

AMENDED IN ASSEMBLY APRIL 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Concurrent Resolution

No. 95

Introduced by Assembly Member Gomez

February 11, 2014

Assembly Concurrent Resolution No. 95—Relative to the California Community Colleges.

LEGISLATIVE COUNSEL'S DIGEST

ACR 95, as amended, Gomez. California Community Colleges: part-time faculty *and classified employees*.

This measure would express the intent of the Legislature that community college districts not reduce the hours of part-time faculty *or part-time classified employees* for the purpose of avoiding implementation of the federal Patient Protection and Affordable Care Act.

Fiscal committee: no.

1 WHEREAS, The provisions of the federal Patient Protection
2 and Affordable Care Act (PPACA) relating to employer shared
3 responsibility require large employers, including California
4 community college districts, to provide minimum essential health
5 care coverage for anyone working an average of at least 30 hours
6 per week; and
7 WHEREAS, Assembly Concurrent Resolution 138 of the
8 2009–10 Regular Session, chaptered as Resolution Chapter 142
9 of the Statutes of 2010, expressed the intent of the Legislature that
10 part-time and temporary faculty receive pay and benefits that are

1 equal to those of specified tenured and tenure-track faculty, to the
2 extent funding is provided; and

3 WHEREAS, ~~Proposed Internal Revenue Service Regulation~~
4 ~~138006-12 would define~~ *The Internal Revenue Service's final*
5 *ruling in the Shared Responsibility for Employers Regarding*
6 *Health Coverage* defines service hours to include work paid outside
7 of the classroom, including office hours and preparation, for
8 purposes of calculating full-time employment status; and

9 WHEREAS, Individual college and university employers across
10 the United States have reduced the hours of part-time faculty *and*
11 *part-time employees* specifically to avoid compliance with the
12 provisions of the PPACA relating to employer shared
13 responsibility, the operation of which has been delayed until
14 January 1, 2015; now, therefore, be it

15 *Resolved by the Assembly of the State of California, the Senate*
16 *thereof concurring*, That it is the intent of the Legislature that
17 community college districts not reduce the hours of part-time
18 faculty *or part-time classified employees* for the purpose of
19 avoiding implementation of the federal Patient Protection and
20 Affordable Care Act; and be it further

21 *Resolved*, That the Chief Clerk of the Assembly transmit copies
22 of this resolution to the Chancellor of the California Community
23 Colleges and to the author for appropriate distribution.