

FAQ Regarding Adjunct Faculty Hourly Classification

Why is the University making this change?

Adjunct faculty have traditionally been compensated on a per course basis. The per course payment structure has recently been challenged as a result of ambiguity of the labor codes in California. In response to litigation that has arisen, many private universities in California are converting to hourly, non-exempt classification for adjunct faculty. It is worth noting that public universities and community colleges in California are exempt from this requirement.

When will this change occur?

Effective for the Fall 2, 2019 term, adjunct faculty members at LAPU will be compensated on a per hour basis and will be classified as non-exempt employees.

What does it mean to be a non-exempt employee?

Employees are classified as either "non-exempt" or "exempt" according to the Fair Labor Standards Act and corresponding state regulations. If an employee is classified as non-exempt it means that they are paid by the hour and are eligible for overtime pay (not exempt from overtime compensation). The classification is a legal distinction that reflects applicable state and federal law.

How is my course preparation time compensated?

All time spent directly preparing for a course is compensable time as long as it occurs within the contract period. If you have any questions regarding whether something should be considered compensable time, then please address the matter with your respective dean.

What are the guidelines for compensable time?

Compensable time includes:

- All instructional time spent teaching the course, grading assignments, papers, and exams, and entering grades.
- All time spent reading and responding to student emails regarding your course.

- All time spent communicating with students regarding your course via phone calls, text messages, and/or video conference.
- Any time spent in mandatory department meetings, orientations, safety trainings, sexual harassment training, or other meetings where your presence is required.
- Time spent directly preparing for the course.

As an employee, will I make the same amount as I would have if I was paid per course?

The total pay for a course is anticipated to be similar to the previous per course rate. The earnings per course will depend upon the actual number of hours worked. The hourly compensation rates for adjunct faculty at LAPU were determined based on an expectation of an average number of hours worked per week per eight week course. This includes estimations for preparation time, facilitation of the course, grading, etc. Below is a guideline an instructor is expected to work based on the course level:

Course	Expected Hours	Session Total
3 unit	10 hours per week	80 hours
4 unit	13 hours per week	104 hours
5 unit	16 hours per week	128 hours
<p><i>The above chart represents a guideline. If you anticipate exceeding these hours, you are required to receive advance approval from your respective dean. However, you are required to record all hours worked accurately in the timecard regardless of advance approval and you will be paid accordingly.</i></p>		

How will time be reported?

Each employee will enter their own hours worked in the University timekeeping system. Employees can enter their hours on a daily, weekly, or pay-cycle basis. All time must be properly entered and submitted by the end of each pay cycle for it to be paid.

When will I learn how to enter my hours?

LAPU’s Human Resources Department will conduct training sessions for adjunct faculty starting in October in preparation for the Fall 2, 2019 term. Each new adjunct will receive training information as well.

What happens if I forget to enter my hours?

A day before the time-entry deadline you will receive a notification via LAPU email or the time-keeping system reminding you of the deadline to submit your time by 9:00 AM the next day. If you forget to enter your hours, Payroll will process standard hours based on your course teaching load. Any variance between standard hours and actual hours worked will be reconciled as soon as possible. However, late entries such as this will be noted as negligence by the employee and may result in disciplinary action. All time must be recorded in the University time-keeping system and will be paid.

Will adjunct faculty be eligible for overtime?

Yes. Given the part-time nature of adjunct appointments, we do not expect that adjuncts will be incurring a great deal of overtime. Adjunct faculty are expected to perform their duties in an efficient and professional manner. It is expected that you will monitor and track your hours worked which includes entering the beginning and end of any break or meal period during your workday. In accordance with industry standards and past experience, LAPU has determined an expectation about the amount of hours of work (inclusive of time spent on preparation, instruction, and grading). If, at any time during the semester, you believe that your work hours for this course will exceed the expected hours for your course you must immediately bring this to the attention of your respective dean. (Please reference the table guideline above)

In the rare instances where adjuncts receive approval to work for periods in excess of eight (8) hours in a day or in excess of 40 hours in a week, they will become eligible for overtime pay at a rate of 1.5x their regular rate of pay. They will be eligible for overtime pay at a rate of 2x their regular rate of pay for all hours worked over 12 hours per day and all hours worked beyond the eight hours of work on the seventh consecutive day of work in the workweek. Our request is that you do not work more than six consecutive days to avoid overtime. The University's timekeeping system will calculate regular pay and overtime pay based on hours submitted by employees.

Will I need to ask for approval to accrue overtime?

If you anticipate the need to work more than 10 hours per week (per 3 unit course) or 8 hours in one day, or 40 hours in a week, you are required to request advance approval from your respective dean.

Will I receive holiday pay if I work on a holiday?

If you choose to work on a University recognized holiday you will be paid at your regular hourly rate for those hours. You will not receive any additional compensation or holiday pay premium.

What happens if I work on the weekend?

If you choose to work on a weekend you will be paid at your regular hourly rate for those hours and may incur overtime, as applicable.

Paid Sick Leave (PSL)

The University provides paid sick leave (PSL) to employees who are not eligible for PTO and [LG3] who have worked thirty (30) or more days in California within a year of their employment with the University. Eligible employees will receive twenty-four (24) hours or three (3) days of paid sick leave each year. Beginning on the 90th day of employment, employees may begin to use paid sick leave. This benefit does not accrue. Unused sick time will not be carried over from year to year. At the beginning of each year, employees will be granted the full twenty-four (24) hours or three (3) days of paid sick leave. Sick leave cannot be taken in increments of less than two (2) hours.

Leave under this policy may be used in connection with the diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee's family member. "Family member" for purposes of this policy includes a spouse, child (regardless of the child's age), parent (including a step-parent or parent-in-law), grandparent, grandchild, or sibling. Leave under this policy may also be used by an employee who is a victim of domestic violence, sexual assault, or stalking to seek aid or medical attention, obtain services or counseling, or participate in safety planning.

Consult the Human Resources Department for detailed information on how the dollar amount of your sick pay is calculated and the amount you are entitled to receive. The actual dollar amount that an employee receives may vary according to the compensation plan of the employee.

Employees requesting time off under this policy must provide as much advance notice as possible, if the need for leave is foreseeable. Where your need for paid sick leave is unforeseeable, you must provide notice as soon as practicable. Accrued, unused time under this policy will not be paid out at the time of separation from employment. However, employees who are re-employed with the University within a year of separation will have any unused paid sick leave accrued under this policy reinstated.

Leave under this policy may run concurrently with leave taken under local, state, or federal law, including leave taken pursuant to the California Family Rights Act or the Family and Medical Leave Act. For more information regarding this policy, contact the Director of Human Resources.

If I am a full time faculty member, then does this change impact me if I teach an overload?

No. Overloads for full time faculty with an academic year appointment will not change and will be paid at a per course rate established by LAPU. Overload must be pre-approved by the respective dean.

If I am a current LAPU staff member who teaches a course, does this change impact me?

No. LAPU only permits exempt staff members to teach courses. If you are an exempt LAPU staff member who teaches courses there will be no change and you will continue to receive supplemental pay at a per course rate for any courses you teach in addition to your regular staff position.

If I am an exempt employee for a separate employer, does this change in classification affect my classification at my other job?

No. Your exempt or non-exempt classification status for your position at LAPU does not affect your classification status in a position you may hold at another employer.

What about time worked in previous years?

If an adjunct faculty member believes they did work beyond the hours specified for a class they taught within the past four years (fall 2015 - summer 2019), they can submit a request for any hours they worked for which they believe they were not compensated. The University will evaluate each request to determine if back pay is appropriate.