- 25a: The complete name of your CSU campus; not your department
- 25b - e: The general mailing address for your CSU campus; not your department
- 25f: Use the general telephone number of your campus Human Resources office
- 25g: Provide the name of your department chair or program director
- 26: YES
- 27: Use the last official day of the last academic term you were employed
- 27a: To find your last week’s gross wages, take your last term’s gross salary and divide it by the number of weeks in that term
- 28: Pull down menu to: Laid Off/Lack of Work
- 28a: If you were full-time, just explain that due to state budget cuts you were laid off or not reappointed. If you were part-time: “My temporary, part-time, contingent appointment ended and as per EDD 1253.3g, I lack assurance of future work”.
- 29: NO
- 30: NO
- 31: NO
- 32: Leave blank
- 33: Indicate all your employers for the last 18 months. For CSU employment, list each semester or quarter as separate entries, using the start and end dates of each term that should be on your appointment letters. The form will not allow you to list the same employer more than once, so use “California State University whatever-1”, then “California State University whatever-2”, etc. Pull the menu down to “How Paid: weekly” and then calculate your weekly wages using the method described in 27a above. Click the ‘Longest Time” bubble opposite the most top (most recent) term worked. Be sure to also include all non-CSU employers you had during the past 18 months.
- 34a: To compute the total time you were employed at your campus, multiply the number of terms you taught by the number of weeks in the official term. Add any summer and/or winter inter-sessions taught using the same rubric, then divide the total number of weeks by 52. This will give you the number of years and decimal fraction of years you taught at that campus. An answer such as 7.2 years can be translated to 7 years 3 months (12 months in a year, so .5 years = 6 months, .25 years = 3 months, etc.).
- 34b: University Education
- 34c: University Teaching or Librarian Science or Coaching or Counseling
- 35: The only reason to answer YES to this question is if you had more than eight employers in the past 18 months, so you ran out of cells. If so, add the additional employers.
- 36: Your usual occupation. If it was at the CSU, then: University Teaching, Librarian Science, Coaching or Counseling.
- 37: NO
- 38: Answer honestly. If you are self-employed, you will be given an opportunity to explain the nature of this work. Even if you write that the work is intermittent and

rarely provides income, answering YES to this question will most likely lead to a phone interview with EDD.

- 39: Answer honestly
- 40: Answer honestly. If you are enrolled in a school such that you are not available for immediate full-time work, this will reduce your chances of receiving UI benefits.
- 41: YES

B. After you check the accuracy of your answers:

You will be given an opportunity to print your form before clicking “submit application”. You should always print this for your records, as it will make filing the next time more straightforward.

Within 7-10 days you should receive a one page “Notice of Unemployment Insurance Claim Filed” that you should check for accuracy, and then a “Guide to Benefits and Employment Services” that you should read. If you receive a letter advising you that a phone interview is going to be conducted during a two-hour window on a specific day, you need to be available at whatever phone number you provided on the UI application form. If you provided a cell phone for question 13, you will not be tied to your home while waiting for this call. If you cannot be available for this call, you will need to contact EDD as soon as you can before the call, although it can be very difficult these days to reach them by phone.

C. If you need to contact EDD by phone:

The numbers are:

English: 800-300-5616

Spanish: 800-326-8937

Cantonese: 800-547-3506

Vietnamese: 800-547-2058

Outside California but within the United States, Canada, Puerto Rico, or the

Virgin Islands: 800-250-3913

TTY (Non Voice): 800-815-9387

Rumor has it that the folks staffing the non-English lines also speak English, in case the English line is continually busy. If you don't get the recording that begins “Welcome”, it means there are too many calls and you'll have to hang up and redial. If you hear “Welcome” then the first time you should listen to all the information provided and follow the phone tree instructions. If you are having to auto-redial for 30 minutes, then as soon as you hear the recorded voice the phone tree to reach a live human being is: 1-2-1-1-7. You will have to wait until you hear the voice after each # before hitting the next number in the phone tree.

If you are unable to get through by phone, you should either send an email by using the contact EDD function at the web site, or visit the nearest EDD office.

D. You will have to register for CalJobs:

After you submit your UI application. The URL is:

<http://www.caljobs.ca.gov>

You will need to create an ID and a password, and then construct a simple resume, and specify the sort of jobs you're looking for. You should check your CaJobs account at least every 2 weeks.

E. Your first continuing claim form should arrive within 2 weeks:

Given the high unemployment rate it may take a bit longer. Each continuing claim form covers two weeks that are specified on the form, with the first day of the EDD week being a Sunday. Your first week of UI is a waiting period, so the first week on your first continuing claim form will probably be X-ed out, and you only have to bubble in your answers on the 6 questions for the second week.

You should always answer the 6 questions honestly, but if questions 1,2 4,5,and 6 aren't "NO" and question 3 isn't "YES" you won't be eligible for UI benefits for those weeks. You only have to fill out the work search record on the back of the form if the box by question #3 is sent to you with an "X" inside. Note that question #6 asks: "Did you work or earn any money, whether you were paid or not?" and NOT "Did you receive any pay whether you worked or not?" The fact that you might still be receiving paychecks for work you did during the academic term has no bearing on your eligibility to receive UI benefits.

Be sure to always sign your claim form, and bubble in the box if you want federal taxes withheld. UI benefits are not subject to state tax. There will always be a date on the form that is the earliest date you should mail it back to EDD, and this date will always be a Sunday. Never, ever, put it in the mail before that Sunday. It can be mailed as many as 10 days after that date and it won't be considered too late, but if it is sent to EDD even one day early it will be sent back to you. Make a copy of this form prior to sending it in for your records should you ever be questioned on your answers.

F. If you are notified that a phone interview has been scheduled for you, or you have any questions about the UI process:

Please contact the two CFA Lecturer Unemployment experts:

Dan Bratten, Lecturer Rep at CSU-Stanislaus: H: 209-669-6419,
dbratten@charter.net or dbratten@csustan.edu

or

Jonathan Karpf, AVP Lecturers-North: W: 408-924-5721, C: 408-398-9449, H:
408-386-3342, jkarpf@calfac.org

We hope that you have found this guide to be useful. These are very challenging times, and we realize that this may sound like cold comfort if you have been told you have no classes, but we Lecturers are nonetheless better off due to the successive gains hard won by the CFA.

Contact your campus Lecturer Representative or local CFA chapter for additional help. For contact information go to:

<http://www.calfac.org/lecturerscouncil.html>

or

<http://www.calfac.org/chapters.html>