
THIRD READING

Bill No: AB 1028
Author: Fong (D), et al.
Amended: 5/23/25 in Assembly
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 7/9/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Laird

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 71-5, 6/3/25 - See last page for vote

SUBJECT: Community colleges: temporary employees

SOURCE: California Federation of Teachers

DIGEST: This bill clarifies that termination procedures for part-time faculty at California community colleges may be negotiated as part of collective bargaining agreements (CBAs), and reaffirms that all part-time faculty assignments remain temporary and contingent on enrollment, funding, and program needs.

ANALYSIS:

Existing law:

- 1) Authorizes community college districts to employ academic staff as contract, regular (tenured), or part-time (temporary) faculty. (Education Code (EC) § 87604)
- 2) Defines part-time faculty as those teaching no more than 67% of a full-time faculty load. (EC § 87482.5)

- 3) Requires community college CBAs to include policies for reemployment preference, termination of that preference, and a regular evaluation process for part-time faculty. (EC § 87482.3)
- 4) Allows the governing board of a community college district to terminate a part-time faculty member at the end of a day or week, at its discretion, with judicial review limited to the timing of the termination. (EC § 87665)
- 5) Requires districts without CBAs for part-time faculty to enter into negotiations and include specific terms and conditions. (EC § 87482.3(d))

This bill:

- 1) Requires that the termination of a part-time (temporary) faculty member by a community college governing board comply with the terms of any applicable CBA.
- 2) Provides that if the bill's provisions conflict with an existing CBA in effect on January 1, 2026, they shall become operative upon the expiration of that agreement.
- 3) Reiterates that all part-time faculty assignments are temporary, contingent on enrollment and funding, and do not carry a reasonable assurance of continued employment, regardless of status, length of service, or reemployment rights.

Comments

- 1) *Need for this bill.* According to the author, "Part-time faculty are the backbone of California's community colleges, and in the unfortunate event that they are let go, they deserve to know the reason they have not been rehired. AB 1028 will give part-time faculty the same consideration, respect, and dignity given to full-time employees, by clarifying the process that must be followed by Community College Districts and explicitly stating that termination processes outlined in bargaining agreements are honored."
- 2) *Clarifying the role of collective bargaining in part-time faculty employment.* This bill affirms and clarifies the role of local collective bargaining in shaping employment protections for part-time faculty. While existing law requires CBAs to include certain provisions for reemployment and evaluation, there is ambiguity and variation across districts regarding termination procedures. A 2023 review of CBAs by Assembly Higher Education Committee staff found

that, despite statutory requirements, many agreements either lack explicit termination procedures or defer entirely to Education Code provisions. This bill seeks to standardize practice by ensuring districts adhere to collectively bargained procedures when terminating part-time faculty. This strikes a balance between maintaining the at-will nature of part-time assignments and promoting procedural fairness.

- 3) *Evolving legislative and fiscal support for part-time faculty.* Over the last two decades, the Legislature has progressively expanded statutory protections for part-time faculty through AB 1245 (Alquist, Chapter 850, Statutes of 2001) and SB 1379 (Mendoza, Chapter 891, Statutes of 2016), among others. These laws introduced rehire rights, evaluation standards, and required CBAs to include employment terms for part-time faculty. More recently, the state has invested in pay parity and benefits for part-time faculty: the 2024–25 enacted budget included \$24 million for office hour compensation, \$27 million for parity funding, and \$200 million for health care reimbursement. These investments reflect growing legislative recognition of part-time faculty’s role in student success and system stability. This policy is consistent with this policy trajectory by reinforcing due process principles while preserving local bargaining flexibility.
- 4) *Part-time faculty as a majority of instructional staff.* According to the Chancellor’s Office, “California Community Colleges (CCC) Annual Statewide Staffing Report,” part-time faculty comprised approximately 67.7% of the California Community Colleges’ instructional workforce in Fall 2023—nearly twice the number of tenured and tenure-track faculty. Yet part-time faculty typically receive less pay, minimal benefits, and fewer institutional supports. The 2023 State Auditor’s report noted that while part-time hiring allows districts to respond flexibly to enrollment shifts, it also limits faculty-student engagement and institutional continuity. Providing some measure of procedural transparency at the point of termination—particularly in the absence of a negotiated process—may support retention, morale, and perceptions of fairness among this sizable segment of the workforce.
- 5) *Legal clarity versus operational uncertainty.* This bill addresses a longstanding conflict in statute by amending Education Code § 87665 to clarify that termination procedures for part-time faculty may be included in CBAs. The intent is to resolve ambiguity stemming from the interaction between § 87665, which permits discretionary termination of part-time faculty without cause or judicial review, and § 87482.3, which authorizes local bargaining over

reemployment rights. While the bill preserves the at-will nature of part-time employment and does not mandate termination protections, the Community College League of California argues that it could nonetheless create pressure on districts to negotiate new rights for temporary employees who, by law, serve at the discretion of the district. The League also contends that existing law already allows bargaining over termination under AB 1690 (Medina, 2016), and views this bill as unnecessary and potentially disruptive to existing local bargaining practices. Proponents counter that districts have previously cited § 87665 as a legal barrier to bargaining over termination procedures, and that AB 1028 merely clarifies that such bargaining is permissible—not required.

- 6) *Incremental reform in a complex employment framework.* Faculty employment law at the CCC level operates within a multi-layered framework of Education Code mandates, local CBAs, and accreditation standards. Rather than overhaul this framework, this bill takes an incremental approach—encouraging negotiated termination processes while providing minimal procedural transparency in their absence. This approach is consistent with national recommendations to improve working conditions for adjunct faculty while respecting institutional governance. For example, the American Association of University Professors has long advocated for increased transparency, equity, and procedural protections for contingent faculty, viewing them as essential to academic continuity and educational quality.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee, the Chancellor’s Office estimates that this bill could result in one-time Proposition 98 General Fund costs of \$14,000 to \$22,000 per district, or between \$1 million and \$1.6 million statewide across all 72 districts, to update collective bargaining agreements and include procedures regarding the termination of part-time faculty. These costs could be lower to the extent districts already have these policies in place.

SUPPORT: (Verified 8/28/25)

California Federation of Teachers (Source)
 California Acupuncture Coalition
 California Part-time Faculty Association
 California State Council of Service Employees International Union
 California Teachers Association

OPPOSITION: (Verified 8/28/25)

Association of California Community College Administrators
Community College League of California

ASSEMBLY FLOOR: 71-5, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Macedo, Patterson, Sanchez, Tangipa

NO VOTE RECORDED: Castillo, Ellis, Ta

Prepared by: Ian Johnson / ED. / (916) 651-4105
8/30/25 12:37:35

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