

CIO Listserv Survey on Load Banking

College 1: Yes, we have load banking. Hardly anyone uses it. I believe two or three faculty have used it in the last five years. The language appears in Article 4.14 of the fulltime faculty contract. I don't have strong feelings one way or another. I think it is a nice option, but I've found that faculty would rather have the immediate gratification of EP than wait to bank load. However, there are a few who take advantage of it.

College 2: Yes, MK, this district does have load banking.

Foothill College: Nope!

College 3:

1. Do you have "load banking" at your college for regular faculty? (if no, you are done!) **YES**
2. Do you think you have a GOOD version or not? **I don't know!**
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking? **Full credit.**
4. Do you limit how often it can be used? **Yes – it is all by dean/VP approval only.**
5. What is your maximum allowable leave using load banking? **I think they can bank up to a full-semester worth of load.**
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? **Not that I know of.**
7. Anything else you do or WISH you did to protect your District? **Don't know any better or different. So, I look forward to seeing your aggregated results.**
8. Do you recommend it as a good tool that benefits faculty and the District or not? **I don't see much benefit to the students or the district... In areas where there is only one full-time faculty in a program, having that faculty missing for a whole semester is not beneficial to the students or the college.**

College 4:

1. Do you have "load banking" at your college for regular faculty? (if no, you are done!) **yes**
2. Do you think you have a GOOD version or not? **It is OK**
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking? **Both – if you take partial load banking the credit is one for one – if you want the whole semester off, then you have bank 3 hours more than the load to get full pay.**
4. Do you limit how often it can be used? **I don't think so.**
5. What is your maximum allowable leave using load banking? **A full leave for one semester can be taken for full pay, or a half-pay leave for a year can be taken to be combined with a sabbatical**
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? **Yes – sabbatical – but I'm sure we have plenty of loopholes that would for other configurations**
7. Anything else you do or WISH you did to protect your District? **I don't like that people can bank to reduce their assignment in a future terms at the 1 for 1 rate – that defeated the whole purpose of having the 3 hour "fee" – bank 18 to take off in a 15 hour load for full pay. It made the whole process too convoluted and opened things up for abuse. The hours expire after 7 years. There is a maximum that may be banked depending on load – that is good.**
8. Do you recommend it as a good tool that benefits faculty and the District or not? **It has potential since for a full leave the district gets 3 hours of additional work for free – but because we allow for a partial banking/usage to reduce a person's regular assignment, it**

does not benefit the district in those instances. The use of the time to give full pay instead of half pay during a sabbatical is beneficial for faculty.

9. Other This was negotiated into the faculty collective bargaining agreement.

College 5: I am replying based on my experiences with it at 3 former colleges where I worked.

1. Do you have “load banking” at your college for regular faculty? (if no, you are done!) Yes
It had good and bad elements at each location
2. Do you think you have a GOOD version or not?
Same as above
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking?
1 to 1 credit for accumulated banked hours. Some colleges had a max limit and I recommend there be one as well. There should be conditions determining when banking may be used with approval of unit administrator as final decision.
4. Do you limit how often it can be used? Should be flexible so banked load can be used to complete load for faculty who come up short at times.
5. What is your maximum allowable leave using load banking? One college had no limit which was not good. I recommend no more than 1 semester.
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? NO, complicates things. Mixes campus instructional costs with HR benefits
7. Anything else you do or WISH you did to protect your District? Account for the cost of banked hours. They are earned and then used at a later time. It’s important to account for salary increases, step and column...etc. in the future. Pay out at rate the banked hours were earned. Tracking is critical
8. Do you recommend it as a good tool that benefits faculty and the District or not? It is a good tool if closely managed and monitored. Areas where only 1 or two faculty members (Speech), both should not be able to take a year off at the same time using banked load like what happened at one college where I worked. I was left without any faculty to teach Speech for the duration of their leave.
9. Other Banked load is an instructional cost liability carried on the books

College 6:

1. Do you have “load banking” at your college for regular faculty? (if no, you are done!) Yes
2. Do you think you have a GOOD version or not? No
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking? Full – and faculty can bank up to .40 load each semester.
4. Do you limit how often it can be used? Partial load can be used whenever – theoretically assuming that “suitable replacements are available”. Faculty can take full semesters off no more than twice in any three year period.
5. What is your maximum allowable leave using load banking? See above.
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? Yes.
7. Anything else you do or WISH you did to protect your District? I like the idea of partial credit – we have down-graded the value of “other professional responsibilities” by pretending that all we care about is teaching load. We should have put more strict limits on how much can be cumulatively banked – we now allow up to 3 semesters’ worth, which is better than it was when we started.

