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# Department Chairs Guide to Contract Implementation

January 28, 2020

Dear Department Chairs,

I hope you have had some time for yourselves over the January break. Thank you for carrying so much of the work of faculty governance and sustaining the University's academic life.

I am aware that many of the gains in the new contract mean new or additional responsibilities for department chairs. This letter is designed to offer clarification and support as you implement the new provisions. There were too many new provisions for a single letter, so the letter will be in two parts. Part I, attached and below, covers the research accounts for department chairs, adjunct office hours and adjunct professional hours. Part II, which will be sent next week, will cover classroom observations of on-line courses, three-year appointments for adjuncts, travel funds and other provisions.

The other PSC officers and I are also arranging meetings with

department chairs on every campus in the first few weeks of the semester. We hope to see you at the meeting on your campus and look forward to hearing from you directly. Check with your [PSC chapter chair](#) if you are unsure of the date of the meeting at your college. Meanwhile, we welcome your comments and questions; please don't hesitate to contact us. You can send a message [here](#) or simply reply to this message.

### **Department Chair Research Accounts**

One of the themes that emerged most powerfully from the union's 2019 [report on department chairs](#) was chairs' frustration at having so little time to provide academic leadership and strategic direction to their departments. The Department Chair Research Account, a new feature in the contract, was negotiated in response to your comments. Support for department chairs was a union priority in contract negotiations; the PSC bargaining team made it clear that we were not prepared to settle the contract without some form of additional support for chairs. While a relatively modest annual research account will not transform your academic life, we hope that access to research funds will make investing in your own work a little more possible.

We know that time remains the critical issue. While many of you expressed the need for more reassigned time or more summer salary, the practices at different colleges on these issues are so different that it was difficult to design a single contractual provision that would address them all. We hope, however, that the addition of a dedicated research fund will open up some time. It is a contractual investment in the academic work of department leadership—and that is a significant gain for all faculty.

Here is how the accounts will work:

- Starting in the Spring 2021 semester, \$3,000 per academic year will be available in a research account for each department chair and Graduate Center executive officer as a contractual right. For the negotiated language on the accounts, see the [Memorandum of Agreement \(MOA\)](#).
- Think of the account as a source to draw on for research support when, as a chair, you don't have time to apply for outside grants or even internal grants such as PSC-CUNY Awards. Is there something that would support your own work while you are giving so much of your time to advance the careers of others? Use the funds to buy books, travel to an archive, hire a research assistant, buy a laptop for fieldwork, conduct qualitative research or provide other support. The guidelines for expenditures will be the same as those that govern [PSC-CUNY Award budget requests](#).
- The research accounts are for your own work only. The MOA is unequivocal on this point: "the account is to be used to further the scholarly and/or creative activities of the department chair or executive officer." The first impulse of many chairs will be to share the funds or use them for departmental needs. Resist! Urgent as those needs are, the accounts were negotiated specifically to support the chairs' own academic work and should be used for that purpose.
- You will not be required to apply for or compete for the funds. The \$3,000 annually will be set aside in a CUNY Research Foundation (RF) account for your use on

expenses allowable under the guidelines. Just as with PSC-CUNY grants, you will be required to submit receipts to be reimbursed for expenditures. The union will provide more detailed guidelines for the process later this year.

- If you do not spend the entire \$3,000 in a single academic year, the unspent funds will be rolled over for your use in the following academic year, even if you are no longer chair. Funds not spent after the second year will be returned to the RF and dedicated to the PSC-CUNY Awards fund.
- The reference in the MOA to allocating 10 percent of total department chair research account funds to the RF for administrative costs has caused some confusion. The 10 percent has already been included in the calculation of the cost of the entire provision; it will not be deducted from your individual account of \$3,000.
- The research accounts will become available a year from now, at the start of the spring 2021 semester, when \$1,750 will be provided for the remainder of the academic year. Every September from 2021 onward, \$3,000 will be deposited in each department chair's or executive officer's research account to cover one year's funding. Ideally, the accounts would have been available this spring, but the distribution of funds annually in the contract limited what was possible in each year. I regret that some of the University's long-serving chairs whose terms end this year will not be able to make use of the accounts. Thank you for your advocacy; it contributed to winning the accounts as a contractual right.

### **Adjunct Office Hours**

The most dramatic change in the new contract is the addition of paid office hours for adjunct instructors. The change begins right away, at the start of the spring semester. (Winter sessions are considered part of the preceding fall semester; the new office hour provision starts whenever your spring semester starts.)

The union has developed a [detailed fact-sheet](#) on adjunct pay and office hours and a [series of FAQs](#) on the topic; it may be useful to consult them. Please bear in mind that all provisions of the additional adjunct office hours apply to full-time employees teaching on overload as well as to part-time employees. In addition, the following guidelines may be helpful:

- The principle behind the new adjunct office hours is that they serve the same purpose as full-timers' office hours in your department. If that principle is observed, many of the questions about the office hour are answered.
- The Memorandum of Agreement (MOA) states that adjunct office hours should be “formalized” as directed by the department chair. By “formalized” we mean made known to students and the department administration. If, for example, full-time faculty in your department are required to list their office hours with the department staff and announce them on their syllabus, then part-time faculty should be required to do the same.
- Part-time faculty office hours are to be spent just as full-time faculty office hours are: meeting with the faculty member's students to provide additional support and guidance, or being available at a regular time and place for such meetings.

