

Full-Time Status and Workload of State Colleges Faculty

The VLRB and the Vermont Supreme Court have addressed what constitutes full-time faculty status. In a state colleges faculty grievance decision,¹ which was affirmed by the Vermont Supreme Court,² the Board discounted the importance of areas other than teaching and concluded that, under the collective bargaining agreement, the number of credit hours taught, or their "equivalent", is the determinative indicator of a faculty member's full-time or part-time status. In another case, the VLRB explained its rationale:

While the Board recognizes the importance of a full-time faculty member's responsibilities in areas other than purely teaching, it would be unreasonable for us to base full-time status on such responsibilities. The fulfillment of such responsibilities is based on the Colleges' prior recognition of an individual as a full-time faculty member. Absent such recognition, an individual should not be denied full-time status for failure to fulfill such responsibilities. This is particularly so where Article 23 of the Contract identifies number of credit hours of teaching responsibility as the primary workload indicator. Under these circumstances, it is reasonable that the assignment of the equivalent of 12 credit hours per semester to an individual be sufficient by itself to consider that individual as a full-time faculty member for that semester.³

In determining what work by faculty constitutes the "equivalent" of credit hours, the Board has recognized that this extends to pre-technology courses at VTC for which students receive no actual credit towards a degree, as well as courses for which students do receive credit towards a degree.⁴ Credit hour equivalency also has been recognized by the Board to extend to faculty teaching labs at VTC for which

¹ Grievance of Vermont State Colleges Faculty Federation, AFT Local 3180, AFL-CIO, 2 VLRB 279 (1978).

² 138 Vt. 299 (1980).

³ Grievance of VSCFF (re: Williams), 10 VLRB 92, 97 (1987); *Affirmed* (Unpublished decision, February 2, 1989).

⁴ Grievance of Brandon, et al, 3 VLRB 399, 400-401, 404 (1980). Grievance of Cotte and VSCFF, 25 VLRB 154 (2002).

students receive no credit.⁵ However, credit hour equivalency does not extend to curriculum development work, consulting work or summer teaching duties.⁶

In the related area of faculty workload, the VLRB has issued several decisions concerning whether the State Colleges assigned faculty members an excessive workload, without additional compensation, in violation of the contract. In determining whether workload is excessive, the VLRB considers the "norms" that have existed at each college within each department.⁷ In view of numerous factors, the assessment of faculty workloads is difficult, complex and imprecise.⁸ Nonetheless, it is necessary to remain vigilant to prevent the "ratcheting" effect on faculty workload; that if faculty workload components are revised upward, then the new practice will become the norm, thereby pushing up faculty workloads.⁹

⁵ Williams, 10 VLRB at 94.

⁶ Vermont State Colleges Faculty Federation, AFT Local 3180, AFL-CIO and Vermont State Colleges, 15 VLRB 232 (1992).

⁷ VSCFF v. VSC, 17 VLRB 1, 13-14 (1994). Grievance of Kittel and VSCFF, 10 VLRB 1, 5 (1987). VSCFF v. VSC, 8 VLRB 310, 321 (1985); *Affirmed*, 149 Vt. 546 (1988). Grievance of Brandon, et al, 3 VLRB 396, 404 (1980).

⁸ VSCFF v. VSC, *supra*, 8 VLRB at 320-21. Brandon, et al, 3 VLRB at 404.

⁹ Id.