

4.17

FACULTY & EDUCATIONAL ADMINISTRATORS SENIORITY PLACEMENT

ADOPT: DECEMBER 14, 1987

REVISED: APRIL 10, 2001

REVISED: DECEMBER 9, 2008

ED CODE: 87414, 87415, 87417, 87420, 87470,

87475, 87482, 87612, 87731

AFA Article 23

DISTRICT POLICY 2.2

"REDUCTION IN FORCE" means an official status instituted after due process that requires faculty members to be removed from current assignments and may involve the layoff of the tenured faculty members if no suitable assignments can be determined through evoking seniority rights (see Ed Code Sections 87743-87746). (See Board Policy 4.3.2d, Reduction-in-Force of Faculty Positions.)

"SENIORITY RIGHTS" means the right of senior faculty to retain employment in the District in those subjects that they are both qualified and competent to teach. Priority of assignment in a reduction-in-force situation is based on placement on the District maintained seniority list. Seniority rights can be exercised by faculty only in their assigned FSA's. Seniority means length of service of regular faculty member ranked by date of hire with drawing of lots determining placement of faculty hired on the same date. (Note: A copy of the Seniority List for the District is available in the Human Resources.)

1. Eligible persons for the seniority list include:
 - a. Full-time regular probationary or tenured academic personnel.
 - b. Part-time academic personnel who have continuing status per the 1967 Peralta decision.
 - c. Educational administrators hired prior to July 1, 1990.

These individuals remain on the list as long as they maintain continuous employment with the District.

For personnel under item (b), the District is obligated to offer those courses which under normal circumstances require sufficient enrollment. If the faculty member chooses not to teach during a specific term or refuses an assignment, they will be removed from the list.

2. Academic personnel who are initially hired for a complete school year as a categorically funded employee or a temporary appointment and then employed in the subsequent year in contract appointment:
 - a. become Contract II employees for evaluation and tenure purposes; and,
 - b. are given no more than 1 year seniority for the temporary or categorically funded assignment, and a new lottery will be conducted to determine seniority placement for all employees with that hire date.
3. When more than one person has the same hire date (first day of paid service, not job offer), then a lottery will be conducted to determine order on the seniority list. The lottery will be conducted by the Vice-President ~~for~~ of Academic Affairs and the President of the All Faculty Association (AFA) at the beginning of each academic semester

4. Persons who take officially recognized leaves of absence do not lose position on the seniority list. Persons who terminate employment with the District and return in a subsequent year lose their original position on the seniority list and are assigned seniority position as with any new hire.

The official Seniority List of the College is maintained by the Human Resources Department.