

**PERALTA COMMUNITY COLLEGE DISTRICT  
Board of Trustees Agenda Report  
For the Trustee Meeting Date of April 26, 2016**

**ITEM TITLE:** Request Board authorization to approve a request by faculty member **Newt McDonald** to participate in the Reduced Workload Program (also known as "Willie Brown Act") in accordance with California Education Code Section 87483 and Article 17 of the Collective Bargaining Agreement.

**SPECIFIC BOARD ACTION REQUESTED:** The Office of Human Resources and Employee Relations reviewed the request by Newt McDonald to participate in the Reduced Workload Program, and determined that Newt McDonald meets the qualifications pursuant to Education Code 87483 as follows:

- Newt McDonald is at least 55 years old.
- Newt McDonald has been a full-time instructor for 20.949 years.
- Newt McDonald has been employed on a full-time basis in an academic position for at least five years, with no break in service.

**ITEM SUMMARY:** The request for a reduced workload by faculty member Newt McDonald meets the requirements of Education Code 87483. Board contract approval is subject to negotiation and execution by the Chancellor.

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):** N/A

**BACKGROUND/ANALYSIS:** Newt McDonald has been employed by the District since August 2003, when he was hired as a full-time Instructor at Merritt College.

Newt McDonald's request for a reduced workload at 60% shall become effective for Fall 2016 semester and 60% for Spring 2017 semester. This request for approval of the Reduced Workload Program Agreement is in accordance with Article 27, Paragraph C.1 of the Collective Bargaining Agreement, which directs qualified employees to "initiate this procedure by formal written request to the Board of Trustees delivered to the College President."

**DELIVERABLES AND SCOPE OF WORK:** N/A

**ANTICIPATED COMPLETION DATE:** END OF SPRING 2017 SEMESTER.

**ALTERNATIVES/OPTIONS:** N/A

**EVALUATION AND RECOMMENDED ACTION:** The Chancellor recommends approval.

**OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):**

YES \_\_\_\_\_ No  X

**COMMENTS:**

WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING? VICE CHANCELLOR TRUDY LARGENT.

(\*\*\*\*\*Board contract approval is subject to negotiation and execution by the Chancellor.)

**DOCUMENT PREPARED BY:**

Prepared by: Trudy Largent Date: 4/26/16  
[Trudy Largent, J.D., Vice Chancellor for Human Resources & Employee Relations]

**DOCUMENT PRESENTED AND APPROVED BY:**

Presented and approved by: Trudy Largent Date: 4/26/16  
[Trudy Largent, J.D., Vice Chancellor for Human Resources]

**FINANCE DEPARTMENT REVIEW**

Finance review required  Finance review not required

If Finance review is required, determination is:  Approved  Not Approved

If not approved, please give reason: \_\_\_\_\_

Signature: Ronald Little Date: 04/26/16  
Ronald Little, Vice Chancellor for Finance & Administration

**GENERAL COUNSEL (Legality and Format/adherence to Education Codes):**

Legal review required  Legal review not required

If Legal review is required, determination is:  Approved  Not Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
General Counsel

**CHANCELLOR'S OFFICE APPROVAL**

Approved, and Place on Agenda  Not Approved, but Place on Agenda

Signature: Jowel. Laguerre Date: 04/26/16  
Jowel C. Laguerre, Chancellor

# Reduced Workload Program Eligibility Certification

ES 1161 (Rev. 6/10)

# CALSTRS

California State Teachers' Retirement System  
 P.O. Box 15275, MS 17  
 Sacramento, CA 95851-0275  
 800-228-5453  
 CalSTRS.com

McDonald, Newt	1551077637
NAME (LAST, FIRST, INITIAL)	CLIENT ID OR SOCIAL SECURITY NUMBER
Alameda County/001	Peralta District/063
COUNTY CODE/NAME	DISTRICT CODE/NAME

ELIGIBILITY REQUIREMENTS	YES	NO
1. Reduced Workload Program participation board approved.		
2. Attained age 55 prior to the Reduced Workload Program effective date.	X	
3. Must have at least 10 years of service credit in a certificated position.	X	
4. Employed in a full-time position for five years immediately preceding the Reduced Workload Program effective date.	X	
5. Salary not greater than that of: <ul style="list-style-type: none"> <li>• School principal (K-12)</li> <li>• No limit (community college)</li> </ul>	X	
6. Agreement: <ul style="list-style-type: none"> <li>• Exists between employer and participant.</li> <li>• Is initiated at the beginning of the school year and concluded at the end of the school year.</li> <li>• May be revoked by consent of both parties.</li> <li>• Has not been in effect for more than 10 years.</li> <li>• Requires participant to work at least 50 percent of full time.</li> </ul>	X	
Note: If the response to any of the above items is "no," the employee may <u>not</u> be eligible to participate in the Reduced Workload Program, and <u>must</u> contact CalSTRS immediately for final determination.		