8. Do you recommend it as a good tool that benefits faculty and the District or not? Only with strict limits. I would limit to two semesters' worth, and I would try to require some "banking" for other professional responsibilities (although we don't hold individuals accountable for this in their regular load).

College 7:

1. Do you have "load banking" at your college for regular faculty? (if no, you are done!) Yes.
2. Do you think you have a GOOD version or not? Yes.
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking? Full credit
4. Do you limit how often it can be used? For a full semester leave, one semester every three years. For small amounts of the load banked, there is not limit.
5. What is your maximum allowable leave using load banking? A full semester (15 teaching units)
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? Yes.
7. Anything else you do or WISH you did to protect your District? N/A
8. Do you recommend it as a good tool that benefits faculty and the District or not? It offers flexibility with scheduling and with the life of faculty.

Barstow: Barstow does not have load banking.

College 8:

1. Do you have "load banking" at your college for regular faculty? (if no, you are done!) YES
2. Do you think you have a GOOD version or not? NOT—WE ALLOW FACULTY TO BANK UP TO 30 LHE OR A WHOLE YEAR OF SERVICE. BIG FINANCIAL LIABILITY FOR THE DISTRICT. AND, THEY COLLECT THEIR BANKED TIME LATER IN THEIR CAREER WHEN THEIR SALARY IS HIGHER THAN IN THE YEARS THEY ACCRUED IT. THEY ACCRUE IT EARLY AND UTILIZE IT LATE.
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking? FULL
4. Do you limit how often it can be used? NEED TO GET CHAIR AND VP APPROVAL AT LEAST 6 MONTHS IN ADVANCE SO THAT WE CAN BE SURE LEAVES, SABBATICALS, AND BANKED LEAVES DON'T LEAVE THE DEPT WITHOUT ENOUGH FACULTY TO DO THE WORK THAT NEEDS TO BE DONE.
5. What is your maximum allowable leave using load banking? ONE SEMESTER AT A TIME WITH TIME BACK ON CAMPUS IN BETWEEN LEAVES
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? YES, WE HAVE DONE COMBINED LEAVES TO MAKE IT A FULL YEAR ON RARE OCCASIONS.
7. Anything else you do or WISH you did to protect your District? WE SHOULD SET THE MAX LOWER.

8. Do you recommend it as a good tool that benefits faculty and the District or not? I THINK WITH A LOWER SET MAX IT COULD BE OF GREATER BENEFIT. RIGHT NOW THERE IS MORE BENEFIT TO THE FACULTY THAN TO THE DISTRICT.

College 9: NOCCCD has load banking. Where I was before here. I can talk more on the phone with you about this. Bottom-line – it is my opinion that load banking is a bad idea.

College 10:

1. Do you have “load banking” at your college for regular faculty? (if no, you are done!)

Yes

2. Do you think you have a GOOD version or not?

It is flawed.

3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking?

Faculty earn 1 to 1 unit credit. Once they accumulate 15 units, they can take a semester off. They can also effect a reduced load by utilizing smaller amounts of banked units.

4. Do you limit how often it can be used?

We do not limit how often it can be used, which is a significant problem with full time faculty who are on perpetual reduced load.

5. What is your maximum allowable leave using load banking?

One semester at a time. Faculty may not accumulate more than 15 units in the bank.

6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other?

Yes.

7. Anything else you do or WISH you did to protect your District?

I wish we would have accounted for the loss of office hours and campus hours in addition to the teaching hours we lose. Backfill of assignments is typically with adjuncts. They are not required to serve office hours, serve on committees, etc. This service is lost.

8. Do you recommend it as a good tool that benefits faculty and the District or not?

I believe it can be a valuable morale booster for full time faculty, but it must be defined in such a way that students and the institution do not pay a significant cost in terms of lost service. There is no cost savings to the District, and we lose faculty out-of-class obligation time. It is fair to ask for something in return. Perhaps 3 units of leave for every 4 units banked.

College 11:

1. Do you have “load banking” at your college for regular faculty? (if no, you are done!) **YES**
2. Do you think you have a GOOD version or not? **NO**
3. Do you offer full credit or pro-rated credit for the overload that would be accumulated for banking? **Full credit**
4. Do you limit how often it can be used? **Any time after banking, with administrative approval.**
5. What is your maximum allowable leave using load banking? **15 SIU- equivalent to 1 semester**
6. Do you allow it to be combined with Sabbatical Leaves, Family Leaves or other? **Yes, part of why I think it's a bad version**
7. Anything else you do or WISH you did to protect your District? **No, but they should have put a time limit on use. Otherwise, it is accumulated at a low salary and used at a much higher salary years down the road.**

