

# Know Your Rights!

## What is a temporary contract and how do I know if I have one?

A temporary contract is an agreement between SDUSD and an employee that includes a defined period of employment – a beginning date *and* an end date. The California Education Code allows teachers to be classified as temporary if they:

- ✓ Work in categorically- funded projects,
- ✓ Replace a teacher on Leave of absence, or
- ✓ Meet other conditions found in California Education Code, Sections 44919 – 449221.

If you're unsure whether your employment is temporary or not, check your employment contract. You have the right to be notified in writing if your employment is temporary. If you do not receive such notification, you have the right to be deemed a probationary employee.

## As a temporary employee, will I be re-employed next year?

A temporary contract has an end date after which you are no longer an employee of SDUSD. Future re-employment is at the discretion of SDUSD.

## As a temporary employee, do I receive any preference in hiring for regular (non-temporary) contract positions?

When SDUSD has available vacant jobs to which no other union member is entitled, a temporary employee who has been employed by SDUSD for two consecutive years, and has served 75% of each of those years, is entitled to receive "first priority" in SDUSD's hiring at the grade level or in the department the temporary employee worked.

## Will time that I worked on a temporary contract count toward my 2-year probation period or for seniority purposes?

Temporary teachers who have served for 75% or more of the school year and who are *hired without a break in service* in probationary positions must receive retroactive credit for one year's service as a probationary employee. Service as a day-to-day substitute does not qualify for this credit.

## As a temporary employee, when does my healthcare benefit end?

A temporary teacher will have employer-paid healthcare thru the balance of the month in which the last day in paid status occurs. To be eligible for employer-paid healthcare, you must receive at least 50% of full-pay (in other words, you must have at least a 50%-time contract).

## As a temporary employee, will I accrue CalSTRS service credit?

Yes. Contact CalSTRS and SDUSD within 30 days of hire. Ask about the options to "elect CalSTRS Permissive" or membership in the Defined Benefit program. Contact CalSTRS at (800) 228 5453 and/or SDUSD's Benefits Office at (619) 725 7676.

*Source: Collective Negotiations Contract, July 1, 2006 – June 30, 2008 (Articles 9, 12); Education Code, Sections 44916, 44920, 44921)*