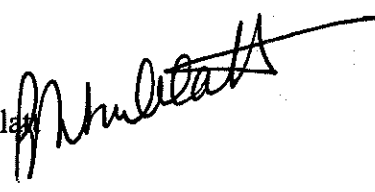


TO: The College Presidents
The Deans of Professional Schools
The Chief Academic Officers
The Labor Designees
The Human Resources Directors

FROM: Vice Chancellor Pamela S. Silverblatt 

DATE: May 30, 2013

SUBJECT: Adjunct Health Insurance Coverage and Related Issues

We recently concluded an agreement with the Professional Staff Congress/CUNY ("PSC") on several issues related to adjunct faculty; these issues include funding to support the continuation of adjunct health insurance for eligible adjuncts through the PSC-CUNY Welfare Fund through June 30, 2014; modification of the eligibility criteria for adjunct health insurance coverage for non-teaching adjuncts; settlement of outstanding grievances and arbitrations related to adjuncts working in excess of the contractual limitations; and making permanent a series of stand-alone agreements related to adjunct workload, most of which agreements were previously subject to annual renewal. The relevant provisions of the Letter Agreement on Adjunct Health Insurance and Related Issues are set forth below.

New Eligibility Criteria for Non-Teaching Adjuncts

- Effective August 27, 2013, in order to qualify for health insurance benefits, Non-Teaching Adjuncts must be working fifteen or more hours per week in the semester -- or an equivalent combination of teaching and non-teaching hours -- and must have worked fifteen or more hours per week for the two consecutive preceding semesters (not including Summer Sessions). (For the purpose of determining eligibility for health insurance only, one non-teaching hour shall be deemed equivalent to 0.4 teaching contact hour.)
- Non-Teaching Adjuncts who are receiving health insurance in the Spring 2013 semester, who established eligibility by working ten or more hours but fewer than fifteen hours or the equivalent per week in the two consecutive preceding semesters (not including Summer Sessions), and who are working fifteen hours per week for the semester, effective August 27, 2013, shall be eligible to receive health insurance benefits in the Fall 2013 and Spring 2014 semesters if they are otherwise eligible.

The eligibility criteria for teaching adjuncts remains unchanged; health insurance benefits are available to those adjuncts who are teaching six or more hours (or the equivalent) in the semester and who have taught one or more courses for two consecutive semesters (not including Summer Sessions).

As before, eligibility for adjunct health insurance coverage is based on CUNY-wide service.

Doctoral student employees who are eligible to receive primary health care insurance through NYSHIP are not eligible for health insurance through the PSC-CUNY Welfare Fund.

Period of Coverage for Teaching and Non-Teaching Adjuncts

- Adjuncts who receive health insurance for the Fall semester only will receive coverage for the period from the first day of the Fall semester through the following February 28 (February 29 in a leap year). The first day of the Fall semester is the day after the end of the teaching faculty annual leave period as calculated pursuant to Article 14.1 of the 2007-2010 PSC-CUNY Collective Bargaining Agreement or any successor agreement. Adjuncts who receive health insurance for the Spring semester only will receive coverage for the period from the first day of the Spring semester through the following July 31. Adjuncts who receive health insurance coverage during both the Fall and Spring semesters of a given academic year will continue to receive coverage through the end of the annual leave period as defined in Article 14.1 of the 2007-2010 PSC-CUNY Collective Bargaining Agreement or any successor agreement.

Grievance/Arbitration Settlements

The PSC has committed to withdraw with prejudice all cases to date in which it was seeking pro rata full-time pay and benefits for adjuncts who were assigned workloads in excess of the limitations set forth in section 15.2 (a) of the PSC-CUNY collective bargaining agreement, in situations where the PSC did not receive an overload waiver request or where the overload waiver request was denied by the PSC.

Permanent Adjunct Workload Agreements

The parties have agreed to make the following adjunct workload agreements permanent:

- American Sign Language – Adjunct instructional staff members who are appointed to teach American Sign Language courses at CUNY will be permitted to teach a maximum of two courses totaling not more than twelve (12) contact hours per week at any one unit of the University during the Fall or Spring semesters. Such persons shall not be permitted to teach any additional courses at any other unit of the University during any semester when they are teaching American Sign Language courses totaling more than nine (9) hours at one unit.
- Clinical Nurses – Adjunct instructional staff members who are appointed to teach clinical nursing courses at CUNY will be permitted to teach a maximum of twelve (12) contact hours per week at any one unit of the University during the Fall and Spring semesters. Such persons shall not be permitted to teach any additional courses at any other unit of the University during any semester when they are teaching clinical nursing courses of more than nine (9) hours at any one unit.

- Intersession Basic Skills Immersion Program – Effective for the periods between January 1 and the beginning of each Spring semester, adjunct instructional staff members who teach courses in the Intersession Basic Skills Immersion Program may be assigned up to one such course at one of the units of the University in excess of the Section 15.2 adjunct workload limitations.
- Winter Session (at other than Kingsborough and LaGuardia Community Colleges) – An adjunct instructional staff member, excluding Graduate Assistants, shall not be assigned a total of more than eight (8) classroom contact hours during a winter session. Classroom contact hours during a winter session will not be counted toward the adjunct's workload in either the preceding Fall semester or the subsequent Spring semester.
- Kingsborough and LaGuardia Winter Sessions – An adjunct instructional staff member, excluding Graduate Assistants, shall not be assigned a total of more than nine (9) classroom contact hours during the Fall Session B at Kingsborough Community College or the Fall Semester-Session II at LaGuardia Community College. In addition, such adjunct, assigned nine (9) classroom contact hours at one of these two community colleges, may be employed to teach a maximum of one course of not more than six (6) hours during the above-referenced sessions at the other community college. Classroom contact hours during the Fall Session B or Fall Semester-Session II will not be counted toward the adjunct's workload in either the preceding Fall semester or the subsequent Spring semester.

Waivers

Rather than seek the PSC's approval each time an overload assignment is requested, the parties have agreed to allocate a fixed number of waivers per semester. Effective with the Spring 2013 semester, each College was provided with five (5) adjunct overload waivers for the semester to address staffing emergencies or other staffing exigencies. Each College will continue to be provided with five (5) adjunct overload waivers for the Fall 2013 semester and five (5) adjunct overload waivers for the Spring 2014 semester (and thereafter) to be used for staffing emergencies or other staffing exigencies. These overload waivers should continue to be reported to the Office of Labor Relations. The PSC will continue to review adjunct workload data in order to determine whether the Colleges have exceeded the number of overload waiver exemptions allowed. As a result, it is essential that each College continue to closely scrutinize any future adjunct overload waiver requests submitted by Department Chairs to ensure that any such requests are based upon staffing emergencies or other staffing exigencies and that all other alternative means of coverage have been exhausted before the College utilizes one of its adjunct overload waivers.

Should you have any questions, please feel free to call Laura Blank at (646) 664-2976, Patricia Stein at (646) 664-2980, or Jerry Rothman at (646) 664-2979.

c: Chancellor Matthew Goldstein
 Executive Vice Chancellor and Chief Operating Officer Allan H. Dobrin
 Executive Vice Chancellor and University Provost Alexandra W. Logue
 Chancellor's Cabinet