Do you recommend it as a good tool that benefits faculty and the District or not? **I think it can but it needs to have limits which can be sustained over time. Such as used within x semesters or paid out, banked credits limited to be 3 per semester which requires the faculty to be committed over time. Also, a limit on the number of faculty who can take a load banked or some variation like single faculty disciplines must have appropriate backfill, etc.**

College 12: I answered your questions and have included language from our draft working conditions manual. The only problem we have noted is the fact that faculty can bank enough to take a full semester off and are not obligated to provide the additional hours of governance work during the semester that they unbanked (or take off). That has already been given away....so getting it back is not going to be easy. Also, if they don't use it within a 10 year period then it is paid out to them...at the pay rate they are at the time of payout. Nice little savings account for faculty but doesn't work for the district here.

D.4.0 OVERLOAD BANKING

“Banking” classes is an option available to College full-time regular (tenured) faculty. A full-time instructor is allowed to teach additional classes above the normal class load. Non-teaching faculty are allowed to teach, counsel, or perform other duties for the district beyond their contract obligations. In lieu of payment for this overload, the faculty member may elect to bank those hours for future use as released time.

D.4.1 Conditions for Banking

A full-time faculty member with an overload assignment may choose to bank the extra hours or be compensated at his/her non-contractual hourly rate. Depending on the number of hours banked, the time off could range from one class to an entire semester. Any faculty member wishing to take an entire semester off must render satisfactory service in the form of governance activities, departmental activities, or other institutional service each semester that he/she banks hours. The time off may be used for professional or personal reasons. The accumulated banked hours, and the resulting time off, will have no effect on sabbatical eligibility, fringe benefits, or retirement options.

Probationary faculty members may bank overload hours for load balancing purposes only before the third year. During the third (the two-year) contract, probationary faculty members may bank overload for future unbanked time off provided the two-year institutional service requirement has been met.

- 1) Faculty overload may be earned in accordance with current policy.
- 2) The hours to be banked must be in the faculty member's primary assignment; i.e., a counselor may only bank hours earned while counseling. Summer intersession hours may not be banked.
- 3) The frequency of released time under this policy shall be no more than one semester (or its equivalent) out of every three years.
- 4) Because of state-imposed limits on part-time/full-time faculty ratios, full-time leaves of absence for all purposes are limited to six percent (6%) of the faculty in any one semester. Sabbatical leaves shall have preference over banked hours leave.
- 5) Banked hours may not be accumulated and used in the same semester.
- 6) All fall and spring classroom LHE come with associated "flex" obligations. Faculty banking classroom LHE must complete the required "flex" obligation for those LHE in the fiscal year the class is taught and banked. Refer to section C.17.1 for further information.

D.4.2 Banking and Unbanking Procedures

Banking

A faculty member wishing to bank LHE must complete an Application for Banking LHE form that includes approval by his/her Department Chair and the Dean. This completed form must be submitted to the Payroll Office prior to the latter of the third week of the regular semester or the first meeting of the class to be banked.

No more than 15 Lecture Hour Equivalents (LHE) can be accumulated at any point in time. Only overload LHE worked during the regular academic year may be banked. Faculty on banked LHE leave, or any other leave, may not bank LHE during the leave.

If an instructor has only a part of a class as overload, the partial class is eligible for banking. If a class being banked is canceled, the banking is canceled and the instructor is paid for the classes that met prior to cancellation. An instructor who does not carry a full load in any semester must withdraw any accrued LHE from the bank to complete the load.

Unbanking

The faculty member must apply to unbank accumulated LHE by the fourth week of the semester prior to the semester during which the LHE would be unbanked. An Application for Unbanking LHE form must be completed. The LHE of leave may not exceed the banked LHE, nor can a faculty member who is unbanking LHE teach overload for pay during that semester off. An extension may be approved by the superintendent/president if the college is unable to approve a request because of "quota" limitations or inability to obtain a qualified replacement. Prior to unbanking LHE, the following must be certified by the faculty member, department chair, dean, and the appropriate vice president: (a) the program will not be jeopardized by the absence of the faculty member, and (b) competent staff are available to teach the classes/provide the services vacated by the regular faculty member.

Cashing Out Banked LHE

Banked LHE may not be held for more than ten years. If the faculty member does not unbank the LHE by the 10th calendar year following the year in which the LHE were banked, he/she will be paid for those LHE at the LHE rate in effect at the time those LHE were banked, by January 31st of the 11th calendar year after the year in which the LHE were banked. LHE banked prior to fall 2013 shall be paid at a rate of 33 hours per LHE; LHE banked in fall 2013 or later shall be paid at a rate of 35 hours per LHE. Payroll shall maintain a record of the hours banked per LHE for each faculty member.

