MEMORANDUM OF UNDERSTANDING
BETWEEN THE PALO VERDE COMMUNITY COLLEGE DISTRICT, CTA, & CSEA
Classified Employees Working Out-of-Class/Temporary 1-Year Voluntary Assignment to meet the 50% Law Compliance for 2012-13

For the 2012-13 academic year, to be in compliance with the 50% Law, it may be necessary to work a qualified classified employee, "out-of-class" through a voluntary or involuntary transfer as a full-time, 177 day, temporary, non-tenure track teaching faculty member. [NOTE: Classified employees currently have the opportunity to teach part time as adjunct in the credit or non-credit program and are not included in this MOU.]

1. **One-Year, Temporary, Full Time, Non-Tenure Track Assignment for the 2012-13 Academic Year**
   It is understood that this assignment is only for the 2012-13 academic calendar (August 13, 2012- June 1, 2013) as a temporary, non-tenure track full time assignment. If the need is justified for a full time faculty position in the discipline or area filled through the temporary transfer, a full search and competitive process will occur in spring, 2013 for the permanent teaching position beginning fall, 2013, for which the classified employee may apply.

2. **Work Year**
   a. The academic work year for a full time faculty member is 177 days, based on the 2012-13 academic calendar, beginning August 13, 2012 and ending June 1, 2013.

   b. A classified employee may only retain his/her regular classified position from July 1 – August 10, 2012, and from June 3 through June 30, 2013.

3. **Qualifications**: The full time classified employee, employee, must:
   a. Meet the minimum qualifications or obtain Equivalency

   b. Be able to teach the face-to-face, on-line, or correspondence education courses as needed as determined by the Division Chair and the Vice President of Instruction

   c. Will be assigned for fall 2012 and spring 2013 as needed to meet the 50% compliance. Exceptions to the fall and spring assignment will be presented to CTA and CSEA if needed to meet the 50% Law ratio.

4. **Compensation as a Full Time Faculty Member:**
   a. Placement on the certificated salary schedule based on the Article 2, Section 2 of the CTA contract.

   b. No Changes in Health Benefits because this is a temporary out-of-class assignment and both CTA and CSEA have the same HSA options and the enrollment period for each has passed.

c. Retirement: An employee who is already in PERS is permitted to maintain their PERS retirement plan, even if teaching.

d. During non-teaching periods of the year as previously specified, the classified employee retains his/her current salary.

5. **Evaluation**
   All employees assigned to full or part-time teaching in 2012-13 under this plan will be evaluated in accordance with the provisions of the CTA Contract.

6. **Unit Membership and Conflict Resolution**
   a. The classified member who is working out-of-class, working a partial year as a classified employee, and returning to their full time classified position at the end of this out-of-class assignment, retains their CSEA membership.

   b. A classified employee working temporarily out-of-class in a non-tenure track, full-time teaching position during the academic year (August 13, 2012 – June 1, 2013) will assume all the rights and privileges of a faculty member.

   c. Should a complaint be filed or an issue occur involving the employee during the academic year and be applicable to the teaching assignment, the issue will be resolved relative to the CTA contract and academic teaching standards.

   d. Should a complaint be filed or an issue occur involving the employee during the non-academic year and be applicable to the employee's regular classified position, the issue will be resolved relative to the CSEA contract.

7. **Retreat Rights**
   The classified employee has full rights to assume his/her classified position upon completion of the 2012-13 academic year.

Signed:

District Representative:	Denise Whittaker	6-13-12
	Denise Whittaker	***Date***
CTA Representative:	Hortensia Rivera	6-13-12
	Hortensia Rivera	***Date***
CSEA Representatives:		6/18/12
	Rich Soto	***Date***
		6-18-12
	Dale Wissman, CSEA Labor Representative	***Date***