Adjunct Faculty Load Limits – FAQ

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1. How does the Affordable Care Act affect adjunct faculty loads?

The Affordable Care Act ("ACA") requires that employers provide health insurance coverage for all full-time employees. The definition of full-time employee for purposes of the Act is persons working an average of 30 hours or more per week. Our long-standing policy, and the method we use to calculate and report hours worked for our adjunct faculty (for credit instruction) for ASRS purposes, is one hour of work outside of class for each load hour, or two hours worked for each load hour of instruction (Hereafter “2:1”). This is how we will continue to calculate and report adjunct hours worked. We are aware, however, that at other higher education institutions in other parts of the country, different methods are used to calculate hours worked for adjuncts, including two hours outside class for each load hour (“3:1”). To date the IRS has not issued regulations establishing how hours worked will be calculated for adjunct faculty in higher education for purposes of the ACA. We were hoping to have this information before establishing our policies in this area. Therefore, continuing to use our
established method of calculating hours worked in conjunction with strictly enforcing our long-standing load limit of 9 load hours per term (with a limited exception of up to 3.0 load in certain circumstances) will allow MCCCD to employ the valuable services of our dedicated and talented corps of adjunct instructors in a fiscally-responsible fashion to supplement the instructional services provided by our residential faculty. The effective date of these limits is July 1, 2013.

2. **Why is the strict enforcement of the 9-hour load limit beginning in July of 2013?**
   
   Provisions of the Affordable Care Act that become effective January 1, 2014, will look back one year to establish workers’ eligibility for employer-provided health insurance. If someone has worked an average of 30 or more hours per week beginning July 1, 2013, he or she would be considered benefits-eligible.

3. **What is the teaching load limit?**
   
   The limit is 9, which under our calculation method for ASRS purposes equates to 18 hours of work per week, and under the calculation method the IRS might adopt going forward would be 27 hours of work per week. The load limit includes teaching assignments at all MCCCD colleges. We will allow one small, limited exception to the 9-hour load limit, being up to 3.0 additional load hours in those situations, usually found in our math, science, and nursing disciplines, where different load hour combinations often result in instructors who are teaching two classes having between 9 and 12 load. These exceptions will be considered under the current exception process using the existing form.

4. **Will there be a provision for various load types (e.g., lecture, lab, and practicum)?**
   
   Provisions are already in place that relate load to student contact hours. We will use existing load formulas and limit all adjuncts to 9 load hours (up to 12.0 (fall/spring) and 11.0 (summer) with exception) per term.

5. **Will teaching-related and other activities be counted in adjunct work load?**
   
   Yes, other activities such as non-credit courses, educational development work, professional growth, RPS/timecard, and special services contract work are included in the work hour count. All work done at MCCCD will count.

6. **What is the work hour limit for someone who is teaching and performing other temporary work as described in question 5?**
   
   The limit will be 25 hours per week. This is in keeping with the purpose of the 9-hour load limit. Under our 2:1 calculation, nine load hours equating to 18 hours worked per week allows adjuncts to avoid participation in the ASRS retirement system like other part-time employees. Employees begin participating in ASRS when they work 20 or more hours per week for 20 weeks.
7. Will adjuncts be allowed to exceed 9 load in one term if they go below 9 in the other?
   No. Unfortunately that is not an option currently, but could be in the future as regulations are issued in this area and we develop better methods to track the hours worked of all MCCCD temporary employees.

8. What will happen if we can’t find enough adjuncts to cover our scheduled classes?
   The District HR Solutions Center is available to assist colleges with recruiting efforts such as job fairs. It is possible that course offerings will be curtailed in some areas such as science, art, math, etc. We will make all efforts to avoid this.

9. Does this affect summer classes starting before July 1?
   No. Only the portion of teaching load occurring after July 1 would count against the 9 load limit for fall term.

10. Do the same assumptions of work per instructional load apply to service faculty?
    No. Service faculty hours are counted as clock hours on a 1:1 basis.

11. What are the work hour limits for service faculty?
    Adjunct service faculty should be scheduled for no more than 25 hours per week, including service, service related work, and teaching.

12. Is the same ratio used for noncredit teaching as for credit teaching?
    No, noncredit teaching is calculated at the 1:1 ratio.

13. How are classes like “private music lessons,” that are paid by the hour counted in the load calculation?
    Classes like “private music lessons” that are paid via a timecard and by the hour will count 1:1.

14. How are classes that are paid by the student, such as co-ops, special projects, etc. counted in the load calculation?
    These classes will count 1:1 since they don’t represent classroom type teaching (lecture, lab or combination) and are more for oversight and consultation than instruction. The limit on works hours is 25 per week.

15. How are assignments paid as a stipend such as Theater Director, Band Director, club advisor, etc. calculated for work hours?
    These assignments will be calculated at the 1:1 ratio because they are for activities rather than the traditional teaching.
16. What about classes taught over five weeks, eight weeks, or other periods less than the entire term? How will the hours worked be calculated in these cases?

   The hours worked are under the 2:1 or 1:1 methods discussed herein, depending on whether credit instructional, service, or other type of work. However, the weekly hour limits still apply. Therefore, for example, if a credit class is 9 load over 8 weeks, this would equate to 36 hours worked per week and adjuncts would not be permitted to be assigned to teach this class.

17. Can I sign a waiver of healthcare insurance and teach more load hours than the limit?

   No, at this time, a waiver is not an option.

18. How will an adjunct faculty employee overseeing internships calculate their hours worked for that portion of their assignment?

   Internships have a load assigned to them. This load will be accounted for the same as any other load, using the 1:2 ratio. Any load assigned for supervising internships will be added to any other load the adjunct faculty employee has, the total load for any term must not exceed 9 load hours (12.0 Fall/Spring, 11.0 Summer with approved exception) per term.

19. Can an adjunct faculty teach at multiple MCCCD colleges during the same term?

   Yes. Because the work hours for instructional temporaries (adjunct faculty) are determined and tracked by load, adjunct faculty are permitted to teach at multiple MCCCD colleges during the same term.