By way of example, if a faculty member banks 3 LHE in 2011 and 6 LHE in 2014, and the faculty member does not take banked time off by the end of 2021, then the faculty member will receive, by January 31st of 2022, payment for the 3 LHE banked in 2011 at the LHE rate (and number of hours per LHE) in effect at the time those LHE were banked. The 6 LHE banked in 2014 will continue to be banked and are available for banked time off until 2024.

Notwithstanding the foregoing, if one of the following events occurs before the end of the 10th calendar year following the year in which the LHE were banked, then the faculty member or his/her estate or designated beneficiary will be paid for his/her banked LHE at the LHE rate in effect at the time those LHE were banked, within 30 days following the occurrence of such event. Those events are:

- Death (payable to estate or designated beneficiary)
- Disability (as defined below)
- Retirement or termination
- Unforeseeable emergency (as defined below).

Upon death, disability, retirement, or termination, the faculty member or his/her estate or designated beneficiary will be paid for all of his/her banked LHE at the LHE rate in effect at the time those LHE were banked. In the event of an unforeseeable emergency, the faculty member will be paid for his/her banked LHE at the LHE rate in effect at the time those LHE were banked; provided, however that the amount paid cannot and will not exceed the amount reasonably necessary to satisfy the emergency need (which may include amounts necessary to pay any Federal, state, local, or foreign income taxes or penalties reasonably anticipated to result from the distribution). Any banked LHE not converted to cash pursuant to the preceding sentence will continue to be held as banked.

For purposes of the foregoing, a faculty member will be considered disabled if the faculty member is either (a) unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or can be expected to last for a continuous period of not less than 12 months or (b) receiving income replacement benefits for a period of not less than three months under an accident and health plan covering employees of the district by reason of any medically determinable physical or mental impairment that can be expected to result in death or can be expected to last for a continuous period of not less than 12 months. In addition, a faculty member will be deemed disabled if determined to be totally disabled by the Social Security Administration.

A faculty member will be considered to experience an "unforeseeable emergency" upon a severe financial hardship to the faculty member resulting from an illness or accident of the

faculty member, the faculty member's spouse, the faculty member's beneficiary, or the faculty member's dependent; loss of the faculty member's property due to casualty (including the need to rebuild a home following damage to a home not otherwise covered by insurance, for example, not as a result of a natural disaster); or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the faculty member. For example, the imminent foreclosure of or eviction from the faculty member's primary residence may constitute an unforeseeable emergency. In addition, the need to pay for medical expenses, including non-refundable deductibles, as well as for the costs of prescription drug medication, may constitute an unforeseeable emergency. Finally, the need to pay for the funeral expenses of a spouse, a beneficiary, or a dependent may also constitute an unforeseeable emergency. The purchase of a home and the payment of college tuition are not unforeseeable emergencies. Whether a faculty member is faced with an unforeseeable emergency permitting a distribution is to be determined based on the relevant facts and circumstances of each case, but, in any case, a distribution on account of unforeseeable emergency may not be made to the extent that such emergency is or may be relieved through reimbursement or compensation from insurance or otherwise, by liquidation of the faculty member's assets, to the extent the liquidation of such assets would not cause severe financial hardship, or by cessation of banking LHE under the plan.

Reedley: We don't have load banking at Reedley College.

Fresno City: FCC does not load bank.

Feather River: We don't have load banking at Feather River College.

College 12: Came from a district that had load banking without parameters and it was not fun. If at all possible I would avoid it or do it with VERY strict parameters.

1. You should definitely do prorated. Otherwise the district is paying more for the bank at the time of usage, can impact in the long run if you have no limitation on usage or lose it. It was a must bank a total 16 units to for a (15 unit) semester off.
2. You should model out the impact of usage to determine the usage terms. But we had it where people ended up taking about 3 years to accrue and as soon as it was accrued they used.
3. Maximum should be no more than a term and it should trigger forced usage within a certain time frame. If you say within a year, you can model out the impact. If it is left open, too hard to anticipate impact.
4. We definitely allowed it to be combined with sabbaticals so that people could get 100% compensation. Banking is also a really great option for younger faculty who are planning to have kids since we do not really have a good maternity/paternity leave option like other countries.
5. Is it good or not — well it depends on how you structure it. If you are able to mitigate costs and impact on staffing needs with really clear parameters, it can be good. Does require record keeping so, try to set-up a system within your load module so that you can track all of the banks along with peoples load. Also make sure that you stipulate a deadline for usage, otherwise it is too much work to maintain.

Yosemite: We are in negotiations on this issue now.

Taft: We do not "load bank" at Taft College.