- Much as departments want to involve adjuncts in department life, the adjunct office hours (with the exception of a limited number of “professional hours,” explained below) may not be used for additional assignments. Assigning adjuncts to work in a general tutoring center during their office hours, for instance, is not consistent with the contract. The new hours are *office* hours and should be treated as such. Your guide should be how you approach full-time faculty office hours: adjunct office hours should be approached in a similar way.
- Adjunct office hours should normally be used to meet with the adjunct’s own current (or occasionally, past) students, just as full-timers’ office hours are. If you have a practice in your department of encouraging students who may need help to drop in when they see an open faculty office door, the same practice may continue with adjuncts, but adjuncts should not be general student tutors during their hours.
- If your college does not provide office space for adjuncts, the new contractual provision should stimulate college administrations to make a serious effort to do so. You might want to raise with your administration whether there are administrative conference rooms that sit empty most of the day, or discuss with your full-time colleagues whether there are any opportunities to share their office with an adjunct one day a week. If no other space is available, adjuncts may continue to meet with students in cafeterias or empty classrooms. Until appropriate space is found by the University, adjuncts may have to list “cafeteria” as their office.

- Use your own judgment about what is appropriate for your department. If an instructor teaches entirely at an off-campus location, such as a healthcare facility, the union takes the position that their office hours may be held there.
- If it works best for the adjunct and the students to hold the office hour as two half-hour sessions before or after class, that is permissible under the new provision, as long as the time is scheduled and treated as a formal office hour. Adjuncts should determine the time of their own office hours and may hold their hours on the same day as their class meets or on a different day, just as full-time faculty do.
- If the adjunct's class is conducted wholly or partially online, a proportionate share of the office hours may be conducted in the same way, as the [MOA](#) provides.
- The union has been asked whether the office hours may be offered on other than a weekly basis—for instance, grouped at the end of the semester or during midterms. Our position is that the hours are paid as weekly hours and must be held as such.
- Finally, and critically important, the new adjunct office hours are distinct from “conference hours” or other hours built into certain courses, primarily in English Composition, Computer Science and Math, that come with a higher number of contact teaching hours than credits. Any attempt by your college administration to reduce the established number of contact teaching hours associated with a certain course and claim that those have now been superseded by the adjunct office hours should be reported

right away to the PSC contract enforcement staff. The union has stopped one such effort already.

As department chairs, you are critical in making this important new provision work. The union won public support for the adjunct office hours from the CUNY administration, Mayor de Blasio and Governor Cuomo on the grounds that the thousands of new office hours would make a difference in student success as well as fairness for adjuncts. Please let us know how the provision is working in your department. The union officers and staff are especially interested in learning about questions or problems with the implementation of the hours that are specific to your department or discipline.

### **Adjunct Professional Hours**

During the negotiations for the contract, the CUNY administration wanted to preserve a certain number of paid adjunct hours per semester for professional activities other than conducting office hours, such as completing training required under New York State law or attending a college orientation session. The administration was unwilling to pay for additional hours beyond the new office hours, so we reached agreement that “the colleges may direct” that a limited number of “professional hours” may be carved out from the adjunct’s office hours for specific purposes. The [MOA](#) lists the purposes for which the professional hours may be used:

. . . for required trainings (*e.g.*, Workplace Violence Prevention, Sexual Harassment Prevention, You Have a Right to Know, etc.); for professional development; for attendance at college orientation sessions; for meetings with the union pursuant to Section 208.4(b) of the NYS Civil Service Law, which may be conducted individually



or in a group, as agreed to with the PSC; or as otherwise directed by the colleges.

Adjuncts who are responsible for 15 paid office hours a semester may have up to 3 professional hours carved out of their office hours. Adjuncts responsible for more than 15 paid office hours in a semester (typically those teaching two or more courses) may have up to 6 professional hours carved out.

While adjuncts who are assigned to teach fewer than 3 classroom contact hours are not responsible for or paid for additional *office* hours, those assigned to teach at least one classroom contact hour but fewer than 3 are entitled under the new contract to 2 *professional* hours per semester.

The new provisions for adjunct professional hours and office hours make the existing contractual provision for an adjunct professional hour (one hour for every 6 contact hours in a single college) obsolete. The section of [Article 15.2 \(b\)](#) defining that hour is eliminated as of the start of the current spring semester.

As the MOA explains in the section quoted above, the professional hours may be used by the adjunct to complete required workplace training sessions on-line. The hours may also be used to attend an adjunct orientation session offered by the college. In addition, an important use of the hours is for professional development, as directed by the college. Professional development could include such activities as participating in curriculum development or attending a workshop on new college programs.

The new provisions of State law cited in the MOA were enacted

following the Supreme Court's *Janus* decision on public-sector unions. State law now gives employees the right to meet with their union representative on paid work time no later than 30 days after they are "employed or reemployed by a public employer." The adjunct professional hour, with the consent of the PSC, may be used for such meetings, whether a one-to-one session or a group orientation.

## Closing

That's a good place to end the first part of this letter—with employees' rights to meet with their PSC representative on paid time. Thank you for your patience in reading, and please let us know by responding [here](#) if you have further questions or would suggest a different approach for Part II. Best wishes for the coming semester.

In solidarity,

Barbara Bowen

President, PSC