

Side Agreement Between the San Francisco Community College District
and the American Federation of Teachers Local 2121

**SALARY OVERPAYMENT PROCEDURE
DECEASED FACULTY**

A. Background

On September 17, 2007, representatives of the Union and the District reached agreement on a Standard Operating Procedure (SOP) regarding Salary Overpayments made to faculty. The SOP contemplates full recovery of salary overpayments because to not do so could be considered a gift of public funds. Subsequently, the parties expressed a mutual interest in not pursuing recovery of salary overpayments resulting from the District's practice of pre-paying faculty for their services in a given academic year if a faculty member should die after having received advance payment by the District. Accordingly, this side agreement addresses the limited circumstance of how the District will treat salary overpayments involving deceased faculty members.

B. Terms

Effective Fall 2008, the District shall not seek recovery of any monies paid as base salary to a faculty member if she or he should die after having received advance payment by the District for services he or she would have performed within a defined academic year.

The District shall maintain a record of all deceased faculty who have had salary overpayments under the conditions described herein and the amount of those overpayments. The record shall be shared, upon request, with the Union leadership, the Chancellor's designee(s) and the Board of Trustees. Nothing precludes the parties from revisiting this side agreement in subsequent negotiations.

A copy of this side agreement shall be distributed to relevant administrators and support staff to insure that the terms of this side agreement are adhered to as intended by the parties.

For the District

For the Union

Date: _____

Date: _____