

Assembly Bill No. 591

Passed the Assembly June 26, 2008

Chief Clerk of the Assembly

Passed the Senate June 23, 2008

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 87482.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 591, Dymally. Community colleges: temporary employees.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires that a person employed to teach adult or community college classes for not more than 60% of the hours per week of a full-time employee having comparable duties, excluding substitute service, be classified as a temporary employee.

This bill would, instead, require that any person who is employed to teach adult or community college classes for not more than 67% of the hours per week considered a full-time assignment for regular employees having comparable duties, excluding substitute service, be classified as a temporary employee. If these provisions are in conflict with the terms of a collective bargaining agreement in effect on or before January 1, 2009, the provisions of this bill would govern the employees subject to that agreement upon the expiration of the agreement.

The people of the State of California do enact as follows:

SECTION 1. Section 87482.5 of the Education Code is amended to read:

87482.5. (a) Notwithstanding any other law, a person who is employed to teach adult or community college classes for not more than 67 percent of the hours per week considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee under Section 87604. If the provisions of this section are in conflict with the terms of a collective bargaining agreement in effect on or before January 1, 2009, the provisions of this section shall govern the employees subject to that agreement upon the expiration of the agreement.

(b) Service as a substitute on a day-to-day basis by persons employed under this section shall not be used for purposes of calculating eligibility for contract or regular status.

(c) (1) Service in professional ancillary activities by persons employed under this section, including, but not necessarily limited to, governance, staff development, grant writing, and advising student organizations, shall not be used for purposes of calculating eligibility for contract or regular status unless otherwise provided for in a collective bargaining agreement applicable to a person employed under this section.

(2) This subdivision may not be construed to affect the requirements of subdivision (d) of Section 84362.

Approved _____, 2008

Governor