Reduced Workload Program EFFECTIVE DATE	FULL-TIME SALARY	PERCENTAGE CONTRACT
8/22/2016	\$ 8,596.75/month	% .60

I hereby certify by submitting this form that the employee mentioned above is eligible to participate in the Reduced Workload Program as described in Education Code sections 22713, 44922 (K-12), 87483 (community college). I understand that this certification must be completed and approved by CalSTRS before the employee begins working a reduced schedule.

I understand it is a crime to fail to disclose a material fact or to make any knowingly false material statements for the purpose of altering a benefit administered by CalSTRS and it may result in penalties, including restitution, up to one year in jail and a fine up to \$5,000 (Education Code section 22010).

NAME & TITLE	EMPLOYER SIGNATURE	DATE
Kheng Ho / HR Generalist		4/14/2016

CalSTRS USE ONLY	CalSTRS SIGNATURE	APPROVAL DATE



### **Employer Requirements**

- The Employer's governing board must have approved the RWP participation.
- Employer must maintain the necessary records to separately identify each member who participates in the RWP.

### **Member Qualifications and Requirements**

- Member must be age 55 or older.
- Member must have a minimum of ten years of credited service in a certificated position.
- Member must have been employed in a full-time position for five years immediately preceding RWP effective date.
- Member cannot have had a break in service during the five years immediately preceding the reduction in workload. Sabbaticals, other approved leaves of absence, and unpaid absences for personal reasons from full time employment are not considered a break in service.
- Participation must commence at the beginning of the school year and conclude at the end of the school year.
- The member must not hold a position with a salary above that of a school principal for prekindergarten through grade 12 participants only.
- Member cannot participate for more than ten cumulative years. For example, the member may participate for one year, return to full-time service, and five years later participate in the RWP for a maximum of nine additional years.

### **Employer *and* Member Requirements**

- Both the employer and employee must agree that the employee can participate in the program.
- The reduced workload must be at least one-half of the time required for full-time employment.
- Member and Employer must make contributions to the system as if he or she were working full-time.

### **CalSTRS' Approval is Required Prior to Participation**

- CalSTRS must *receive* and *approve* the Reduced Workload Program Eligibility Certification Application (ES-1161) *prior* to the employee participating in the RWP.
- CalSTRS will communicate with the district, member and County Office approving or rejecting the application.
- CalSTRS will communicate with the district, member and County Office rejecting the application if RWP contribution lines are reported prior to an application being submitted.

If you have any questions regarding this circular, please contact your CalSTRS Member Account Services Representative.

RECEIVED

Office of the President

RECEIVED

MAR 15 2016

MAR 01 2016

FEB 25 2016

Merritt College

PERALTA COMMUNITY COLLEGE DISTRICT

OFFICE OF HUMAN RESOURCES  
PERALTA COMMUNITY COLLEGE DISTRICT

Office of Human Resources

BY: Division I  
DW

Request for Reduced Workload Program Evaluation (PFT Members)

Instructions for Completing the Reduced Workload Program Form

epaf#  
18716

Certificated personnel requesting to reduce their workload from full-time to part-time shall submit an application to the appropriate College Dean for submission to the College President.

- Deadline: Dates for Submission to the College President: February 1---- for implementation in the Fall semester
- All signed agreements and ePAF forms should be submitted to Human Resources no later than April 1.
- June 1 ----Deadline for Board of Trustees Approval

A signed agreement is not required for continuing participants. A signed agreement should be submitted to Human Resources

Employee Information:

Date: FEB. 21, 2016

Name (Last, First, Middle):	<u>McDONALD, NEWT I</u>	Subject Field:	<u>CHILD DEVELOPMENT</u>
Position Title:	<u>INSTRUCTOR</u>	Division:	<u>I</u>
College:	<u>MERRITT</u>	Age:	<u>70</u>
Date of Birth (Month, Day, Year):	<u>12-06-1945</u>	Home/Mailing Address:	<u>6061 WOOD DR OAKLAND</u>
Zip code:	<u>94611</u>	Telephone Number:	<u>510-652-3712</u>
Email Address:	<u>nmcDonald@peralta.edu</u>		

A Reduced Workload is requested as follows:

Academic Year of:	<u>2016-17</u>	
Effective Term and Date:	<u>Fall Semester--New Academic Year</u>	Effective Date:

Number of Years Requested:  (1)  (2)  (3)  (4)  (5)

Indicate number of requested assignment for each semester 9 units

? Semester: Fall 60% Spring 60% Average FTE for Academic Year(s) 60

Approvals:

Names and Titles	Signatures	Dates
Employee: <u>NEWT I. McDONALD, INSTRUCTOR</u>	<u>[Signature]</u>	<u>2-21-16</u>
Division Chairperson: <u>CHRISTINE OLSEN, CHAIR</u>	<u>[Signature]</u>	<u>2-21-16</u>
Dean: <u>TINA VASCONCELLOS</u>	<u>[Signature]</u>	<u>2-29-16</u>
College President: <u>NORMA AMBRIZ-GAVIZ</u>	<u>[Signature]</u>	<u>3-8-16</u>

Human Resources Office Use Only

Board of Trustees Approval Date: _____	Date HR Office sent Application to CalSTRS: _____
Comments: _____	

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3/1/16  
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